

Castle Drive

an original screenplay by  
Matthew Scott Weiner

Property of Treehouse Pictures

TITLES OVER BLACK:

February 17, 1970

544 Castle Drive; Fort Bragg, Raleigh, North Carolina

"*Theme From a Summer Place*" by Percy Faith fills the score.

EXT. 544 CASTLE DRIVE - DAWN

A light rain blankets the Officers's Quarters, where an ambulance's red and blue lights take turns illuminating a crime scene. Aside from the deliberate movements of a select few, everyone stands frozen.

Two PARAMEDICS roll JEFFREY MACDONALD (26, muscular) through a gathered crowd of NEIGHBORS to the ambulance. He wears only his blood soaked blue pajama pants as he thrashes around in agony. A paramedic holds him down. A PHOTOGRAPHER'S flashbulb floods the screen with white.

FADE TO BLACK:

TITLE OVER BLACK:

Huntington Beach, California

Nine years later

"*Theme From a Summer Place*" fades out, leaving only the rain. Then "*Psycho Killer*" by the Talking Heads takes over.

INT. JOE'S CAR - DAY

JOE MCGINNIS (37, unkempt), keeps one hand on the steering wheel and the other on a large semi-folded map of Los Angeles. He sports a green army jacket with a "Vote for Nixon" button on the collar. He mumbles street names as he passes intersection after intersection. The ash at the end of his cigarette threatens to fall. His car is filled with newspapers and spiral notebooks. A journalist's car. He is a bit lost and more than a bit aggravated.

We cut between Joe, lost on the streets of LA, and:

EXT/INT. BOB'S BIG BOY/STERLING'S OFFICE - EARLIER THAT DAY

Joe, agitated, smokes while talking on a pay phone outside the restaurant to STERLING LORD, his literary agent.

STERLING

It's a bad move...

JOE

...It's got national attention...

STERLING

...It's a bad move...

JOE

...It's a huge story! The Green Beret Killer!

STERLING

First, as of right now, he's just the Green Beret Defendant. And second, even if people DID give a shit about this guy nine years ago, what makes you think they'll give a shit today?

JOE

The man's family is brutally murdered and he blames a bunch of tweaked out hippies doing their best Charles Manson impression. The army thinks he's full of shit but they can't prove HE did it and the guy's set free. Now, nine years later, he's recharged as a civilian for triple murder? It's fucking Shakespeare!

STERLING

It's true crime! Garbage.

JOE

*In Cold Blood* is garbage?

STERLING

*In Cold Blood* is *In Cold Blood*. And this is not *In Cold Blood*. What about the Alaska project? Why not keep pursuing that? I've got two more publishers willing to meet...

JOE

We've been pitching Alaska forever and no one gives a shit, Sterling! This is happening right now! The trial won't wait for me. And if I miss this shot... if I spend the next two years writing more crappy guest columns for more crappy newspapers, while some other asshole hits it big on this book... I'm going to kill myself. And then I'm gonna come back and I'm gonna kill you.

STERLING

We didn't sign you after *President* to chase ambulances.

JOE  
I'm not chasing ambulances...

STERLING  
...And I can't advance you any more money. I'm all tapped out.

JOE  
I'm not asking you to.

STERLING  
Joe, listen to me... if this thing goes through... if you spend six weeks at this guy's trial and then another three years writing a book about it... and it flops...

JOE  
You can drop me.

STERLING  
I may have no choice.

INT. JEFF'S CAR - DAY

Joe finds the right street just in time. He makes a hard left, his tires screeching.

He parks at the base of a condominium, double checking to make sure he is at the right address. He takes notice of a Citroen-Maserati with the vanity license plate "JRM-MD" parked in front. He shakes his head in disbelief.

JOE  
Who is this guy?

He takes a travel bottle of mouthwash out of his glove compartment and knocks it back like a shot of vodka. He checks himself in the rear view mirror, takes a deep breath, then lights a fresh cigarette. He grabs a small blue spiral notebook as he exits the car. A still moment in the car before he doubles back for a pen.

EXT. JEFF'S CONDO - CONTINUOUS

Meticulously landscaped, the condo sits up against the Pacific Coast Highway. It's harshly bright out and Joe unsuccessfully pats himself down for sunglasses. The door opens...

CANDY KRAMER (20s, blond, and all curves) greets him in a white leotard. Joe can't help but raise his eyebrows.

CANDY  
You must be Joe. I'm Candy.

Joe smiles. No words are necessary.

CANDY (CONT'D)  
Jeff is finishing up his morning  
workout. Come on in.

She gestures towards the smoke coming from behind his back. Awkwardly, Joe extinguishes his smoke on the sole of his shoe and then leaves it on the doorstep.

INT. JEFF'S CONDO - CONTINUOUS

It is as bright inside as it was outside. Large windows at the far end overlook the Pacific Ocean, where a thirty-four foot yacht, christened the *Recovery Room*, is docked. Between the floor to ceiling mirrors and the modern white furniture, the condo resembles something Anthony Masters would design for Stanley Kubrick. Joe takes a tentative step inside as Candy shuts the door behind him.

In a work out room off to the side, Jeff finishes a set of situps. "*Drug Stabbing Time*" by the Clash plays from behind the closed glass door. He is more tan and muscular than in the first scene. He sees Joe and turns off the music. He exits the room and rushes over, smiling wide and wiping his hand against his gym shorts before extending it.

JEFF  
You're taller than I thought.

Joe smiles and accepts the gesture.

JOE  
Joe McGinnis.

JEFF  
Jeff MacDonald. It's a real pleasure  
to meet you, Joe. A real pleasure.

They keep their hands locked for a long beat.

JOE  
Strong grip.

JEFF  
Man comes in for a life-threatening  
procedure, he wants his surgeon to  
have a strong and steady hand. That's  
why there are so few female surgeons.  
They just can't seem to get the  
handshake right.

Joe snickers. They release. Jeff hugs Candy around the waist with a strong arm.

JEFF (CONT'D)

Drink?

JOE

I'd love one.

JEFF

Iced tea or scotch?

JOE

I hate iced tea.

Jeff laughs a forced laugh.

JEFF

(to Candy)

One scotch and one iced tea.

Joe feels like a jerk. Jeff gives Candy a kiss as she exits to comply with his wishes. Joe fidgets with his note pad.

JEFF (CONT'D)

You know, I've had interview requests from five national papers and about a dozen local ones.

Joe has trouble hiding his frustration.

JOE

Really?

JEFF

Yeah. At first I wasn't going to give ANY per-trial interviews whatsoever. Not after I was crucified for doing Dick Cavett back in '70.

JOE

I remember watching that and thinking that you came across pretty cold for a guy who'd just been cleared of killing his entire family.

Jeff laughs as he puts his arm around Joe. They head over to one of the large windows overlooking the water.

JEFF

Hey, you won't hear any arguments from me, brother. You know how much easier life would have been if I simply broke down in tears every time I heard the name Colette? But I've never been the type to wear my emotions on my sleeve.

(MORE)

JEFF (CONT'D)

My father never did it. I've never done it. It's not in my blood.

JOE

Sure, but sometimes it's in a man's best interests to let others see what they want to see. Even if it's really just a lie.

JEFF

Well, you would know, wouldn't you?

Joe's not sure if that was a compliment.

JEFF (CONT'D)

Anyway, that won't happen this time. I guarantee it. Safe. That's the word this time around, man. Safe. If there's one thing the last ten years have taught me, it's that a man must create his own narrative.

JOE

I couldn't agree with you more.

JEFF

Which is why I agreed to talk to you and only you. Man, when Bernie told me Joe McGinnis called...

He moves off to the bedroom while talking. He rummages around in the room while Joe stays by the window.

JEFF (CONT'D)

Talk about creating a narrative...

Joe looks over to Candy, preparing his scotch at the wet bar. She has to bend down to get the bottle.

Jeff glides back into the room with a copy of Joe's book, *The Selling of the President*, firmly clutched in both hands.

JEFF (CONT'D)

Christ... it's a how-to guide on image building... and what you did to Nixon... What I would have paid to see his face when he read it.

Joe instinctively rubs the Nixon button on his jacket.

JOE

His people were far too trusting. Sloppy, really. They didn't think things through, like you do.

JEFF

It's a fine piece of investigative journalism, Joe. No nonsense. No holding back. Just the truth, man. Unfiltered. Fucking brilliant.

He extends the book out to Joe with a pen.

JEFF (CONT'D)

Would you mind?

Never one to turn away a fan, Joe accepts. He thinks for a moment and then signs the first page. He hands it back.

Jeff spins the book around to read the inscription:

JEFF (CONT'D)

To Jeff, truth never lies. Joe.  
(pause)  
Far out.

Candy comes back with the drinks.

JEFF (CONT'D)

Never thought you'd end up a columnist, though.

JOE

I'm not a columnist. I'm just doing the editor a favor for a few weeks.

JEFF

Well, I'm super excited about this interview. I already feel like we've known each other for years.

Jeff raises his glass as he turns towards the bedroom.

JEFF (CONT'D)

I'll take mine in the shower.  
I know this great little place down the road that serves the best huevos rancheros this side of the border.

He leaves for the bedroom.

JOE

(to Candy)  
I'm not a columnist.

Candy smiles and then excuses herself to sunbathe on the back patio. Joe finishes his drink alone.



INT. JEFF'S CAR - MOMENTS LATER

Jeff, dressed in a tight short sleeve polo shirt and lots of gold, speeds down the PCH in his Maserati. Joe is hanging on to the oh-shit handle for dear life. The windows are down and the wind is whipping through the car.

JEFF

They're already camping out around the courthouse. Setting up satellite feeds, running cables. Grabbing b-roll. Do you know what b-roll is?

JOE

I'm familiar, yes.

JEFF

See, I didn't at first. I had to learn all this shit on the fly back in '70. Honestly, I was surprised by how much makeup these TV people wear. Even the men.

A car cuts Jeff off and Jeff gets angry.

JEFF (CONT'D)

That mother fucker.

He speeds up and tailgates the other car, honking his horn repeatedly. Joe is glued to his seat, helpless. The car in front moves to the shoulder for Jeff to pass. Jeff leans past Joe:

JEFF (CONT'D)

Fuck you, asshole!

The driver is a WOMAN. Jeff laughs as he blazes by.

JEFF (CONT'D)

Figures. Giving a car to a woman is like giving a gun to a chimpanzee. She'll never understand how to use it and it's incredibly dangerous.

The speed down the road to...

EXT. MEXICAN BISTRO PATIO - LATER

Joe and Jeff sit in the patio. Lots of hanging plants and fresh flowers surround them. Jeff keeps his sunglasses on as Joe smokes. Plates of food cover the table. Jeff is not shy about eating. Joe refills his glass of white wine, his blue note pad resting on the table, unopened.

JEFF

At least one international news organization has been confirmed. Not sure if it's France or England...

Joe cuts him off.

JOE

Jeff, I'm excited that you're excited. Really. But I didn't sit on the highway for an hour and a half to talk about other news organizations.

JEFF

Of course. Where should we start?

JOE

How about the Article 32 hearing? The judge said the government didn't have enough evidence to go forward with the prosecution...

JEFF

Colonel Rock. A good man...

JOE

But he never said you were innocent...

JEFF

Joe, a person is either found guilty or not guilty. There is no such thing as being found innocent.

JOE

That's a good point.

JEFF

The point is, I was cleared of all charges and was honorably discharged.

JOE

And you spent the next decade trying to put this nightmare behind you.

JEFF

Meanwhile, the government came up empty, which was unacceptable to them. So, with their unlimited resources and our taxpayer dollars, they wasted year after year chasing a lie. Really, it was inevitable that they'd eventually fabricate enough evidence to convince a grand jury to indict me.

Jeff is growing angrier.

JOE

But what about double jeopardy?

JEFF

Bernie said something about jeopardy not attaching because I was never actually court martialed... I don't know. It sounds like a bunch of legal tap-dancing bullshit to me.

JOE

Hold on... let me get this straight... If you hadn't been cleared at the Article 32 hearing, there would have been a court martial, right?

JEFF

...Right. And if I'd been vindicated at the court martial, which I would have been, without a doubt, then jeopardy would've attached and none of this would be happening.

Jeff takes a large bite of food.

JOE

So Bernie did TOO good of a job representing you back then?

JEFF

Yeah. And he beats himself up over it every day. But it's not a problem. He'll destroy them this time around just like he did the last time around.

Joe thinks hard before asking his next question.

JOE

Well, let's just say you ARE guilty...

Jeff stops eating.

JOE (CONT'D)

...for conversation sake...

Jeff grabs his wine.

JOE (CONT'D)

If you truly are guilty of these heinous crimes, and that's not for me to decide... but let's say you are. You killed your family.

(MORE)

JOE (CONT'D)

A argument that escalated out of control... whatever. Do you think that one night of inexplicable horror erases all the good you've ever done with your life? All the good you can still do with your life?

Jeff takes a deep breath before answering.

JEFF

Nothing can take away all the good I've done with my life.

He starts eating again and doesn't look up:

JEFF (CONT'D)

I'm a doctor, Joe. I know that four people on acid couldn't organize a trip to the toilet, let alone the murder of three people. If I wanted to make up a story about people killing my family, hippies with candles wouldn't be the best I could come up with.

Jeff finally looks up.

INT. JOE'S CAR - LATER

Joe speeds down the PCH, lost in thought. In his absentmindedness, he nearly slams into the BMW in front of him. His tires screech as he narrowly avoids the collision. He exhales hard. Adrenaline snaps him back into focus.

INT. SANTA ANA RACETRACK - AFTERNOON

Joe is at the betting window. He takes crumpled up dollar bills and loose change out of his pocket in a way that indicates this is not the first time he's wrangled up change to make a bet. He scans the list of horses...

JOE

Put everything on *Fatal Vision*.

EXT. SANTA ANA RACETRACK - MOMENTS LATER

Joe sits with AVERY JAMES (30s, vulgar). They have large cups of sodas in their laps and Avery has a satchel by his feet. Joe chews on a straw as JOCKEYS prepare their horses.

AVERY

They'll convict him just for driving a Maserati. Asshole.

Avery takes a sip.

JOE  
It'll either be the prosecution of  
the decade or the persecution of the  
decade. That's for sure.

AVERY  
*In Cold Blood*, part II?

JOE  
It better be. I'm running on fumes.

Joe sits forward and nervously gnaws on his straw. The horses  
are set. Joe fingers his ticket.

AVERY  
A man with your talent shouldn't  
have to struggle. Come do television  
with me. It's easy money...

JOE  
I'd rather starve than do television!

He nudges Avery.

JOE (CONT'D)  
Top me off.

Avery groans as he reaches down to the satchel. He removes  
a flask and pours some into Joe's soda cup, then his own.

JOE (CONT'D)  
Nancy's pregnant. Did I tell you?

AVERY  
Shit. Sorry, man.

The gun! The horses take off. Joe tenses.

JOE  
Nah, it's good. It was planned.

AVERY  
So was Pickett's charge.

Joe chuckles as he intensely watches the race. He tosses  
his straw and lights up a smoke. The horses press on. *Fatal  
Vision* is in the running.

JOE  
Come on *Fatal Vision*. Come on, you  
son of a bitch!

AVERY  
(theatrically)  
Is this a dagger which I see before  
me? The handle toward my head?  
Come, let me clutch thee...

JOE  
Shut it...

AVERY  
I have thee not, and yet I see thee  
still. Art though not, FATAL VISION,  
sensible to feeling as to sight?

JOE  
Seriously...

AVERY  
A dagger of the mind, a false  
creation, proceeding from the heat-  
oppressed brain?

The horses cross the finish line. *Fatal Vision* loses.

AVERY (CONT'D)  
I always hated Macbeth.

JOE  
God damn it.

He tosses his ticket to the ground.

AVERY  
Shakespeare sucks.

JOE  
Says the television writer.

INT. JOE'S HOTEL - LATER

Joe walks into his hotel with a hand-full of mail. We hold  
on one piece in particular: A collection agency letter from  
Pennsylvania. Joe is stopped by the CONCIERGE.

CONCIERGE  
Mr. McGinnis. You have a package.

A BELLHOP comes from behind the concierge stand with a large  
file box. The note on top: "Truth never lies -- JM, MD"

CONCIERGE (CONT'D)  
(trying to be nice)  
We still need to discuss your bill...

Joe looks up and starts walking towards the elevator.

JOE  
Of course. Of course. I'm what,  
two months behind? Not a problem.  
See that box? That's a very important  
story. You'll be reading about it...

CONCIERGE  
Yes, but...

Joe slips past another TENANT into an open elevator.

JOE  
Just have that brought up, ok?

CONCIERGE  
Mr. McGinnis...

The doors shut.

INT. ELEVATOR - CONTINUOUS

Joe's smile fades. He sighs deep and massages his forehead  
with his free hand. He is very much alone in the elevator.  
He notices a stain on the floor and focuses on it.

INT. JOE'S HOTEL ROOM/STERLING'S OFFICE - MOMENTS LATER

Joe's hotel room doubles as an office.

NANCY MCGINNIS (pretty, slightly pregnant) reads a newspaper  
on the bed, its pages spread out around her. She gently  
strokes her barely-noticeable baby bump.

Joe enters and locks the door. She straightens up as he  
walks past the bed without making eye contact. He tosses  
the mail on his desk and finds a half-empty bottle of scotch.  
He pours a drink and stares at the collection letter. He  
picks it up, looks over to Nancy, puts it down, and smiles.

NANCY  
So?

JOE  
So, I hate California. The ocean's  
on the wrong side of the road and  
even the ugly people are pretty.

NANCY  
Then let's pack up and go back to  
Jersey. No one's pretty in Jersey.

JOE  
Except for you.

Nancy tilts her head with a "really" type of expression.

JOE (CONT'D)  
Seriously though, it went great.

Nancy inhales with excitement.

NANCY  
A book?

JOE  
He hasn't asked me yet.

She relaxes as Joe crawls into bed with his scotch to give her a kiss. He tramples the newspaper in the process.

NANCY  
What's he like?

JOE  
He's an asshole.

NANCY  
Then you two should get along nicely.

Joe smirks and turns on his back. They stare at the ceiling.

JOE  
He's fascinating, though. He switches between the grieving widow and the persecuted victim at the drop of a hat. It's really kind of impressive.

NANCY  
Sounds like an interesting character.

JOE  
Tell Sterling that.

NANCY  
Just tell Sterling how the government may be railroading this guy. It'll infuriate the liberal in him.

The phone next to the bed rings.

NANCY (CONT'D)  
Speak of the devil.

Joe moans and sits up. He takes a long sip as the phone rings and rings.

JOE  
I like to make him wait.

She rolls her eyes. Finally, he picks it up.



JOE (CONT'D)

McGinnis.

STERLING (V.O.)

So?

Joe stands and cracks his neck. A knock on the door. Nancy tends to the door while Joe picks up the base of the phone and walks its long chord around the apartment.

JOE

So? He wants me to go to some fund-raising thing the Long Beach Police Department is throwing for him tomorrow night to talk.

Joe takes another drink while he looks out the window. Nancy opens the door, where the bellhop delivers the box. She has him place the box on the bed and then tips him.

STERLING (V.O.)

Well, you know what I think.

Nancy opens the box. It is filled with documents and photographs. She picks up a crime scene photo of Colette, dead on the bedroom floor and covered in blood. She grimaces.

JOE

You know what I think? I think you're afraid it'll be a hit and you'll be stuck with me for another ten years.

Joe paces. Nancy continues to look through the box. A crime scene photo of one of the girls, dead in her bed.

STERLING (V.O.)

I just don't see the angle. Why should I give a shit about MacDonald?

JOE

Why should you give a shit?

Nancy looks up from a photo of the living room and mouths "big brother" over and over to Joe as he talks.

STERLING (V.O.)

What if he gets acquitted? No one wants to read a 600 page book about the guy who DIDN'T do it. Where's the story?

JOE

Hear me out... Big brother makes people really fucking angry, right?

Nancy gives a thumbs up. Joe smiles. They make a good team.

STERLING (V.O.)

And?

JOE

AND, what do people do when they're really fucking angry?

STERLING (V.O.)

They vote and they read books that make them even angrier.

JOE

Right. Now, if this guy, this doctor who spends every waking moment of his life helping those in need, is acquitted, then that means the government's been making a good man's life miserable for a fucking decade. It's Kafkaesque. There's the story.

STERLING (V.O.)

Maybe.

JOE

And he only wants to deal with me.

STERLING (V.O.)

You sure about that?

JOE

What do you mean?

Joe sits down. Nancy notices his concern.

STERLING (V.O.)

He's already met with other writers.

This is like a punch in the gut.

JOE

What? I thought... who?

STERLING (V.O.)

Joe Wambaugh, for starters.

JOE

Wambaugh? I thought he was on a movie? Who else has he met with?

Nancy drops the photos and moves over to Joe.

STERLING (V.O.)

Does it matter?

JOE

A little.

STERLING (V.O.)

Joe, I won't let this agency become  
a propaganda machine for a murderer.

JOE

You think I'd let that happen?

Sterling takes a deep breath. A pregnant pause before:

STERLING (V.O.)

I'll call Dell.

JOE

That's all I'm asking...

STERLING (V.O.)

...I'll call Dell. I'll see what  
the interest level in this thing is.  
Who knows? Maybe I'm wrong.

JOE

You're wrong.

STERLING (V.O.)

Maybe.

Joe hangs up, his brow furrowed.

NANCY

Wambaugh?

INT. JOE'S HOTEL ROOM/ST. JOSEPH'S EMERGENCY ROOM - NIGHT

Joe sits at his typewriter, his blue note pad on one side, a  
tumbler of whiskey on the other. He types "Jeffrey MacDonald:  
Living a Nightmare" at the top. The collection letter sits  
next to him at the desk. Nancy is sitting next to the box  
on the floor, taking the contents out and organizing them  
into piles. We cut between this and Jeff conducting his  
duties as director of emergency medicine. The underlying  
music is "*Rambling Man*" by Hank Williams.

INT. JOE'S HOTEL ROOM - NIGHT

Joe sits in the middle of the room, an ashtray in front of  
him and the telephone in his lap. The collection letter is  
finally open. He stares at it. The clock reads 3:30am.  
The Hank Williams song ends. He picks up the phone as he  
looks over to the bed. Nancy is fast asleep and breathing  
peacefully. Joe has trouble resting the receiver between  
his shoulder and his ear. He has equal trouble dialing a  
phone number.

MANDY (V.O.)

Hello?

JOE

A collection agency?

She isn't in the mood.

MANDY (V.O.)

It must be three-thirty in the morning there... You've been drinking.

JOE

You know how insulting that is...

MANDY (V.O.)

The girls are getting ready for school right now. I don't have time to...

JOE

Why didn't you just call me?

MANDY (V.O.)

I HAVE called you. And I've written. And I've sent mail. But you disappear. You always have...

Joe reads the letter as he talks.

JOE

So if I don't pay up, I'll be held in contempt of court and arrested?

Mandy is tired of arguing.

MANDY (V.O.)

Just call me later. After you sober up. Maybe we can...

Joe tosses the envelope to the side. He takes a breath.

JOE

Remember... remember after *President*, when they tried to get me to run for Congress. Think I would have won?

MANDY (V.O.)

I don't know.

JOE

*Touch of Evil* was released seventeen years after *Citizen Kane*. It's only been ten since *President*.

MANDY (V.O.)  
The girls need to get to school...

JOE  
Nancy's pregnant.

Pause. He looks at Nancy, then looks away.

MANDY (V.O.)  
Ok.

JOE  
She's barely gained any weight. You should see her. She looks amazing.

MANDY (V.O.)  
I don't want to hear...

JOE  
I wonder if it'll look like ours. Like yours and mine. They all look like me anyway, right? I mean, me more than you. But I wonder if they'll look like each other. You think they'd recognize each other if they ever met? I think they would.

MANDY (V.O.)  
You can be cruel when you're drunk.

JOE  
We WERE happy, damn it! For a moment. The spotlight. The recognition. It was intoxicating. And we were sharing it... together. It wasn't just for me. It was for us...

MANDY (V.O.)  
...We're getting ready for school.

JOE  
You're the only one who's ever seen through my bullshit.

MANDY (V.O.)  
I have to go.

She hangs up. He sits there motionless for a moment, staring at the letter, which lays discarded on the floor. He looks back over to Nancy, still sleeping. He picks up the receiver and dials another number.

STERLING (V.O.)  
Joe? What time is it? Are you drunk?

JOE  
What's the interest level?

Sterling sighs.

STERLING (V.O.)  
More than I thought, actually. They  
may be willing to offer up 300  
thousand as an advance.

JOE  
Is that what they offered Wambaugh?

STERLING (V.O.)  
No. They offered him 400.

JOE  
Well, fuck Wambaugh. Tell Dell this  
one is mine...

STERLING (V.O.)  
They won't do shit until you get  
that murderer to give you total  
access. Without that, no deal...

JOE  
That won't be a problem, Sterling.  
Not a problem at all.

STERLING (V.O.)  
And maybe lay off the whiskey a bit.

To this, Joe does not answer. A Donna Summer song fades  
into the soundtrack, taking us to...

INT. PARTY - NIGHT

Joe lifts a stiff drink to his lips. A subtle "fuck you" to  
Sterling. Nancy is with him, elegantly dressed. They spot  
Jeff, the consummate host, giving his GUESTS equal time.

JOE  
They all want a piece of him.

NANCY  
He's taller than I thought.

Joe's masculinity takes a hit. He looks at her and she kisses  
him on the cheek.

NANCY (CONT'D)  
Go be a journalist. I'll schmooze.

INT. PARTY - MOMENTS LATER

Joe talks to the guests about how much Jeff means to them. He tries taking notes but quickly abandons the idea. He notices Candy talking to Nancy at the far end of the room.

INT. PARTY - LATER

Jeff, flute of champagne in hand, addresses the crowd. Joe sits at Jeff's personal table with Nancy and Candy.

JEFF

It's easy to support someone when they're doing well. I know that. And it's just as easy to give up on someone when they're not. But you, the people in this room, never gave up on me. Even when I gave you every reason in the world to do so.

He looks at Candy, smiling wide with pride. He and Joe share a momentary glance that makes Joe squeeze Nancy's hand tight.

JEFF (CONT'D)

And so...

He raises his glass. The guests follow suit. It feels as if Jeff is toasting directly to Joe.

JEFF (CONT'D)

As success comes and goes... and as fame rises and falls like the tide, I will always be grateful for the love and support of my family and friends. Cheers!

Cheers!

"Nights on Broadway" by the Bee Gees kicks in.

INT. PARTY - MOMENTS LATER

Joe is at the bar. Just as he's about to order...

A hard pat on the shoulder. Jeff. All smiles.

JEFF

Pretty wild, huh? All these people here to support me. They get it, man. They understand.

JOE

They seem very loyal.

JEFF

How 'bout we step outside? I never  
could compete with Barry Gibb.

EXT. PARTY - MOMENTS LATER

The sounds of the party are muted in the background. Jeff isn't as grandiose here. As he talks, he walks over to the railing and gazes out into the night as if he can see the scene he describes.

JEFF

We went to the Rialto Theater once  
and sat way up in the balcony. We  
held hands all night and watched *A  
Summer Place*. Have you ever seen...

JOE

I have.

JEFF

Man. Troy Donahue and Sandra Dee...  
We sat through that movie twice  
because we were so stunned by its  
beauty, and it was always sort of  
our favorite movie, you know? Colette  
and I always felt like we were those  
two kids falling in love right up  
there on that screen. It was a  
beautiful thing to a couple of ninth  
graders. So the theme to *A Summer  
Place* sort of became our song. I  
take the record with me everywhere.  
When I can't sleep... I just listen  
to it. Over and over. And I shut  
my eyes and I think about Colette  
and the girls, dancing on the beach.  
The sun setting behind them... It's  
perfect. That song and those girls...  
my girls. It's just perfect.

As he talks, we momentarily dissolve away to the girls all dancing on the beach as the familiar theme to *A Summer Place* creeps into the score. It's as perfect as Jeff wants it to be. When we return to the present, we can feel the sunshine on his face. When he's done, the color drains back out of the scene and the music fades.

Joe wipes the condensation off his glass. Jeff turns back from the railing and presses on.

JEFF (CONT'D)

We got pregnant before we got married.  
It was a really tense time.

(MORE)



JEFF (CONT'D)

I'd just started medical school. She was working on her degree. We were so young. No one thought we were ready to be parents. Christ. We weren't even sure. And so, the conversation came up. THAT conversation. More than once. Colette and me... we were never really considering it. But Freddy, her dad? He was adamant about it.

He laughs. A sad laugh.

JEFF (CONT'D)

I guess he finally got the abortion he lobbied so hard for. It just took a little longer than expected.

Joe looks away. Jeff switches gears.

JEFF (CONT'D)

Nancy's beautiful. I can see why you married her.

JOE

She's slumming it with me.

JEFF

Don't sell yourself short.

They take sips of their drinks. A long pause.

JEFF (CONT'D)

Still, it HAS been a long time since a book by Joe McGinnis was on the bestseller list.

JOE

(taking the bait)

There's nothing worse than having to admit to yourself that you USED to be a big deal.

Another pause. Then, a strong pat on the shoulder.

JEFF

Come to Raleigh and experience the joy of vindication with me. Then write the book with me. Let's get Joe McGinnis back on top.

Jeff opens the door and is immediately embraced by his supporters. Joe exhales as he takes a long drink.

INT. JOE'S HOTEL ROOM - NIGHT

Joe, an ashtray on his chest, lays in bed with Nancy. Naked and sweaty. "Always On My Mind" by Willie Nelson plays.

JOE

Total access... Christ, he's even got me living in a frat house with the entire defense team. If people only knew... never talk to a journalist

NANCY

Especially when he's writing a book about your murder trial.

JOE

People only fuck up when they open their mouths.

He puts out his cigarette and moves the ashtray away.

JOE (CONT'D)

The weather in Raleigh was 92 degrees today with 90 percent humidity.

NANCY

Send me a postcard.

He laughs.

INT. JEFF'S CONDO - CONTINUOUS

Jeff lays next to Candy in bed with his eyes open. It is 3:30am. Willie Nelson continues to play.

FADE TO BLACK:

INT. KAPPA ALPHA HOUSE - NIGHT

Joe enters with a duffel bag slung over his shoulder. We follow him through the house as the DEFENSE TEAM enjoys a good luck party. One intern barbecues outside the dining area, another plays guitar, and a third mixes drinks. It feels more like the launching of a political campaign than a murder trial.

A large painting of J Edgar Hoover hangs in the dining room. Just past it is BERNIE SEGAL'S office. Off to the side, Jeff shoots pool with WENDY ROUDER (mid-twenties and stunning). They laugh and take turns at the felt. Jeff notices Joe and they intercept him in the hallway.

JOE

Not what I expected.

JEFF

I know, right? If the trial drags into the fall, I'll be expected to buy NC State season tickets for the whole defense team!

JOE

Well, you look to be in good spirits.

JEFF

Who wouldn't be with this company?

WENDY

You pay for my company, Dr. MacDonald.

Jeff hits his head with his palm in exaggerated fashion.

JEFF

Oh, that's right! Joe, this is Wendy Rouser. She's an associate at Bernie's San Francisco firm. And when she's not doing that, she's one hell of a distraction.

She rolls her eyes as she extends her hand. Joe accepts.

WENDY

I've read your book. You're quite the journalist celebrity. We're all very excited to have you on the team.

JOE

Thank you.

Joe smiles a bit too long. It's awkward. After a moment, Joe blinks off his gaze and notices the intern at the bar.

JOE (CONT'D)

Drink? I'm starving.

They make their way over to the bar.

JEFF

Wendy here was instrumental in picking that jury that I'm stuck with.

WENDY

We used the same process that helped get Joan Little acquitted back in '75. Every pick is weighed against a metric that was calculated using the most sophisticated computers...

JEFF

...That say HE'S the ideal juror!

Jeff points to the large J Edgar Hoover painting. It stares back. They make it to the bar. Jeff orders:

JEFF (CONT'D)  
Three scotches.

Joe looks off to Bernie's office.

JOE  
Does he ever come up for air?

JEFF  
If a shark stops swimming, he drowns.

INT. BERNIE'S DORM ROOM OFFICE - CONTINUOUS

Joe knocks. Bernie looks up over his glasses and welcomes him in. He drops his duffel bag at the door and enters.

JOE  
Mr. Segal...

BERNIE  
Bernie, please.

JOE  
Ok. Bernie. Have a minute?

Bernie takes off his glasses dramatically.

BERNIE  
Jeff faces three counts of murder where the prosecution has had nine years to build a case. I've had three months to prepare a defense with practically no access to the evidence. If we lose, Jeff goes away forever. So, do I have a minute?  
(he smiles)  
For you, I have two.

He motions to a chair across from his desk. Joe sits. Bernie puts his feet up and lights a cigar. He pops open a fresh Tab soda. Joe sips his scotch.

JOE  
So what's the strategy?

BERNIE  
Win.

Bernie puts his feet on the floor and leans in. He grabs a bottle out of his desk drawer and refreshes Joe's drink.

BERNIE (CONT'D)

Their case is a turd. It was a turd in 1970, and it's a turd today.

JOE

The defense rests.

The pour is finished as Joe leans in to grab it.

BERNIE

Son, We're in the business of reasonable doubt here. So let me break down for you exactly how this trial will go. First, the government will put on a bunch of witnesses to say that there was no evidence of intruders and that Jeff's injuries were nowhere near as severe as the rest of the family. Then I'll force them to admit what a cluster-fuck the investigation was.

JOE

Ok.

BERNIE

Then they'll put on some pseudo-science bullshit about blood evidence and puncture wounds. I'm not worried about that either, though, because our expert will testify that their expert is full of shit.

JOE

Ok.

BERNIE

Then it's our turn. Not only do we have psychiatrists up the ass who will testify that Jeff is incapable of this type of brutality, but we also have a hypnosis session that won't leave a dry eye in the house...

JOE

Except for maybe Freddy Kassab.

BERNIE

Freddy Kassab? Fuck that guy. He's not even Colette's real father. You'd never know it though, since he's filled with the righteous indignation of a blood relative.

JOE

He seems very... intense.

BERNIE

Intense isn't the word for it. He's a fucking lunatic is what he is. He was Jeff's biggest supporter back in '70 if you can believe it. Holding press conferences to say what a miscarriage of justice it was that he was charged, and all that. But when it was over, he just couldn't understand that Jeff wanted to put it behind him. He wasn't even thirty fucking years old yet! Christ, what was he supposed to do? Stick a gun in his mouth and end it all?

JOE

Maybe.

BERNIE

And when he saw Jeff on the Dick Cavett Show, acting like an asshole, he took it as a sign that he was guilty. So he started raising hell! He was a big enough pain in the ass that DOJ finally reopened the investigation just to shut him up.

JOE

But Freddy Kassab didn't indict him. The grand jury did that.

BERNIE

They wouldn't have if I was there. Especially not with our pièce de résistance... we have one of the intruders.

JOE

You found Helena Stoeckley?

BERNIE

God no. That would be a disaster.

JOE

I don't understand.

BERNIE

Back in '70, Helena was just some junkie who matched Jeff's description of one of the intruders. So what? What does that mean?

(MORE)

BERNIE (CONT'D)

He could have seen her hanging around the area and just made the whole thing up. But since then, she's confessed to seven different people about being in that house. What innocent person would do that? Who knows? I don't know. But I do know that I don't want her to pop up and give an explanation. As long as she's gone, those confessions come in as statements against interest and the mystery of the blonde in the floppy hat remains alive! So, you tell me... reasonable doubt?

Bernie smiles.

INT. KAPPA ALPHA HOUSE - CONTINUOUS

In the game room, pictures of BRIAN MURTAH, the government prosecutor, have been pinned to the dartboards. Wendy smiles at Joe as he enters with Bernie. Bernie loves it. Jeff hits one picture in the jaw.

BERNIE

Look at this! A dream come true!

Jeff hands Bernie and Joe a dart.

JEFF

Come on, hit him right between those beady little fucking eyes!

Bernie happily obliges. Joe is a little more resistant. But the group dynamic is too much. He takes the dart.

JEFF (CONT'D)

On three... one... two... three!

The darts fly. Both darts hit their target. Everyone cheers.

INT. JOE'S DORM ROOM - NIGHT

Joe wakes up at 3:30am with a headache. He rummages around for aspirin and then downs five pills in one violent head nod. He heads out for a smoke.

INT. KAPPA ALPHA HOUSE - CONTINUOUS

Joe staggers towards the back of the house. J Edgar Hoover stares at him. He flips the painting off and notices light escaping Jeff's room. He hears the theme song from *A Summer Place* playing softly on a record player. He creeps up to Jeff's partially open door.

He knocks lightly, causing it to to open more.

Jeff is sitting on the floor, topless and lost in the music. His eyes are red. A handle of scotch sits next to him. The TV is on but muted and playing only static. Jeff looks up to Joe, who waits for either permission or rejection.

JEFF

Hey.

Permission.

INT. JEFF'S DORM ROOM - CONTINUOUS

Joe enters and sits in a chair next to the window.

JEFF

Open the window.

Joe nods and opens the window by the crank, which proves a bit more strenuous than anticipated. They sit a while. Joe smoking, Jeff staring at the static.

JOE

Nervous?

JEFF

Yes.

JOE

Want to be alone?

JEFF

No.

No more words. They just share the bottle as Joe smokes.

INT. COURTROOM - DAY

A low angle shot of BRIAN MURTAH, very close to the angle of the picture they were throwing darts at.

MURTAH

Facts do not lie. And the facts in this case are as clear as they are disturbing: in the early morning hours of February 17th, 1970, the lives of Colette, Kimberly, and Kristen MacDonald came to an abrupt and violent end. Mutilated, stabbed, beaten, destroyed. The word "PIG" written in Colette's blood. A massacre. Four weapons, three deaths, two children, and one survivor.

(MORE)



MURTAH (CONT'D)

Jeffrey MacDonald. You will be shown pictures during this trial that...

(emotional pause)

...Will haunt you for the rest of your lives just as they have haunted me for the last nine-and-a-half years. But you MUST force yourself to look at them. Absorb them. The damage done to these fragile beings. Once you do, it will become as clear to you as it is to me that it simply does not make sense that Jeffrey MacDonald is alive.

Joe keeps his focus on Jeff, then shifts it to FREDDY AND MILDRED KASSAB, seated stoically in the second row.

MURTAH (CONT'D)

The defendant claims a group of hippies surprised him while he was sleeping on his couch. That one of them, a blond woman in a floppy hat, held a candle and was chanting "Kill the Pigs, acid is groovy." That a struggle ensued in the living room and he was knocked unconscious by a blow to the head. And that, when he awoke, his family was dead and the attackers were gone. It's quite the story. But facts don't lie. And the facts in this case, the physical evidence, exposes this story as a farce. There were no attackers. There was no struggle. There was only Jeffrey MacDonald. The evidence in this case proves that the DEFENDANT butchered his pregnant wife and two small daughters. That he read an article about Charles Manson in *Esquire* Magazine, that he inflicted wounds upon himself, and that he staged the crime scene.

Murtah takes one last pause.

MURTAH (CONT'D)

Ladies and gentlemen of the jury, facts don't lie... People do.

Murtah takes a seat. Bernie sips his water and stands. Joe is riveted. He looks over the jury to gauge their interest.

## BERNIE

Mr. Murtah is a smart lawyer. He understands that appealing to your emotions as parents, as children, is his only hope. He's relying on you to get filled with so much rage over the tragic loss of these innocent victims that you will rule with your hearts and not your heads. This is crucial to the government because, if forced to argue the facts and the law, Mr. Murtah is sunk. He's sunk because he knows he cannot prove this case beyond a reasonable doubt. And that is the only thing that matters. The government has the burden to prove, beyond a reasonable doubt, that Dr. MacDonald, a man with no history of violence... a man who spends his days saving people, not killing them, stabbed his wife over forty times, broke both her arms, and mutilated her body and the bodies of his children. And this burden cannot be satisfied by words like MAYBE or POSSIBLY. They cannot prove Dr. MacDonald MAY have stabbed Colette forty times. That he POSSIBLY staged the crime scene. To convict a man on maybes and possibilities would be a colossal miscarriage of justice.

Joe is impressed. Jeff remains still.

## BERNIE (CONT'D)

Now, to Mr. Murtah's chagrin, this case is not as simple as just comparing injuries. It goes much deeper than that. This is the story of a family torn apart by an unbelievable and unspeakable tragedy. Jeffrey MacDonald loved his family dearly. They were looking forward to the future. To the addition of their first son. Why, Jeffrey even bought his daughters a pony for Christmas. Jeff loved his family so much, in fact, that even though his position as a Green Beret surgeon was a full time job, he held a second job so that Colette could stay home with the kids and be a full time mother. A loving mother. Jeffrey did this so that his family could live. Not so they could die.

(MORE)

BERNIE (CONT'D)

(pause)

You will hear testimony that when the military police first found Jeffrey and Colette on that horrible night, they were embraced on the floor of the master bedroom. A lovers' embrace. This is the story of a family shattered. And when the time comes, we will ask you to allow Jeffrey the space and freedom he deserves to grieve, mourn, and move on. Thank you.

Bernie sits. Jeff whispers to him and then looks back at Joe, who takes notes in his blue note pad.

INT. KAPPA ALPHA HOUSE - AFTERNOON

The team eats pizza. Jeff sits next to Wendy. He is reading a local newspaper with a picture of him on the front page.

JEFF

I should have gone with grey over blue. Look at this... it's a dark blob. You totally lose the shape.

WENDY

You're going to have the same problem with the pinstripes.

JEFF

Let's see how it looks on the news. Maybe I'll wear a red tie tomorrow.

Joe enters.

JOE

Red's a bit aggressive for a guy on trial for murder, don't you think?

JEFF

Yeah. You're probably right. It might remind people of blood.

Jeff moves to the window. The media is camped out front.

JEFF (CONT'D)

Look at them. Man, this is way more intense than I'd imagined.

BERNIE

It's been a decade of foreplay, Jeff.

He moves away from the window. Joe has his note pad out.

JEFF

I need some air.

(to Joe)

I'm tired of jogging alone. It's too much solitude for a man facing life in prison. Join me?

JOE

Should we go out the back?

JEFF

Nah. We'll go out the front.

EXT. NORTH CAROLINA UNIVERSITY CAMPUS - AFTERNOON

Joe and Jeff jog through campus. Joe struggles, drenched in sweat. Jeff never stops moving, but they break for water.

JOE

How do you do it? Shit, even when I HAVE the time to exercise I can't seem to find the time to exercise.

JEFF

I don't like to feel my stomach hanging over my seatbelt when I drive.

JOE

Nancy would never let me disappear for two hours to go jogging at home.

JEFF

Women tend to succumb to assertive conduct. I never made exercising a choice with Colette. I just did it. She knew not to complain.

JOE

She "knew" not to complain?

JEFF

Hey, are we jogging here or what?

Joe tries to stretch out a cramp.

JEFF (CONT'D)

Now get moving. I don't want the cameras to see us walking back.

Joe starts his slow jog again. The opening guitar riff of Jeff Buckley's "*Hallelujah*" transitions us back to the trial.

EXT/INT. COURTROOM/544 CASTLE DRIVE - DAY/NIGHT

Murtah examines RICHARD TEVERE:

MURTAH

Sergeant Tevere, what happened on  
the morning of February 17, 1970?

TEVERE

Well, it was wet that night...

We shift between the trial and the night of the murders.

544 CASTLE DRIVE: light rain, Tevere approaches two MPs at the front door and then goes around back. The MPs stand still as another jeep arrives. SPECIALIST KEN MICA exits the jeep. Tevere returns from the back of the house and screams for the MPs to get on their car radios. Tevere runs back to the rear with Mica following behind him.

COURTROOM: MPs testifying. Jeff listening and whispering to Bernie. Joe taking notes in his blue note pad. Mica stands with Murtah in front of a large model of the house. There is no roof on the model and it is populated with tiny figurines and furniture. Mica uses a long pointer to show the jury where he entered the house -- the back door of the unit, which leads to a utility room and then to the master bedroom.

544 CASTLE DRIVE: Mica follows Tevere into the master bedroom where he finds Jeff, topless, draped over Colette on the floor. His blue pajama top covers her chest and a blood smeared white bathmat covers her abdomen. Off to the side lays a bent Geneva Forge paring knife. On the headboard of the double bed, "PIG" is written in blood. .

COURTROOM: Crime scene photographs. More MPs testify as Murtah handles the evidence.

544 Castle Drive: Mica leans over Jeff, who moans in pain.

COURTROOM: Sketches of the four "intruders": three men (two white and one black) and one white woman. The woman wears a floppy hat and has long hair. Mica nods and points to them as he gives his testimony.

544 CASTLE DRIVE: Outside, an MP holds up a club and ice pick. The flash of a photographer's bulb floods the shot.

COURTROOM: Photographs of the wooden club and the ice pick. Glimpses of the evidence in bags on a long table.

544 CASTLE DRIVE: Tevere, gun drawn, makes his way down the hallway with Mica behind him. He looks into Kimberly's bedroom. The light from the hallway gives us a hint of the horror, as does the shock on Tevere's face.

COURTROOM: Joe watches Freddy Kassab stare daggers at Jeff.

544 CASTLE DRIVE: Tevere and Mica make their way to Kristen's bedroom, their observations are memorialized through crime scene photographs: a large pool of blood on the sheet and the floor; a large stuffed doll, staring dead-eyed at the toddler; three bloody footprints leading from the room to the hallway; a baby bottle. Next to the bottle is the hint of more horror... we linger on a rocking horse

COURTROOM: More shots of Jeff and Bernie at counsel's table, Joe taking notes, Murtah and MPs at the model...

544 CASTLE DRIVE: Tevere and Mica move down the hallway to the living room. Their observations memorialized through...

COURTROOM: More crime scene photographs: an overturned coffee table, an *Esquire* magazine caught underneath. A tipped over flower pot, the ball of the plant separated from the base.

544 CASTLE DRIVE: Two PARAMEDICS, along with Mica and Tevere, push Jeff down the hallway on a rolling gurney. Jeff tries to get up, grabbing Kimberly's doorframe. He has to be subdued in order to get him out the front door. By this point, there are a number of MPs in the house.

COURTROOM: Murtah finishes up as "*Hallelujah*" fades out. Bernie stands and straitens his suit.

BERNIE

Sergeant Tevere testified that he didn't see anyone else out that night. But you saw someone, didn't you?

MICA

Yes. A woman.

BERNIE

A woman? Please. Elaborate.

544 CASTLE DRIVE: We see what Mica describes:

MICA (V.O.)

She was on the side of the road maybe ten or twelve feet away. Caucasian, mid-twenties. She had shoulder length hair, wore a dark-colored raincoat and a pair of rain boots.

COURTROOM:

BERNIE

And she had on a floppy hat, too. Isn't that right?

MICA

Yes.

Joe perks up as Bernie continues:

BERNIE

A white woman, mid twenties, with long hair, rain boots, and a floppy hat? That's the same description Dr. MacDonald gave of one of the perpetrators that night, isn't it?

MICA

More or less, sir.

BERNIE

To your knowledge, did anyone ever investigate this woman?

MICA

To my knowledge? No, sir.

BERNIE

Now, aside from the overturned flower pot and the coffee table, you testified that you saw no signs of intruders. Is that correct?

MICA

That's right.

BERNIE

What about the four victims?

MICA

Well, I...

On to Tevere:

BERNIE

By my count, there was you, Paulk, Morris, Mica, Dickerson, D'Amore, two paramedics, the Marshall, two photographers, Ivory, and all the other CID men. In and out of the house through the mud and grass and rain. That's a lot of people.

TEVERE

I suppose.

BERNIE

And you were asked on direct if you noticed any grass or mud or wet footprints in the house. And you said no. Do you remember that?

TEVERE

Yes.

BERNIE

And you were asked those questions because Mr. Murtah wanted to imply that the absence of such evidence would indicate that there were never any intruders in the first place.

MURTAH

Objection! I don't think Mr. Segal is in any position to tell the witness what I was implying.

JUDGE DUPREE

Mr. Murtah, we all know what you were implying. Overruled.

TEVERE

I guess that's what he meant, yes.

BERNIE

Ok. Well, after all that foot traffic, the running in and out, the wheeling in and out of a gurney, do you recall seeing any grass or dirt or muddy footprints left behind?

TEVERE

No, I do not.

BERNIE

And in the hallway... you stated that nothing was touched.

TEVERE

That's right.

BERNIE

Well, the gurney is 20 inches wide. And the hallway is 32. And Dr. MacDonald was fighting to get into his daughter's room, clawing at the door frame. With two paramedics, you, and Tevere all crammed in there with him. Is that a fair description?

TEVERE

Yes.

BERNIE

How did all of that happen without you touching a wall?



TEVERE  
We may have touched the wall.

BERNIE  
And you may have kicked around some  
items in the hallway.

TEVERE  
It's possible.

BERNIE  
Spread fibers...

TEVERE  
Not intentionally...

BERNIE  
Tainted evidence...

MURTAH  
Objection!

BERNIE  
This crime scene wasn't contained at  
all, was it?

MURTAH  
Objection!

BERNIE  
You were a herd of elephants  
stampeding through that house!

MURTAH  
Your honor!

JUDGE DUPREE  
That's enough, Mr. Segal. The next  
question out of your mouth had better  
be substantive.

BERNIE  
That's alright, your honor. I have  
no more questions for this... witness.

Joe is impressed.

INT. KAPPA ALPHA HOUSE - AFTERNOON

Lunch. Jeff is reading the paper while Joe smokes and drinks  
a beer. Wendy and Bernie go over trial notes.

JEFF  
Look at this. You've been identified!

Joe takes the paper and reads aloud.

JOE

The defendant arrived at court this morning dressed in a sharp double-breasted pinstripe suit alongside acclaimed journalist Joseph McGinnis.

JEFF

Acclaimed, huh?

Joe smirks.

JEFF (CONT'D)

When's the last time anyone other than your publicist called you that?

Joe continues to read the article as Bernie gets up.

BERNIE

We need to review these autopsy photos, Jeff.

JEFF

Bernie, we're eating.

BERNIE

I'd rather not spread these out all over the table. My office?

Jeff stands in a huff as Bernie leads him away. Joe grabs a slice of pizza while Wendy revisits the testimony.

WENDY

Just look at this list of blunders... the flower pot was stood up. Jeff's wallet was stolen by one of the ambulance drivers, which is incredible. No one investigated the woman on the corner, which was probably Helena Stoeckley by the way. The garbage was emptied. The toilet was flushed. The *Esquire* magazine was read. The children's fingerprints were never taken. Jeff's pajama pants were thrown out and burned... it goes on and on and on like that. How in the world can anyone, let alone my twelve jurors, take that investigation seriously? Would you convict on this evidence?

JOE

It's pretty thin. And Jeff doesn't strike me as the type...

WENDY  
Just wait until you hear what our  
psychologists say...

Joe checks to make sure Jeff's out of earshot.

JOE  
Do you think he's innocent?

WENDY  
Bernie thinks he is.

JOE  
But do you?

WENDY  
I work for Bernie.

JOE  
I understand that. But do you think  
he's capable of...

Wendy finally looks up from her legal pad.

WENDY  
Joe, I wouldn't dream of presuming  
what a person is capable of.

Joe puts down his pizza. He looks to Jeff, barely visible  
in Bernie's office, nonchalantly skimming through photographs.  
At one point, he laughs at something Bernie says.

INT. JOE'S DORM ROOM - NIGHT

Joe locks his door and takes the telephone into his closet.  
He dials Nancy.

NANCY (V.O.)  
Hello?

JOE  
What are you wearing?

She laughs.

NANCY (V.O.)  
Nothing but a wedding ring.

Joe smiles.

NANCY (V.O.) (CONT'D)  
So, is he a murderer?

Joe sighs and stretches out in the closet.

JOE

Bernie makes a strong case against it. And I hate to say it, but I kinda like the guy. He's even got me jogging.

NANCY (V.O.)

Jogging? You?

JOE

His energy is infectious.

NANCY (V.O.)

Just don't get too friendly. He might actually be guilty. What does the government say? Why did he do it? Why did he butcher his family?

JOE

Who knows? They're not even TRYING to establish a motive. Their mantra is, "we only need to prove that he did it. We don't need to explain why." It's infuriating.

NANCY (V.O.)

What's he saying to you?

JOE

To me? Nothing. He's not opening up like I expected. He just stays on message, no matter what. Like, whenever I feel as if I'm on the verge of having a real conversation, he changes the subject to sports or music or he takes me jogging.

NANCY (V.O.)

He's been preparing for this moment for nine years, Joey. He's hyper aware of his image.

JOE

Well, it's bad for business. All this access and I've got nothing to show for it. This book is going to end up being nothing more than a summary of the god damn trial. I'm fucked here, Nancy. What do I do?

NANCY (V.O.)

Maybe he just needs a little push.

INT/EXT. COURTROOM/NORTH CAROLINA UNIVERSITY CAMPUS - DAY

We cut between the courtroom and Joe's adventure.

COURTROOM: autopsy photo of Colette. DR. GEORGE GAMMEL:

GAMMEL

Colette suffered multiple traumas to her head and severe defensive wounds to her upper extremities.

MURTAH

Did she fight back?

GAMMEL

Until her arms were broken and her head was bashed in.

MURTAH

Were there any stab wounds?

GAMMEL

Along with the 16 deep knife wounds, Colette also sustained 21 puncture wounds to her chest that are consistent with that of an icepick.

Jeff looks back at the gallery, searching for Joe but he isn't there. Jeff accidentally makes eye contact with Freddy, who stares at him with biblical fury.

Next slide: Kimberly.

GAMMEL (CONT'D)

Kimberley was killed immediately by a vicious blow to the head, causing her cheekbone to penetrate the skin.

NORTH CAROLINA CAMPUS: Joe, a satchel draped over his shoulder, walks through the campus, eventually finding a bookstore. He enters.

GAMMEL (V.O.) (CONT'D)

She was also struck a number of times after the fatal blow. These, along with the 10 stab wounds to her neck, occurred postmortem. Overkill.

COURTROOM: Next slide, Kristen.

GAMMEL (CONT'D)

Kristen was stabbed a total of 17 times with a knife and an icepick, through both her chest and her back, deep enough to penetrate her heart.

NORTH CAROLINA CAMPUS BOOKSTORE: Joe scans a bookshelf until he finds a copy of his book, *The Selling of the President*. He looks around to make sure that he is not being watched. Satisfied, he takes a copy of his memoir, *Heroes*, out of his satchel and places it on the shelf. He briefly catches the attention of the CASHIER behind the counter, but a courteous smile and head nod sends the kid back to his chores.

GAMMEL (V.O.) (CONT'D)

She was the only victim not to sustain blunt force trauma to the head.

MURTAH (V.O.)

Did she have any defensive wounds?

GAMMEL (V.O.)

Yes. There were multiple cuts on her hands, including one that exposed the bone on her right ring finger.

BACK TO THE COURTROOM:

MURTAH

So she fought back?

GAMMEL

As hard as a 3 year old could.

DR. SEVERT JACOBSON testifies:

JACOBSON

Dr. MacDonald's wounds were all... superficial. The worst was a slight pneumothorax. A collapsed lung.

MURTAH

Could the defendant's wounds have been self inflicted?

JACOBSON

Yes. In fact, the incision between his ribs was very surgical. You see, if you grab a knife carefully, by the handle and part of the blade, the blade goes only up to your thumb. You can control the depth of the incision. Here, the wound was just deep enough to cause the pneumothorax.

Joe enters the courtroom, upset, and sits in the back row. Jeff notices him. Dupree ends the week's proceedings.

JUDGE DUPREE

I think this is a good place to recess for the weekend. I don't know about you, but I could use a stiff drink. So go home, have a drink, and if you have children, hug them tight. I'll see you back here Monday morning.

The gavel comes down.

INT. KAPPA ALPHA HOUSE - NIGHT

Joe sits with Wendy and some of the other members of the defense team watching a sitcom. Jeff is noticeably absent.

INT. JOE'S DORM ROOM - CONTINUOUS

Jeff sneaks around Joe's room, cautiously looking through his belongings. He uncovers a hidden bottle of scotch. Then he flips through Joe's blue note pad, finding: "HE FAILED TO SAVE THEM - DEVELOP FURTHER"

INT. KAPPA ALPHA HOUSE - MOMENTS LATER

Joe and the gang are still watching television. Jeff joins them and sits down next to Joe. He grabs a bit of popcorn and talks softly so the others can't hear.

JEFF

We got hammered by the medical examiner today. I felt so alone...

JOE

I know...

JEFF

I needed you there for support...

JOE

I know...

JEFF

And when I turned around to find you, just to see a friendly face...

JOE

I know. I'm sorry.

JEFF

Where were you?

JOE

Dealing with Nancy.

Jeff is concerned now.

JEFF

Is everything alright? The baby?

Joe feigns frustration.

JOE

The baby's fine. I don't think she's coming down, though... I'd rather not talk about it right now... in front of everyone.

Jeff nods, his brow creased. He sits back as the show plays on. Neither Joe nor Jeff are laughing anymore.

EXT. NORTH CAROLINA UNIVERSITY CAMPUS - DAY

Joe and Jeff jog through the campus. Joe struggles less now but he still sweats profusely. They take a break for water.

INT. NORTH CAROLINA UNIVERSITY BOOKSTORE - LATER

Joe and Jeff, still in their jogging clothes, browse the shelves. Jeff stumbles upon Joe's book, *Heroes*. He holds it up triumphantly. Joe hides his face in shame, waving off the embarrassment of having written such crap.

Jeff takes the book to the register. He shows the CASHIER Joe's photo on the back cover and then points to Joe, who is hiding in the back of the store. This is the same cashier as when Joe was there the day before. He does a double-take, trying to place Joe's vaguely familiar face. Joe looks away.

EXT. NORTH CAROLINA UNIVERSITY CAMPUS - MOMENTS LATER

Joe and Jeff walk back through the campus in shared silence. Joe smokes while Jeff fans through his new book.

INT. BERNIE'S DORM ROOM OFFICE - NIGHT

A chalkboard stands behind Bernie with two columns: one labeled "Them," the other "Us." Under "Them" are the following names, all crossed out: Mica, Gammel, Hancock, Murray, Newman, Connolly, Ramage, Hawkins, Turbyfill, Cooper, and Jacobson.

Wendy writes three names on the bottom: Ivory, Stombaugh, and Kassab. Under "Us"... nothing. Bernie is on the phone as Joe enters, still sweaty from the run.

BERNIE

It's a little late for this revelation. You had told me...

(pause)

What am I supposed to do with that?

(MORE)



BERNIE (CONT'D)

(pause)

Great. Thanks. No. No, you don't need to take the trip.

He hangs up. Everyone waits in silence.

BERNIE (CONT'D)

Judith's out.

Shock.

JOE

Who's out?

WENDY

What do you mean out?

BERNIE

I mean out! Like not getting on the plane! She agrees with that mother fucker, Stombaugh. She won't testify.

WENDY

We've already paid her!

JOE

What? Who's Judith?

Bernie looks to Wendy to fill him in.

WENDY

There's some blood evidence that might suggest that Colette bled on Jeff's pajama top before it was torn.

JOE

So what? There was blood everywhere. We've overcome worse than that.

WENDY

Jeff has always said that his shirt was torn BEFORE he found Colette in the bedroom. So...

BERNIE

So, this makes Jeff's explanation sound like bullshit. And OUR blood expert just told me that she agrees with THEIR blood expert.

Bernie plops down in his chair and rubs his temples.

INT. KAPPA ALPHA HOUSE - NIGHT

Joe and Jeff sit on a sofa together in the entertainment room, laughing at Gilda Radner's Roseanne Roseannadanna on *SNL*. Jeff has *Heroes* in his lap, half-finished already. They share popcorn and a bottle of whiskey. The skit ends and breaks for commercial.

JEFF

When this is all over, who do you  
think should play me in the movie?  
I'm thinking Redford or Newman.

JOE

Gene Wilder.

Jeff laughs hard.

JEFF

Who's going to play you?

JOE

Redford...  
(pause)  
Or Newman.

Jeff's laugh turns to sadness as they watch the commercials.

JEFF

She loved to laugh. We'd just sit  
and... Lily Tomlin would make her  
laugh so hard she'd cry.

He takes a drink and stands.

JEFF (CONT'D)

It gets lost that it was me who failed  
to save them. As strong as I was...  
As much as I can replay it in my  
head again and again... what if I'd  
been in bed instead of the couch?  
What if I'd woken up just a moment  
earlier? Been able to stop it before  
it got started? What if I hadn't  
just finished forty straight hours  
of pulling doubles at the hospital?

Joe takes a drink.

JEFF (CONT'D)

I failed to save them.

This gets Joe's attention. That line sounds familiar.

JEFF (CONT'D)

I'll never be able to get past that.  
And I can still hear Kimmy screaming  
Daddy, Daddy... No one was there for  
them at the end. And by the time I  
regained consciousness and tried  
mouth to mouth... it was too late. I  
just simply wasn't strong enough.

He walks out as he talks:

JEFF (CONT'D)

I think I'd like to be alone now.

Joe sits alone as SNL comes back on.

INT. JOE'S DORM ROOM - NIGHT

Joe notices his blue notebook open to the page that says "HE  
FAILED TO SAVE THEM - DEVELOP FURTHER." It is 12:15am.

DISSOLVE TO:

Later. Joe lays awake on his bed. He stares at the ceiling,  
troubled by something Jeff said. It is now 3:00am.

JOE

He gave them mouth to mouth?

He goes to his desk, lighting a cigarette as he fumbles with  
the desk lamp. He rumages through documents, photos, and  
medical reports. He keeps repeating "mouth to mouth, mouth  
to mouth" as he searches. He finds a crime scene photo of  
Kimberly and Kristen.

JOE (CONT'D)

If he gave them mouth to mouth, why  
are they still laying on their sides?

The phone rings. It's Freddy Kassab.

JOE (CONT'D)

Hello?

FREDDY (V.O.)

Time to choose a side, Mr. McGinnis.

EXT. 544 CASTLE DRIVE - NIGHT

3:30am. Joe is dropped off by a taxi a few blocks away from  
the house. Freddy is waiting for him. They walk and talk:

FREDDY

What are you looking for, McGinnis?

JOE

Perspective. I don't know if Jeffrey is going to be found guilty, but if he is, I don't want him to be the major architect of how Colette and the kids are portrayed in the book. I need to hear from the people who loved them most of all. And that would be you and your wife.

Freddy scoffs at this obvious emotional play.

JOE (CONT'D)

I'm also well aware of the role you played in bringing about this prosecution. Clearly, you have to be a central figure in any book about the case. And again, I don't want my major source of information to be Jeffrey MacDonald. I would deeply regret having to minimize your contribution simply because I was denied access.

Freddy stops walking.

FREDDY

Alright. But first thing's first... you have to understand that he is a master manipulator. It took me twenty years to figure that out, and I'm nobody's fool. Hell, I called that son of a bitch my "son." So, don't presume to know Jeffrey MacDonald just because you've shared a beer and a laugh together.

JOE

I've read the transcripts. I'm familiar with his inconsistencies.

They start walking again.

FREDDY

Fuck inconsistencies. You're a journalist, right? Look deeper. For instance, he testified that he'd volunteered for the army but he told Colette he'd been drafted. It's a small thing but it reveals something bigger. It proves that Jeff will be whomever you want him to be.

(MORE)

FREDDY (CONT'D)

He wanted Colonel Rock to think he was a patriotic American who signed up while everyone else was draft dodging. He wanted Colette to think he had no choice in the matter. That he had to spend time away from home because the government demanded it. Who knows what the truth is? His testimony is full of that type of subtle manipulation. And it all points to one conclusion... everything Jeffrey MacDonald says is a lie.

They reach the house. Police tape still stretches across the door. It feels like a tomb.

FREDDY (CONT'D)

They give me unfettered access to the house in case I think of something else they missed.

Freddy leads Joe around the back of the house.

INT. 544 CASTLE DRIVE - CONTINUOUS

They enter through the utility room and start in the bedroom. The blood stains have turned brown. For the first time, Joe looks truly uncomfortable.

FREDDY

They keep the power on for me, too.

Freddy turns on a couple of lights, making the scene exactly as it was on February 17, 1970.

JOE

It looks different in person.

FREDDY

You can't get any sense of scale or dimension from those crime scene photos. It flattens everything out.

Joe looks around.

FREDDY (CONT'D)

To believe Jeffrey's story, you must ignore all the physical evidence, as well as common sense and logic.

Freddy walks to where the large stain of Colette's blood is.

FREDDY (CONT'D)

Look around you. According to Jeff, there were at least four intruders. So that means, when Colette was attacked, right here, there were the four attackers, Colette, and Kimberly, since there's no disagreement that she was hit with the club over there by the door.

JOE

There aren't any signs of a struggle.

They move down the hallway to the living room. On the way, Joe peeks into Kristen's room and takes notice of the large brown blood stain on the floor.

FREDDY

Jeff says that when he gave the girls mouth to mouth, he could see the air coming out of their chests.

Joe processes the information...

JOE

Wait. That doesn't make sense. Kimberly didn't have any chest wounds.

FREDDY

And the lights are off...

JOE

I can't see a damn thing in there.

They continue to the living room. The coffee table in the living room is still turned over. Freddy lays on the couch.

This is all a bit surreal. Freddy pantomimes the actions as he runs through the chronology of events.

FREDDY

Jeff said he woke up to Colette and Kimberly screaming and saw three men and a woman standing over him. He sat up just as the negro lifted the club over his head and struck him, causing him to fall back onto the couch. He got himself back up into a seated position and grabbed the club, at which point he was stabbed in the chest by one of the white men.

(MORE)

FREDDY (CONT'D)

Jeff let go of the club and directed his attention to the white guys, who unleashed a reign of blows on him. At some point during the struggle, his pajama top was pulled over his head and got bound up around his hands. He managed to push forward to the edge of the couch and was hit again, losing consciousness. He was never able to get up from a seated position and the attack took between 15 to 20 seconds.

Freddy sits up.

FREDDY (CONT'D)

Now you.

Joe thinks before starting. He pantomimes the movements of the attackers.

JOE

Well, if the black man raised the club over his head...

Joe stretches his hands over his head. It's a low ceiling.

JOE (CONT'D)

The ceiling is too low.

FREDDY

Go on.

JOE

Where did the black man go while the two white men were assaulting him?

FREDDY

I guess he decided to step back and wait patiently for his turn.

JOE

And how could his shirt have been pulled over his head if it was ripped down the front?

Joe's heart is racing.

JOE (CONT'D)

Show me more.

EXT. KAPPA ALPHA HOUSE - NIGHT

Joe is dropped off in front of the house by a taxi.

INT. KAPPA ALPHA HOUSE - CONTINUOUS

Joe tries to sneak back into the house. He notices light coming from the gym. He finds Jeff working the heavy bag.

JEFF  
Where've you been?

JOE  
I needed some air.

JEFF  
It's four-thirty in the morning.

JOE  
I know. I should get some sleep.

The scene is tense. Joe starts to walk towards his room.

JEFF  
Don't burn out so soon, Joe. We're  
just getting started.

Joe pauses but does not respond. He goes back to his room as Jeff goes back to the heavy bag.

INT. COURTROOM - DAY

BILL IVORY testifies: A diagram of the house showing the location of blood evidence, autopsy photos, crime scene photos, and crime lab photos of collected evidence appear on the large screen behind him as needed.

IVORY  
I can't say what happened, but I CAN  
tell you what the evidence suggests.

MURTAH  
Please, walk us through it.

IVORY  
To begin with, there is no way that  
pajama top was torn in the living  
room. See, it's made in such a way  
that, when torn, it sheds an enormous  
amount of fibers. Now, if that shirt  
was torn in the living room, fibers  
would be everywhere. But not a single  
fiber was found there.

MURTAH  
No? Where were the fibers found?



IVORY

Under Colette's body in the bedroom, which would indicate that the top was torn there.

MURTAH

Is it just the fibers, or is there other evidence that calls the defendant's story into question?

IVORY

Well, when we put the pajama top back together, we found four contiguous blood stains on the front, all matching Colette. The tear slices through these stains, which means they were made before it was ripped.

MURTAH

What DOES the evidence suggest with regard to the pajama top?

IVORY

It suggests that Colette suffered an injury in the bedroom that caused her to bleed directly onto the defendant's shirt. He probably struck her in the nose, as noses tend to bleed pretty bad at first. After that, she probably grabbed his top by the V neck. As he pulled away, the top tore down the front, and fibers shed here in the bedroom, precisely where we found them.

BERNIE

Objection! This is clear speculation and highly prejudicial!

JUDGE DUPREE

The man is saying that the evidence SUGGESTS these things, not that it PROVES them. Overruled.

MURTAH

What about the weapons? The defendant claims the intruders brought their weapons with them. That the icepick, the two knives, and the wooden club did not come from inside the house.

IVORY

I can tell you for one-hundred percent that the wooden club came from inside 544 Castle Drive.

MURTAH

How?

IVORY

There were a number of splinters found in the master bedroom which were traced to the murder weapon. The grain on that club matches the grain on a wooden slat found under Kimberly's bed. It was supporting the mattress. A home fix to a broken bed. This proves that the club was cut from the same piece of wood as the slat. So it had to come from inside the house.

MURTAH

And what of the claim that he was hit with the club in the living room.

IVORY

Just like with the fibers, not a single splinter was found there.

Jeff looks back and notices that Joe has left the courtroom.

EXT. COURTHOUSE - LATER

Jeff and Wendy trudge through a herd of REPORTERS to Bernie's car. Jeff looks off to find Joe at a payphone, clearly yelling at whomever is on the other end of the line. Jeff doesn't want to leave but the reporters start to crowd him. Bernie pulls away as Joe continues to argue.

After they leave, we get close to Joe. When Bernie's car is out of sight, his demeanor changes. He hangs up the phone. There was no one on the other end.

INT. JOE'S DORM ROOM - NIGHT

Jeff is reading *Heroes*, waiting for Joe. Joe enters and sits at the desk where a bottle and two glasses await. Joe pours two stiff drinks.

JEFF

You were still married when you and Nancy hooked up.

JOE

Fidelity was never my forte.

JEFF

I always hid my indiscretions. Why write about them for everyone else to see what a scum bag you are?

Joe hands a glass to Jeff.

JOE  
You've got to create your own  
narrative. It's better to point out  
your own flaws than to wait for others  
to do it for you.

Joe opens the window and lights a smoke. Jeff sits up.

JOE (CONT'D)  
I missed my kid's birthday. Again.  
Third year in a row.

JEFF  
I'm sure he understands...

JOE  
Nah. He's nine. Know what I got  
him for his birthday last year?  
(pause)  
A typewriter. You know what an eight-  
year-old does with a typewriter?  
(pause)  
He breaks it.

JEFF  
I would have liked to have been a  
dad to a little boy...

JOE  
I'm sure you'd have been better at  
it than me. Truth is, I have no idea  
how to be a husband OR a father.  
And yet... here I am with an ex-family  
that hates me and a new family that  
will probably end up hating me too.

They sip their drinks.

JEFF  
Who were you yelling at today?

Joe pretends to be surprised.

JOE  
You saw that?

JEFF  
Yeah.

JOE  
I wish you hadn't seen that.

JEFF

Who was it?

JOE

(reluctantly)

Nancy.

JEFF

Is she coming down?

JOE

No.

JEFF

Why?

JOE

Because she thinks you're guilty.

It hits him like a ton of bricks.

JEFF

Oh.

JOE

I told her I didn't want her here if she can't put her emotions aside and just look at the evidence. I mean, sometimes I really feel like she's trying to poison me against you. And I can't have that kind of myopia around me right now.

JEFF

The smart ones are such a pain in the ass. I tell you, this is a new phenomenon. Twenty years ago, no self respecting man would ever let his wife tell him what to think. The moment bras and personal hygiene became discretionary, the whole world went to shit.

JOE

Back then, if you beat your wife, the neighbors would blame HER.

Jeff flips to a flagged page of the book and reads:

JEFF

"And my dreams were bad. I dreamed of going back to my wife and finding her old and horribly wrinkled.

(MORE)

JEFF (CONT'D)

And I dreamed terrible dreams about the maiming and destruction of my daughters..."

Joe takes a drink.

JOE

Hmmm. I forgot I wrote that.

Long pause as Jeff decides whether or not to open up.

JEFF

If what happened to me happened to you... how would you feel?

Joe knows that he's got him now.

JOE

I hate to say it but I'd feel... relieved. And then I'd feel disgusted with myself for feeling that way.

JEFF

Who do you think's spent more money since 1970? You on child support and alimony, or me on Bernie Segal?

They chuckle.

JEFF (CONT'D)

I'm horrible.

JOE

These are complicated emotions.

Jeff exhales. A big weight off his chest.

JEFF

I loved my family. I really did. But I was so young. They were so demanding... If I ever told anyone I felt relieved that they were gone, I'd look like a total fucking monster.

JOE

If you're a monster, then so am I.

INT. JEFF'S DORM ROOM - NIGHT

Joe sits in his closet, talking quietly to Nancy over the phone. He drinks throughout the conversation.

JOE

The jury is going to be taking a trip to the murder scene next week. Once they get in there and they see those brown stains on the carpet...

NANCY (V.O.)

What?

JOE

These were children, Nance... little girls. They have to convict. Don't you see that? It's an exorcism, and no amount of magic by Bernie Segal is going to change that.

NANCY (V.O.)

Did he find the passage?

JOE

Quoted it to me verbatim.

(pause)

I told him that I would feel relieved if Mandy and the kids were murdered. That's got to be the most horrible thing I've ever said. And I've said my fair share of horrible things.

NANCY (V.O.)

At least he's opening up to you now.

JOE

Trying to out-manipulate the manipulator? This isn't journalism.

NANCY (V.O.)

You're not putting words in his mouth, baby. He just needed a little push. You provided that.

JOE

I certainly did.

NANCY (V.O.)

That's what journalism is, am I wrong? Getting the subject to open up to you in a way he won't to anyone else?

JOE

I guess.

NANCY (V.O.)

No one can tell this story better than you. Not even Joe Wambaugh.

(MORE)

NANCY (V.O.) (CONT'D)  
That's why Dell gave you all that  
money in the first place.

EXT. NORTH CAROLINA UNIVERSITY CAMPUS - MORNING

Joe and Jeff jog through campus. Joe is in much better shape.

Later, they rest on a bench, sipping water.

JEFF  
It's amazing... at work, I'm  
constantly up to my elbows in misery.  
You don't show up at the emergency  
room at three in the morning  
voluntarily, you know?

JOE  
I guess not.

JEFF  
I'm seeing people on their worst  
day. Their most vulnerable. Most  
embarrassing. Most fearful. Their  
most... human. The bond between  
doctor and patient at that moment  
simply can't exist anywhere else in  
the world. And I'm the one who  
experiences it with them. I'm the  
one who comforts them when their  
families retire for the night. I'm  
the one who looks past all the fluids  
and awkwardness. You saw all those  
people at my fund-raiser. Half of  
them have been my patients, and they  
cry when they see me because the  
sight of me brings them back to that  
moment. That moment when THEY lost  
control and I SEIZED it.

Jeff hands Joe some water.

JOE  
Colette could never have understood  
the gravity of that.

JEFF  
Holding someone's life in your hands  
is the biggest rush in the world.  
Especially when the light fades from  
their eyes.

JOE  
I don't know if I could handle that.

JEFF

It's unnatural to deny yourself the satisfaction of a god complex. Once they're dead, though, something clicks and you separate yourself from the humanity of it. It becomes a checklist. Procedures to follow. Forms to fill out. People to call.

A young and timid student REPORTER sees them and calls over. Jeff immediately changes his demeanor.

REPORTER

Dr. MacDonald. A moment.

Jeff gets into character.

JOE

Do you want me to...

JEFF

No. It's fine.

The reporter arrives.

REPORTER

My name's Ryan. I'm with the *Observer*.

JEFF

Hi, Ryan.

REPORTER

Hi. Uh, I was on my way to class when I saw you, and uh...

JEFF

The *Observer* is a fine campus paper.

REPORTER

I'm sorry to interrupt, but do you think I could get a statement? My professor would flip out.

JEFF

Of course. I've never turned away a reporter. Not even one as green as you. I have nothing to hide.

REPORTER

Yes, well, I wanted to know if it upsets you that some people find your apparent lack of emotion in this case disturbing.

Jeff has answered this question a million times.



JEFF

There's no question that it would be better for me if I were so distraught I could hardly get to court everyday. But I think the jury will see the real me when I testify. I hope they understand that not everyone wears their heart on their sleeve.

REPORTER

Forgive me, but you sound a little bitter. Are you just frustrated with how the trial is going?

Jeff's face changes. He has a point to make.

JEFF

I seem bitter? Kid, it took them six months behind closed doors to get a grand jury to indict me. If that doesn't tell a normal person something, then that normal person isn't using their brain.

Jeff gets abrasive. The reporter takes a step back.

JEFF (CONT'D)

I've testified whenever they've asked. I've given them whatever they've wanted. And here I am on trial nine years later because of the mindless, middle-level federal beaurocracy, with people like Brian Murtah who run around without any controls.

Jeff steps towards the timid reporter, his rage mounting.

JEFF (CONT'D)

A competent supervisor would have halted the prosecution years ago!

Joe tries to calm him down by reaching out to touch his arm. Jeff swats it away and continues his approach.

JEFF (CONT'D)

Am I bitter? Sure, I'm bitter. Wouldn't you be? They're building careers on my name. But the truth has to come out sometime. They can't keep lying forever.

The reporter stumbles over a fallen tree branch, ending up in a seated position. Jeff does not help him up. The reporter stands as Jeff turns away. Joe is frozen. The reporter quickly heads back the way he came.

JOE  
You won't win any friends like that.

Jeff turns back to watch the scared student flee.

JEFF  
Some rinky-dink journalism department  
they must have here. He didn't even  
recognize you.

Jeff chuckles. Joe doesn't.

INT. JOE'S DORM ROOM - NIGHT

Joe is sitting on his bed, busy going over transcripts and writing notes in his blue note pad. Wendy knocks and enters. She's been crying.

WENDY  
Dupree won't allow any psychiatric  
testimony whatsoever.

JOE  
What?

WENDY  
He said dueling experts would only  
confuse the jury. Asshole.

JOE  
That doesn't seem fair.

WENDY  
And Candy just told Jeff that she  
isn't coming down for his testimony.

JOE  
Damn.

WENDY  
Do me a favor and see how he's doing.  
You've become very important to him.

INT. KAPPA ALPHA HOUSE - KITCHEN - NIGHT

Jeff is making a ham sandwich, lost in thought. The ingredients spread out over the counter. Joe enters. Jeff speaks without acknowledging him.

JEFF  
So you heard?

JOE  
It's a big blow.

JEFF

How can that piece of shit let Murtah tell a jury over and over again that I butchered my entire family in cold blood, without establishing a motive, but refuse to allow us to tell the jury that I'm incapable of committing such an atrocity?

He is cutting a tomato very violently with a sharp knife.

JOE

I don't know.

JEFF

I mean, just look at Helena Stoeckley. She's a fucking mess. The guilt of it all has eaten her away. Ten years of severe drug abuse, mental collapses, a fucking stroke! This is what you'd expect from someone who was there that night. Who was involved. Now look at me. Do I look ravaged by guilt to you?

More violent thrusts with the knife.

JOE

No.

JEFF

Do I look like I've been on a self destructive fucking downward spiral for the last decade?

JOE

No.

JEFF

So now we're forced to abandon everything that would make the jury sympathetic to me. And all we're left with is cross-examining some asshole who conducted some bullshit experiment with a pajama top?

He slams the knife down, exasperated.

JOE

Let's just hope the jury understands that Stombaugh's findings aren't as compelling as they seem.

JEFF

Compelling? They took a pajama top and poked 48 holes in it. Then they manipulated it so that the holes lined up with the 21 wounds on Colette. Big deal.

Jeff searches the drawers until he comes back with an ice pick and four metal shish kabob skewers. He places the skewers on the table and hands the ice pick to Joe.

JEFF (CONT'D)

Hold this.

Joe complies. Jeff then takes off his shirt.

JEFF (CONT'D)

Switch with me.

Reluctantly, he hands Jeff the ice pick and takes the shirt.

JEFF (CONT'D)

Stretch the shirt out.

Joe puts down the drink and holds the shirt between his hands.

JEFF (CONT'D)

Don't move.

After a pause, Jeff proceeds to stab the shirt with the ice pick ten times. Joe is visibly distraught as the ice pick pierces the shirt time and time again.

JEFF (CONT'D)

Ok. Now give it back.

Joe gives the shirt back to Jeff, who tosses the ice pick in the sink and grabs the skewers.

JEFF (CONT'D)

Ten random holes, four skewers.  
Think I account for each hole?

Joe doesn't answer. He just grabs his drink, glad to be done with the exercise. Jeff takes the shirt and folds it a few different ways before settling on final shape. He pushes the skewers through the holes until he accounts for all ten with only four skewers. Joe raises his eyebrows.

JEFF (CONT'D)

See? A magic trick. It doesn't prove a god damn thing.

Jeff puts the shirt down and grabs his ham sandwich. He's too distraught to eat. He tosses it down. An INTERN enters.

INTERN

Bernie wants to see everyone.

INT. KAPPA ALPHA HOUSE - MOMENTS LATER

Bernie has the whole team assembled in the game room. He stands before the television with a VHS tape in his hand. Jeff puts on on a fresh shirt as he sits next to Wendy on the couch. Joe stands by the door, unable to take his eyes off Jeff, who is clearly flirting.

BERNIE

It's been a rough week and I know we all feel a little beat up. A little desperate. I know I've yelled at some of you for no reason and some of you for good reason.

They laugh.

BERNIE (CONT'D)

And in the heat of it all, I feel like something's been lost. That's why I asked you all in here. His highness Judge Dupree told us earlier today that there will be no psychiatric testimony and we will not be allowed to admit Jeff's hypnosis session into evidence.

Groans.

BERNIE (CONT'D)

I know. I know. The jury will never get to see this, and it's a shame. But WE need to watch it. To remind us of why we're here. To remind us that there were four victims that night, not just three. It's hard to watch. But we need this tape to get us through the rough days, like today.

Bernie puts the tape into the VCR. An intern turns off the main light as the TV kicks on.

DISSOLVE TO:

INT. KAPPA ALPHA HOUSE - CONTINUOUS

We dissolve to the middle of the tape, where Jeff is reliving the attack and the murders.

JOE

(to himself)

This guy deserves the Academy Award.

Joe watches Jeff watch himself on the television, completely without emotion. He whispers something to Wendy, which makes her laugh. Joe takes a drink.

INT. COURTROOM - DAY

DR. STOMBAUGH testifies: a mannequin with a blue pajama top draped on it rests in front of him. 21 needles stick out of it. Behind him is a projection of a drawing, indicating where the 48 puncture marks were on Jeff's pajama top.

STOMBAUGH

All 49 holes are circular, which proves that the pajama top was stationary at the time of impact. Of course, since there were only 21 wounds to Colette's chest, we had to determine if we could match those wounds to the 48 holes.

MURTAH

And did you?

STOMBAUGH

Yes. Using crime scene photos as reference, we placed a pajama top on a mannequin and, using a number of scientific techniques, found that the holes did, in fact, add up.

MURTAH

Unlike the defendant's story.

BERNIE

Objection!

JUDGE DUPREE

Sustained.

MURTAH

Nothing further. Your witness.

Bernie's turn.

BERNIE

How do you know the pajama top was folded in exactly the same way as on the night of the murders?

STOMBAUGH

It was merely an approximation.

BERNIE

Did you account for the holes in Colette's pink pajama top when you conducted this experiment. I mean, did you attempt to see if those holes matched up to the other holes?

STOMBAUGH

I wasn't asked to do that.

BERNIE

If you were asked to fit 18 rods into those same 48 holes, could you?

STOMBAUGH

I wasn't asked to do that.

BERNIE

Of course not. Because that would have been exculpatory.

MURTAH

Objection.

JUDGE DUPREE

Anything else, Mr. Segal? Questions about the contiguous blood stains, the defendant's blood being found in the bedsheets, or the location of the defendant's pajama top fibers?

This catches Bernie off guard.

BERNIE

No, your honor.

JUDGE DUPREE

So you accept the doctor's findings regarding the blood and fibers, then?

Bernie fights back all of his aggression. Jeff is visibly angered and confused by Bernie's lack of questioning.

BERNIE

I have no more questions, your honor.

INT. 544 CASTLE DRIVE - DREAM SEQUENCE - NIGHT

Joe wakes up on a couch, wearing the same outfit he wore when he first met Jeff. He looks around. 544 Castle Drive. It's dark, except for a kitchen light and a light coming from the hallway bathroom. The coffee table is on its side and the flower pot is overturned. He gets up off the couch, careful to watch his step, and stops at the hallway. We can see down the hall, into the master bedroom.

All of the sudden, Jeff exits Kristen's room, dressed in his torn and bloody pajama top. He is carrying Colette's limp body in a blue bed sheet. Joe lifts his hands to his mouth to choke back a scream. He watches Jeff carry the body into the master bedroom, leaving three bloody footprints behind.

Joe creeps down the hallway as Jeff poses Colette. His breathing labored, Jeff wipes his forehead and returns to Kristen's room. Joe looks in and recoils in horror.

Jeff exits Kristen's room with the bloody bedspread. He brushes by Joe as he goes back to the master bedroom. Joe goes to Kristen's room and is once again shocked. Jeff balls the bedsheets up with the bedspread and tosses them by the door. He takes off his pajama top and places it on Colette's chest. He takes the icepick out from his waistband and breathes deep. He chokes back tears and hesitates. Joe wants to stop it, but he's powerless to intervene.

Jeff stabs at Colette's chest, 21 times. He sits over her for a moment, sobbing. When he finishes, he places the icepick on the floor and stands. He looks around and then down at his gloved hands. He gathers as much of Colette's blood on his latex gloves as he can, then walks over to the headboard and writes "PIG" with his right hand.

Jeff looks back to the hallway and locks eyes with Joe.

INT. JOE'S DORM ROOM - NIGHT

Joe wakes violently with a nose bleed. It is 3:30am. He goes straight to the bathroom to throw up. He washes his face and stares at himself in the mirror.

He sees Jeff, covered in blood, standing behind him in the mirror's reflection. He jumps and turns around. He's alone.

INT. KAPPA ALPHA HOUSE - MOMENTS LATER

Joe needs a smoke. He trembles as he moves through the house. He pauses a little distance away from Jeff's open door. Jeff is topless and doing an intense set of situps. Joe sneaks out back without being noticed.

EXT. KAPPA ALPHA HOUSE - CONTINUOUS

Joe tries to light a smoke but his hands are trembling too hard. Within moments, he breaks down crying.

INT. COURTROOM - DAY

DR. JOHN THORTON testifies for the defense.



BERNIE

What is your opinion about Dr.  
Stombaugh's pajama top experiment?

THORTON

It was a bit silly.

BERNIE

Silly?

THORTON

Yes, particularly the bit about how  
the circular holes in the garment  
indicate a stationary target.

BERNIE

Why is that silly?

THORTON

Because I took a piece of material,  
placed it in motion, and stabbed it  
with an icepick. The resulting holes  
were all circular.

BERNIE

And did you form an opinion about  
how Dr. Stombough was able to match  
up 48 holes into 21 thrusts?

THORTON

Yes. Again, this was not scientific  
by any means. It's really just...

JUDGE DUPREE

Silly?

THORTON

Yes. It was merely an academic  
exercise in how to fit a square peg  
into a round hole.

BERNIE

Thank you.

Murtah stands.

MURTAH

I'd like to hear a little bit more  
about this experiment you conducted.

THORTON

I took a piece of cloth, similar to  
the pajama top, and wrapped it around  
an item that simulated the consistency  
(MORE)

THORTON (CONT'D)  
and resistance of human flesh. That  
item was mounted on a board and moved  
about in a manner akin to what a  
human being is capable of. Once in  
motion, I stabbed it with an icepick.

MURTAH  
That sounds pretty scientific. What  
was the item you used for this  
scientific experiment?

THORTON  
A ham.

MURTAH  
A ham? Like a ham sandwich?

THORTON  
Yes. Wrapped in a garbage bag.

Murtah laughs and looks at the jury, shaking his head.

MURTAH  
Ham wrapped in a garbage bag.

EXT. PIZZA PLACE - AFTERNOON

Joe can see Jeff and the defense team through the window of  
the pizza place. They are reviewing documents and eating  
slices. Joe is on a payphone talking to Sterling.

JOE  
I'm unraveling here, Sterling. I  
haven't slept for a week, and when I  
do sleep, I'm having nightmares.

STERLING (V.O.)  
You're halfway there.

JOE  
You know how hard it is to sit next  
to him and eat pizza and talk about  
fucking football just minutes after  
seeing photo after photo of his  
mutilated family?

STERLING (V.O.)  
He's a sociopath, Joe. How do you  
expect him to behave?

JOE  
But the fucked up thing is, even  
though I know, I mean, fucking know,  
(MORE)

JOE (CONT'D)  
that he's guilty... that he's a  
monster, there's no way in hell he's  
getting a fair trial. And I don't  
know how to feel about that.

STERLING (V.O.)  
What can I do for you? How can I  
help you get through this?

JOE  
Just tell me it's worth it.

STERLING (V.O.)  
What if I tell you we've got national  
magazines champing at the bit to  
talk to you? An international book  
tour being planned. Interest in  
some of your other "in development"  
projects. Namely, Alaska...

This perks Joe up.

JOE  
Alaska? Really?

STERLING (V.O.)  
AND, Mike Wallace himself called the  
office to get an advanced copy once  
a galley proof is ready.

JOE  
That's fantastic.

STERLING (V.O.)  
Just stick it out a little while  
longer, ok? Do it for Nancy.

Joe looks over to the defense team again. Jeff senses him  
and turns to lock eyes. He smiles. Joe smiles back.

JOE  
I'll do it for Mike Wallace.

Joe hangs up. An intern rushes over to the defense team,  
very animated. Everyone acts as if they've just heard that  
Pearl Harbor was bombed. They rush out towards Joe. Bernie  
tosses cash on the table as he takes one last bite of pizza.  
Once outside, Jeff takes Joe by the shoulders.

JEFF  
They found Helena!

JOE  
What?

## INT. COURTHOUSE - MEETING ROOM - AFTERNOON

The room is small. Joe has to stand. Seated at the table is HELENA STOECKLEY (28, slightly chubby, and very sickly). Her left arm is in a cast and she looks almost hypnotized. She carefully spins her Diet Coke on the table with her right hand. Flanking her are Wendy and Bernie. Bernie has a photo album in front of him. He talks to Helena in a calm voice.

She speaks softly and never makes eye contact.

HELENA

I don't know what you want me to say? I wasn't there.

BERNIE

Helena. Please. For your own conscience. And for the sake of that man in the courtroom who has been made to suffer for nine years.

HELENA

I can't help you.

BERNIE

Six people say you confessed to them that you were in the house that night. Are they all liars?

HELENA

I'm not saying that... I'm just saying I don't remember. Do you realize how many drugs I've taken since 1970?

## EXT. COURTHOUSE - CONTINUOUS

Jeff waits impatiently. He spots a wounded bird, hobbling around the grounds of the Courthouse. He calmly walks over to it, places his foot above it, and then steps firmly down, crushing it. His face never changes.

## INT. COURTHOUSE - CONTINUOUS

Back to Helena, Bernie, Wendy, and Joe.

HELENA

Only someone whacked out on drugs or crazy could have done that.

BERNIE

Helena, no one is asking you to say you were involved. All you have to say is that you were there. Holding the candle. Because that's the truth.  
(MORE)

BERNIE (CONT'D)

(pause)

Only you have it in your power to  
let an innocent man go home to grieve.

She seems to be considering something. Then...

HELENA

Can I get a sandwich?

Bernie sighs. He's lost his momentum. He turns to Wendy.

BERNIE

Stay here and keep her company.

Wendy nods. Bernie taps Joe on the chest and they exit,  
leaving Helena and Wendy alone.

INT. COURTHOUSE - CONTINUOUS

Joe and Bernie walk to the elevators.

BERNIE

Why couldn't she have just stayed  
fucking lost? Or dead? That would  
have been best. This is a disaster.

The elevator doors open.

INT. COURTHOUSE - MEETING ROOM - CONTINUOUS

Helena is flipping through the photo album as if it were  
People magazine. She looks a bit bored. A bit tired. Wendy  
just sits there, not knowing what to say. Helena stops at a  
picture of the rocking horse.

HELENA

The rocking horse was broken. I  
wanted to ride it but it was broken.

Wendy looks around as if Bernie could rush in at any moment.

WENDY

So you WERE in the house?

Helena finally makes eye contact.

HELENA

What do you think I've taken all  
those damn drugs for?

INT. COURTHOUSE - MOMENTS LATER

Wendy runs down the hallway, turning the corner to the  
elevator and practically slamming into Bernie and Joe.

Joe has a tray with a ham sandwich, apple sauce, and another Diet Coke. Wendy is out of breath.

BERNIE

What?

INT. COURTROOM - AFTERNOON

Helena is on the stand.

BERNIE

And do you remember where you were on the night of February 16, 1970?

HELENA

No.

BERNIE

Had you taken drugs that night?

HELENA

At that time? Probably mescaline.

BERNIE

And at that time, you owned a floppy hat, knee high rain boots, a dark rain coat, and a blond wig, correct?

HELENA

It was 1970. Everybody did.

BERNIE

What did you do with the wig?

HELENA

Burned it up in a fire, I think. My boyfriend didn't like it.

BERNIE

And was he with you in the house on the night of the murders?

MURTAH

Objection!

JUDGE DUPREE

Sustained.

BERNIE

Didn't you tell William Poesy that you were in Dr. MacDonald's house at the time of the murders? That you and your boyfriend had to kill more people before you got married?

HELENA

No, I did not.

BERNIE

Didn't you tell Jane Zillioux and Red Underhill that you wanted to teach Jeffrey a lesson because he wouldn't give your friends methadone at the hospital?

HELENA

No, I did not.

BERNIE

What about Officers Gaddis and Beasely? You confessed to them too, did you not?

HELENA

No, I did not.

BERNIE

Or Ms. Brisentine, the polygraph operator? Didn't you tell her that you were there, holding a candle?

HELENA

I don't remember.

BERNIE

Alright. Now, how about my associate, Wendy Rouder? You spoke with her just yesterday. Do you remember?

HELENA

Yes. I drank a Diet Coke.

BERNIE

You told her that you remember trying to ride a rocking horse at the house but it was broken?

HELENA

I don't remember that.

BERNIE

This was yesterday, Helena. Yesterday, when you spoke to...

MURTAH

Objection! Asked and answered.

JUDGE DUPREE

Sustained.

INT. JUDGE DUPREE'S CHAMBERS - AFTERNOON

Judge Dupree struggles with a taco as he eats. He seems more concerned about his food than about what he is discussing with Bernie and Murtah.

JUDGE DUPREE

Well, I don't think it's stretching it to say that girl is a whackado.

He accidentally drops taco beef on his shirt.

JUDGE DUPREE (CONT'D)

Shit...

He cleans it off. Bernie just sits there, amazed.

JUDGE DUPREE (CONT'D)

That's why we wear robes, no?

BERNIE

You were saying...

JUDGE DUPREE

Oh, yes. I think it's also safe to say that girl has been a habitual user of drugs for a very long time.

BERNIE

Yes.

He takes a big mouthful of taco.

JUDGE DUPREE

Well, I think that there is a serious problem believing anything she says. And so, as to whether or not I will allow your seven witnesses to testify about these so called confessions...

BERNIE

Yes?

JUDGE DUPREE

As far as being admissible as statements against interest, I just don't see how they comply with the trustworthiness requirement. In fact, I think anything that sad little chubby woman says is unclearly trustworthy, or rather, clearly untrustworthy. And since there is no corroboration...



BERNIE

They corroborate themselves!

JUDGE DUPREE

I just don't think you can trust anything she has to say.

BERNIE

That's a credibility determination for the jury to make! It goes to the weight, not the admissibility!

MURTAH

Your honor...

Dupree shuts him down.

JUDGE DUPREE

There's no need. I've made my decision. The confessions are out.

BERNIE

This is an outrage...

Dupree puts up his hand to quiet Bernie. Dupree wipes his mouth and then his hands as he talks.

JUDGE DUPREE

You know, an attorney I've known for quite some time now, decades actually, asked me the other night if I could rule on a directed verdict of guilty. I told him I didn't think so, but if I could, I believe that this would be the case to do it in.

He returns to his tacos.

INT. BERNIE'S DORM ROOM OFFICE - EVENING

Jeff is in his gym gear. He's enraged.

JEFF

You have to fix this, Bernie. I'm paying you to fix this!

BERNIE

It's out of my hands.

JEFF

Oh, well that's just fucking swell. Why don't we just roll over? It's only my life we're talking about!

He knocks a stack of papers off Bernie's desk.

JEFF (CONT'D)

I'm fucked, Bernie! And it's your fucking fault! If we'd just gotten through the Article 32 Hearing back in '70, you would have gotten me off at the court martial, and none of this would be fucking happening!

He turns over an end table in anger. Bernie takes a step back. Wendy moves in and gently takes him by the shoulders.

WENDY

Jeff, you need to calm down.

He violently shrugs her off of him, leaving her with her hands up in an show of acquiescence. The room stares at him. He recognizes this and calms down. He puts his hand on Wendy's shoulder. She flinches initially, but lets him.

JEFF

I'm sorry. It's just...

Wendy clears her throat and forces out a calming voice.

WENDY

When you act like this, they win.

JEFF

I know.

WENDY

If the jury sees you like that tomorrow, they'll be able to SEE you in that house. With that icepick and that club, covered in blood. And then you're really fucked.

She moves behind him again, touching his hand. She has regained her composure.

WENDY (CONT'D)

Go get some air. And then come back to prepare for tomorrow. Ok?

Jeff turns around. They are close enough to kiss. The tension is palpable. He forces a smile, rubs her shoulders and then nods. He makes eye contact with Joe and then leaves.

EXT. KAPPA ALPHA HOUSE - MOMENTS LATER

Jeff is leaning against a railing, staring out into the dark forest behind the house. Joe enters, lighting a smoke.

JEFF

I could kill that fucking prick.

Joe says nothing. It's getting harder for him to propagate the facade of a concerned friend. Jeff senses the distance

JEFF (CONT'D)

What?

JOE

What?

JEFF

What are you thinking?

JOE

What?

JEFF

You think I'm fucked!

Joe's eyebrows instinctively raise three inches.

JOE

No I don't.

JEFF

You're out here, hoping to get me to say something incriminating.

JOE

What?

JEFF

You're preparing for me to be convicted. Just like everybody else.

JOE

No, I'm not.

JEFF

Yes, you are. You're angling for something. Three people have already told me they'll work on my appeal for free. That's not very comforting! And now you're planning, too?

JOE

You're picking a fight.

JEFF

Whose side are you on?

JOE

Yours.

JEFF

Bullshit! I know you. You have to side with the winner. It's where you get your strength. It's what makes you feel important.

JOE

That's ridiculous.

JEFF

You're a spectator, Joe! A tourist! It all makes sense now. You didn't have the balls to fight for your country so you grabbed a pen instead of a gun and followed around some real soldiers in Vietnam. You bitch and bitch about about the government, but instead of running for office you just hammer away on your typewriter and throw Nixon under the bus. And now, here you are, living with me, and playing both sides until the winner emerges.

JOE

That's not fair...

JEFF

Or maybe you're jealous. Maybe that's it. Maybe you wish it was your family that was murdered!

JOE

Careful, Jeff...

JEFF

YOU wrote all that shit about dreaming of your family's demise, not me. Maybe this whole experience has made you wish you'd had the balls to kill YOUR wife and kids ten years ago!

JOE

Fuck you!

JEFF

I hear you on the phone with your ex-wife. You think you're alone sitting in that fucking closet? The walls are thin, brother. I hear everything.

Joe's ears are red with fear and adrenaline. Jeff is beginning to puff out his chest in a way we haven't seen yet. A way that mirrors the way he looked in Joe's dream.

JEFF (CONT'D)

She hates you. Your kids hate you.  
And history is about to repeat itself  
with Nancy and, what I can only  
assume, is your child.

Now it's gone too far. Joe's no pushover and he's no coward.

JOE

Excuse me?

JEFF

Hey, she fucked you while you were  
married, right? You think that had  
anything to do with you? Like you're  
so amazing that she would compromise  
her morals JUST for you? Don't be  
stupid. I'd get a paternity test  
immediately if I were...

Joe takes an angry swing at Jeff. He dodges it and punches  
Joe in the face, drawing blood from Joe's nose. Joe pauses,  
then charges at Jeff, tackling him around his waist.

They fall to the ground and tussle for a moment. No other  
real punches are thrown. Joe pushes Jeff off him.

JOE

Stop, stop, stop!

They separate. Joe wipes blood from his nose.

JOE (CONT'D)

This is stupid.

Jeff breathes heavy and avoids eye contact.

JEFF

I'm sorry. I didn't mean any of it.

JOE

I know... I know.

Joe looks at Jeff. He reeks of hopelessness.

JEFF

Your nose alright?

JOE

Does it make me look tough?

He shows off his bloody shirt.

JEFF

A little.

They laugh.

JEFF (CONT'D)  
It feels like the walls are closing  
in, you know?

Joe stands and extends his hand to Jeff, who accepts it.

INT. BERNIE'S DORM ROOM OFFICE - NIGHT

Interns finish cleaning up the mess Jeff made. Bernie and Wendy read cases and statutes in silence. Then:

BERNIE  
Where's Jeff?

Bernie goes to the door, screaming to the others in the house.

BERNIE (CONT'D)  
Has anyone seen Jeff? No?

WENDY  
You think he...

BERNIE  
He's too indignant to run away.  
(to the house)  
Where's Joe?

Bernie has an epiphany. He grabs his car keys.

EXT. KAPPA ALPHA HOUSE - TRACK - NIGHT

Joe and Jeff run until their lungs are filled with battery acid. When one falls behind, the other pushes them forward.

Bernie pulls up in his Cadillac just as they are ready to pass out. They are covered in sweat. They laugh. Exhausted. Bernie leans back and opens the back door.

INT. BERNIE'S CAR - MOMENTS LATER

Bernie drives. Joe and Jeff recover in the back.

BERNIE  
No sweat on the leather, kids.

JEFF  
If Stombaugh saw all this sweat,  
he'd testify that it's a scientific  
impossibility that we went jogging.

They all share a laugh.

INT. COURTROOM - DAY

Jeff is on the stand. A stark contrast from the previous shot. Here, he is emotional. The jury is in tears as well.

BERNIE

Tell us about Colette?

JEFF

She was beautiful and intelligent and warm. She was a great mother and wife. Totally devoted.

BERNIE

What do you remember about Kimberly?

This is harder for Jeff.

JEFF

She was very inquisitive. I think exceptionally bright. And very loving. So loving.

BERNIE

And what about Kristen?

Jeff has the most trouble getting through this one.

JEFF

She was the prettiest of all of us. A little ball of fire. My angel.

BERNIE

Now, I don't want to get too far into what you say happened that night. The government, like hounds to the fray, will leap at that tomorrow. But I'd like to ask you to, at the very least, try to explain the inconsistencies in your recollections over the last nine years.

Jeff pulls himself together as he wipes his eyes again.

JEFF

I never told anyone I was certain of anything. It's all fragments and confusing thoughts. The best I can say is that it's hazy. I had been woken from a deep sleep after having been awake for almost two days straight, and I was viciously attacked and knocked unconscious.

(MORE)

JEFF (CONT'D)

As soon as I could, and as best as I could remember, I told the investigators everything. But it's like trying to replicate a dream. Or trying to recall a painting you saw in a museum. You know you saw the painting, but you just can't remember all of the brush strokes. But that doesn't mean you didn't see the painting.

Bernie moves to the crime scene photos. This is the worst of it for Jeff and the jury. Joe has to shut his eyes. Freddy Kassab stares straight at Jeff.

BERNIE

When you awoke and found your wife, is this what you remember seeing?

JEFF

I remember a lot of blood.

He shows a picture of Kimberly

BERNIE

And when you found Kimberly, is this what you remember?

The words barely escape Jeff's throat.

JEFF

Yes.

On to Kristen.

BERNIE

And when you found Kristen, is this...

JEFF

Yes.

BERNIE

And what, if anything do you recall doing when you found them?

JEFF

Oh, lord. I only remember one thing clearly. I remember patting Kimmy on the head and telling her it would be ok. Oh, lord. Excuse me.

Bernie lets Jeff sob. He moves close to Jeff now.



BERNIE

Did you murder your family?

JEFF

Oh god, no.

Bernie hands Jeff a folded up piece of paper.

BERNIE

Dr. MacDonald, would you share with us a letter that Colette sent you in the summer of 1969, when you were forced to spend some weeks apart.

Jeff stares up at Bernie, as if this request was a surprise.

BERNIE (CONT'D)

Go ahead.

JEFF

Sunday night. Darling Jeff, what a difference a day makes - or even a few minutes - especially when you take me from the nadir of despair and return me to that happy full of love and life feeling. Thank you sweetheart, you really know how to handle me. In case you're getting ready to jump out of an airplane and need a little material for pleasant daydreaming, here are a few of my favorites: (1) Remember the night you and Ernie came to Skidmore in the snow for 'Happy Pappy Weekend' and stayed in the Rip Van Dam, the fashionable watering place of the New York jet set. (2) The night we came home from Paul and Kathy's and we decided to have something to eat in the city and we went to Manana after walking around a bit. This is one of my favorites because I think we were definitely on the same wave length that night. (3) When you were in the Infirmary at Princeton because you had dropped the weights on your chest, you wrote me an abstract story entitled 'the cool guy and the warm girl.' Do you remember that at all? I do, It was beautiful. (4) New Year's Eve this year - what could top that for a feeling of togetherness! (5)

(MORE)

JEFF (CONT'D)

Cutting up onions and peppers together  
and planning for our giant Champagne  
Brunch and then, of course, the brunch  
itself. (6) The first time you came  
to Skidmore and the picnic we had in  
the woods. Four kisses. Colette.

The whole courthouse weeps. Except for Freddy Kassab.

INT. KAPPA ALPHA HOUSE - LATER

Waiting. No one speaks. Jeff bounces a racquetball against  
the floor and wall. It provides the only sound. Joe lets  
his cigarette burn to the filter. Bob Dylan's "*I shall be  
released*" underscores the scene.

INT. COURTROOM - LATER

Everyone is assembled. Judge Dupree nods to a bailiff, who  
opens the door to the deliberation room. The jurors file  
in. Some are openly sobbing. All are deeply affected.

Then a long pause.

JUDGE DUPREE

Has the jury reached a verdict?

The FOREMAN speaks up for all his fellow jurors.

FOREMAN

Yes, your honor.

JUDGE DUPREE

And how do you find?

FOREMAN

On the count of murder in the second  
degree of Colette MacDonald, we the  
jury find the defendant, Jeffrey  
MacDonald... guilty.

Jeff almost crumbles. Bernie holds him up.

FOREMAN (CONT'D)

On the count of murder in the second  
degree of Kimberly MacDonald, we the  
jury find the defendant, Jeffrey  
MacDonald... guilty.

Cries from the courtroom. Joe looks away.

FOREMAN (CONT'D)

On the count of murder in the first degree of Kristen MacDonald, we the jury find the defendant, Jeffrey MacDonald... guilty.

Commotion. Wendy rubs Jeff's back as Bernie whispers in his ear. Jeff looks like he's had the life sucked from his body.

JUDGE DUPREE

Does the defendant have anything he'd like to say?

JEFF

Sir, I don't think the jury heard all the evidence.

MARSHALS move in towards Jeff with handcuffs out. There is tremendous tension in the room. He extends his arms, wrists together. The Marshal handcuffs him and leads him out the back of the courtroom. Jeff looks back to Joe one last time.

Joe looks at the front door, where he finds the cold stare of Freddy Kassab. Freddy puts his hat on and exits.

INT. KAPPA ALPHA HOUSE - DAY

The next day. Packing. Crying. Joe has his duffel bag with him and he sports his fatigue jacket again. He drops the bag on the floor and knocks on Bernie's door. He is busy organizing a box of exhibits with Wendy.

INT. BERNIE'S DORM ROOM OFFICE - CONTINUOUS

JOE

I'm sorry to bother you.

BERNIE

We're making sure everything's in order for the appeal. Flying out?

JOE

Yeah.

BERNIE

Well, it's been quite a ride, huh?

Bernie stands and shakes Joe's hand.

JOE

I know it's not the best time to bring this up, but... you and Sterling talked way back when about what we would do if Jeff were convicted.

BERNIE  
Right. Right. I forgot.

JOE  
About the access...

BERNIE  
Yes. I spoke to Jeff about it.  
Well, not recently, but a while ago,  
when all this seemed so impossible...

He stops for a moment. Then continues.

BERNIE (CONT'D)  
He wanted you to stay at his condo.  
He thought you could keep it warm  
for him while you wrote.

JOE  
That would be great.

BERNIE  
I'll have Wendy make copies of  
everything. It may take a couple of  
weeks, but it's a priority.

JOE  
Thanks.

Joe starts to leave.

WENDY  
It's not over, Joe. Don't write the  
ending just yet, ok?

INT. AIRPLANE - NIGHT

Joe sits in first class as he flies back to Los Angeles.  
The STEWARDESS stops at his seat and hands him two travel  
bottles of whiskey and a glass with ice. He thanks her and  
empties the bottles into the glass.

INT. JOE'S CAR/PRISONER TRANSPORT VAN - DAY

Joe drives through Huntington Beach, just as he did in Act  
One, only this time he doesn't need a map. "*Heartache  
Tonight*" by the Eagles plays as Joe pulls up to Jeff's condo.

This action is intercut with a shackled Jeff being transported  
in a very uncomfortable prisoner transport van.

INT. JEFF'S CONDO - DAY

Empty and cold. Boxes are stacked in the office, ten deep.  
Joe acknowledges the boxes briefly as he gives himself a

tour of the house. Jeff's closet is filled with fashionable clothes. The boat out back gently rocks against the dock.

Joe finds the copy of *President* that he signed in Act One. He reads it: "Truth never lies." Joe smirks, then puts the book down and approaches the wet bar in the living room. The bar is full of top-shelf liquor. Joe reacts as if he's opened a large bag of money. "*Heartache Tonight*" fades out.

FADE TO BLACK:

INT. TERMINAL ISLAND - DAY

Joe waits in the visitor area. Finally, a GUARD directs him to an empty room. Moments later, Jeff enters in shackles and an orange jump-suit. The GUARD accompanying him uncuffs him and closes the door. Jeff rubs his wrists and then gives Joe a long hug. Joe masks his unease. They sit.

JEFF

Man, it's great to see you.

JOE

It seems like the only function a ride across the country in a prison bus serves is to make your final destination seem less awful.

JEFF

It's been an absolute nightmare.

JOE

Well, I'm glad you didn't kill yourself. It would have been a bummer for the book.

They laugh a bit.

JEFF

I wouldn't give those bastards the satisfaction. How's the condo?

JOE

Perfect. Thanks again for the setup.

JEFF

It's the least I could do. You've been there for me this whole time. More than I can say for Candy. I guess that's what I get for shacking up with a chick named Candy.

JOE

Buyer beware.

Jeff takes a long breath.

JEFF

I'm a fucking mess, Joe. I feel dirty and soiled by the decision, and I can't tell you why, but I'm ashamed. I mean, the verdict just hangs there, screaming, "you are guilty of the murder of your family!" And I don't know what to say to you except that it's not true. And I hope that you know that and feel it and that you're still my friend.

Joe's mouth quivers a bit as he forces a smile.

JOE

I am your friend, Jeff. And I think about that moment when the verdict came down... total strangers can recognize within ten minutes that you didn't receive a fair trial.

JEFF

It still feels like some horrible dream, but I wake up in a cell, my bed only inches from my toilet. There's a stain on one of the cement blocks... it's my only piece of art.

Jeff reaches out to touch Joe's arm.

JEFF (CONT'D)

I feel so much rage against Dupree. Not the jurors, though. They didn't hear all the evidence. But Dupree? Christ, how that man sleeps at night is beyond me. But Bernie's almost certain that he have a winning argument with the speedy trial thing. The Fourth Circuit's agreed to hear it and no one argues better than Bernie. Until then, I'll just have to keep looking forward to our visits.

JOE

Maybe I can give you something more constructive to do.

He leans in as if it's a secret.

JOE (CONT'D)

I was able to convince one of the guards to sneak in a tape recorder.

(MORE)

JOE (CONT'D)

I'm thinking of breaking the narrative up with these chapters called "The Voice of Jeffrey MacDonald" or something. Probably not that exactly. Something more literate, but... I need you to take the lid off and climb down in there and tell me all about your life in minute detail and with as honest an attempt to communicate the emotional content as you can manage. Can you do that?

JEFF

Absolutely. That's a great idea. I really dig that. I'll start tonight.

Joe forces another smile.

EXT. TERMINAL ISLAND - MOMENTS LATER

Joe runs out of the prison, short of breath. He lights a smoke as he stares off into the distance over Los Angeles Harbor. He looks back at the prison. His hands shake.

INT/EXT. JOE'S WORK - DAY/NIGHT

"It's Only Make Believe" by Conrad Twitty plays as we enter a montage of Joe working on the book.

Joe sifts through piles of work product, filling up a large cork board in the living room with evidence photos, documents, handwritten notes, etc... There are about a dozen boxes in various stages of emptiness.

Joe meets with Jeff in prison and takes notes. Jeff is very animated as they interact. Joe is noticeably distant.

Joe sits with Freddy and Mildred, looking over photos of Colette and the kids at Freddy's home.

Joe receives tape after tape from Jeff in the mail.

Joe at the typewriter.

Joe on the phone with Nancy, her pregnancy acting as a barometer for how much time has passed.

Lots of drinking.

Avery reading pages with Joe at a bar. "It's Only Make Believe" fades out.

INT. JEFF'S CONDO - NIGHT

Joe stands over the numerous half-empty boxes with a drink in one hand and a phone in the other.

STERLING

So, Dell loves the title change.  
*Fatal Vision* is a huge improvement  
over *Acid and Rain*.

JOE

but...

STERLING

Phyllis and I still have major  
concerns about the content.

JOE

Fantastic.

STERLING

It reads like an appellate brief,  
Joe. Chapter after chapter of what  
the jury didn't hear and what the  
Judge fucked up.

JOE

That's the reality, Sterling.

STERLING

Is that the reality, Joe?

JOE

I can't pretend that Jeff got a fair  
trial. We talked about this before  
I went to Raleigh...

STERLING

We talked about it in the context of  
Jeff being acquitted. As a fall  
back... But that didn't happen.

JOE

Still, the story is...

STERLING

The story is that he was convicted.  
He's guilty. There's nothing left  
to say. Let Bernie Segal yell and  
scream about what the jury didn't  
hear. That's not what Dell paid you  
a 300 thousand dollar advance for.

JOE

They paid me to be a journalist.



STERLING

Don't be so god damn proud, Joe.  
You want to be an investigative  
journalist? Fine, go investigate and  
find me a motive for the killings.

JOE

The government couldn't even do that.

STERLING

The government wasn't writing a book.

JOE

What, do you want me to just make  
something up?

STERLING

I didn't say that. But the MacDonald  
market is getting crowded and I can  
promise you that other writers won't  
have any issue establishing a motive  
and saying MacDonald got a fair trial.

JOE

Who? Tell me it's not Wambaugh!

STERLING

No. He's busy with his film...  
Mostly unknowns, but there is this  
small-time reporter who covered the  
trial named Keeler who's generating  
some interest. You know him?

Joe is worried.

JOE

A little.

STERLING

Well, if he gets a deal and his book  
is released first... all those plans  
you have for the future disappear.  
You can't have the SECOND book on  
the subject. Get me?

INT. TERMINAL ISLAND - DAY

Joe is upset.

JOE

Bob Keeler's talking to your mom.

JEFF

Bernie gave me the green light to cooperate with him. Thinks his article could generate some good press during the appeal.

JOE

Well, he seems awfully plugged in. And he's planning a book, Jeff, not just an article.

JEFF

What?

JOE

He'll use his series of articles in *Newsday* as a book proposal. Probably to the *New York Times Books*. It's common practice. I don't expect you to understand the nuances.

Jeff doesn't appreciate the condescension.

JOE (CONT'D)

And honestly, I'm not sure what Keeler's attitude is towards you. I'm not saying he's convinced you're guilty... but how would I know?

JEFF

Hmmm.

JOE

For all we know, he thinks the jury heard all the evidence and you got a fair trial. Only I can write that, Jeff. Only me.

JEFF

I see your point.

JOE

I think it would be best if you did nothing to encourage or assist anyone else who might be planning to write a book on this. You gotta remember, you have a financial interest in our book, as well. If our book is released second, it'll look like a response to Keeler's and it'll be a critical and financial flop.

JEFF

I didn't think of that.

JOE

Maybe have Bernie drop a line at the *New York Times Books* reminding them of the extent to which libel and invasion of privacy might apply.

JEFF

That's a smart idea.

Joe lights a smoke. They both calm down.

JEFF (CONT'D)

So when do I get to see some pages?

JOE

Pages? Christ, I haven't even started outlining yet. There's at least thirty boxes of documents over at the condo, there's the trial transcripts, interviews to be done. This is going to take some time. I wouldn't expect any words to hit the page for a while.

JEFF

Just keep me in the loop, alright. It's one of the only things that keeps me from pounding my head into the cement. You know, I can touch both walls of my cell at the same time if I stretch my arms out?

INT. JEFF'S CONDO - NIGHT

Joe is sitting on Jeff's deck, overlooking the *Recovery Room*, whiskey in hand. He has "You Send Me" by Percy Sledge playing on the stereo. He has a telephone next to him. He is on the phone with a very pregnant Nancy.

JOE

There's nothing here. Volumes of pages, all about how unfair the trial was. All I have on Jeff is that he's an asshole with a temper. And I've got Dell and Jeff both pressing me for pages.

NANCY (V.O.)

You know, if you're sad enough, you're diagnosed with depression and you're medicated. If you're shy enough, you're diagnosed with anxiety and you're medicated.

(MORE)

NANCY (V.O.) (CONT'D)

But if you're angry enough, what are you diagnosed with? And what would your medication be? And what would happen if you didn't take your medication?

JOE

Nancy, the investigative journalist.

NANCY (V.O.)

You have got to let this whole fair trial thing go, Joe. It's clouding your instincts... and the advance is starting to run out.

JOE

Don't worry about the money. I'll figure this thing out and we won't have to worry about money ever again. Ok? I promise.

NANCY (V.O.)

Good. Because no matter how tight I keep my legs pressed together, this baby is coming.

Joe smiles.

NANCY (V.O.) (CONT'D)

And on that note... I'm starving. I'm gonna go.

JOE

Ok. Love you, baby.

NANCY (V.O.)

Love you, too.

They hang up. Joe smokes and contemplates his next move. He makes another call.

MANDY (V.O.)

Hello?

JOE

It's me.

MANDY (V.O.)

We got the radio controlled plane. He loves it. Thank you.

JOE

Is he there? Can I talk to him?

MANDY (V.O.)  
He's at a friend's house.

JOE  
Oh.

Pause.

JOE (CONT'D)  
Can you be honest with me?

MANDY (V.O.)  
(hesitant)  
Ok.

JOE  
What's the worst thing about me?

She laughs.

MANDY (V.O.)  
What?

JOE  
What is it about me that makes you  
forget you ever loved me?

She thinks it over.

JOE (CONT'D)  
Hello?

MANDY (V.O.)  
I'm thinking.

JOE  
Is it that long of a list?

MANDY (V.O.)  
If I had to give it a label, I'd say  
you're a pathological narcissist.

Joe almost chokes on his whiskey.

JOE  
A what?

MANDY (V.O.)  
You're so wrapped up in your own  
power and glory and self importance  
that you don't give a thought to  
anyone else or anything else.

JOE  
Oh, ok. Wow.

MANDY (V.O.)

You asked.

JOE

And you definitely answered.

Silence for a beat.

MANDY (V.O.)

What's the problem?

JOE

I'm being pressured to pick a side on this thing and I'm torn.

MANDY (V.O.)

What does Sterling say?

JOE

Sterling says to give the readers the boogie man they desire.

MANDY (V.O.)

What does Nancy say?

JOE

She agrees with Sterling.

MANDY (V.O.)

What do you think?

JOE

He might be a murderer, but he didn't get a fair shake.

MANDY (V.O.)

And if you write that story?

JOE

The book'll bomb, I'll most likely declare bankruptcy, and I'll probably get dropped from the agency.

Mandy takes her time formulating a response.

MANDY (V.O.)

Well, here's what I think. I think the man I married would chase the story. But the man I divorced would chase the money.

Joe takes a deep breath.

JOE

I gotta go. I love you.

MANDY (V.O.)  
Good luck, Joe.

They hang up.

JOE  
(to himself)  
Pathological narcissism?

INT. TERMINAL ISLAND - NIGHT

Jeff lays in bed, his eyes open. He fixates on the stain he told Joe about: An abstract pattern on a cement brick. It changes shape... the hallucinogenic reality of confinement.

EXT. SANTA ANA RACETRACK - DAY

Avery and Joe watch the horses.

AVERY  
Pathological what?

JOE  
Narcissism. Pathological narcissism.

AVERY  
So, the guy's such an asshole that, when he gets threatened by his wife, he flips? Call it the stress of the job or the impending baby. Having been up for two days straight... sure, why not? It's not the sexiest angle, but it's something. And the government never argued this?

JOE  
They never got into motive.

AVERY  
What about the fair trial angle?

Joe has trouble addressing this.

JOE  
I'm dropping it.

AVERY  
But I thought...

Joe gets agitated.

JOE  
He was convicted, Avery. It was a fair trial, alright?

AVERY

Alright, boss. You won't get an argument out of me.

Joe settles down. He switches gears.

JOE

It's not too big a leap? I mean, it's one thing to be upset about your wife taking parenting classes and second guessing you around your kids, but to take that and project it out to murder?

AVERY

It probably started out as a fight and got out of hand. At that point, his doctor brain kicked in. You told me yourself how clinical he is. A series of check boxes. Stage the crime scene. Check. Finish off the only potential survivor. Check. Inflict wounds on self. Check. Call police. Check.

JOE

There's got to be something else, though. Like, pathological narcissism PLUS. Plus what, though?

INT. TERMINAL ISLAND - DAY

Joe has trouble looking Jeff in the eye.

JOE

I'm flying back to Jersey at the end of the week to be with Nancy when the baby comes.

JEFF

I'll keep sending you tapes. Just give me your home address...

JOE

Just send them to Sterling's office.

JEFF

What? Why? You don't want me knowing your home address?

JOE

Come on. No. I just want to make sure anything book related is filtered through the office, that's all.



JEFF

Whatever. When can I see some pages?

JOE

Jeff, I told you. I can't send pages. Not yet, anyway. Everything goes through Morgan, the editor over at Dell. It's a process.

Jeff stands. He's ready to go back to his cell. He doesn't make eye contact with Joe as the guard enters.

JEFF

Bernie thinks our chances on appeal are 70/30.

(he looks at Joe)

Give Nancy my best. And congratulations on the baby.

He leaves without saying goodbye.

INT. JEFF'S CONDO - NIGHT

Joe and Avery are hanging out while Joe goes through the final couple boxes of documents. Avery is by the stereo.

AVERY

This sound system is fucking insane. How much you think this thing cost?

JOE

A wife and two kids.

AVERY

Ouch. Nice release in the trades, by the way. Big-name author Joe McGinnis signed to six-figure contract to retell the most bizarre crime story of the decade, as only he can. Through total and exclusive access. Fucking brilliant...

Joe is reading a handwritten note that he found at the bottom of the box. He interrupts:

JOE

Listen to this. MacDonald wrote it back in '70. It must have been notes to his first attorney... "We ate dinner together at 5:45pm. It is possible I had one diet pill at this time. I do not remember, and do not think I had one, but it is possible.

(MORE)

JOE (CONT'D)

I had been running a weight-control program for my unit, and I put my name at the top of the program to encourage participation. I had lost 12-15 pounds in the prior 3-4 weeks, in the process using 3-5 capsules of Eskatrol Spansule."

He looks up at Avery.

JOE (CONT'D)

Eskatrol? What is that? Speed?

AVERY

I don't know.

JOE

Twelve to fifteen pounds in a month? That sounds like speed to me.

INT. TERMINAL ISLAND - NIGHT

Jeff does pushups alone in his cell.

INT. HOSPITAL - DAY

Nancy gives birth with Joe beside her.

INT. HOSPITAL - NIGHT

Nancy and the baby are asleep while Joe reads books on eskatrol with a desk lamp on. The baby cries a bit. Joe looks over at him, waits for him to quiet down, then goes back to his books, highlighting important passages.

INT. HOSPITAL - DAY

Joe awkwardly feeds the baby while Nancy reviews Joe's notes.

NANCY

Have you checked with Womack to see if they tested him for amphetamines?

JOE

Nope. I mean, yes, I checked. The chemist notes from Fort Gordon say they never tested him for amphetamines. It just never occurred to them.

NANCY

So, he could have had god knows how much of this eskatrol crap in his system that night.

JOE  
I'd say that's a real possibility...

NANCY  
What would having too much eskatrol  
in your body do to you?

The baby spits up on Joe.

INT. TERMINAL ISLAND - DAY

Jeff is on the phone with Sterling's office.

JEFF  
What do you mean he's unavailable...  
I know he just had a baby. Do you  
have any idea how hard it is for me  
to schedule a phone call... No.  
It's been two weeks and I haven't  
heard a fucking thing... No, I won't  
calm down. I'm rotting in this  
fucking... who is this anyway? What's  
your name? Why am I wasting my time  
talking to you. Put Sterling on  
the... Oh. Sterling isn't available  
either? Bull shit!

The guard looks over at Jeff, always ready for him to get  
too worked up.

JEFF (CONT'D)  
Fine. Fine. Look, just leave another  
fucking message for me. Tell Joe  
that I still haven't gotten any pages  
and I feel like he's shutting me  
out. Great. Yeah. Thank you, too.

He hangs up violently, slamming the phone down on the receiver  
three times for emphasis.

CUT TO BLACK:

TITLE OVER BLACK:

Eighteen months later

INT. TERMINAL ISLAND - DAY

We watch as the 60 minutes crew prepares the visitor's area  
of Terminal Island for an interview: GRIPS setting up lights  
and running cables, CAMERAMEN checking and cleaning lenses,  
the SOUND CREW preparing boom mikes, etc... Jeff is being  
tended to by a MAKEUP ARTIST, his demeanor proud, as if he's  
getting ready for the *Dick Cavett Show* again.

Finally, MIKE WALLACE sits across from Jeff.

WALLACE  
Dr. MacDonald, good afternoon.

JEFF  
It's a real pleasure to meet you,  
Mike. You're a fine journalist. No  
nonsense. No holding back. Just  
the truth. Unfiltered. Brilliant.

WALLACE  
Thank you.

JEFF  
Find the place ok?

This makes Wallace laugh

WALLACE  
No problem. I'd like to jump right  
in, if that's alright.

JEFF  
Of course.

WALLACE  
What went wrong?

Jeff chuckles as he leans back and raises his eyebrows.

JEFF  
Wow, well... more than you can know  
in just 60 minutes.

WALLACE  
We'll edit it down.

JEFF  
In short, the jury didn't hear all  
of the evidence. I mean, I don't  
blame them for convicting me. They  
only heard one side of the story,  
just like at the Grand Jury. It's  
not their fault the government lied  
to them. How were they to know?

WALLACE  
Does that anger you?

JEFF  
Of course it does. But a friend  
once told me that truth never lies.  
And I believe that.  
(MORE)

JEFF (CONT'D)

So I'm confident that, eventually, people will know all the details. And when that happens, there's no way anyone in the world could possibly believe I had anything to do with these murders.

WALLACE

And how do you plan on getting those facts out? By way of appeal?

JEFF

Well, naturally, we're appealing the verdict. I never got a fair trial. That's without question. And there are other legal issues at play as well. But you'd have to talk to Bernie Segal, my attorney, to get that information. No, what I'm talking about is something else.

WALLACE

Joe McGinnis's book.

JEFF

Yes. If you're familiar with his work, he's a top-notch...

WALLACE

Yes, I'm familiar. But let's return to that in a moment.

JEFF

Ok.

WALLACE

What I want to know is, did you have drugs of any kind in your system on the night of February 16th, 1970?

JEFF

(taken aback)

No. I don't think that's in dispute.

WALLACE

No drugs whatsoever?

JEFF

Taking drugs goes against everything I believe in.

WALLACE

What is eskatrol?

JEFF  
Eskatrol? It's a diet pill.

WALLACE  
It's an amphetamine, isn't it? Speed?

JEFF  
Yes. I suppose.

WALLACE  
Did you use this eskatrol substance  
to assist you in losing roughly 15  
pounds at the time of the murders?

JEFF  
I don't know what you're talking  
about, Mike.

Wallace reads from a piece of paper:

WALLACE  
We ate dinner together at 5:45pm.  
It is possible I had one diet pill  
at this time. I do not remember and  
do not think I had one, but it is  
possible. I had lost 12 to 15 pounds  
in the prior 3 to 4 weeks, in the  
process, using three to five capsules  
of eskatrol spansule. I was also...

JEFF  
3 to 5 capsules for 3 weeks?

WALLACE  
According to this.

JEFF  
That's not possible.

WALLACE  
Then why would you put it down here  
that there was even a possibility?

JEFF  
These are notes given to an attorney  
who had told me to bare my soul as  
to any possibilities, so we could  
always be prepared.

WALLACE  
Did you lose 15 pounds in the 3 weeks  
prior to the murders?

JEFF  
I don't think that I did.

WALLACE

It's in your notes. I had lost 12 to 15 pounds in the prior three to four weeks, in the process, using three to five capsules of eskatrol spansules. That's speed... and Compazine, to counteract the excitbility of the speed. I was losing weight because I was working out with the boxing team and the coach told me to lose weight.

JEFF

Mike, there's no question there's a possibility I took the pill. Nowhere in there does it say I took it.

WALLACE

If you were on the boxing team...

JEFF

Right.

WALLACE

One has to say, look, why would he be taking off 12 to 15 pounds in the period of three to four weeks, again, in your own handwriting?

JEFF

But if I did take off those 12 to 15 pounds over three to four weeks using three to four tablets of eskatrol, that's not abnormal. That's a normal thing. The problem is you're making it sound like a person who's honest and writes honest notes to his attorney for any possibility is guilty of a triple homicide.

WALLACE

I'm not making the connection. This was discovered by Joe McGinnis.

Jeff is speechless.

WALLACE (CONT'D)

Mr. McGinnis believes a personality disorder, pathological narcissism, in conjunction with eskatrol abuse, sparked a rage in you that ultimately led to the murder of your family.

JEFF

Joe wouldn't say that.

## WALLACE

This is a quote from an advanced copy of Mr. McGinnis's book, *Fatal Vision*: He had lost fifteen pounds in three weeks while taking a drug that can cause insanity. He was suffering from short-term physical exhaustion and longer-term emotional stress. His life, in fact, had been one extended period of stress-financial, intellectual, psychological-ever since Colette had accidentally become pregnant with their first child. Might it be too much to surmise that since early childhood he had been suffering also from the effects of the strain required to repress the boundless rage which psychological maladjustment had caused him to feel towards child or woman, wife or mother... the female sex?

Wallace looks up briefly for a response but continues reading before Jeff has a chance to say anything.

## WALLACE (CONT'D)

And that on this night- this raw and somber military-base February Monday night- finally, with the amphetamines swelling the rage to flood tide, and with Colette, pregnant Colette, perhaps seeking to communicate to him some of her new insights into personality structure and behavioral patterns- indeed, possibly even attempting to explain him to himself- his defense mechanism, for the first and last time, proved insufficient? Would it be too much to suggest that in that one instant- whatever its forever unknowable proximate cause might have been- a critical mass had been achieved, a fission had taken place, and that by 3:40am on February 17, 1970, the ensuing explosion of rage had destroyed not only Jeffrey MacDonald's wife and daughters, but all that he had sought to make of his life? Perhaps. Yet his bloody footprint had been found on the floor and there were blue threads on the club outside the house and his wife- already dead or near to it that the difference was of no import whatsoever-

(MORE)



WALLACE (CONT'D)  
had been stabbed in the chest with  
an icepick 21 times after his blue  
pajama top had been laid across her.  
And when he had sat down to write  
the first account of the night's  
events- knowing that he was now  
considered a chief suspect- his  
consumption of a drug which is capable  
of triggering psychotic rage had  
been the thing he had felt it  
necessary to mention first.

Wallace puts the paper down. Jeff can only muster:

JEFF  
How did you get an advanced copy?

CUT TO BLACK:

OVER BLACK

A bottle of champagne is heard being popped. People cheering.

INT. FANCY NEW YORK RESTAURANT - NIGHT

The bottle was popped by Joe, smiling wide and laughing.  
It's a party. And it's all in his honor. Nancy is there,  
as is Sterling. The rest of the crowd are high-class  
SOCIALITES and fellow JOURNALISTS. It purposefully resembles  
the Long Beach Police Fund Raiser in the beginning of the  
film. Joe pours the bottle out over a pyramid of flutes.

Joe empties the bottle and grabs the flute off the top. He  
triumphantly takes a sip as everyone cheers.

INT. FANCY NEW YORK RESTAURANT - MOMENTS LATER

Joe, still with his flute in hand, is at the hostess stand  
talking to the MAITRE D'. He talks low. People continuously  
pass by, patting him on the back or shaking his hand. He  
looks troubled, but he doesn't let the guests see it.

JOE  
Mandy Schaeffer. With an S.

The Maitre D' checks a list.

MAITRE D  
No, sir. She hasn't arrived yet.

JOE  
Are you sure? Did you step away  
maybe for a moment...

MAITRE D

I've been here the whole time, sir.

Joe smiles and hands him a folded up \$20 bill.

JOE

Just let me know when she gets here.

MAITRE D

Of course, sir.

Joe turns around and almost collides with JOE WAMBAUGH, who has a TROPHY DATE by his side

JOE

Wambaugh! Hey, man. So great you could make it.

WAMBAUGH

Congratulations, Joe. The book is fantastic. Just remarkable.

JOE

Well, none of this would have been possible if it weren't for you.

WAMBAUGH

300,000? Dell got you on the cheap. How could I compete?

JOE

Ah yes, the advance. I spent half of it on whiskey and women...

JOE AND WAMBAUGH

And the other half I wasted!

They laugh. TROPHY DATE cuts in.

TROPHY DATE

It really is awful, though. How DID you live with that maniac?

Joe turns on the seriousness like a faucet.

JOE

It was a nightmare. I knew he was guilty, but I had a job to do. I had an obligation to get the story.

TROPHY DATE

You must have been terrified.

JOE  
Every day. All I could think about  
were those girls. And my wife. I  
just wanted to get back to Nancy. I  
was so relieved when the jury came  
back guilty that I actually cried.

Trophy date puts her hand over her heart.

TROPHY DATE  
Amazing. It really is riveting stuff.  
I couldn't put it down.

Sterling finds his way over.

STERLING  
You and a 100,000 other readers...

Sterling and Joe hug.

JOE  
Looks like you're stuck with me for  
another ten years, huh?

STERLING  
With sales like this, I'd say so.

Wambaugh is ready to move on. He lifts up an empty tumbler.

WAMBAUGH  
I'm dry. Seriously, Joe, great work.  
Congratulations again.

JOE  
Thank you. It means a lot. Really.

INT. FANCY NEW YORK RESTAURANT - LATER

The flute is gone, replaced by a tumbler of whiskey. Joe  
and Nancy are talking to another COUPLE. Joe keeps looking  
past them, to the lobby and the Maitre D'.

NANCY  
It was... I could hear it in Joe's  
voice when he'd call. He was living  
so close to all that rage, you know?

MAN  
Tell us something that wasn't in the  
book. If you can.

WOMAN  
Oh, please. That would be fantastic.

Joe reengages after Nancy gives him a soft elbow to the ribs.

JOE

What? Oh, well... there was one time when I saw him attack a college journalist while we were jogging.

WOMAN

Dear god! Why?

JOE

He didn't like the question he was asked, so he lost control.

MAN

Just like on the night of the murders. You must have been terrified.

JOE

(on auto pilot)

Yes. Every day. All I could think about were those girls. And my wife. I just wanted to get back to Nancy. I was so relieved when the jury came back guilty that I actually cried.

He's won them over. Joe smiles and excuses himself when he sees Sterling waving him over. He gives Nancy a kiss.

Joe reaches him. They talk in the corner, quietly:

JOE (CONT'D)

Did you find out? Is she here? She said she'd try to...

STERLING

She's not coming, Joe. She sent a nice card, though.

He hands Joe a card: "Congratulations. We wish you all the best. Always, M."

Joe shakes it off and puts on a brave face.

JOE

Oh well. Fuck it. I was just inviting her out of respect.

STERLING

Of course.

He switches gears.

JOE

Any word on the Alaska project?  
(MORE)

JOE (CONT'D)

I saw Jim Murphy here but he didn't really want to get into it. I think if you could get me another meeting with Dell, I could...

STERLING

Later, Joe. I promise... but first I want to talk to you about a man named Robert Marshall...

JOE

Who?

STERLING

He's standing trial in Jersey for hiring some people to kill his wife. It could be another *Fatal Vision*.

Joe looks unsure. He polishes off his tumbler of whiskey. This is not the career he was hoping for. We move back from the two, through the crowd of socialites. The music takes over and Joe is lost.

INT. FANCY NEW YORK RESTAURANT - LATER

Joe is standing in front of all his guests. They are all seated at tables for his speech. He is back on his game.

JOE

It's easy to support someone when they're doing well. I know that. And it's just as easy to give up on someone when they're not. But you, the people in this room, never gave up on me. Even when I gave you every reason in the world to do so.

He looks at Nancy, smiling wide with pride.

JOE (CONT'D)

And so...

He raises his glass. The guests follow suit.

JOE (CONT'D)

As success comes and goes... and as fame rises and falls like the tide, I will always be grateful for the love and support of my family and friends. Cheers!

Cheers!

Joe's smile fades a bit as he drinks his champagne. Maybe he isn't as happy in his glory as he'd hoped he'd be. The theme from *A Summer Place* starts to play as we...

DISSOLVE TO:

INT. TERMINAL ISLAND - NIGHT

Jeff, sitting on his bed, staring at that same spot on the wall. He closes his eyes and we are transported to...

EXT. BEACH - DAY

Colette and the girls are dancing with Jeff on the sand. Laughing and twirling as the sun sets behind them. The music continues. It's a wonderful vision...

INT. TERMINAL ISLAND - NIGHT

Jeff has tears in his eyes. The music plays on. He opens his eyes to find that same spot, still frozen on the wall.

The music takes us out.

FADE TO BLACK:

TITLES OVER BLACK

*Fatal Vision* hit the shelves in 1983, reaching number 6 on the New York Times bestseller list. Joe McGinnis's career took off, and he went on to write two more highly successful true crime novels: *Blind Faith* and *Cruel Doubt*.

Helena Stoeckley continued to confess to the killings even after the trial, including a confession to her mother on her deathbed. Helena died in 1983.

In 1984, all of the contents in 544 Castle Drive were burned and destroyed by the government. It had been under seal since the murders in 1970.

In 2014, Joe McGinnis died of prostate cancer.

For over forty years, Jeffrey MacDonald has maintained his innocence. In 2012, he filed a motion to appeal, based on DNA evidence. The appeal is still pending.

FADE TO BLACK: