

Color Blind  
By  
J. E. Clarke

Copyright  
Janetgoodman@yahoo.com  
917-328-5253

FADE IN ON:

**INT. INTERVIEW ROOM - CRIMINAL COURT - MORNING**

Blinding white. Cramped. Even with just the table and two chairs, there's little room to move.

DOUG PATTERSON (40s) squirms in his seat. His appearance screams "CPA", skin as pallid as the decor.

The chair legs scrape tile. SCREE. Doug winces, looks up.

DOUG

Don't misquote me. I want to serve! It's just... the financial quarter's almost over. With my job, I can't afford -

Across the table, PHILIP MICHAELS, Esq (50s, African American) nods.

MICHAELS

Mr. Patterson, rest assured. Jury duty pays a living wage. If you experience any hardship, I personally guarantee you'll be reimbursed.

DOUG

It's not the money, it's the work load. If I'm not there to keep paper flowing...

MICHAELS

How many coworkers in your company, Mr. Patterson?

DOUG

Forty. Please, call me Doug.

MICHAELS

If it puts you at ease, I consider this case cut and dried. Deliberation for one or two days, tops. During that short time frame - couldn't one of the 39 other hard workers at your firm fill in the gaps?

DOUG

My company's a small boutique. I guess. But don't quote me. I'm not sure.

Michaels leans forward with a polished smile.

MICHAELS

Here's what I seek to ensure. Doug, what are your racial views?

DOUG

...excuse me?

MICHAELS

Now, this interview's strictly confidential. There are no wrong answers here. No judgments, either. Nothing you say will leave this room. Do you believe race affects an individual's behavior? Are some races - for instance - more prone to violence? Culturally or genetically? The reason doesn't matter. The conclusion does.

Doug side-eyes Michaels. Is this a *gotcha* question?

DOUG

Of course not. I'm no racist!

MICHAELS

Not intentionally, I've no doubt. But - do you think there's any chance in a criminal case, the race of the defendant or victim might "color" your reactions? Somewhat?

DOUG

(indignant)

Please. My best friend is Bla... Uh, African American!

MICHAELS

(chuckles)

Your best friend's not on trial. But when it comes to judging a *stranger's* guilt, do you feel absolutely confident in your ability to judge on objective legal principle - and nothing else?

DOUG

I'm an accountant. I follow objective rules for a living. Ask anyone. I'm color blind!

MICHAELS

Marvelous. Then I officially select you as our final juror, Mr. Patterson.

DOUG

But...

MICHAELS

My apologies: "Doug". I'm sure it will come as no shock that finding suitable jurors in this trial has been... well, challenging. You know how polarized our culture's become.

DOUG

Yes, but what about my job?

MICHAELS

The court decision's binding. Call your firm and let them know. Your family, too.

Michaels extends a hand across the table.

MICHAELS

Welcome to the jury. I'm sure you're as eager as I to see justice served.

Doug sighs. Staggering to his feet, he wanders off.

**INT. PAYPHONE BOOTH - COURT HALLWAY - LATER**

More cramped. Doug clutches the receiver, knuckles white.

DOUG

(into the phone)

No, I'm calling from a landline. I thought they were obsolete, too! The guards confiscated my cell at the entrance. Their security's tighter than a witch's t- I mean, LAX. You should see the metal detectors they made me walk through. Everything about this trial seems hush hush. Have you heard *anything* on the news?

(beat)

Well, ask Skinner to cover for my clients. He's as responsible as they come. Skinner's still on vacation? Fuck!

Doug covers the mouthpiece. Almost hyperventilates.

DOUG

I mean, too bad. Please... find someone to pinch hit until this shit show blows over? The defense lawyer told me a few days. But however long it lasts!

CLICK. Doug hangs up. Wipes his brow with a napkin.

Poorly dressed JURORS wander by. Eyeing the grimy payphone, Doug surrenders to OCD and wipes his hands, too.

DOUG

Great time to extend a cruise, Skinner.  
At the end of the quarter? That's a  
friggin' crime!

**INT. CRIMINAL COURT - DAY**

Polished mahogany as far as the eye can see. Judge LISA PARKER presides: a small woman with a formidable air.

On the wall to Parker's left: a massive MONITOR.

TWELVE JURORS line the front benches, bathed in the gadget's glow. Squeezed between bodies, Doug looks even more trapped than before.

To his left: RICK. A hipster rocking a man bun, tattoos.

To his right: KAREN. Prim suburban mom, fueled by espresso. Every movement she makes screams "buzz."

Michaels walks by, scrutinizing the galley - in friendly "drill sergeant" mode.

At a nearby table, Prosecutor ROBERT CHAO (30s) frowns.

MICHAELS

As you'll all soon be aware, there are various ways this case is destined to be unique. Testimony will be free-form, with formal questioning set aside. Thanks to the sensitive nature of this trial, you'll be sequestered until it's resolved.

Doug slumps on the bench. All jurors GROAN.

MICHAELS

Translated to layman - and laywoman - terms, that means: no going home to families. Though I promise, when it comes to amenities, no expense has been spared. In the event of overnights, you'll find the sleeping quarters we've supplied a refreshing break from the outside world. And when we say "break", we mean it. During the length of your stay, no calling out will be allowed.

And in order to save any enterprising folk the effort: sneaking cell phones onto the premises is a felony. An unproductive one, too. You'll find the material in our building's walls blocks all signals. Except for authorized ones such as this here...

Michaels jabs a REMOTE at the monitor. The digital behemoth stutters visually.

Displaying: a stark white space. The interview room looks cozy in comparison.

IN FRAME: A brown-haired TECHNICIAN (RODNEY, 20s) fiddles with wires. Noting his feed's gone live, Randolph stops. Waves at jurors. Grins.

MICHAELS

Say hello to our jurors, Rodney! Good jurors, Rodney here's the court's IT whiz. When it comes to connecting people coast to coast or overseas.. Rodney's as go-to as there is!

Rodney shrugs modestly, resumes his handiwork.

On the juror bench, Rick waves a hand wildly.

MICHAELS

You there. Roger, if I recall. Yes?

RICK

No. My name's Rick.

MICHAELS

Ah. Mea culpa, Rick. If you need a bathroom break, orientation's almost complete. After which, you'll find our gender inclusive restroom on the right.

RICK

I don't gotta go. I got a question.

MICHAELS

Good. The courtroom welcomes all such things.

Michaels nods towards the prosecution table.

MICHAELS

Including my adversary; the formidable prosecutor Robert Chao.

Chao doesn't return Michael's smile. Instead, he folds his arms and grunts.

RICK

About that epic monitor: if we end up locked in here - is it available for movie nights?

Next to Doug, Karen rolls her eyes.

KAREN

Great. Taxpayer money well spent!

A few jurors giggle. An earnest Rick presses the point.

RICK

If we're gonna be stuck here indefinitely, with no media - not even phones - we've got to blow off steam somehow!

MICHAELS

(laughs)

I commend you for creative thinking. But on your off hours, I recommend you each spend time deliberating. Introspection in silence works. As for the monitor, I was about to address its purpose now.

(beat)

In this case, there are certain security issues which render in-person testimony... not wise. So we'll be keeping the defender and accuser's real names anonymous. Which won't be an obstacle; the other facts should be all you need to know. And both gentlemen will be visiting us digitally. Thanks to our Rodney - in high res HD!

Another wave to Rodney. The technician adjusts a lens.

Onscreen saturation and resolution sharpens. Freckles pop onto Rodney's face. Suddenly, red in his hair glints.

Rodney shoots "thumbs up" to his audience. Michaels salutes back, toggles the monitor off - CLICK.

MICHAELS

(back to the jurors)

Looks like we've passed "inspection." Everyone: break for lunch. But be back in thirty minutes. That's when this "show" starts!

**INT. CAFETERIA - COURT BUILDING - MOMENTS LATER**

The opposite of high dining. School fare, at best.

The jurors gather at a long table. Rick, Doug and Karen huddle at one end.

At another table, Michaels and Chao discuss the case (MOS). If body language is any indication, it's an extremely passionate debate.

Rick munches on Doritos. Points counsel's way.

RICK

They're already getting into it? We don't even know the crime yet.

Doug slouches with a ham sandwich, an anxious mess.

DOUG

How long *do* you think we'll be "stuck here"?

KAREN

"Stuck"? We're fulfilling our civic duty. I'd be proud to serve, even for free!

Doug almost chokes on wonder bread.

DOUG

You think jury duty's glamorous, like TV? Reality'll bore us all to tears. Talking endlessly about a fight in some bar. Or a clerk in a back office, caught embezzling company funds.

(perks up)

Though if it's money laundering, I'm certified in ACAMS. Maybe that's why Michaels picked me...

RICK

(snorts)

You think security would be this squeaky tight for a stupid money case? Not!

DOUG

Money laundering's *anything* but stupid.

RICK

Maybe to number drones like you.

DOUG

Pardon me, Mr. "Retro Hippy". Some of us actually work for a living...

RICK

Instead of pushing paper like you? I'm a programmer, thank you very much. Which helps me read between the lines - both in code, and life. In this case, you can bet your ass some blood was shed.

KAREN

You think?

RICK

Think? I know.

Rick leans closer to Doug and Karen, whispers sotto voce.

RICK

I mean, I swear I didn't smuggle in a phone, but before they brought the iron curtain down, I got a text from a friend, who heard rumors...

Doug raises an eyebrow. And?

RICK

Word is, this is a huge racial case. One they're protesting about in the streets. That's why they couldn't let us be "contaminated by outside influences." If we were, they'd have to throw us all out!

DOUG

That'd be a blessing.

A sudden BANG makes the trio jump. Feet away, the discussion between Chao and Michael flares.

CHAO

(to Michaels)

This is bullshit. You're convoluting justice.

MICHAELS

Don't be so knee-jerk traditionalist. What's wrong with making justice blind?

Sensing their audience, the two lawyers swivel in their seats. Shut down.

MICHAELS

(back to Chao)

So, what's your gastronomic poison today? Burgers or pizza?

CHAO

Had those Monday. Neither, thanks.

MICHAELS

Take out then. There's always Sin Wok on Fordham...

CHAO

(grins)

Fuck you, racist. You know protein bars are *my* thing.

Chao whips out a protein bar, chews in Michael's face.

Doug, Rick and Karen exchange looks.

RICK

This trial's gonna be... fun?

**INT. CRIMINAL COURT - LATER**

Judge Parker sits to the side.

Karen sips from a now empty coffee cup, intent to inhale the last drop through her pores.

Doug and Rick rest on the bench, side by side. Offended by each other's presence, they stare forwards towards...

Michaels and Chao flanking the monitor. Overhead, lights dim. It's like a movie theater. *Almost.*

Onscreen: A paused still of the porch of a BEACHFRONT BAR at night. Out of context, an idyllic scene.

Installed on some nearby pole, the camera points inward at the bar's huge plate glass window - providing a decent view of the entrance and counter within.

The place is empty - all customers gone.

Defense attorney Michaels uses a YELLOW LASER POINTER to circle the Bar's Entrance sign:

"Welcome to Wonder Wally's - the best place on the boardwalk, when you're not outside!"

MICHAELS

The incident you're about to witness happened at Florida beachfront resort *Wonder Wallys*: September 15th, this year.

RICK

Wait a minute... a few weeks ago? They fast tracked a jury that fucking quick?

KAREN

(hisses)

Language!

RICK

I was right. This case *must* be massive!

JUDGE PARKER

Jurors in the front... Sh!!!

Her face warms as she turns to Michaels and Chao.

JUDGE PARKER

Gentlemen? Please resume.

Chao whips out a GREEN LASER POINTER, circles the TIME STAMP on the video frame.

CHAO

Note the time of the recording: 1:00 AM. Wonder Wally's had closed for the night.

Michaels waves his laser pointer at the bar's door.

Between the neon beams, the "duel" resembles light sabers. Without sizzling sound effects, of course.

MICHAELS

Also note, the door's ajar. This hints to any passersby the establishment *might* still be open.

Chao glares, circles the "Closed" sign in the window.

CHAO

Though, if one reads: who needs a hint?

Karen grins and whispers to Doug.

KAREN

Wow, this is getting intense. They haven't even played the movie yet!

DOUG

(sighs)

This is no movie. Unfortunately, it's real life.

Michaels juggles a remote in his other hand.

## MICHAELS

The man you're about to see approaching is Defendant Eric McClain. A tourist at the resort, he'd ventured out for a night beach walk. Due to lack of visibility - McClain stepped on a shell. It lacerated his foot, causing him to bleed profusely. In search of first aid assistance, he headed for the boardwalk, and encountered Wonder Wally's. A tragic stroke of fate.

Michaels hits play - the video plays. Chao interjects.

## CHAO

At this moment, the proprietor of Wally's - George Cosgrove - was in back alone, doing inventory. You'll meet him shortly. Cosgrove investigates, upon hearing Mr. McClain up front.

**INT/EXT. - WONDER WALLY'S BAR - VIDEO - NIGHT**

A man stumbles onto the porch, towards the entrance.

Even through the fuzzy resolution of the tape, the bloody footsteps he leaves on the porch are a cinch to make out.

As he stares up at the "Welcome" sign, his face becomes clear, too: ERIC MCCLAIN (30s, African American). Streamlined muscles; the beach bum sporting type.

**INTERCUT BETWEEN VIDEO AND COURT**

Rick chokes, whispers to Doug.

## RICK

See? It's a racial case. I called it first!

## DOUG

Stop making assumptions. We haven't even seen the owner yet.

Onscreen: McClain cups his hands, stares into the bar. Leaves a bloody handprint on the pane.

He touches the door; it swings open. McClain stumbles in - each step on his foot ever more painful to watch.

## KAREN

OMG. He's breaking and entering!

RICK

Please. He didn't even pick the lock!

Onscreen: McClain beelines for the bar. Ducking behind it, he rifles drawers. Pulls plenty out, but can't seem to find what he's looking for.

Then he glances up. On a shelf, he spots a FIRST AID KIT. Grabbing a bar stool eagerly, he climbs up!

But as he reaches for the kit, the stool wobbles. McClain's bad leg buckles. Although the tape has no audio, he clearly screams in pain.

And grabs the shelf for balance. Bottles CRASH to the floor. McClain does too - bouncing off the counter. OOF.

GEORGE COSGROVE (30s) races in from a back room. Polo shirt. Blond hair. Wild-eyed, Cosgrove sizes McClain up:

The blood. Smashed and scattered property. Reaching into a different drawer, the panicked owner grabs a GUN.

CHAO (O.S.)

Jurors, at this juncture, I'd like you to all note the following: the firearm you see is legal. Mr. Cosgrove is licensed to carry in the state of Florida.

RICK

(laughs)

Who isn't?

Onscreen: Cosgrove advances on McClain, yells (MOS). What follows next is brutal - and quick.

Cosgrove seizes McClain's collar, shoves the gun in his face.

McClain grabs the muzzle. For a heartbeat, the two men struggle.

Until McClain's leg buckles once again. Cosgrove's arm twists inward. BANG!!

A shot Cosgrove crumples to the floor. Still holding the gun, McClain goggles at it, repulsed. He drops the weapon. What to do?

Bending down, he fumbles in Cosgrove's jacket and finds a cell. Pressing the bleeding man's finger to the phone, he unlocks it. Dials.

MICHAELS (O.S.)

Though the resolution's too fuzzy to see,  
that's 911 he's calling, folks.

McClain grabs a bar rag, presses it to Cosgrove's wound.

Back in the courtroom, Doug gags.

Michaels freezes the video. CLICK.

MICHAELS

Five more minutes of that continue. But  
nothing notable you need sit through.  
After which, paramedics arrive at the  
scene.

CHAO

As do police. Mr. McClain was arrested  
for attempted murder.

MICHAELS

Though both "attempted" and "murder" are  
in dispute. As I'm sure the jury will be  
relieved to hear, Cosgrove survived that  
night.

CHAO

And you'll be hearing from him soon after  
the break. Even though breathing is  
difficult for him now, thanks to McClain,  
and his shattered lung.

MICHAELS

You'll be meeting my client shortly, too.  
As I'm sure is obvious from our video,  
Mr. McClain's heroic efforts of first aid  
are the reason Mr. Cosgrove survived.

DOUG

(whispers)

The reason he got shot, too?

Judge Parker bangs her gavel.

JUDGE PARKER

Recess! Thirty minutes, then return.  
Anyone tardy will be fined!

**INT. BREAK ROOM - COURT - MOMENTS LATER**

Far cozier than the cafeteria. A poster of "Blind  
Justice" decorates one wall.

Doug, Rick and Karen perch on mini-couches. Karen's almost giddy. Doug and Rick - not so much.

KAREN

Did you see all that blood?

RICK

On the porch, or in the bar?

KAREN

Both! It was like a scene from CSI!

DOUG

Which one? Las Vegas, New York or Miami?

KAREN

The Florida one. That'd be ironic...

RICK

Life *does* imitate art?

DOUG

There's nothing artistic about what we saw.

Rick nods, and leans back on his couch.

RICK

Dunno why this one had to come to court. You ask me, the case IS cut and dried.

DOUG

I'm surprised we agree, but... Me, too.

RICK

It's obviously self-defense.

DOUG

Of course!

RICK

McClain did nothing wrong.

DOUG

(beat)

Excuse me? Did we see the same video?

RICK

I thought we did. But if you're saying McClain's at fault...

DOUG

He's the one who created the situation!

RICK

By stepping on a fucking seashell? The guy was hemorrhaging, for Christ sake! What did you expect him to do?

Karen watches the two, grins. It's like her TV shows come to life!

DOUG

Why didn't McClain call an ambulance on his own? Why break in at all?

RICK

He didn't "break in". The door was open!

DOUG

Wally's was obviously closed. Cosgrove not locking it's no excuse.

RICK

You gonna nitpick the poor guy into an attempted murder conviction?

DOUG

It's not nitpicking, it's principle! If I accidentally leave a suitcase full of money on the sidewalk, does that justify you stealing it, even with *good* intentions? McClain trespassed. And he LOOKED like a burglar. So Cosgrove had every reason to act like he did.

RICK

"Looked" like a burglar? Newsflash, Doug. You're a racist. Did they vet you at all?

DOUG

I... I'm not saying McClain looks like one on *those* grounds. But he was there after hours. Rifling through bar drawers. Connect the dots. He could've been looking for money. What else could an owner assume?

RICK

Cosgrove could've asked questions before shooting. That would've been a plus.

DOUG

And McClain could've knocked on the door. Or yelled to see who was there. Did he do either? No! That's what you get for breaking the rules...

Annoyed, Rick jumps up and stalks to a window. Voices drift upwards from the street below. Rick's eyes widen. He points down.

RICK

Look!

Doug and Karen do.

**EXT. STREET LEVEL - DAY**

PROTESTORS flood the avenue. Angry signs bob up and down:

"Justice in the US Can't Be Blind"

"Seeking First Aid's No Crime!"

RICK

Wow. Looks like we're about to be famous.

(side eyes Doug)

So we better do the right thing.

Doug wiggles the window. It's locked.

DOUG

Dammit!

RICK

What's the plan, Doug - jumping out?

DOUG

No.

Sagging, Doug wanders back to his couch. Rick follows, aching for a fight.

RICK

Then, you're practicing "breaking and entering" - in reverse?

DOUG

I just wish there was some way to get word to work. If I knew Skinner was caring for my clients, I wouldn't care how long this lasts. But if he isn't - this trial better end... fast!

**INT. CRIMINAL COURT - AFTERNOON**

An image of Tech Rodney looms on the monitor, larger and chipper than life. Rodney throws a switch. Video redirects.

Onscreen: George Cosgrove sits in a chair. The man breathes hard, a bandage wrapped around his chest.

Michael nods to the jurors.

MICHAELS

One last point, before we start. You can see Cosgrove. But thanks to our Technician Rodney's skills - your faces are blurred. He can ID me, but not you!

Chao smiles at his client, uncharacteristically warm.

CHAO

George! I'm so glad you could make it. How're you feeling this fine afternoon?

Cosgrove sucks in a ragged, painful breath.

COSGROVE

I've... been better. But you all know that, right? The wound got infected. Docs prescribed antibiotics, but it's a slow healing process. The drugs make me sleepy, too. I would've stayed in bed and cancelled, but being here meant too much.

CHAO

We all feel you, George.

Michaels turns to the jurors.

MICHAELS

I do, too. But as you all listen to Mr. Cosgrove's painful and honest testimony, bear in mind: NO-ONE is claiming Mr. Cosgrove hasn't suffered. The defense is simply pointing out McClain didn't act with criminal intent at all. The injuries Mr. Cosgrove describes are the result of tragic accident. That's all. Punishing an innocent man for that would only make things worse!

Another rasp from Cosgrove. Michaels turns to him next.

MICHAELS

As would dragging testimony out. George, we'd all prefer you rest and heal. So let me not take up too much of your time.

CHAO

George, for once in a long *long* while I agree with my colleague.

In your own words, please tell us what you experienced on the night of September 15?

Cosgrove gulps, begins.

COSGROVE

Well, as you know, I was in back. I heard bottles breaking and came running. At first I thought: maybe a shelf collapsed? But then I saw... The intruder.

CHAO

By "intruder", you mean Mr. McClain?

MICHAELS

Objection!

CHAO

Excuse me? On what grounds?

MICHAELS

Calling my client "an intruder". That's prejudicial, and inaccurate.

CHAO

Not at all. That's what he was.

COSGROVE

It's not like we had time to be formally introduced. You know how minds work. Everything that happened next felt to me like quick visual snapshots. The broken bottles. Stuff he'd thrown all over the counter. And the blood. God, I saw that first. It was everywhere. You can't blame me for reacting!

MICHAELS

But couldn't you have retreated and called the police?

COSGROVE

Yes, but it's my bar, dammit! I got burglarized just a month ago. Of course I assumed that's what this was. And it's not like I shot HIM. McClain grabbed my gun. That freaked me out. And then when he twisted it towards me...

MICHAELS

Not intentionally. My client's injured leg - which you should have noticed from "all that blood" - grew weak.

COSGROVE  
Noticed? Really? In that dark?

Cosgrove itches under his bandage.

COSGROVE  
Ow!

CHAO  
George, I know you're in terrible pain.

COSGROVE  
Buddy, you've no idea.

CHAO  
Is there anything else you'd like to  
bring to our juror's attention before  
wrapping this up?

Cosgrove's voice drops, soft.

COSGROVE  
The docs tell me my left lung's shredded.  
I'm never gonna breathe easy again. I  
just want justice. Is that too much to  
ask?

#### **MOMENTS LATER**

Chao waves goodbye to his client.

CHAO  
Thanks. Feel better, George!

The video feed of Cosgrove blinks to black. The line of  
jurors sit silent, pondering.

The screen lights up. It's Tech Rodney, typing code.

MICHAELS  
Is everything OK, Rodney? Or should  
jurors recess again while you reboot?

RODNEY  
Nope! Just tweaking the transmission.  
There. The McClain feed's good to go!

Another digital switch. Rodney's replaced with...

Eric McClain onscreen. Slouched and dressed in torn  
tourist clothes, he looks defensive. Remorse shines from  
nervous eyes.

MICHAELS

Eric, welcome!

MCCLAIN

Uh... oh. Right. Thanks?

Noting his client's discomfort, Michaels flashes a warm smile across the room.

MICHAELS

Eric, I'd like to introduce you to the jurors. You may not be able to discern their faces, but let me assure you - they're concerned. What you're going through's no easy thing, but please rest assured I picked them because I'm convinced... they'll do right by you.

CHAO

(snaps)

My client deserves that, too.

McClain draws a deep breath. His voice wavers.

MCCLAIN

You saw the video. I didn't steal -

MICHAELS

Eric, before we get to the details of the "event", let's get to know each other better first.

MCCLAIN

(nervous laugh)

How? It's not like we're gonna go out for drinks!

(beat)

Especially not to Wally's anymore...

MICHAELS

Let's start with your vacation. Please tell the jury what you were doing in Florida before... all this?

McClain fidgets, then his face lights up.

MCCLAIN

It was just a vacation. One I'd been looking forward to for months! Back home, I'm a paper pusher. Ten hours a day, cooped up in an office. Boring work. Tedious coworkers, too. Whenever I save up enough dough to get out, soak up sun... it's like escaping prison!

Michael's face falls. Bad choice of words.

MICHAELS

A "metaphorical" prison, that is?

MCCLAIN

Oh. Yes. Of course!

MICHAELS

So, you saved up and flew to Florida.  
What happened next?

MCCLAIN

It was like a dream come true! That night, I can't describe how magical it was to look up and not see buildings - only stars! That's why I went out for a late night stroll. Sand between my toes, the sound of waves on the shore. It was heaven... until I stepped on that shell.

(beat)

At first, when everything felt wet, I thought it was just a puddle. Then the pain hit, and I saw the blood. Gushing like I'd hit an artery. I.. panicked and ran for help.

MICHAELS

Why didn't you call 911 then?

MCCLAIN

I wish I could've, but like I told you, the walk was spontaneous. I'd left my fucking phone in the room!

Rick turns and glares at Doug.

RICK

There. Victim blaming 101, shot to hell.

MCCLAIN

(continues to testify)

The boardwalk was closer than the resort by about a mile. The way I was bleeding, I figured there wasn't much time.

MICHAELS

Split second decisions. Anyone else would do the same. What happened when you reached the boardwalk, Eric?

MCCLAIN

I saw the Wally lights, and ran over. I didn't see any customers, which was strange. Who the hell closes a bar at 1 AM at a beachfront resort? But the front door was open, so I assumed everyone was drinking in back.

CHAO

But once you were inside, surely you realized you were wrong?

MCCLAIN

Yes, but... then I thought: all bars keep first aid kits. That's a state law. So I started looking.

CHAO

But didn't think to call out, and announce you'd let yourself in?

MCCLAIN

All I wanted to do was find a towel. Bandages. Something. Anything to press against my foot!

McClain's eyes tear up. The memory of that night hurts.

MICHAELS

Please tell the jury what happened after Mr. Cosgrove...

MCCLAIN

Who?

MICHAELS

The owner of the bar. What transpired after he arrived?

MCCLAIN

Oh god. I'm sorry. "Cosgrove", right! I was in shock from falling off that stool. Dizzy from blood loss, too. So when he ran at me with that gun, the only thing I thought to do was grab it. Push it aside.

CHAO

Identifying yourself didn't cross your mind?

MCCLAIN

With a gun in my face? No! That's when my leg gave out. I know how it looks on video, but I swear I didn't shoot him.

I fell sideways. He shot himself. Believe me, I'm a peaceful guy. I would never do anything to hurt another soul.

CHAO

Weren't you arrested for theft at age fourteen?

MCCLAIN

(stammers)

Sneaking out one pack of cigarettes?  
Yeah. If it helps, my mother made me work for a week at that deli to make it up.  
And I thought juvenile records like that were sealed?

Chao turns and winks at the jurors - intentionally mirroring Michaels' earlier words.

CHAO

No-one is intentionally claiming Mr. McClain acted maliciously at Wally's that fateful night. The prosecution is simply highlighting the fact it's HIS actions which caused the "tragic" situation. The injuries Mr. Cosgrove may have to deal with all his life are the result of gross negligence - no matter how unintentional - on McClain's part.

McClain turns towards the blurry jury, eyes pleading.

MCCLAIN

Please - you've got to understand. If I could turn back time, I would. Let me be the one who got shot. I'm so sorry for what's happened. But putting me in jail won't fix anyone's pain now!

#### **MOMENTS LATER**

Michaels waves goodbye to his client. Once more, the screen goes black.

Overhead, courtroom lights brighten. Reveal a solemn jury, deep in thought. Michael and Chao approach.

MICHAELS

The defense...

CHAO

And prosecution...

MICHAELS

Rest.

Karen raises a hand, confused.

KAREN

That's all of it? We're done?

DOUG

(relieved)

Thank God!

MICHAELS

Yes. Well, the presentation part, at least. In this customized format, neither I nor my colleague need provide formal concluding thoughts.

CHAO

We're certain video and testimony speak for themselves. Upon deliberation, I'm sure you'll all agree Mr. McClain's actions should not be left consequence-free. My client himself will have to live with McClain's decisions all his life.

MICHAELS

Though, I'm confident you'll all also acknowledge the fundamental truth that justice and arbitrary punishment are not synonymous. Not every bad thing that happens in this world has a hero or a villain assigned. The real world is not TV. Tragic accidents happen. And when they do, a civilized society doesn't automatically demand an 'eye for an eye'... at least in cases of this ilk. To act in such a punitive and unjust manner would soon leave the whole world blind!

Judge Parker bangs her gavel.

JUDGE PARKER

Adjourn and deliberate now!

**INT. BREAK ROOM - COURT - MOMENTS LATER**

Back on mini couches. Rick, Doug, Karen and the other jurors sit, stunned.

DOUG

That was faster than I thought.

RICK  
Oh, it ain't half over yet. If this ends  
in a hung jury, we could be stuck here  
for days. Weeks, months!

DOUG  
That long? Discussing what?

RICK  
Whether to take away a man's liberty!

KAREN  
Isn't this exciting?

DOUG  
No. It's not.

### **A MONTAGE OF ARGUMENTS**

Other jurors gather around. Passionately debating, Doug  
and Rick very close to blows.

DOUG  
I'm not saying McClain's lying. He's  
still the reason Cosgrove's hurt!

RICK  
You're gonna throw him in jail for  
wanting to save his foot?

DOUG  
No! But if McClain had just followed the  
rules-

RICK  
How so?

DOUG  
Announced his presence. Said who he was.  
Anything. If he had, none of us would be  
here now!

RICK  
You're telling me you would've done *any*  
of that while bleeding out?

DOUG  
Yes! That's what people like me do.

RICK  
(beat)  
Ah, there it is. "People" like you.

DOUG  
God dammit. I'm not a racist.

RICK  
Prove it, and let McClain go!

DOUG  
No. I'd hold him equally responsible if  
he were white.

Karen blinks, offers a stray opinion of her own.

KAREN  
Did anyone else notice how Mr. McClain  
was dressed? He didn't seem the  
responsible sort at all.

Rick glares around at other jurors.

RICK  
What do you guys think?

The group press forward. A babble of opinions roar.

**INT. CRIMINAL COURT - EVENING**

The jurors sit solemnly. Michael and Chao are quiet.  
Judge Parker enjoys center stage now.

JUDGE PARKER  
You say you've reached a verdict?

Clearing his throat, Doug stands up. The opposite of  
charismatic, he clearly loathes the spotlight now.

DOUG  
Yes we have, your honor.

JUDGE PARKER  
And how do you rule?

DOUG  
(drops his eyes)  
Guilty.

Dead silence in the courtroom. Michael shoots a look at  
Chao: "I told you so."

Doug shoots a look at Rick, too. And turns to Parker.

DOUG  
Judge, back in the break room, we  
discussed the merits of this case. A ton.

Ultimately, our decision came down to objective, incontrovertible facts. Answers to the following questions: who caused the situation? Who made mistakes, escalating it worse? As speaker for this jury, I think it's crucial to put it in the record that our decision is in *no way* racially motivated. It's just a clear cut application of law. We know what McClain did wasn't intentional, but it still harmed Cosgrove. Right?

Judge Parker bangs her gavel.

JUDGE PARKER

It is so recorded. Guilty. Done.

Doug glances up.

DOUG

Now - we can go?

MICHAELS

Not yet. One last thing.

Michaels CLICKS the remote. The monitor glows, boots.

MICHAELS

With deliberations concluded, it's time we give the facts to you straight.

CHAO

This trial's been a test case for new criminal justice technology. Consider yourself honored to have been chosen to participate in that.

MICHAELS

Though far from the only ones. In fact, you're the *second* jury to rule on this case. The other - in Florida - weighed in with an "innocent" verdict two hours ago.

Jurors gasp. Doug staggers, like he's been punched.

DOUG

None of this was real?

CHAO

Oh, this incident *did* happen, exactly as relayed to you. Only one small detail was altered...

MICHAELS

Thanks to our miraculous tech Rodney, of course.

Michaels hits play on the monitor.

Cosgrove's previous testimony loads.

COSGROVE

It's not like I shot HIM. HE grabbed the gun.

Michaels rewinds, plays the clip again...

Jurors watch as Cosgrove morphs from White to African American.

CHAO

His real name is Derrick Jackson. We used a CGI program and Deep Fake Algorithms to "tweak" his appearance... cosmetically. But make no mistake, the wounds he describes are real, painful and permanent.

MICHAELS

Our purpose wasn't to deceive anyone on this jury. Just to ensure racial bias was removed from the mix.

DOUG

But...

Rick snickers behind him. Doug whirls around, enraged.

DOUG

You think this makes YOU look good? Think again. It proves me right. I would've ruled guilty if Cosgrove...

KAREN

You mean, Mr. Jackson?

DOUG

Who cares? Whether he was black or white?

Michaels interrupts.

MICHAELS

Needless to say, we adjusted McClain's appearance, too.

CLICK. Onscreen, McClain's testimony looms.

MCCLAIN

I'm so sorry for what's happened. But putting me in jail won't fix ANYONE'S pain now!

Michael rewinds. Eric McClain morphs to a white...

MICHAELS

Curt Skinner, CPA.

DOUG

Skinner?!?

A remorseful Skinner sobs onscreen. Doug's eyes bug out.

DOUG

That... can't be. Curt Skinner is the most responsible man I've ever known! He wouldn't ever -

MICHAELS

(soft)

"Do anything to hurt another soul"? You heard his testimony. Which helps to prove defenses' point. Subliminal racial bias is insidious. We must weed it out of the deliberation process by the root. Make justice truly blind.

The jury jumps to its feet. Questions and gasps flow.

Parker yells over the noise. For a tiny woman, she's got robust lungs.

JUDGE PARKER

This case is now officially a mistrial. Thank you all kindly for your service. You may now go home.

(beat)

And keep comments to the press to minimum?

Flipping the bird in Doug's face, Rick chuckles - heads out. An excited Karen bounds behind.

KAREN

We made history! Wait until I tell my friends!

RICK

You gonna admit you voted "guilty"?

KAREN  
(face falls)  
No. Who has to know?

The last juror standing, Doug stares stunned at the frozen screen. On it, coworker Skinner's tears loom larger than life.

DOUG  
Skinner, how could I know?

Michael lays a gentle hand on Doug's shoulder.

MICHAELS  
I know it wasn't intentional. But your bias still hurt him, right?

A laughing Chao pulls Michaels aside.

CHAO  
Let's go, Roger. Dinner's on you.

The lawyers wander towards the exit, leaving shell-shocked Doug behind.

MICHAELS  
On me? Why?

CHAO  
You won the bet this time.

MICHAELS  
Fine. So where do you want to dine?

CHAO  
Let's go for Pizza and Burgers. The diet ends. Let's go all out!

Doug stares at the screen, and Skinner. The look on his face makes it obvious. HE won't be sleeping well tonight.

FINAL FADE OUT: