

SCENE 1

Jail meeting room. ELI (25) wears dirt-covered overalls and work boots. His hands are cuffed. His cousin, JOEL (28), Latino, a bit smaller, plays War with him. It is 5 a.m.

JOEL and ELI - rap

(The play gets exciting and competitive. Then, ELI fumbles his cards, bends to pick them up.

JOEL - It's mine.

ELI - Mine!

They drop to the floor to check the cards and play-fight a bit. ELI is larger, but his cuffs get in the way. JOEL grabs ELI'S hands and bats at ELI with them.

JOEL - I'm playing with a mutant. You a mutant? You want to hit me, go on, hit me, come on. How come you're not hitting me?

ELI puts his arms over JOEL and starts squeezing. JOEL groans, then slips out of the hug and returns to play.

JOEL - Come on, come on. Haven't got all night.

ELI - You seen my cards, asshole.

JOEL - Well, you're going to prison soon, so . . .

ELI - You think so?

JOEL - I know so.

ELI - Why's that?

JOEL - You're guilty.

ELI - Yeah? Of what?

JOEL — Yeah. Don't know, but if they're looking for a reason, I'll tell them about breaking into the firehouse the day the wind changed and the courthouse burned.

ELI — That was Gunner Mulks. He's serving time - in here.

JOEL — I heard he may have had a accomplice.

ELI — Fuck you. When I get these off, boy, you gonna be

HUMPHREY (30) enters, carrying a lap top. He wears a suit, shirt open, no tie. JOEL turns aside.

HUMPHREY — (to ELI) You all right?

ELI — Yes, sir.

HUMPHREY — Oh, Joel. Hey.

JOEL — Mm.

(HUMPHREY slides a document to ELI.)

ELI — What?

HUMPHREY — I think it's a very good deal. In my experience

JOEL — State of the art. Art of the deal, huh?

ELI — But this is going to be so simple, right? 'Cause I wasn't there, I didn't do nothing, and I didn't see nobody do nothing, and I didn't know nothing about . . . anything.

HUMPHREY — But you drove—

ELI — (interrupting) Did you read what I wrote out? Where's those sheets --- (off HUMPHREY'S shrug) WHAT!

HUMPHREY — They got some videotape.

ELI — Am I in it? Am I in it? Am I in it?

HUMPHREY — No, but that's beside the point now.

JOEL — How'd they take you apart?

ELI - See, you go back in there -

JOEL - I'll go with you, make sure they don't fuck with you.

HUMPHREY - I think you should read it. (the plea).

ELI - (standing) I need to talk to them. (louder)
Humphrey, I want to talk to them. Open the door.

HUMPHREY - (gently) They moved on. They're not there waiting for you.

(HUMPHREY starts the video. ELI puts his hand over HUMPHREY'S and stops it.)

ELI - (gently) I apologize. I'd like a chance to --

HUMPHREY - (interrupting) I said what you said to them, but it's moot - it's beside-

ELI - I know what moot means. I can jerk shit out of a cow if she's constipated and I know vocabulary.

HUMPHREY - This isn't about -

ELI - It's about everything.

(HUMPHREY puts the plea in ELI'S cuffed hands.)

(ELI scoffs.)

ELI - (glancing at the paper) I didn't 'witness' anything, I didn't 'commit' anything, haven't been anywhere to 'aid' anything or 'provide' or 'negotiate'. Look at me. Look at me. What trouble I'm going to see not doing nothing? But what is trouble, is I got a truckload of wheat seed got to go in the ground before it rots. And the, plus you all brought me cuffed past my mamma half out of her mind in fear, and I need to go back 'cause she is not okay.

Deal from the devil.

HUMPHREY - Take the plea.

ELI - Gonna get me out of here?

HUMPHREY - Did you drive Connor Murphy?

ELI – Yeah.

HUMPHREY – Then, no.

ELI – You my attorney? (HUMPHREY nods.) All right. I tell you what to do. Don't be sighing at me, Mr. Humphrey. You un-cuff me, you get my truck out of impound with the wheat on board. Then we shake hands and begin to figure this thing out.

HUMPHREY – I can't do that for you, Eli. We're going to go to court in about twenty minutes, they'll read the charge and ask you how you plead.

ELI – Easy. Innocent.

HUMPHREY – And I'm advising you to plead "guilty".

ELI – I can't.

HUMPHREY – They're offering a year. And you can begin that sentence now. Get it over with. Then, when you're done, you get your truck back, be with your family, farm and all.

ELI – I didn't fucking do anything.

HUMPHREY – Or. If you don't want to take it, you pay bail, come back, court convenes, you present your side, but you could be looking at a very long time.

JOEL – Or going home.

ELI – What's the bail?

(HUMPHREY shows him on the plea.)

ELI – I ain't no mass murderer. Come on, man. Humphrey. How many time I'm over your daddy's place pulling calves?

HUMPHREY – This is a nightmare, I'm certain, and I think you're just seeing the edge of it. Only thing I know is take the plea. I've seen what they do now when you try to fight it. Whole county's crazy on law and order. DA's from Harvard. Harvard down here! No one understands a word he says, but he's going to clean up, with a billy club. (to JOEL) You be careful.

JOEL – How much you cost?

(HUMPHREY opens his laptop.)

HUMPHREY – I'm free, but I have a backlog of clients. . . I wouldn't be the guy you want.

ELI – Okay. We go in there? They read the charge? I explain my side?

HUMPHREY – There's cameras in the 7-11 that you and Connor Murphy visited around ten this evening. Ten-o-seven by that time stamp.

ELI – I didn't visit no 7-11.

HUMPHREY – I understand. But they pick up on Connor holding up a carton of Marlboros. You with me, so far?

ELI – I can tell you the name of every plant that grows in the fields and what they can cure and what tea you can make from them, and which is good to rub on your bee sting.

HUMPHREY – I know you can, man.

ELI – Would you like to guess how many there are? At least four hundred and I can name them all. So, yes, I can follow you.

HUMPHREY – In a minute, Eli, they're going to ask you to plead and as your attorney, I have to know you know—

ELI – I want these off a me now, man.

HUMPHREY – You're being charged with something very serious. So you can talk to me like that or listen to what I got to tell you so you know which way to plead.

ELI – You gonna take these off?

HUMPHREY – They don't give us the keys.

ELI – (Sings a Kanye West song.)

HUMPHREY – We don't –

ELI — This dropped tonight on WJXZ at ten-o-five until ten twenty something. No one never heard it before so I'm in the truck that time, that time you saying my boy Connor was in the 7-11. I didn't see nothing, didn't hear nothing, didn't participate in nothing.

HUMPHREY — They're charging you with attempted manslaughter.

Eli — With what now?

HUMPHREY — That they caught on camera.

ELI — Am I in this picture?

HUMPHREY — Did you pick him up in your truck?

ELI — Picking up hitchhiker's a crime, now? Real?

HUMPHREY — Did you agree to transport him?

ELI — He was hitching, I stopped, he got in.

HUMPHREY — Did you say you wanted cigarettes?

ELI — No.

HUMPHREY — (reading) Did you say "I'd give you a ride for a pack of Marlboros?" And then you told him there's a 7/11 open down on Magnolia?

ELI — Might have.

HUMPHREY — It was five hours ago, I think you remember.

ELI — Not in so many words, maybe.

JOEL — He's saying--

HUMPHREY — (interrupting) You remember? You don't remember?

JOEL — Hey, asshole.

HUMPHREY — (to JOEL) You want to take the case? (beat) What I'm trying to do, Eli, is establish how much you participated. Because — Joel — if Eli starts saying whatever occurs to him, this (the plea document) is the

kind of shit they're going to throw at him. (to ELI) I want you to know. You go to trial, they're gonna say worse shit than I can make up. So?

ELI — I pick Connor hitching down the highway. You got cigarettes? No. No.

HUMPHREY — Who --

ELI (interrupting) He says "Let's get us some." I go, "I don't have no money." "Not a problem, you driving I'll get a carton, give you a pack." I'm like "Okay", but we can't find a parking place. I done this a million times. (pause) I go on? (HUMPHREY nods) I pull up in front, no parking spaces, I let him out, go around the block. (Lost in thought) Manslaughter?

(Pause)

I find a space, pull over, wait in the truck. He comes back, we pull back out on the highway, smoking the Marlboros and I take him home.

(ELI realizes this makes him seem complicit even though he's innocent.)

Fuck! (pause) I go to my home until hour ago when they all scaring the shit out of my mamma banging the door down bringing me out in cuffs. Joel!

HUMPHREY — You keep the engine running around the block?

ELI — Yeah.

HUMPHREY — Waste of gas.

ELI — He said to.

HUMPHREY — Why'd you do what he said? You got gas to burn?

ELI — He can be pretty sure. Said he'd just be a second.

HUMPHREY — You knew him from before?

ELI — We's in high school, you know.

HUMPHREY — He coerce you? Threaten you?

ELI - I don't threaten.

HUMPHREY - What did you do - in the car, parked?

ELI - He said just be a second.

HUMPHREY - Was he?

ELI - No.

JOEL - (warning) Eli. . .

ELI - What?

HUMPHREY - (to JOEL) You going to let me do my job? (to ELI) How long was he?

ELI - Maybe ten minutes.

HUMPHREY - What did you think?

(ELI is silent, not knowing how to answer.)

HUMPHREY - You ever leave the car?

ELI - I can prove you I was in the car the whole time.
Listened to Kanye.

HUMPHREY - Don't need you to prove it. I'd be interested in anything you did, anything you thought to prevent the crime.

ELI - What crime? What's the crime?

HUMPHREY - That you never wanted cigarettes, for example.

ELI - I

HUMPHREY - And maybe after, you asked him why he took so long.

ELI - No.

JOEL - What's the crime?

HUMPHREY - Why not?

ELI - How's my sitting in a truck a block away a crime? I got nothing to do with . . .

HUMPHREY - With what?

ELI - I don't know.

HUMPHREY - No ideas? You didn't see anything out of the ordinary?

JOEL - They playing you, man.

(HUMPHREY switches on a video on his laptop. It is a cctv feed of a robbery; voices angry, violent and racist. Fighting. Whatever's happening is new to ELI and JOEL.)

JOEL - Fuck.

ELI - You see me there? You see me in that picture?

HUMPHREY - No. No, you're not there, but they are charging you with aiding the commission of this crime.

(On the video, the anger escalates.)

ELI - I didn't rob nothing.

(Something loud and violent occurs on screen. They all react.)

ELI - Whoa! Jesus!

JOEL - How they charging him? He's not even in the room?

HUMPHREY - (reads) So they're saying - Connor testified - that you and he entered into a de facto agreement.

ELI - What agreement? (grabs the paper) It's bullshit-

HUMPHREY - I don't write the charges. De facto means -

(HUMPHREY checks with ELI it's okay to explain. ELI nods.)

HUMPHREY - "In so many words".

(ELI releases the paper to HUMPHREY, who reads it.)

ELI – What agreement?

HUMPHREY – He says you agreed to drive him in exchange for cigarettes

ELI – I . . . (Pause)

HUMPHREY – You told me you did.

ELI – Ok, no 'cause I would have anyway, I give people rides all the time, so is that the same?

HUMPHREY – That's a kind of implied quid pro quo.

JOEL – Jesus, fuck! They're using this shit--

ELI – (interrupting) I don't know what that is.

HUMPHREY – You accepted stolen property in exchange for services your rendered. That's a criminal offense.

ELI – How'd I know they were stolen? You seen the video. Not like I seen no blood on his hands. Go, like, hey why you got blood dripping off a you? Nothing like tipped me off. Was I supposed to say 'no'? Was I supposed to know a man's purpose 'cause I give him a ride.

HUMPHREY – I um . . . I do think you're a smart guy. You know 400 kinds of weeds. You didn't question yourself one time wondering why he came back with his sweatshirt on inside out? I'm asking. (pause) Just 'cause you sat there ignoring him, doesn't make you innocent.

ELI – Is the law for them only, not for us no more? It was, but it isn't now. 'cause what kind of world we livin' in?

HUMPHREY – Innocence isn't . . . You broke a statute. Harvard's gonna crucify you if you stand up to him.

JOEL – I remember how you was in high school. Led the band in some uniform. Big old silver stick. You like that big old silver stick?

Humphrey – Got me into college. You could have gone to school just as I did. (beat) There are scholarships.

JOEL – For boys who pull calves out of cow vaginas? That a collegial skill, now?

HUMPHREY – College skill

JOEL – (soft) What?

HUMPHREY – Nothing.

JOEL – No, I want to know.

HUMPHREY – It's "college skill". Collegial means colleagues: people who work together. Col means together. It's Latin.

JOEL – Those Latinos. You still a man who likes a stick?

HUMPHREY – Well, it's five thirty in the morning and I have to drive my four year old to daycare in an hour, so here's my advice. Take the plea. Aiding the attempted manslaughter, but not abetting. (Off ELI'S confusion) You plead guilty and take the year; you'll be out in six months.

(JOEL takes ELI aside, brushing past HUMPHREY.)

(HUMPHREY retreats. JOEL hugs ELI. ELI tries to hug JOEL. JOEL takes ELI'S arms and places them over his own head. They are in a hug as before.)

JOEL – Jesus.

ELI (angry) – Fucking shit.

(Pause.)

JOEL – Ah, man.

ELI – Jesus, man. I fucking. Fuck. Joel.

JOEL – We gonna, we gonna . . .

(Silence. ELI goes inward.)

JOEL – Where you at? Where you at, my cousin? Come to ground, Eli.

ELI – You seen my mamma?

JOEL - She's over my house.

ELI - She all right?

JOEL - No.

ELI - I don't want to be burdening Mamma about nothing in prison. She'll ask a million questions. She'll worry.

JOEL - Ok, Eli, I'll tell her something good, Eli.

ELI - Can't fuck with Mamma, knahmsayin'. Learned that, boy, learn-ed that. (chuckles)

(Buzzer rings.)

HUMPHREY - We're going in now.

ELI - I want my wheat, I want it now.

HUMPHREY - Plead guilty. I doubt you can You can't afford to go to trial.

ELI - What's it cost, mother fucker?

HUMPHREY - I'm the sub-par, generic, knock down, half price lawyer and today is your free day in court. Anything else . . . I seen a lot of people here. Take the plea. You have no idea what they're capable of pulling out of their asses to lock you people up.

JOEL - (to ELI) You're eight. We lock you in the chicken coops and walk around the corner just to spy on you. We were going to let you out in a couple minutes. Let you live amidst the chicken shit and pin feathers for a bit. Cure you of being a pain in the ass shadow. We couldn't peel you away from us big boys. Couldn't throw a ball without you wanting to play. And you couldn't catch it, or pass or shoot or bat to save your life and finally we were tired of lifting you up to the basket so you could dunk it, and tired of saying you were so great on the team, and tired of letting you on the swing and you balling your head off when we pulled you back and sent you up high, but there you were again wanting to swing. Wanting and not wanting. I'm just explaining what a contrary . . . in case you'd lost track of the point. Anyway, we grabbed you up one day, you remember this?, because we couldn't stand the

sight of you any more. Five second after we put you in the coop, and we'd run around the corner of the barn you'd broken your foot kicking the door open. Five seconds, Eli. Broken door, broken foot, and chickens running around scared out of what passes for a mind in a chicken.

ELI – They got minds.

JOEL – Are you missing my point?

(JOEL hands ELI zig-zags. ELI rolls a cigarette, smokes.)

HUMPHREY – No smoking.

(JOEL and ELI ignore him.)

JOEL – Your mamma – you think she's unbreakable?

ELI – 'Cause I waited in a car?

JOEL – (close, hugging ELI) Six months, I swear. You think on this – day you come out, we go to Scrumpies and camp out. It'll be warm then. Six months, what can happen in six months.

ELI – It'll be my record the rest of my life.

JOEL – (joking) You going to try to get hired at some corporation? This is a farm you own – you already got the job. Grow corn. Corn doesn't care if you been in. Corn's not gonna ask you for a job application. You love that shit, you can get back to it.

ELI – (in anguish) Joel.

(Buzzer.)

HUMPHREY – Doesn't matter to me. I'll go whichever way you say. What you do – you throw it to me, we're done in ten minutes; if you take it to trial . . . see you in a very long time. Which way you want to go?

BLACKOUT

END OF SCENE