

Rev. 08/31/18 (Green)
Rev. 09/14/18 (Goldenrod)
Rev. 10/08/18 (Buff)
Rev. 10/17/18 (Salmon)
Rev. 10/23/18 (Cherry)
Rev. 04/25/19 (Tan Add'l Photog)

JUST MERCY

written by

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based on the book by Bryan Stevenson

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FULL YELLOW

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FADE IN:

1 EXT. ESTATE (ALABAMA) - DAY 1

SUPERIMPOSE: JUNE 7, 1987

3 SHOTS -- LOOKING UP AT a grove of pine trees, leaves and limbs swaying in the breeze, backdropped by the Alabama sky.

A lead weight tied to the end of a cord FLOATS into the air, wraps around a high limb.

REVEAL: WALTER "JOHNNY D" McMILLIAN (40s, black) as he PULLS on the cord to lift the rope up to the top of the tree.

CLOSEUP ON THE ROPE

as he expertly ties a bowline knot and PULLS it up to the treetop.

He hands the excess rope to his EMPLOYEE (30s, black).

WALTER

Let's lay it down right here.

He looks up at the tree once more, respectfully. Then --

CLOSEUP - A CHAINSAW

cuts a notch into the side he wants the tree to fall. Then he SAWS through from the other side.

The tree falls, CRASHING to the ground.

Walter CLICKS off his saw and looks up, taking a moment to watch the trees dance in the wind. He takes a DEEP BREATH -- at peace. Then looks over to his employee --

WALTER

Alright, let's chop and load!

2 EXT. ESTATE (ALABAMA)/WALTER'S TRUCK - LATER 2

Walter chains down a load of logs in the back of his WORK TRUCK, parked beside his personal LOWRIDER TRUCK. He hops off the back, looks at his employee.

WALTER

Meet you at the yard.

(CONTINUED)

2

CONTINUED:

2

As his employee starts the truck, Walter looks at the house to see MR. ABNEY (50s, white) cooking something on a BBQ.

WALTER

Okay, Mr. Abney! Gimme a call if you need anything else cleared out!

Mr. Abney gives him a nod, nothing more. But Walter doesn't let this damper his mood.

3

EXT./INT. COUNTRY ROAD (ALABAMA)/WALTER'S TRUCK - AFTERNOON

3

Alabama farmland. TWO JOHN DEERE COTTON PICKERS move through a field as Walter's truck and trailer drive down the road.

INSIDE THE TRUCK

Walter bobs his head to MUSIC, hand out the window, wind floating through fingers -- free as a bird.

4

EXT. COUNTRY ROAD (ALABAMA)/ROADBLOCK - DAY

4

He notices something up ahead, slows to a stop to see --

SEVEN POLICE CARS block the road with 14 OFFICERS, guns drawn and aimed at him. He TURNS down the MUSIC. Fear ripples through him as --

SHERIFF TATE (late 30s, white) approaches the truck, unsettling ease in his step.

Walter shows both hands as Tate reaches the window.

WALTER

Afternoon, sir, need to see my license?

SHERIFF TATE

Oh, no, that won't be necessary.

Tate seems almost friendly as he looks at the trailer of logs, then over the truck, brand new rims on the wheels.

SHERIFF TATE

Nice truck. These rims look expensive.

(CONTINUED)

WALTER

Oh, they ain't much. Got 'em from
a junkyard.

SHERIFF TATE

(nods; subtle beat)

Who you workin' for?

WALTER

Run my own pulpin' business.

(tries to keep it
light)

If y'all need any trees cleared,
happy to help you out.

Walter smiles, but it's like Tate didn't even hear him.

SHERIFF TATE

No boss to check in with, huh?
Must be real nice. Free to roam
wherever you want in your fancy
truck.

WALTER

(beat; forces laugh)

Not if my wife got somethin' to
say 'bout it.

SHERIFF TATE

I heard that ain't stopped you
before.

(off Walter's stare)

Ain't that right, Johnny D?

Walter locks eyes with him -- how does he know his name?
He looks out the windshield to see 3 OFFICERS approaching
with guns aimed at his head. Tate leans in close.

SHERIFF TATE

Wanna make a run for it? 'Cause
after what you done, I'd welcome a
reason to do this right now.

WALTER

Sir, y'all must be confusin' me
with someone. I don't know what
you think I done, but I was jus' --

Tate abruptly throws open the door, grabs him by the
neck, violently pulls him outside and SLAMS him on the
hood. CAMERA PIVOTS, PUSHING IN ON his confusion and
pain, framed by metal and sky as we --

MONROE COUNTY NEWSCAST (DURING OPENING CREDITS):

-- A LOCAL MONTGOMERY REPORTER speaks to camera outside a bustling courthouse --

NEWS REPORTER

We know Monroeville as the peaceful town where Harper Lee wrote *To Kill A Mockingbird*. But last year, that peace was shattered by a brutal crime...

-- A PHOTO OF RONDA MORRISON (18, white, girl next door) displays beside him.

NEWS REPORTER

On the 1st of November, 18-year-old Ronda Morrison was found dead at Jackson Cleaners, where she worked as a part-time clerk. Morrison had been strangled and shot by Walter McMillian, known locally as 'Johnny D.'

-- A MUG SHOT of Walter "Johnny D" McMillian --

-- Sheriff Tate being interviewed on camera --

SHERIFF TATE

He's got a history of sexual misconduct among other things, so it don't surprise me he'd do something like this. Guys like that don't stop unless you make 'em.

NEWS REPORTER

After a trial that lasted a day and a half, McMillian was convicted by a jury who recommended a life sentence.

-- JUDGE ROBERT E. LEE KEY (60s, white) enters the courthouse.

NEWS REPORTER (V.O.)

But today, Judge Robert E. Lee Key overrode their decision and sentenced McMillian to death.

-- ANN DAVIS (40s) speaks through tears, overwhelmed.

(CONTINUED)

CONTINUED:

ANN DAVIS

She was always crackin' jokes,
goin' out of her way to make you
smile...

(gets emotional)

How can anyone kill a girl like
that?

DAVID WALKER

We're grateful to Sheriff Tate and
law enforcement for never givin'
up. We won't get Ronda back, but
least that bastard won't be able
to do it again.

-- The DAY OF WALTER'S ARREST. 2 OFFICERS and Sheriff
Tate drag a stunned Walter past the CAMERAS toward the
JAIL. (NOTE: THIS COULD BE A PHOTO.)

NEWS REPORTER

After almost a year of searching,
law enforcement arrested McMillian
due to the eyewitness testimony of
Ralph Myers, *who was at the scene
when McMillian pulled the trigger.*

-- The DAY OF WALTER'S TRIAL. RALPH MYERS (40s, white)
shuffles to the court in a prison jumpsuit. (NOTE: THIS
COULD BE A PHOTO.)

-- WALTER'S PULLED OUT OF THE COURTHOUSE and thrown into
the back of a TRANSPORT VAN in cuffs. A GROUP OF
REPORTERS and TOWNSPEOPLE (black and white) surround.

SHERIFF TATE

We promised this community we'd
find 'im and that's what we did.
You do a crime like this in my
town, one way or another, you
gonna pay for it.

NEWS REPORTER (V.O.)

*As McMillian awaits execution at
Holman Correctional Facility, a
grieving community can take some
solace in knowing that today,
justice has finally been served.*

The doors SLAM shut on Walter, the NEWSCAST fades,
replaced by as we PUSH INTO a CLOSEUP that --

MATCH CUT TO:

6 INT. GEORGIA STATE PRISON - VISITATION ROOM - DAY

6

Framed through the Plexiglas of a metal door, BRYAN STEVENSON (early-20s), eyes that never stop thinking, stands nervously in an old suit as a GUARD opens the door.

He hesitates before entering the 20-foot room, stools bolted to the floor, metal mesh for walls. It's obvious he's not used to being in a place like this. As the door SLAMS behind --

7 INT. GEORGIA STATE PRISON - VISITATION ROOM - DAY (TWENTY MINUTES LATER)

7

Bryan sits, staring at a used notebook, WHISPERING his introduction to himself, preparing for what's ahead.

Then -- chains CLANGING from outside the door, the HAUNTING SOUND increases with his anxiety until --

CLANK! The door opens and a GUARD walks in with the prisoner, HENRY DAVIS. He looks about Bryan's age, black, and just as worried as he is. As Bryan looks at him, he averts his gaze.

As the Guard UNLOCKS his chains, Bryan notices how weighed down Henry is -- handcuffs on his wrists, chain around his waist, shackles on his ankles.

Taking off the last shackle, the Guard looks up at Bryan.

GUARD

You got one hour.

The door CLANGS shut behind the Guard. Bryan takes a BREATH.

BRYAN

Hi, Mr. Davis. I'm Bryan.

Henry finally glances at him, nods.

HENRY

Henry.

Bryan hesitates, nerves getting the better of him before --

BRYAN

I'm here to, uh... sorry. I mean...

(MORE)

(CONTINUED)

BRYAN (CONT'D)

I don't really have a lot of information to tell you right now...

HENRY

(worried)

Something wrong with my case?

BRYAN

No, no. It's fine. It's, uh --

(clears his throat)

The Southern Prisoners Defense Committee sent me to tell you that they don't have a lawyer for you yet, but they hope to soon.

HENRY

(confused)

You not a lawyer?

BRYAN

Uh, no... I'm still in school, I'm just interning here for the summer.

Henry doesn't hide his disappointment.

HENRY

So, you can't tell me nothin' about my case?

BRYAN

Oh, um. I am supposed to tell you that... you're not at risk of execution any time in the next year.

Henry stares. Bryan can't read his expression. Henry puts his head down, lets out a long EXHALE, speaks without looking up --

HENRY

Can you say that again?

BRYAN

(hesitant)

You're not at risk of execution any time in the next year.

Henry takes a BREATH, slowly nods to himself. When he finally looks up, he has tears in his eyes as he holds his hand out.

HENRY

Best news I've heard in a long time.

(CONTINUED)

Bryan grips his hand, surprised as he's pulled in for a hug.

HENRY

Didn't want my wife and the kids showin' up if I had an execution date comin'. Now they can come visit.

(sincere)

Thank you.

Bryan nods, more at ease. Henry looks at him curiously.

HENRY

You the first person I met in two years that ain't a inmate or a guard.

(off Bryan's surprise)

How old are you?

BRYAN

Twenty-four.

HENRY

(nods)

Me, too.

Pre-lap: Their LAUGHTER takes us to --

The two men sit, LAUGHING, mid-conversation --

HENRY

Serious, my ma made me join our church choir when I was like four. I was lead baritone all through high school.

BRYAN

I used to play piano for my church back home.

HENRY

A.M.E.?

(off Bryan's nod; playful)

God is good...

BRYAN

(plays along)

All the time.

That cracks Henry up. They both know exactly what it's like to grow up in an African Methodist Episcopal church.

HENRY

Couple of A.M.E. choirboys hangin' on death row. My mama's gonna trip.

(beat)

So, what school you at?

BRYAN

Harvard.

HENRY

(shocked)

Seriously? You goin' to *Harvard*? That's white-boy-status, bro. What the hell you doin' slummin' it in here for?

Bryan smiles, really considers before --

BRYAN

I'm in law school because I want to help people. But I haven't really found the best way to do that yet.

(beat; considers)

Honestly, this internship has been my best experience so far.

HENRY

(beat; for real?)

Workin' on death row is your *best* experience? You need to get out more, bro.

Bryan and Henry share a playful smile as Henry grows somber.

HENRY

Your mama must be real proud.

(looks off)

That's the hardest part, knowin' all the shit I put her through.

Before Bryan can respond -- CLANK. The Guard opens the door, angry. He strides up to Henry, roughly CUFFS his wrists behind his back.

GUARD

(snarls to Bryan)

You should have been done two hours ago.

(CONTINUED)

BRYAN

(surprised)

I'm sorry, sir, it was my fault.
I didn't realize the time.

GUARD

You're supposed to watch the
clock.

Henry WINCES in pain as the Guard SQUEEZES his cuffs and YANKS him to a standing position. Bryan stands, more distressed by this than Henry seems to be.

BRYAN

Hey! Stop that! He didn't do
anything!

GUARD

You need to shut your mouth.

HENRY

(off Bryan's shock)

It's okay, Bryan.

(beat)

Don't worry 'bout me. Just come
back.

The officer tries to push him out, but Henry plants his feet, leans back, strong and dignified. He closes his eyes and begins to SING, his baritone voice strong and clear.

HENRY

*I'm pressing on, the upward way,
New heights I'm gaining, every
day --*

The Guard stops pushing for a moment, thrown off by the song.

HENRY

*Still praying as, I'm onward
bound, / Lord, plant my feet on
higher ground.*

Bryan stands frozen, Henry's song stirring something in him. The Guard resumes shoving Henry down the hall, but he doesn't stop SINGING, his voice ECHOING with his CLANKING chains --

HENRY (O.S.)

*Lord lift me up, and let me
stand, /By faith on Heaven's
tableland, /A higher plane, that I
have found, /Lord, plant my feet on
higher ground.*

Bryan remains in the empty room, Henry's charge to "just come back" ringing in his ears.

AA9 EXT. HARVARD LAW SCHOOL - DAY (ESTABLISHING) AA9

A9 INT. HARVARD LAW SCHOOL - CLASSROOM - DAY A9

FIND Bryan, one of FOUR STUDENTS OF COLOR in a class of 30. BETSY BARTHOLET (40s, white) leads the seminar.

PROFESSOR BARTHOLET

In the 1972 Furman v. Georgia decision, the Supreme Court strikes down the death penalty because of widespread racial bias. Four years later, the Court upholds a new death penalty scheme in Gregg, unwilling to presume racial discrimination without evidence. This year, Warren McCleskey's lawyers presented evidence that the new death penalty is as racially biased as the old one. But they lose. Why?

A LAW STUDENT (20s, white), entitled, doesn't raise his hand --

LAW STUDENT

McCleskey didn't get the death penalty because he was black, he got it because he killed a cop in cold blood.

Bryan exchanges a look with another BLACK STUDENT, they're used to this clown. Professor Bartholet can see Bryan's wheels turning.

PROFESSOR BARTHOLET

Bryan? Thoughts?

Bryan would rather not engage, but he can't stop himself.

BRYAN

The Baldus study they presented proved that in Georgia, you're 11 times more likely to get the death penalty if the victim is white than if the victim is black, 22 *times* more likely if the defendant is black and the victim is white. Every way you look at it, race is the greatest predictor of who gets the death penalty.

LAW STUDENT

The reliability of that study is debatable.

Bryan glances at the Law Student, used to this type of classmate over the years. He doesn't hold back --

BRYAN

Over 2000 murder cases subjected to 230 nonracial variables. It was reliable enough for the Supreme Court to accept.

LAW STUDENT

But they still rejected the argument.

BRYAN

Because they were afraid of trying to fix something they believed was unfixable. And they were wrong.

(beat)

In his dissent, Justice Brennan ridiculed the ruling as 'a fear of too much justice.'

LAW STUDENT

I think they're just being realistic. A certain amount of bias in our judicial system is inevitable. It's just a hard truth we have to learn to live with.

This triggers a fire in Bryan unseen before.

BRYAN

Live with? The whole point is that some of us don't have that luxury.

Bryan takes a beat. All eyes on him now as --

(CONTINUED)

BRYAN

I grew up in a racially segregated community in Delaware, where black kids weren't allowed to go to public school. But in Brown vs. Board of Education, the court didn't say segregation was *inevitable*, they said it was unconstitutional. They forced the country to open up the schools, and that's the only reason I'm in this classroom. *That's* what the law can do when it's used for justice.

(beat)

As long as the death penalty is administered on the basis of race or class, it's as big a stain on our country as segregation or slavery. And I don't think it's naive to believe we can do something to change it.

LAW STUDENT

Well, five Justices of the Supreme Court would disagree with you there.

Bryan stares at the Student, more determined despite the odds.

CHRISTY (V.O.)

(pre-lap)

Mom's still mad at you.

Bryan walks with his sister, CHRISTY (24), carrying boxes.

BRYAN

For what?

CHRISTY

I don't know, maybe for rejecting all those job offers so you can be poor in Alabama.

(sees Howard)

And Howie telling her about that lynching in Mobile didn't help.

HOWARD JR. (28) takes the box from Christy and loads it into Bryan's Honda Civic.

(CONTINUED)

BRYAN

What!

HOWARD JR.

(off Bryan's look)

I said it happened *seven* years ago!

CHRISTY

(sarcastic)

Yeah, that made it better.

BRYAN

(shakes his head)

You guys aren't helping.

HOWARD SR. (60s) looks out from the hood.

HOWARD SR.

When was the last time you checked your oil?

(off Bryan's shrug)

I just added three quarts, but you should check again when you get there.

BRYAN

Thanks, Dad.

HOWARD SR.

You talk to your mom yet?

BRYAN

(looks around)

Where is she?

OFF their looks --

Bryan finds Alice sweeping the porch. She doesn't look up.

BRYAN

What are you doing, Mom?

(off her sweeping)

You not gonna come say bye?

Alice sweeps a few more times before finally giving him a piece of her mind.

ALICE

I know you got your law degree now, and you think you're grown, but you're still my child, and I'm the one that has to deal with your funeral arrangements if you get killed down there.

Bryan can't help but smile at the overreaction.

BRYAN

Come on, Mom.

ALICE

You think this is funny? If you can't see the danger in what you're doing, then you should, ask Harvard for your money back, cause you used to be smarter than that.

Bryan chooses not to respond, just looks at her with care. Alice looks away, sits down on the porch steps. Bryan follows her lead, sits beside her.

ALICE

Howie told me you're making fourteen thousand dollars a year?

BRYAN

What didn't he tell you?

ALICE

You could have taken any of those job offers in D.C. and been set for the rest of your life.

BRYAN

You know that's not what I want to do.

ALICE

I didn't want to work two jobs my whole life, either, but I did it so my children could get ahead, not so they could go make *half* of what I was making ten years ago.

BRYAN

You taught me not to care about money, to do what my heart tells me is right.

ALICE

(grows emotional)
What about *my* heart?
(MORE)

(CONTINUED)

10

CONTINUED: (2)

10

ALICE (CONT'D)

What about the fact that you're precious to me, and I'm going to have to worry about you in ways I've never had to before. What am I supposed to do with that?

The love between them is evident. Bryan looks down, choosing his words carefully before speaking with care.

BRYAN

That first time I visited death row, I never expected to meet someone the same age as me, who grew up on the same music, in a neighborhood just like ours. He could have been any of the guys from Sussex County.

(beat)

I don't want to move so far away from you, either. But you taught me to fight for the people who need it most. That's why I'm going down there. I know I can help them.

*

Alice looks at him, sees his passion, softening as --

ALICE

I'm very proud of you.

(lets that sink in)

And I know your heart is in the right place, but it's not that simple. What you're doing is going to make a lot of people upset.

(looks at him;

serious)

You better be careful.

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BRYAN

(nods; sincere)

I will.

*

*

*

Bryan pulls her into a hug. She puts her head on his shoulder, enjoying a final moment with her son.

*

11

EXT./INT. HIGHWAY(ALABAMA)/BRYAN'S CIVIC - DAY

11

Bryan drives down the highway, lush grass and tall, stately pines on either side as MUSIC plays on the radio.

The back of his Civic is stacked with boxes and books. He passes a large sign that reads: "WELCOME TO ALABAMA THE BEAUTIFUL."

12

EXT. ALABAMA - DRIVING SNAPSHOTS - AFTERNOON

12

As MUSIC continues to play, Bryan watches snapshots of Alabama float by his window --

(CONTINUED)

-- 2 JOHN DEERE COTTON PICKERS drive through a field of cotton.

-- A WHITE MAN waxes a new truck in the driveway of a classic middle-class home, 2 WHITE KIDS play in a sprinkler.

-- A BLACK GROUNDSKEEPER mows the lawn of a palatial home, waves to Bryan as he passes.

-- A BAPTIST CHURCH, the sign out front spelling out the Alabama state motto: "WE DARE DEFEND OUR RIGHTS."

EXT. OFFICE BUILDING (MONTGOMERY) - DAY

Bryan's brown Civic pulls up to an old building in a decent part of town.

INT. HALLWAY - MOMENTS LATER

Bryan walks down a hall, hears the fiery voice of EVA ANSLEY arguing with BILL FREEMAN (50s, white).

EVA (O.S.)

Are you kiddin' me? This is complete hogshit and you know it. We had an agreement to rent this space for the next two years. You said it was a done deal.

Bryan turns the corner, sees Eva with the owner, her son CHRIS (6) beside her, plays with a Transformers toy.

BILL

That was before I knew what you were doing here.

EVA

We're giving poor people their constitutional right to counsel, Bill! You wanna explain to my son what the hell you think is wrong with that?

Bryan interrupts gently, trying to ease the tension.

BRYAN

Hey, Eva...

EVA

(turns to Bryan)
Bryan, thank God.

(to Bill)

This is the Executive Director of our organization, who just moved here to work in the office you promised us.

BILL

(to Eva)

You said you were the director.

EVA

Director of *operations*, and you're making me look really bad in front of my boss right now.

BILL

(to Bryan)

She told me you were a lawyer, but nobody said it was for murderers on death row.

BRYAN

We're providing legal services to people who need help.

BILL

And you'll have to do it someplace else, 'cause I can't have people like that coming around here.

Bryan takes a breath. He's used to people judging his clients like this.

BRYAN

Not everyone is in there for good reason.

BILL

They're locked up for something, and I don't want that something in my building. Sorry, but it ain't up for discussion.

EVA

They put Jesus on death row, Bill. He wasn't such a bad guy.

(ALT LINE)

How 'bout your complete lack of integrity, Bill? That up for discussion?

CONTINUED: (2)

BILL
(sarcastic smile)
Y'all have a good day now.

The owner disappears into his office, leaving them in the hall. Eva shakes her head.

EVA
(under her breath)
What a piece of shit.
(to Bryan; serious)
This wasn't how I wanted to
welcome you. I'll find an office,
I just have to change my tactics.

BRYAN
It'll be find, we can work from
anywhere.

EVA
Maybe Chris can clear some of his
toys out of the living room for
you?

BRYAN
(to Chris)
Oh, yeah?

CHRIS
I'll think about it.

Eva and Bryan LAUGH. She hugs him as they walk away.

EVA
Sorry for cussing, baby.

CHRIS
It's okay.

EVA
He was a piece of shit, though.

13 EXT. BRYAN'S CIVIC/LANDLORD'S HOUSE - AFTERNOON

13

Bryan gets out of his car, in front of an old, mid-sized house. He looks around, notices a WHITE WOMAN staring from her porch. He waves. She goes inside, suspicious.

HONK, HONK! He turns to see a Bronco zipping toward him, the driver waves as she pulls to a stop beside him. This is EVA ANSLEY (30s), a true Southern firebrand.

EVA
Welcome to Alabama!

(CONTINUED)

BRYAN

Hey, Eva.

EVA

Am I late?

BRYAN

I just got here.

She jumps out of the truck, her son CHRIS (6) right behind.

She surprises him with a big hug, a bit much for their first meeting but he goes along with it. As she steps back --

EVA

This is my son, Chris.

BRYAN

Hey, Chris.

EVA

(to Chris)
Say hi to Mr. Stevenson.

Chris buries his face in Eva's hip, too shy to respond.

13

CONTINUED: (2)

13

BRYAN

It's okay. I get shy, too.

Eva smiles, appreciates Bryan's gesture.

EVA

What can we carry?

14

EXT. BRYAN'S CIVIC/LANDLORD'S HOUSE - AFTERNOON (MOMENTS
LATER)

14

Eva, Chris, and Bryan grab boxes from the back of his car
and walk to the front door.

BRYAN

Thanks for all your help getting
things set up.

EVA

I'm so pissed I still haven't
found an office. I was hoping to
have one by the time you got here,
but I just got our third rejection
this week. I swear someone at the
state department is trying to shut
us down before we even get started.

BRYAN

We can work from home till our
funds come in. I should have our
matching requirements for the
federal grant soon.

EVA

As soon as that clears, I'll find
us an office if I have to break
someone's kneecaps.

(to Chris)

Just kidding, baby.

They reach the front door. Before Bryan even has a
chance to knock, the door OPENS to reveal MRS. FRANKLIN
(50s, white), a deceivingly kind face, looks at Bryan,
seems confused.

BRYAN

Mrs. Franklin?

MRS. FRANKLIN

Yes?

BRYAN

I'm Bryan, we spoke on the phone
about your cottage for rent?

(CONTINUED)

MRS. FRANKLIN

(beat)

You're the lawyer from Harvard?

BRYAN

Yes, ma'am.

Off her silence, Bryan smiles, tries to keep it friendly.

BRYAN

Uh, these are my friends Eva and
Chris, here to help me move in.

EVA

Good to meet you, ma'am.

MRS. FRANKLIN

(nods; then)

Gimme a sec.

She heads inside, closes the door. Eva smiles at Bryan.

EVA

(sarcastic)

She seems like a lovely woman.

The door OPENS. It's MR. FRANKLIN, sent to deal with the
problem. He looks from Bryan to Eva, addressing her as --

MR. FRANKLIN

I'm sorry, but we're not renting
the place anymore.

BRYAN

(gets his attention)

I spoke to your wife three times
last week. We had an agreement
to --

MR. FRANKLIN

I ain't disputin' that. I'm just
sayin' it ain't for rent no more.
Sorry for the confusion.

Before Bryan can respond, he shuts the door.

With that, he closes the door. Bryan exchanges a look
with Eva of shared frustration.

EVA

What a piece a shit.

BRYAN

(sarcastic)

Maybe I should have sent them a photo.

EVA

We should sue 'em for housing discrimination.

BRYAN

(as he turns)

I think we have enough on our plate right now.

Eva grabs Chris' hand as they walk back, looks to Bryan.

EVA

You'll stay with us as long as you need. Daddy's cookin' chicken tonight, and Chris is gonna help peel some potatoes.

(hugs Chris)

Sorry for cussing, baby.

Bryan can't help but smile, a closeness here already as they head to their cars.

EVA (V.O.)

(pre-lap)

I was writing a paper on capital punishment when I met my first death row inmate, Wayne Ritter.

Chris builds some Lincoln Logs on the couch as Bryan sits at the table with Eva and DOUG (30s), almost done with dinner. Wine for Eva and Doug, water for Bryan. Eva has the floor:

EVA

He and his friend robbed a pawnshop in Mobile. His friend shot the owner and they both got death.

(beat)

When he sat down across from me, I was pissin' myself, I was so scared. First thing he did was fold his arms across his chest and ask me why his belt got arrested.

(MORE)

(CONTINUED)

15

CONTINUED:

15

EVA (CONT'D)

(off Bryan's
confusion)Then he just stared at me for like
twenty seconds...

DOUG

That gets longer every time she
tells this story.

EVA

(slaps Doug
playfully)Then, he leaned forward and said,
my belt got arrested because it
held up a pair of pants.

Bryan and Doug LAUGH as Eva nods, this really happened.

EVA

We were instant friends.

(somber beat)

The night he was executed, he
asked me to throw him a party and
play 'Born to be Wild' on repeat.Eva smiles at the irony, gets a little emotional. Doug
rubs her back with care.

DOUG

It was an awful party. *

*

*

BRYAN

Is he the reason you got into
this?

EVA

(nods)

His attorney was openly in favor
of the death penalty because he
thought *mad dogs ought to die*.
Everyone on the row either had
shitty representation or none at
all. So I just started calling
every law firm in the *Yellow Pages*
to find people to help. I was
averaging about twenty rejections
a day. *

*

*

*

DOUG

She was pretty stressed out.

(CONTINUED)

15

CONTINUED: (2)

15

EVA

(nods; to Bryan)

I was just about to give up, when I got a call from this Harvard lawyer saying he just passed the Alabama Bar and was planning to start a legal center for death row inmates. I was in before you even offered me the job.

BRYAN

And before you found out I couldn't pay you anything.

EVA

I haven't told Doug that part yet.

DOUG

(playful)

Well, if we ain't gettin' rich off this venture of yours, I'm out.

*
*
*
*

Off their LAUGH, Chris comes over and crawls into Eva's lap.

EVA

You tired, baby?
(off his nod)
Let's get you to bed.

16

OMITTED

16

A17

INT. EVA'S HOUSE - LIVING ROOM - EARLY MORNING

A17

Digital clock reads 4:12 AM. Bryan is already up, in his running clothes, doing push-ups on the floor.

B17

EXT. ALABAMA SUPREME COURT - DAWN

B17

Bryan runs by the courthouse. (VARIOUS SHOTS in this area.)

C17

EXT. ALABAMA RIVER - DAWN

C17

Bryan runs along the river.

17

INT./EXT. BRYAN'S CIVIC/ROAD TO HOLMAN PRISON - DAY

17

Bryan drives down a long country road. Ready, but tense as -- he drives past 25 PRISONERS swinging hoes and sickles to cut the grass as 2 GUARDS on horseback watch over them. The snapshot of slavery gives him chills.

A18 INT./EXT. BRYAN'S CIVIC/HOLMAN PRISON - DAY A18

Bryan drives -- a break in the trees, Holman Correctional Facility. A vast, imposing structure of concrete and steel.

18 OMITTED 18

19 EXT. HOLMAN PRISON - DAY 19

Bryan's Civic pulls into the parking lot. He gets out, straightens his jacket, and heads inside, determined.

20 INT. HOLMAN PRISON - CHECK-IN - MOMENTS LATER 20

Bryan's first time in the massive prison complex. He waits as JEREMY (early 30s, white), a muscular, heavily-tattooed guard, looks at his I.D., signs him in. Bryan notices the Confederate flag tattooed on his forearm.

Jeremy's SUPERVISOR (50s, white) doesn't look up from his auto magazine.

BRYAN

I scheduled meetings with six clients today.

JEREMY

I ain't seen you before.

BRYAN

(calmly)
I just moved here.

Jeremy SUCKS at his teeth, stares at the I.D. again.

JEREMY

You really a lawyer?

BRYAN

(is he really asking?)
Yes.

Jeremy looks him up and down, suspicious.

JEREMY

Gonna have to search you... Go in that room and take everything off.

(CONTINUED)

BRYAN

(beat; shocked)

Attorneys aren't strip-searched
for legal visits.

JEREMY

You ain't gonna visit shit unless
you get in that room and strip.

Bryan stares at Jeremy, then to his supervisor, who still
hasn't looked up from his magazine.

JEREMY

Let's go.

Bryan hesitates, wanting to argue, but quickly realizing
he has no other choice.

INT. HOLMAN PRISON - BATHROOM - MOMENTS LATER

Bryan stands shirtless as Jeremy feels through his jacket
before tossing it on the table.

JEREMY

Pants and underwear.

Bryan looks at him a beat before stripping the rest off
and handing it to him. Jeremy feels through his pants,
then --

JEREMY

Bend over and spread.

Bryan doesn't move. This is as far as he goes. *

Jeremy decides it's not worth the battle. After a beat, *

he tosses Bryan's pants on the table. Lets him off the
hook.

JEREMY

You're clear.

He turns and walks out the door. Bryan takes a moment to
let his adrenaline settle, the humiliation evident on his
face.

He closes his eyes, catches his breath. When he opens
them, enough strength has returned to grab his clothes.

Pants -- shirt -- tie. Then finally, his jacket. Each
layer rebuilding a piece of his dignity until --

21

CONTINUED:

21

He straightens his tie, pulls his shoulders back, puts on his game face, and walks out the door as --

HERBERT (V.O.)

(pre-lap)

I f-f-fought in Nam, F-First
Cavalry Division...

22

INT. HOLMAN PRISON - VISITING ROOM - LATER

22

Bryan sits at a table in a bare room. Across from him sits HERBERT RICHARDSON (mid-40s). A small, introverted black man, with a stutter and nervous tick.

HERBERT

Saw a lot of friends d-d-die.
Doctor said I got the PTSD.

Herbert's stutter surfaces when he speaks of something upsetting. Bryan takes notes as Herbert looks off.

HERBERT

I did what they said I did. I
p-put that bomb on her porch.
(regretful)
I know it d-d-don't make sense, b-
but I ain't mean to kill nobody.

Bryan looks at him compassionately. Takes him at his word.

BRYAN

I believe you.

Herbert takes that in, hasn't heard those words in a while.

HERBERT

I think they gonna s-s-set my
execution soon. Last lawyer said
there ain't nothin' left to do.

Bryan sees the fear in Herbert's eyes. Speaks gently --

BRYAN

There's always something we can
do.

(deep care and
sincerity)

Whatever you've done, your life is
still meaningful, and I'm going to
do everything possible to keep
them from taking it.

(CONTINUED)

22

CONTINUED:

22

Herbert can barely believe his ears. Off his nod --

BRYAN

Can you tell me more about what happened?

23

A SHORT MONTAGE

23

THE DAY PASSES BY --

-- Bryan's coat is on the chair behind him now, trying to keep up, taking down notes as he listens to another BLACK PRISONER, once again across the table. Then --

-- TWO MORE PRISONERS, one HISPANIC, one WHITE. SHORT JUMP CUTS. Similar framing. Sharing their stories, BITS OF DIALOGUE cut to form a single story of an unfair system --

PRISONERS

Met my lawyer one time.../Swear he on somethin', didn't even know my name.../All white jury.../Told me plead guilty or get the chair, so I said I was guilty.../Judge overturned my life sentence and gave me death, anyway!

Through it all, Bryan listens, taking notes until --

CLANG! Bryan looks up, a pad filled with notes, the next file on the table. The end of a very long day as --

END MONTAGE.

24

INT. HOLMAN PRISON - VISITING ROOM - DAY

24

A GUARD ushers in Walter McMillian, tired and worn from the last year and a half in prison.

Bryan stands, feels Walter's eyes on him as the guard leaves. Walter's face betrays no judgement.

WALTER

Where's the lawyer?

BRYAN

Um, that would be me.

(beat)

I'm Bryan Stevenson, it's good to meet you, Mr. McMillian.

(CONTINUED)

WALTER

(shakes his head)

You look young as my son.

Walter takes a seat, exhausted, drained of hope. Bryan can sense it as Walter speaks without looking at him.

WALTER

My last lawyer sat right where you sittin' and told me *everything's gonna be okay*. Then I was sentenced to death, my family run out of money, and he gone.

(looks at him)

What you gone do different?

Bryan scrambles, looks at the open file.

BRYAN

Well, uh... first thing we can do is appeal for a re-trial --

WALTER

We already did that and it was denied.

Bryan finds his footing, his schooling kicks in.

BRYAN

Okay, we can file for a reconsideration on that... then a direct appeal to the Court of Criminal Appeals, and work our way up to the State Supreme Court. If we're denied there, we can file a Rule 32, then a federal habeas petition, and if all that fails, we'll take your case to the Supreme Court.

*
*
*
*
*
*
*

Walter looks at him, unconvinced.

WALTER

You ain't got no idea what you gettin' into here.

(off his silence)

You think them big words is gonna get you somewhere in Alabama? These guys is gonna eat you up and spit you out like they done every other black man ever stepped outta line. Nobody here likes a nigger in a suit, unless it's one of these.

(MORE)

(CONTINUED)

WALTER (CONT'D)

(pinches his
jumpsuit)

'Cause soon as you start your own business, and that business makes some money, or you make friends with people they don't want you makin' friends with, they gone find a way to take you down.

BRYAN

I understand how hard that must be.

*

BOOM! Walter hits the table, emotional as he shakes his head.

WALTER

No, you don't. Rich boy from Harvard don't know how we live here, where you guilty from the moment you born. You can smile and make them like you all you want, yes, sir, yes, ma'am, but when it's your turn, it don't matter they ain't got no fingerprints, no evidence, that their only witness made the whole thing up. None of that matter when all y'all thinkin' is *he look like a man that could kill somebody.*

*

*

BRYAN

That's not what I think.

Walter stares, emotions brewing.

WALTER

Maybe not. Maybe you and the one brother they let on my jury is just relieved *this ain't you.*

(intense beat)

You know how many people been freed from Alabama death row?

Bryan knows the answer, but can't bring himself to say it. Walter says it for him.

WALTER

None... Things is the way they is here, and you sure as hell ain't gonna be the one to change that.

Walter lets that sink in, then shakes his head as he stands --

(CONTINUED)

WALTER

I ain't doin' this shit again.

BRYAN

Mr. McMillian.

WALTER

(bangs on the window)

GUARD! WE DONE HERE!

BRYAN

(stands)

Mr. McMillian, please. I've made no assumptions about you or anything you've done. I'm here to help.

Walter sees the passion in Bryan's eyes, but as the guard opens the door, he turns and walks out of the room.

Bryan is left in shock, trying to process everything that just happened.

The guard leads Walter down a long row of 18 cells, a second row above. A CACOPHONY of noise washes over them -- RADIOS AND TVS at full blast, the deafening CHORUS OF INMATES TALKING AND SHOUTING, a voice SCREAMING nonsense upstairs.

They stop at Walter's cell. A steel-mesh door covering the bars. The door slides open as Walter steps --

INSIDE

A 5'-by-8' cage with a small cot and toilet. The door CLANGS shut. Walter looks up at the concrete walls closing in.

HERBERT (O.S.)

Johnny D! Johnny D, you there!

Walter walks to his door. FROM OUTSIDE his cell, we see him through the door slot, then PAN OVER to see Herbert shouting through his slot.

HERBERT

Johnny D!

INTERCUT BETWEEN:

THREE CELLS IN A ROW

WALTER'S THE CENTER.

WALTER

What's up, Herb?!

HERBERT

Is Ray there?!

Walter BANGS on the other end of his door with a metal cup.

WALTER

Ray!

In the next cell, ANTHONY "RAY" HINTON (20s, black) lies on his bed with his eyes closed.

ANTHONY

Unavailable at the moment!

WALTER

Where you at?

ANTHONY

Buckingham Palace, having tea with the Queen. She's a very nice lady. Let you know when we done.

Walter smiles and shakes his head.

HERBERT

What did you think of the lawyer?

WALTER

I think he's a kid makin' a lot of promises he can't keep. He in way over his damn head.

HERBERT

Oh... I thought he seemed nice.

Anthony opens his eyes, done with his mindful escape.

ANTHONY

What you want a *nice* lawyer for?
Nice ain't gonna get you shit!
Look at Johnny D, he nice as a puppy and he in here with us!

Walter can't help but smile, all of them in it together.

25

CONTINUED: (2)

25

WALTER

Didn't know you thought of me like that, Ray.

ANTHONY

I mean, you ain't nice as La Toya Jackson, but for an ol' man on the row, you a'ight.

HERBERT

Thought you said I was the old man.

ANTHONY

Johnny D's old, you ancient!

As they all LAUGH, a loud MOAN from a cell downstairs.

ANTHONY

Yo, Herb, turn up that radio!

Walter remains sitting on the floor, turning his interaction with Bryan over in his mind as MUSIC takes us to --

26

OMITTED

26

A27

INT./EXT. BRYAN'S CAR/HOLMAN PARKING LOT - LATER

A27

Bryan gets into his car and tosses his stack of files onto the passenger seat. He looks up at the towering prison, Walter's words ringing in his head.

He looks back at the files, opens the one on top, with a mug shot of Walter McMillian. Something about this man is drawing him to look closer --

27-31

OMITTED

27-31

A32

INT. EVA'S HOUSE - LIVING ROOM - NIGHT

A32

Bryan sits on the ground in the living room, illuminated by a single lamp. The couch made up for a bed. Spread out in front of him are 4 VOLUMES of transcripts and a folder full of records from Walter McMillian's case.

INSERT CLOSEUP DOCUMENT 1 -- "Walter 'Johnny D' McMillian case no. #####."

*
*

INSERT CLOSEUP DOCUMENT 2 -- "Ralph Myers -- quote from testimony..."

*
*

(CONTINUED)

A32

CONTINUED:

A32

INSERT CLOSEUP DOCUMENT 3 -- "Jury -- 11 white, 1 black"
(NOTE: This could be Bryan's own note, or something he
reads... Maybe news clipping?)

*
*
*

INSERT CLOSEUP DOCUMENT 4 -- Newspaper clipping --
"Sentenced to Death."

*
*

INSERT CLOSEUP DOCUMENT 5 -- "Trial moved from Monroe
County to Baldwin County" (newspaper headline).

*
*

INSERT CLOSEUP DOCUMENT 6 -- Bryan writes a note about
the population... "Trial moved from: Monroe County: 40%
black, to Baldwin County: 9% black."

*
*
*

He jots notes into a legal pad as he reads.

B32 INT. EVA'S HOUSE - LIVING ROOM - EARLY MORNING B32

Eva walks through the living room, steps over papers scattered across the floor as she enters the --

C32 INT. DINING ROOM C32

REVEAL: Bryan at the table, surrounded by papers, bloodshot eyes, a mad scientist in the middle of his work.

EVA
(sarcastic)
You look rested.

Bryan looks up, exhausted but still energized.

BRYAN
I don't think McMillian did it.

32 INT. EVA'S HOUSE - DINING ROOM - LATER 32

Bryan at the table with an almost-empty box, papers sprawled around. Eva sits beside him, drinking coffee.

BRYAN
They have no motive, no physical evidence, no corroborating circumstances. The State based its entire case on the testimony of one man. Ralph Myers.

Bryan hands her a photograph of RALPH MYERS (40s), a frail, white man with burn scars across half his face and neck.

BRYAN
He's been in and out of prison most his life. When he testified, he was on trial for a different murder, which he ended up getting thirty years for.

EVA
Sounds like a pretty good deal.

Bryan nods as he flips through a transcript, full of notes.

BRYAN

In his statement, he said Johnny D approached him at a gas station and forced him at gunpoint to drive to Jackson Cleaners because his arm was hurting.

EVA

(sarcastic)

That seems logical.

BRYAN

When they get there, Johnny D tells him to wait in the truck while he goes inside. Then, while he waits for his *kidnapper*, instead of running, or going to the police, he drives to a liquor store for cigarettes, and then comes *back* to the crime scene.

EVA

Seriously?

BRYAN

Then he hears gunshots, goes inside, and sees the body of Ronda Morrison lying face-up on the floor and Johnny D standing over her with some older white man who he claimed was the one 'in charge.'

EVA

And where's *that* guy? Anyone looking for *him*?

Bryan shakes his head -- exactly. Nothing makes sense. He grabs another paper.

BRYAN

They have one other witness to back his testimony, a young black man named Bill Hooks. Says he saw Johnny D's lowrider truck leaving the cleaners around the time of the murder. That's it.

Eva lays out photos of Ronda Morrison, Ralph Myers, and McMillian as she tries to wrap her mind around it.

(CONTINUED)

EVA

So, an eighteen-year-old white girl is murdered in broad daylight and the Sheriff can't solve the crime for how long?

*

BRYAN

Almost a year.

EVA

(looks at Ralph's photo)

Then some guy charged with a different murder says he can tell them who did it *if* they give him a lower sentence. And the guy who did it happens to be a black man from a poor community that no one would think twice about.

Both can feel the energy here. Something is horribly wrong with this conviction. Bryan looks in the now empty box.

BRYAN

There's gotta be more than this.

(beat; considers)

I want to set a meeting with the D.A.

EVA

Tommy Chapman just took over for Pearson a few months ago. He used to be a public defender.

BRYAN

So maybe he's not aligned with the rest of these guys?

EVA

(beat; considers)

Let's hope not.

Bryan's Civic drives down a country road, passing a sign that reads: "Welcome to Monroeville, home of *To Kill A Mockingbird*."

Bryan sits in the small waiting room, looks to TRACY (40s, white), the secretary. She smiles warmly.

(CONTINUED)

TRACY

You visit the Mockingbird Museum yet?

BRYAN

(smiles)

Uh... no, ma'am.

TRACY

It's the old courthouse Harper Lee's daddy used to work in. You can stand right where Atticus Finch once stood.

Bryan smiles politely as TOMMY CHAPMAN (30s, white), round face and glasses, walks out with a charming smile --

TOMMY

Mr. Stevenson? Tommy Chapman.

(they shake)

Come on in.

Bryan follows Tommy into his modest office.

TOMMY

A lot of people are eager to meet you, Mr. Stevenson.

BRYAN

(surprised)

Oh, yeah?

They both take a seat, Tommy's desk between them.

TOMMY

Harvard lawyer movin' to Alabama, takin' on all these capital cases. Everyone's wondering what your intentions are.

Bryan smiles politely, refusing to show any nerves.

BRYAN

We're just giving legal assistance to people who can't afford it.

*

TOMMY

(beat; then)

Legal assistance is one thing,
tryin' to put convicted murderers
back on the street is somethin'
else entirely.

A charged beat, sizing each other up until, Tommy
smiles --

TOMMY

But I'm sure you didn't come all
the way down here to talk about
that. What can I do for you
today, Bryan?

Bryan reaches into his briefcase and pulls out a file of
transcripts, with portions highlighted.

BRYAN

I'd like to talk about Johnny D
McMillian.

TOMMY

You know I wasn't part of his
prosecution, right? That was
before my time.

BRYAN

That's why I wanted to meet you...
I've read through the record a few
times now, and I have some serious
doubts about the reliability of
his conviction.

(hands transcript
over)

If you could take a look at the
sections I highlighted, you'll see
some obvious problems with Ralph
Myers' testimony.

A beat, as Tommy flips through the pages.

TOMMY

This was one of the most
outrageous crimes in Monroe County
history, and your client made a
lot of people here very angry.

BRYAN

I understand that, but there are
some serious problems with this
case and I'm hoping I can get your
support to find out what really
happened.

(CONTINUED)

Tommy closes the transcripts and PLOPS them on the desk.

TOMMY

But I already know what happened.
Johnny D McMillian was convicted
by a jury of brutally murdering a
teenage girl in my community. And
it's my job to defend the
integrity of that conviction.

Bryan sits back, was hoping for a different response.

BRYAN

Even if it was based on false
testimony?

TOMMY

You're the only one I know who
thinks that.

BRYAN

Then I must be the only one who
read the record because it's
pretty obvious.

Tommy stares at him, doesn't like the implication.

TOMMY

That man caused a lot of pain for
folks 'round here, and if you
start diggin' in those wounds,
you're gonna be makin' a lot of
people very unhappy.

Bryan hesitates -- is that a threat? He recovers --

BRYAN

My job isn't to make people happy,
it's to achieve justice for my
client.

Tommy smiles, reaches for a file and hands it to him.

TOMMY

Ralph Myers' two confessions and a
statement from Bill Hooks.

Bryan opens it, FLIPS through the three meager documents.

BRYAN

I asked for copies of all the
police and witness statements you
have on the case.

TOMMY

And that's what you're holding.

BRYAN

This is a joke. Where's the rest of it?

TOMMY

That's what's relevant to McMillian's case. If you want more, you'll need to file a discovery motion with the court, just like anybody else.

With this, he stands -- meeting over. Off Bryan's surprise --

TOMMY

Thanks for stopping by, Mr. Stevenson.

BRYAN

(stands to face him)
You can expect that motion soon.

TOMMY

Lookin' forward to it.

Bryan reluctantly shakes Tommy's hand. As he turns to leave --

TOMMY

You oughta check out our Mockingbird Museum on your way out of town. One of the great civil rights landmarks of the South.

Bryan bites his tongue, frustration building as he leaves.

A36

EXT. MONROE COUNTY COURTHOUSE - BACK ENTRANCE - MOMENTS LATER

A36

As Bryan exits, he sees Sheriff Tate directing a WHITE DEPUTY where to take a YOUNG BLACK MAN in handcuffs.

Tate catches Bryan's eye as he passes. His cold stare makes it clear that he's not welcome here.

36

INT. EVA'S HOUSE - KITCHEN - LATER

36

Eva spreads peanut butter onto apples, talking on the phone.

(CONTINUED)

36

CONTINUED:

36

EVA

Helping a black man convicted of killing a white girl is political suicide in that county. I'm sure he's been reminded of that by whoever gave him his job.

INTERCUT WITH:

37

EXT. STREET (MONROEVILLE) - CONTINUOUS ACTION

37

Bryan stands at a pay phone.

BRYAN

I honestly don't think he ever read the record.

Eva takes the plate of apples to the back door, holds the door open to see Chris and his FRIEND playing in the yard.

EVA

Doesn't surprise me.
(yells to the kids)
Chris! Bobby! Come eat your snack!

The boys run over as Eva continues with Bryan.

BRYAN

I'm going to stop at Jackson Cleaners before I see his family.

EVA

Okay. If I don't hear from you by morning, I'll send a rescue party.

BRYAN

I hope that's a joke.

EVA

Me, too.
(sincere)
Just be careful, okay?

Bryan nods, more aware by the moment of what he's up against.

38

EXT. JACKSON CLEANERS - DAY

38

Bryan walks up to the front door, chained up and closed for business. He pushes his face to the glass, looks inside.

(CONTINUED)

38

CONTINUED:

38

He steps a few yards back, SNAPS a photo. The weight of the tragic crime is evident in the sad storefront building.

Bryan turns to see a POLICE CAR hovering at the corner. The OFFICER inside stares at him. After a beat, the car drives off. Bryan understands -- they have their eyes on him.

39

EXT./INT. BACKWOODS NEIGHBORHOOD/BRYAN'S CIVIC - EVENING

39

SNAPSHOTS OF A BLACK, BACKWOODS NEIGHBORHOOD --

-- A GROUP OF KIDS playing touch football in a dirt lot.

-- A GROUP OF MEN AND WOMEN walking home from a factory.

-- An OLD MAN AND WOMAN sitting on their porch drinking tea.

INSIDE BRYAN'S CAR --

Bryan makes his way through the town, passing a MAN mowing his yard. This place is poor, but love clearly surrounds.

Bryan drives past a YOUNG BLACK BOY on a bike. They lock eyes. The boy waves with a friendly smile. Bryan smiles back, a distant reminder of his own youth.

40

EXT. WALTER'S HOUSE - MOMENTS LATER

40

Bryan pulls to a stop in front of an old house, the yard filled with old cars. SIX KIDS run around playing tag as PEOPLE stream inside.

As Bryan gets out, he's greeted by MINNIE McMILLIAN (40s), strength beneath her small frame.

MINNIE

You the lawyer?

BRYAN

Yes, ma'am, Bryan Stevenson.

MINNIE

I'm Johnny D's wife, Minnie.

BRYAN

So good to meet you.

Bryan goes for a handshake but she gives him a hug, a small gesture that immediately puts him at ease.

(CONTINUED)

MINNIE

Thank you for drivin' all the way out here. Most lawyers barely got time to call. Hope you don't mind, a few friends from the neighborhood showed up to hear what you got to say.

Bryan looks around, more cars pulling in behind him.

BRYAN

Looks like more than a few.

He doesn't let the pressure faze him, smiles warmly as --

INT. WALTER'S HOUSE - KITCHEN - MOMENTS LATER

Bryan stands, pen and notepad ready. 30 FAMILY MEMBERS AND FRIENDS surround, everyone TALKING at the same time as Bryan looks at all their faces, taking them in --

YOUNG and OLD, generations side-by-side. Minnie sits with her daughter, JACKIE (18), waiting for the meeting to begin.

MRS. WILLIAMS (70s) pours Bryan a glass of sweet tea as EVELYN (40s), Walter's sister, finally SHOUTS --

EVELYN

Hey, now! We ain't gonna get nowhere with everybody quackin' at the same time! Let Mr. Stevenson talk!

Bryan knows how important this moment is. Takes a sip of his sweet tea to calm himself, looks out at the now silent sea of faces staring at him.

BRYAN

Hi, everyone, good to meet you.
Um --

As he puts the glass down, Mrs. Williams leans in, refills it to the brim. Bryan smiles, CLEARS his throat. DEEP BREATH --

BRYAN

I'm sure you have a lot of questions, and I'll stay as long as it takes to answer all of them. But it would really help me to hear from you all first, and understand your perspective on everything.

(CONTINUED)

EVELYN

Our perspective is there ain't no way Johnny D did this crime!

MURMURS of agreement wash throughout the room.

EVELYN

The morning that girl was killed, we was all havin' a fish fry here to raise money for the church. Johnny D was with us, mornin' to night, workin' on his truck with John.

Bryan looks to JOHN (20s), clearly carrying the weight of his dad's injustice, standing beside a 40-year-old mechanic, JIMMY, and DARNELL HOUSTON (20s), nervous, with a Jheri curl.

BRYAN

You were with your dad that day?

JOHN

We was up at six in the morning to get his truck on the rack. Jimmy was there, too.

JIMMY

(nods)

We had the transmission clean out by nine-thirty.

EVELYN

Now how's he supposed to go kidnap some crazy *white man* all the way in Evergreen and then drive back to Jackson Cleaners to kill that girl at 10:15 if his truck ain't got no transmission? And for what? They said he stole *thirty-five dollars*. How stupid you gotta be to go through all that for thirty-five dollars?

VOICES of agreement throughout the room. Bryan writes notes.

BRYAN

How many of you were here with Walter that morning?

Twenty-five hands go up. Bryan can't hide his shock. Minnie sits with quiet strength. When she speaks, everyone listens.

(CONTINUED)

MINNIE

My husband could have never done this no kind of way, whether we was with him or not. He's just not like that.

MURMURS agreeing as BERNARD (50s), Walter's friend, speaks.

BERNARD

Everybody know they went after him 'cause of that woman.

Bryan looks confused -- what woman? Bernard looks to Minnie, realizes he screwed up.

BERNARD

Sorry, Minnie.

MINNIE

It's okay. It ain't no secret.

(beat)

Few months before the murder, Johnny D got caught messin' 'round with a white woman in town. When her husband found out, he made sure everybody knew 'bout it.

(beat; frustrated)

People started talkin', and the stories kept growin'. He went from a cheat to a drug dealer to the head of the Dixie Mafia. So when someone finally called him a killer, nobody thought twice.

UNCLE LEO (70s), confined to a wheelchair but with the voice of a leader, speaks up.

UNCLE LEO

They can call it what they want, but we all know this is just another way to lynch a black man.

A handful of VOICES agree. Then --

MINNIE

There ain't no excuse for what my husband did to me and this family. Damn fool hurt me bad.

(beat; strong)

But he's still the daddy of my kids.

(MORE)

(CONTINUED)

CONTINUED: (3)

MINNIE (CONT'D)

And I really don't know what I'm s'pose to tell them about stayin' out of trouble when you can be at your own house, minding your own business, surrounded by your entire family, and they still go and put some murder on you.

MURMURS of agreement as Bryan gathers his thoughts.

JACKIE

It's not just Dad, we feel like they put us all on death row, too.

More SHOUTS of agreement. Once they settle --

BRYAN

I can only imagine how painful this is for all of you. I'm going to do everything I can to --

JOHN

(cuts him off)

The last lawyers was talkin' big, jus' like you, then took all our money and split. Why you different?

Bryan takes a beat, respects John's sense of distrust.

BRYAN

Well, first, our organization covers all legal expenses. So none of you will have to pay a penny.

John's surprised, but still doubtful. Bryan presses on --

BRYAN

If you asked me to put my dad's life in the hands of some young lawyer from out of town, I'd be worried, too. You really love him. And I don't take that lightly.

(as John softens)

I'm not here to take your money. I'm here because I believe everyone in this room has the same right to justice as anyone else in this country. It's clear to me that this trial was constructed with lies.

(MORE)

(CONTINUED)

41

CONTINUED: (4)

41

BRYAN (CONT'D)

And based on everything I've seen,
I think we can build a case to
bring Johnny D home, and I'm not
going to stop until I've done
that.

Minnie exchanges a look with John. She nods, then --

MINNIE

Well, you seem like good people to
me, but *he's* the one you gotta
convince.

Bryan nods, knows this is true. Evelyn smiles big --

EVELYN

I don't know about the rest of
you, but I was sold on, *y'all*
won't pay a penny.

Everyone LAUGHS as Mrs. Williams tops off Bryan's tea.

42

EXT. WALTER'S HOUSE - PORCH - LATER

42

Bryan stands at the door, shaking hands and hugging
people. Uncle Leo rolls up, gives him a firm handshake.

UNCLE LEO

They gonna try to stop you any way
they can. You stay strong, son.

Bryan is taken aback by this. Before he can respond, Leo
moves on, helped down the stairs by TWO STRONG MEN. Then
John steps forward with his friend Darnell.

JOHN

Hey, Mr. Stevenson.

BRYAN

Please, John, call me Bryan.

JOHN

Oh, okay, um... this is my friend,
Darnell. He wants to talk to you
'bout somethin'.

Bryan notices how nervous Darnell seems. A beat before
Darnell looks at John, who gives an encouraging nod.
Then --

DARNELL

I think I can prove he's innocent.

43

INT. WALTER'S HOUSE - LIVING ROOM - LATER

43

Bryan takes notes beside Darnell and John. Walter's immediate family crowds around, Jackie among them.

JOHN

You heard of Bill Hooks, right?

BRYAN

He testified that he saw Johnny D's truck at the cleaners that morning.

DARNELL

Bill didn't see shit. He made the whole thing up.

BRYAN

How do you know?

DARNELL

'Cause I was with him. We was workin' at the shop together.

BRYAN

The morning of the murder?

DARNELL

Yes, sir. We was changing the head gasket on a Camaro from eight in the morning till we closed after lunch. He was right next to me when them sirens was goin' off.

BRYAN

Why would Hooks lie?

JOHN

'Cause the snitch cut a deal with the cops. They had 'im locked up for burglary, and the day he gave his statement, they let 'im out, all charges dropped.

Bryan looks at Darnell, steady and calm as --

BRYAN

Would you be willing to sign a statement that we could use in court?

Darnell thinks long and hard. Fear seeps in as --

DARNELL

The police would see my name?

(CONTINUED)

BRYAN

It would be in the record.

Darnell looks at John and Walter's family, scared. Bryan sees his fear, empathizes. A beat before --

BRYAN

I know exposing yourself like this isn't easy. But with your testimony we can file a motion to reopen Johnny D's case. If we can prove Bill Hooks is lying, it might be his best chance.

Bryan's words connect, but Darnell still hesitates. Minnie grabs his hand, nods. Darnell sees what this means to her.

He looks to John, then back at Bryan. He slowly nods, willing to cooperate, hoping he won't regret it.

Bryan sits on the porch with Eva as she drags on a cigarette.

BRYAN

They said it would have been better if he was out hunting somewhere, so it'd at least be possible he was guilty. But they were all with him.

Eva shakes her head, takes a drag, a beat before --

EVA

I can't imagine what it would feel like to know I was at home with my husband, and have a judge say, *no, you weren't... your truth is wrong.*

Bryan takes this in, processing everything before --

BRYAN

This isn't just about Johnny D.
(off her look)
We're representing that whole community.

*

JUST MERCY - Rev. 9/14/18 (Goldenrod)

46.

44

CONTINUED:

44

Eva can see how deep this goes. Silence falls, both pondering the weight of what's ahead.

A45

EXT. ALABAMA RIVER - DAWN

A45

Bryan runs along the river, still processing his time with Walter's family.

45

INT. HOLMAN PRISON - VISITING ROOM - DAY

45

Bryan stands, hoping he can get Walter to engage this time, waiting as the guard UNLOCKS Walter's cuffs and leaves the room. Walter looks at Bryan.

BRYAN

I know our last meeting didn't go the way I hoped it would, but --

WALTER

You met my family.

BRYAN

(beat; surprised)
I did.

WALTER

You drove down that long dirt road, crammed into my little house with all my people, and told 'em you was gonna fight for me.

(off Bryan's stare)
That means a lot.

Bryan nods. Walter hesitates, still reluctant to fully engage. But Bryan can sense him softening. A beat before --

BRYAN

Minnie asked me to give you this.

Bryan hands him a small envelope. Walter slides it into his pocket, then looks back.

BRYAN

If you don't mind, I have something to show you.

46

INT. HOLMAN PRISON - VISITING ROOM - DAY

46

Bryan sits across from Walter, fixes his glasses as he tries to read Darnell's statement. He slides the paper back.

*
*
*

(CONTINUED)

WALTER

(embarrassed)

I ain't so good with them big words.

*
*
*

Bryan didn't realize he couldn't read. He summarizes for him.

*
*

BRYAN

It's a statement from Darnell Houston saying he was with Bill Hooks three miles away at the time of the murder. So, there's no way he could have seen your truck there.

*
*
*
*
*
*
*

Walter looks at him, piecing it together.

*

WALTER

That's good, right?

*
*

BRYAN

It's very good. I'm going to submit this with a motion for a new trial.

*
*
*
*

Walter looks at him, nods. Allows himself to feel a pinch of hope. Then, he looks off. A beat before --

WALTER

Minnie said she told you what I did... ain't no excuse for cheatin' on a woman like her. I don't know why she's still standin' by me after what I put her through.

BRYAN

She's standing by you because she knows you shouldn't be in here. And so do I.

(off Walter's look)

I know you didn't kill Ronda Morrison. And I want to help you prove it in court, if you'll let me.

Walter looks at him, getting there, but not completely sure.

WALTER

Man, you met my whole family and I still don't know nothin' about you.

(CONTINUED)

BRYAN

What do you want to know?

Walter thinks, choosing his first question. Then --

WALTER

Why you doin' this?

BRYAN

Why am I a lawyer?

WALTER

Why you a lawyer in Alabama,
workin' for people who can't pay
you nothin'?

Bryan nods -- good question. He really thinks about it.

BRYAN

I grew up down a road just like yours, pumping sewage from our yard, sharing a playground with the pigs and chickens... When I was a teenager, my grandpa was murdered, but no one outside our community cared, because to them, he was just another black man killed in the projects.

(beat)

I know what it's like to be in the shadows.

(shrugs; matter-of-fact)

That's why I'm doing this.

Walter takes this in, deeply moved.

WALTER

That's a pretty good answer.

BRYAN

(smiles)

Anything else you want to know?
I'm an open book.

Walter thinks, more comfortable now. Then --

WALTER

What's someone like you do for fun?

*
*

BRYAN

(shrugs)

I used to play piano, but... it's hard to find time for anything besides work right now.

*

WALTER

Well, if you gonna be workin' for me, you gotta make time to clear that head, or you'll end up crazy as a betsy bug, man.

*
*
*

BRYAN

What's a betsy bug?

WALTER

It's a crazy-ass bug that you
don't wanna be. Ugly suckers,
look like a turd with horns.

*
*
*

BRYAN

(smiles)
Got it.

Walter leans back, eyeing Bryan a beat. Then --

WALTER

Okay.

BRYAN

Okay?

WALTER

Let's get to work, piano man.
You're hired.

OFF Bryan's growing smile --

Walter sits on his bed. He opens the envelope Bryan gave him to find -- a handful of OLD FAMILY PHOTOS -- Minnie, Walter, and the children, happy together.

He looks at a photo of him and John together, big smiles, father and son, about to move on when --

ANTHONY (O.S.)

Yo, Johnny D!

INTERCUT BETWEEN:

ANTHONY, HERBERT, AND WALTER'S CELLS

Anthony stands at his door, CALLS OVER to Walter --

ANTHONY

You signin' up with that lawyer?

WALTER

Giving him a try.

ANTHONY

Seems like everybody on the row
workin' with him now. They say he
reppin' anyone that need it for
free. I'm starting to feel left
out, man. He that good?

(CONTINUED)

WALTER

(beat; considers)
I hope so.

ANTHONY

What you think, Herbert?! Should
I dump my guy and switch over?
(beat of silence)
Herb! You there?

Herbert sits in the corner of his cell, stares at a
letter with an ALABAMA DEPARTMENT OF JUSTICE seal at the
top.

HERBERT

I'm here.

WALTER

(concerned)
You okay, man?

HERBERT

They s-s-s-s--
(stops; takes a
breath)
They set my date.

Anthony and Walter are silent, everyone's looming fear.
Then --

WALTER

It's gonna be okay, man. It ain't
over yet.

HERBERT

I ain't like you guys. I
d-d-deserve what's comin'.

ANTHONY

Now you talkin' out your ass,
Herb. You fought for your country
and they tossed you out with the
trash... That war made you sick in
the head, man. They shoulda put
you in a hospital, not here.

(beat)

When I told them cops that picked
me up I was innocent, you know
what they said? *One of you
niggers did it, if it wasn't you,
you can just take this one for
your homie.*

(MORE)

(CONTINUED)

47

CONTINUED: (2)

47

ANTHONY (CONT'D)

Johnny D's prosecutor said he knew he killed that girl 'cause of the way he looked in his mug shot. You don't deserve this shit any more than us. Only reason we here is 'cause if you black or poor, they can do what they want and nobody's gonna give a damn.

HERBERT

(beat; considers)

A girl is dead because of me.

WALTER

That don't give nobody the right to kill you back.

Silence. Walter knows there is no way to make this better.

A48 EXT. EVA'S HOUSE - NIGHT (ESTABLISHING)

A48

48 INT. EVA'S HOUSE - DINING ROOM - NIGHT

48

INSERT PHOTO -- of Herbert Richardson in his Army uniform, sitting on the table.

*
*

Bryan and Eva at the table, looking over Herbert's legal papers and records. Doug and Chris build an Erector Set on the floor of the living room.

EVA

Herbert was eighteen when he went to Vietnam. He was the only survivor in an ambush that killed his whole platoon. He had a mental breakdown, attempted suicide, and got sent home on an honorable discharge.

(flips through pages)

Back home he continued having nightmares, crying fits, running out of his house screaming 'incoming' to his neighbors.

BRYAN

(shakes his head)

His lawyer didn't even mention his military service or mental trauma to the jury. A few months after the trial, he was disbarred for misconduct.

(CONTINUED)

EVA

Course, he was.
(beat)
What can we do?

BRYAN

Since he's already been through
the appeals process, the statutes
of limitations are going to make
it hard to get a judge to listen.
We'll have to try and make them.
I'll start on a motion tonight.

The PHONE RINGS. Chris jumps up to get it --

CHRIS

(picks up phone)
Hello?

A beat. Chris hands the cordless phone to Eva --

CHRIS

It's for you, Mom.

Eva gets up and takes the phone --

EVA

Hello?

MALE (V.O.)

(on phone)
*You the bitch workin' with that
nigger lawyer?*

EVA

(beat; shocked)
Who the hell is this?

Bryan turns in his chair, eyes locked on Eva as --

MALE (V.O.)

(on phone)
*The guy that put the bomb under
your house that's gonna blow your
family all to hell. Y'all don't
stop helpin' that nigger Johnny D,
next time there won't be no
warnin'.*

Dial tone. Eva rushes over to Chris and scoops him up.

EVA

Okay! Why don't we all go outside
and look at the stars.

(CONTINUED)

48 CONTINUED: (2)

48

Doug and Bryan can see the fear she's hiding as they all rush out the door.

49 EXT. EVA'S HOUSE - LATER

49

Bryan stands on the front yard beside Eva, holding Chris.

FOUR POLICE OFFICERS and a BOMB-SNIFFING DOG search the perimeter. Doug talks to the HEAD OFFICER, walks back to Eva.

DOUG

They didn't find anything.

EVA

Are they sure?

Bryan notices an OLD SEDAN drive past, a YOUNG WHITE MAN in the passenger seat locks eyes with Bryan as they go by.

It sends a chill down his spine. Eva catches the exchange, gives Chris a squeeze.

EVA

Okay, baby, let's get you to bed.

Eva exchanges a look with Bryan as they head inside.

50 EXT. EVA'S HOUSE - PORCH - NIGHT

50

Eva sits on the porch, smoking. Bryan exits the house and sits beside her. They stare into the darkness for a moment.

EVA

When you asked me to do this with you, I knew I'd lose some friends, have people talkin' shit behind my back, or to my face. And I was fine with that. Don't need anyone to like me long as I'm doin' what I'm supposed to. But threatenin' my family...

(long beat)

I don't know what the hell to do with that.

Bryan can see how hard this is for her. It worries him, too, putting other people on the line. A long beat before --

(CONTINUED)

BRYAN

I would never blame you if you
need to stop.

Eva considers this. A long beat as she makes a decision --

EVA

I don't want my son growing up
knowing his mom stopped doing what
was right because she was scared
of some crazy bigot.

(looks to Bryan;
sincere)

But we can't keep working here.
I'm waitin' to hear back about a
place in Old Alabama Town. It
ain't pretty, but it fits the
budget.

BRYAN

Does it come with bulletproof
windows?

Eva cracks a LAUGH, surprised and impressed by Bryan's
dark joke. After she settles --

EVA

So, what's next?

BRYAN

I think we need to investigate
everything from scratch, find
anyone in that town who's willing
to talk.

EVA

(sarcastic)

Maybe once they see how charming
we are they'll stop tryin' to kill
us.

*
*
*
*

Bryan's smile takes us to --

QUICK CUTS of Bryan and Eva going door-to-door:

-- Bryan KNOCKS on a door, no answer.

-- Eva KNOCKS, peers in the window, hard to find
witnesses.

-- Bryan in a BAIT STORE, the MANAGER shakes his head.

*

(CONTINUED)

CONTINUED:

-- Eva in a PARKING LOT, a WOMAN ignores her, gets in her car and shuts the door.

*
*

51

CONTINUED: (2)

51

-- Bryan with an OLDER MAN (white) at his door.

BRYAN

You were on the witness list for
the Ronda Morrison trial a few
years back --

OLDER MAN

(shutting the door)
Sorry, can't help you.

-- Eva stands at another door, mid-convo with a WOMAN
(40s).

WOMAN

If y'all ain't workin' for that
poor girl's family, I ain't got
nothin' to say to you. Sorry,
darlin'.

A52

EXT. MONROEVILLE

A52

Bryan watches a police car drive by, the OFFICER staring
at him.

52

EXT. WOODROW IKNER'S HOUSE - DAY

52

WOODROW IKNER (50s, white) opens the door.

BRYAN

Officer Ikner?

WOODROW IKNER

Ain't no officer no more.

BRYAN

I'm a lawyer representing Johnny D
McMillian, the man convicted of
murdering Ronda Morrison. I
understand you were the first
officer on the scene?

Ikner looks outside, makes sure it's clear, turns inside,
the door open. Finally getting somewhere, Bryan follows.

53

INT. BBQ JOINT - DAY

53

*

Eva munches on some fries as the OWNER (50s, female,
white) enters from the back and hands her a worn FLYER
advertising the fish fry.

*

(CONTINUED)

53

CONTINUED:

53

OWNER

I was right! The fish fry was on Saturday, November 1st, same day as the murder. They put these up all 'round town. You're lucky I'm a pack rat.

EVA

God, I could kiss you, Deb.

54

INT./EXT. MECHANIC GARAGE - DAY

54

Bryan talks with CLAY KAST (40s, white), a greased-up mechanic. An old car on the rack behind them.

BRYAN

Bill Hooks claimed he saw Walter's lowrider truck outside the cleaners that day.

CLAY KAST

If he said it was a lowrider, he full a shit. We ain't dropped Johnny D's truck till six months after that girl was killed.

BRYAN

Do you have a record of that?

Bryan jots down notes as --

55

INT. BRYAN'S APARTMENT - DAY

55

Bryan carries a box into an old, lifeless room, nothing but a mattress on the floor. But for him, it'll do just fine.

INT. MANAGER'S OFFICE - DAY

*

Eva sits across the desk from CHARLES COOPER (older male, white), passionately arguing her case.

*
*

EVA

Lawyers are movin' here from Harvard Law School to work with us. We're planning to grow into something the whole country will be talkin' about, and you'll get to say it all started in your building.

*
*
*
*
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*

CONTINUED:

CHARLES

And what exactly is the kind of
work you do?

*
*
*

EVA

(shrugs)
We're just helping people.

*
*
*

Charles thinks for a beat, then, seems satisfied with
that answer, he nods -- likes the sound of that.

*
*

56 EXT. OFFICE BUILDING - DAY

56

Bryan and Doug carry a desk from the back of Doug's
truck, parked in front of an old building in the bad part
of town.

57 INT. OFFICE BUILDING - DAY

57

Bryan and Doug carry the desk in, Chris holding the door
open for them, as Eva stops sweeping to direct them.

INT. EJI - BRYAN'S DESK - A NEW DAY

INSERT: Bit stack of client files on Bryan's desk, see the names "Walter McMillian," "Herbert Lee Richardson," "Jesse Moore," "Charlie Coleman," "Norris Thomas," "Vivian Clark" (the point is to make it clear there are many cases being juggled).

INSERT: Bryan pulls off Herbert Lee Richardson's file (and a photo clipped to it) and opens it... REVEAL Herbert's name here.

TIGHT ON: Bryan at his desk on the phone, passionate despite the obvious burden of the Goliath task at hand.

BRYAN

My client, Herbert Richardson, was recommended for a Medal of Valor for disarming a bomb, and I'm looking for any documentation you might have on that.

JUMP CUT TO:

SAME SCENE - LATER

INSERT: Bryan pulls off the Jesse Moore file and opens it... REVEAL Jesse's name here.

BRYAN

I was told you were one of Jesse Moore's foster parents years ago, and I'm hoping you could tell me what his childhood was like.

JUMP CUT TO:

SAME SCENE - LATER

INSERT: Bryan pulls off Albert Johnson's file and opens it... REVEAL Albert's name here.

Bryan at his desk on the phone --

BRYAN

Charlie's 14 years old, sir, and he's been abused in that adult prison for the past three nights. He does not belong there.

JUMP CUT TO:

SAME SCENE - LATER

INSERT: Bryan pulls off Vivian Clark's file and opens it... REVEAL Vivian's name here.

BRYAN

Vivian Clark was one of the teenagers who were sexually abused at your facility, and I'm looking for records on any of the staff who were prosecuted.

INTERCUT WITH:

Eva at her desk on the phone.

EVA

We know he attended your school from sixth to eighth grade and I was hoping we could get any school records you might have on file.

JUMP CUT TO:

SAME SCENE - LATER THE SAME DAY

Eva at her desk on the phone.

EVA

Well, we got a tip that there were witnesses to back his alibi and wanted to confirm that he was clocked in from midnight to 8 the next morning.

SAME SCENE - LATER THE SAME DAY

Eva at her desk on the phone.

EVA

No, ma'am, it's not a trick, we will not charge you or your family for anything, and we never will.

(beat)

No, ma'am, I'm not a lawyer, but I promise, your son is in very good hands.

A58 INT. EJI (EQUAL JUSTICE INITIATIVE) - DAY A58

BRENDA (30s, black) shakes hands with Eva and Bryan and sits across from them at a conference table, a job interview.

B58 INT. EJI - A NEW DAY B58

Brenda and Eva stack the shelves with law books. Brenda's now a part of the team as: PRE-LAP -- The phone RINGS.

C58 INT. EJI - DAY C58

The place is now a functioning, messy office. Brenda STOPS TYPING to pick up the RINGING phone --

BRENDA

Equal Justice Initiative, this is Brenda.

(quick beat)

Okay -- just -- one moment, ma'am.

(covers phone; to

Bryan)

Hey, Bryan, Mrs. Coleman has called three times this morning about her grandson. Sounds desperate.

OFF Bryan's nod --

D58 INT. EJI - MOMENTS LATER D58

Bryan sits at his desk, phone to his ear, listening to MRS. COLEMAN on the other end talking through panicked tears.

MRS. COLEMAN (V.O.)

(on phone)

That man was drunk again, beatin' on my daughter so hard my grandson thought he killed her. Charlie's a good boy, he was only protectin' his mama. He did what he thought he had to do. Now he's in jail with all those men, and it's not right. He's only thirteen years old.

Bryan empathizes with her pain, but stares at the vast stacks of paperwork that already surround him. Carefully responds --

(CONTINUED)

BRYAN

Mrs. Coleman, I'm so sorry about what Charlie's going through, but our organization focuses on death penalty cases, and he doesn't fall into that category. We can try to find another lawyer for you...

MRS. COLEMAN (V.O.)

(on phone; suddenly
praying)

Dear Lord, please help me find the words to lead this man to see my grandson. Tell me what to say, Lord --

As she prays, Bryan looks at Eva and Brenda at their desks.

BRYAN

She's praying.

BRENDA

Grandma knows what she's doin'.

EVA

(nods to Brenda)
Impressive.

As Mrs. Coleman finishes her prayer, Bryan gives in --

BRYAN

Okay, ma'am... I don't know if I can take the case, but I'll go to the jail and check on him.

MRS. COLEMAN (V.O.)

(on phone)

*Oh, thank you, Mr. Stevenson!
Thank you, Jesus. Thank you for watchin' over my baby boy.*

Bryan can't help but smile at her vibrant passion.

FOLLOW TWO JAIL GUARDS THROUGH an area filled with INMATES, grown men in jumpsuits, playing cards and hanging out.

TILT DOWN TO REVEAL: The PRISONER they are escorting is just a 13-year-old boy, CHARLIE (black), so small they had to alter his jumpsuit to fit him in it.

F58 INT. COUNTY JAIL - MEETING ROOM - DAY

F58

Bryan looks over a file, glancing up from the table as the guards usher Charlie in. Bryan stands, shocked at the thin, terrified child in handcuffs that stands in front of him. *

As one of the guards uncuffs Charlie, he exchanges a look with Bryan of shared concern for how young and frail he is.

G58 INT. COUNTY JAIL - MEETING ROOM - MOMENTS LATER

G58

Bryan sits across from Charlie, who still hasn't made eye contact, completely retreated into himself.

BRYAN

Charlie? Are you okay?

(off his silence)

Your grandma asked me to come and see you. I'm a lawyer. Can you tell me how old you are?

(off his silence)

Charlie, can you answer me?

Charlie gives nothing. The silence is unnerving.

BRYAN

I know what happened was really terrible. I'm sure you're worried about your mom. She's doing okay, and she wants you to be okay, too.

(off Charlie's
silence)

The court wants to try you as an adult, but I don't think you should be in here with all these men. I want to help you, but you have to talk to me, Charlie.

Charlie looks at the wall, then back down. Still, he gives Bryan nothing. Bryan hesitates, then slowly stands.

BRYAN

You mind if I sit over here?

Charlie remains silent as Bryan walks carefully around the table and sits beside him, shoulder-to-shoulder.

Charlie leans forward, avoiding him. That's when Bryan sees a DARK BLOTCH on the back of his neck. He softens his voice.

(CONTINUED)

G58

CONTINUED:

G58

BRYAN

Charlie, are those bruises on your neck?

Charlie scoots away from him, hiding his tears. Bryan can tell something is terribly wrong. He speaks very gently.

BRYAN

Did somebody in this jail do that to you?

Charlie can't hold it in anymore. He looks away and begins to SOB, wipes away tears as he barely forms the words --

CHARLIE

I wanna go home.

Bryan's heart breaks, as he puts his arm around him, determined to do whatever it takes to help this child --

BRYAN

It's going to be okay, Charlie.

H58

INT. JUDGE'S CHAMBERS - LATER

H58

JUDGE BUREN (50s, white) leans against his desk as Bryan's frustration burns beneath the surface. *

BRYAN

Your order put a thirteen-year-old boy in a pen of grown men, and for the past three nights they've been systematically raping him, and he's going to carry that for the rest of his life. *

JUDGE BUREN

I'm not responsible for what happens in that jail. *

Bryan takes a beat, can see he's not getting through. He shifts his tactics, searching for common humanity.

BRYAN

If we look away when a child is hurting, we're all responsible, sir.

(beat)

You have the authority to move him to a juvenile center right now.

(MORE)

(CONTINUED)

H58

CONTINUED:

H58

BRYAN (CONT'D)

If you can do that, Your Honor, I can tell you without a doubt that you would be saving that boy's life.

Judge Buren looks at Bryan, his words have clearly gotten through. A beat as he ponders.

*

I-58

INT. BRYAN'S CIVIC - LATER

I-58

Bryan gets into his seat and SLAMS the door, a flash of the anger he was hiding, breaking through the surface.

Then, he takes a BREATH, shakes it off, and starts the car.

J58

INT. COUNTY JAIL - COMMON AREA - LATER

J58

Inmates continue to stroll around the area until --

From a back door, Bryan walks out, the two guards behind him. Charlie clings to his coat, leaning into him, shields his eyes from all the faces as Bryan guides him through the room.

K58

INT. EJI OFFICE - EVENING

K58

Bryan sits in the office, haunted by the memory as he updates Brenda and Eva.

BRYAN

When I got up to leave the jail, he grabbed my arm and begged me not to go. I could hear him crying from the other side of the door.

Eva covers her face. Bryan waits for the wave to pass --

BRYAN

We have to help him.

EVA

(wipes her tears)
I know.

The PHONE RINGS. Brenda picks up --

BRENDA

EJI. This is Brenda.
(beat; listens)
One sec.

(CONTINUED)

K58

CONTINUED:

K58

She looks at Bryan, covers the phone.

BRENDA

Darnell Houston.

BRYAN

(takes the phone)

Hey, Darnell.

(off his frantic
voice)

Whoa, whoa, slow down. Where are
you?

58 OMITTED

58

59 EXT. MONROE COUNTY JAIL - DAY

59

Bryan walks with Darnell out of the jail into the small
parking lot. Ahead of them, downtown Monroeville looms.

BRYAN

Are you okay?

DARNELL

(frightened; jittery)

No, sir. I'm not.

Bryan watches TWO OFFICERS walk by. He gently guides
Darnell away from them, protective.

BRYAN

Come on, let's talk in my car.

60 INT./EXT. BRYAN'S CIVIC/MONROE COUNTY JAIL - MOMENTS
LATER

60

Bryan sits in the driver's seat, Darnell in shotgun,
looking out the window to make sure no one's watching.

DARNELL

How the hell they lockin' me up
for *perjury* if alls I did was say
the truth? I knew I shouldn't a
signed that paper, man. Shouldn't
a listened to you.

Bryan's face is tight, knowing he's let Darnell down.
Then --

(CONTINUED)

BRYAN

What they did is completely illegal. I'm going to talk to the D.A. and get the charges dismissed. They won't do this again.

*

DARNELL

How do you know? You can't control these guys.

Bryan, silent, realizing how true this is.

DARNELL

They arrested me in the middle of my shift, in front of my boss. I don't even know if I still got a job tomorrow.

(beat; somber)

I feel bad for what they doin' to Johnny D, but I'm just tryin' to survive, man. I can't fight these guys. You gonna have to find somebody else.

BRYAN

Just give me some time to work this out.

Darnell sees an old TRUCK idling across the parking lot.

DARNELL

That's my ride. Tell Johnny D sorry.

Before Bryan can respond, Darnell gets out and rushes off.

Bryan sits. He looks back at the county building, anger simmering. A beat before -- he can't help himself, he gets out of the car and marches back toward the jail.

Bryan strides down the hall, he passes a BLACK FAMILY in tears, a YOUNG WOMAN (18) holding a BABY in one hand, and her SON (4) with the other, an OLD WOMAN praying with her DAUGHTER, 2 OFFICERS escorting 4 INMATES down the stairs.

Bryan finds the door marked "Sheriff's Dept." and heads --

62 INT. MONROE COUNTY JAIL - SHERIFF'S OFFICE - NEXT

62

Into the bullpen area of the department. 8 WHITE OFFICERS turn, all eyes locked on him at once.

Bryan spots Sheriff Tate staring at him across the room. He gathers his courage, marches across the space toward him --

When he's almost there, the man sitting across from Tate turns around. Bryan stops, surprised to see Tommy Chapman.

TOMMY

Hey, Bryan. Have you met Sheriff Tate?

Bryan takes a moment to process. Then, controlled anger --

BRYAN

Who ordered the arrest of my witness?

SHERIFF TATE

If people make false statements concerning this case, they're going to be held accountable.

BRYAN

You can't arrest someone for perjury without *evidence* that a false statement has been made.

TOMMY

So you're representing Mr. Houston now, too?

BRYAN

Yes, I am. His statement contradicts Bill Hooks' entire testimony.

TOMMY

Hooks isn't the state's main witness, Ralph Myers is.

BRYAN

(frustrated)
Alabama code 12-21-222 requires corroboration of accomplice testimony, so without Hooks, the conviction wouldn't be valid.

*

(CONTINUED)

The two men stare each other down a beat before Tate speaks, his words cloaked in infuriating charm.

SHERIFF TATE

You know, I spoke to Ronda Morrison's mother yesterday. She was in tears, askin' me why some lawyer from up north was makin' them relive all this hell again.

BRYAN

(remains calm)

You can tell her it's because McMillian didn't kill her daughter. And whoever did is still out there somewhere.

SHERIFF TATE

(shakes his head)

I know how desperate you must be to fulfill your fantasy of who we are down here. Just a bunch of corrupt Southern racists frammin' niggers for murder. And you here to save the day. If that's the story you wanna believe, go right ahead. But I know Johnny D killed that girl, and he's going to answer for it.

BRYAN

How do you know that? You found no hard evidence and based your entire case on the word of an indicted felon who had every incentive to tell you what you wanted to hear.

*

SHERIFF TATE

Ralph Myers gave us his testimony on his own accord.

BRYAN

And it made no sense! He couldn't finish a sentence without contradicting himself.

Silence. The air sucked from the room. Both men staring at each other. Bryan continues, strong, not backing down.

BRYAN

The charges against Darnell Houston are baseless. You know they'll never stand up in court.

(MORE)

(CONTINUED)

CONTINUED: (2)

BRYAN (CONT'D)

They should be dropped
immediately.

Tate stares at him a beat before smiling, cordially.

SHERIFF TATE

That alright with you, Tommy?

TOMMY

Sure.

(off Bryan's
surprise)

Doesn't really matter, now that
the court denied your motion to
reopen the case.

Bryan stares at them both, caught completely off guard.

BRYAN

What are you talking about?

TOMMY

You didn't get the order? The
judge is down in Mobile now.
Sometimes they have mail issues.

Bryan fights to regain his footing as Tommy stands.

TOMMY

You can tell Mr. Houston the
charges against him are being
dropped. I can do that much for
y'all, but anything else will have
to be raised on appeal.

Tate gives him a condescending nod.

SHERIFF TATE

Thanks for stoppin' by, Counselor.

Bryan fights the urge to scream. A beat, he turns, walks
to the door with confidence, refusing to show any
intimidation.

INT./EXT. BRYAN'S CIVIC/COUNTRY HIGHWAY - NIGHT

Bryan's thoughts race as he watches the dark road ahead.
Suddenly, light reflects through his mirror. He looks
up --

A PAIR OF HEADLIGHTS tailing him. Bryan tries to ignore
it, but the car keeps inching closer.

(CONTINUED)

CONTINUED:

Then, red and blue lights begin to FLASH -- a car from the Sheriff's Department.

Bryan puts on his blinker, pulls to the side of the road. The car stops behind Bryan, lights spinning.

TWO OFFICERS get out. The OLDER OFFICER walks nonchalantly around the passenger side. The YOUNGER OFFICER approaches his door, skittish and unsure.

BRYAN

Something wrong, Officer?

YOUNGER OFFICER

Step out of the vehicle.

Bryan can see the Officer's nerves, notices the Older Officer shining a flashlight into his backseat filled with files.

BRYAN

I don't understand. I wasn't speeding.

YOUNGER OFFICER

(ignores this)

I said step out of the vehicle.

BRYAN

I will get out, Officer. But can you tell me why I've been stopped first?

*
*
*

The Young Officer suddenly steps back and pulls his gun, points it directly at Bryan's head as --

YOUNGER OFFICER

Get out of the goddamn car!

A clear flash of surprise and fear in Bryan's eyes, can see the Younger Officer's shaking hands. He fights for calm, raises his hands up, narrating every movement as --

BRYAN

Okay. I've got my hands up, okay?
I'm going to open the door now --
(opens the door)
I'm stepping out of the car...
(as he steps out)
I'm standing up... My hands are empty.

YOUNGER OFFICER

Turn around! Both hands on the car!

(CONTINUED)

Bryan's in survival mode, turns and lowers his hands onto the car, watches the Older Officer OPEN the passenger door and sloppily search through his files.

BRYAN

Do you have a warrant to do that, sir?

YOUNGER OFFICER

(jerks forward)

SHUT THE HELL UP!

Bryan tenses, the danger behind him ever present, doesn't move as, frozen in place as --

YOUNGER OFFICER

DON'T MOVE! I SAID DON'T MOVE!

BRYAN

I'm not.

Bryan keeps an eye on the Younger Officer's shaking gun as the Older Officer tears through his stuff. He hesitates a beat, then takes a BREATH, his voice remains steady --

BRYAN

Officer, there's no reason to point your gun at me. I am not a threat to you. You don't need to be scared.

YOUNGER OFFICER

Shut your goddamn mouth!

As Bryan freezes, the Older Officer stands and stares at him.

OLDER OFFICER

You oughta be careful with your words when you got a gun to your head.

He nods to the Younger Officer, who lowers his gun, shaking with adrenaline. Bryan finally BREATHES. He stares as the Officers walk back to their car, a beat before --

BRYAN

Why did you stop me?

OLDER OFFICER

We're letting you go. You should be happy.

(CONTINUED)

63

CONTINUED: (3)

63

Bryan's frustration simmers. Their message is clear -- he's no longer just being watched. The threat is real.

A64

EXT. EVA'S PORCH - NIGHT

A64

Bryan sits with Eva. She's smoking, pissed off.

EVA

These assholes can't keep getting away with this shit. We need to file suit against the department.

BRYAN

That's what they want us to do.

Bryan thinks a beat. Then --

BRYAN

We'll never be effective by just reacting. They're trying to distract us from the work. We have to stay focused.

EVA

(takes a drag)

So I can't go throw a rock through that Sheriff's window?

BRYAN

(shrugs; sarcastic)

Just don't leave any fingerprints.

OFF Eva's smile --

64

INT. HOLMAN PRISON - VISITING ROOM - DAY

64

Bryan sits across from Walter, has just broken the news of their recent defeat.

WALTER

Even if they drop the charges, they know Darnell ain't gonna testify after what they done.

*

BRYAN

I know it's a big hit, but we just have to find more evidence to file another motion.

WALTER

(shakes his head)

They'll just block that, too...

(MORE)

(CONTINUED)

WALTER (CONT'D)

If they can put me on the row for a year without a trial, they can do whatever the hell they want.

Bryan's clearly shocked by this statement. A beat before --

BRYAN

They put you on death row before your trial?

WALTER

The Sheriff drove me hisself. Said I was gettin' a taste of what's comin' if I don't confess.

BRYAN

Why didn't you tell me?

WALTER

(beat; shrugs)

I don't know, man, I can't keep track. They been doin' shit like this to us as long as I can remember.

Bryan silent. Walter takes a sobered beat before continuing.

WALTER

When I was twelve years old, they lynched a man in our county named Russell Charley. He was a friend of my parents, had two boys around my age. I remember hearin' my dad tell my mom how they found him hangin' from a tree in the woods, body full of bullet holes. Police ain't even bother to look into it.

(beat)

After something like that everybody on alert. Be *invisible*, that's what my mamma used to say. If they can't see you, they can't get you.

(off Bryan's look)

They good at makin' us scared. That's how they keep us down. Ain't no different to what they doin' to you out there, or to us in here. They just took us from the tree to the chair.

(CONTINUED)

Walter sits in this thought for a long beat, can see
Bryan processing.

*
*

WALTER

They comin' after you out there,
huh?

*
*

BRYAN

(smiles)
They're not making it easy.

*
*
*

Walter thinks a long beat before answering.

*

WALTER

Well, maybe you should think about
training up another lawyer or
somethin', 'cause I'm still gonna
need help if they take you out.

*

*

Bryan looks up, sees his growing smile, throws it back --

BRYAN

Oh, so this isn't like a... *I go
down, we both go down together*
kind of thing?

WALTER

Hell no, man, you on your own! I
got enough to worry about over
here.

The two men share a LAUGH. Once they settle, Walter
brings them back to reality --

WALTER

So, if we don't got Darnell,
what's the next move?

Bryan thinks a beat, the answer is a controversial one.

BRYAN

I think we should talk to Ralph
Myers.

*

Walter sits back, shocked.

*

WALTER

Maybe you should stick with your
head 'cause that's a terrible
idea.

*
*
*

64

CONTINUED: (3)

64

BRYAN

I know it's risky, but if I get
him talking, maybe we can find out
what he really knows.

*
*
*

WALTER

You ain't gonna get nothin' but
lies off him.

BRYAN

(nods)
I'll be careful.

65-75 OMITTED

65-75

A76 EXT. ALABAMA - SERIES OF SHOTS OF

A76

IN QUICK SUCCESSION.

-- The ALABAMA RIVER in the morning light --

-- The towering MONTGOMERY STATE COURTHOUSE --

-- The large complex of ST. CLAIR CORRECTIONAL PRISON --

B76 INT. ST. CLAIR'S CORRECTIONAL - DAY

B76

FOLLOW SHOT -- BEHIND Ralph Myers as he's escorted to the
visiting room. We don't see his face.

76 INT. ST. CLAIR CORRECTIONAL - VISITING ROOM - DAY

76

FOLLOW RALPH MYERS (50) INTO a room full of PRISONERS and
VISITORS. Bryan stands to look at him.

Ralph is frail and vulnerable, but with eyes sharp and
roaming. Dangerous.

Bryan nods as Ralph approaches. Up close, the map of
burn scars across his face adds an extra air of menace.

BRYAN

Hi, Mr. Myers.

RALPH

You Bobby?

BRYAN

Bryan.

He extends his hand. Ralph looks at it, a beat before --

(CONTINUED)

RALPH

Maybe later.

A PRISONER LAUGHS LOUDLY across the room. Ralph JUMPS, scans the room, deeply paranoid. After a beat --

BRYAN

Do you mind if we sit down?

RALPH

You buyin' me a Coke first? Or you gonna make me stare at them vending machines all day?

Ralph motions to the VENDING MACHINES along the wall. A beat before -- Bryan nods, turns, and walks to the machines as --

RALPH

Sunkist Orange and some Jujyfruits if they got 'em!

Bryan watches Ralph open his Jujyfruits and eat one.

BRYAN

Thank you for meeting me, Mr. Myers.

Ralph CRACKS open his orange soda, takes a big SIP. Bryan waits for him to finish, pen and notebook ready. Finally --

BRYAN

Could we start by talking about your testimony against Johnny D?

RALPH

(burps)

No.

(off Bryan's confusion)

I ain't talkin' about him.

BRYAN

That's the only reason I'm here.

RALPH

Well, if you don't like it, leave.

Ralph takes a SIP, clocking Bryan's disappointment.

RALPH

Aw, come on, don't look so sad, we can still talk about other stuff. I like talkin'. My wife says if I got paid for every word I said, we'd be a couple a billionaires.

Bryan considers his options, closes his notebook, carefully begins to guide the conversation, drawing him out.

BRYAN

How long have you been married?

RALPH

Long enough to pop out a couple a' kids and watch her turn 'em all against me. You got kids?

BRYAN

(trying to steer)
No, I don't. Johnny D does.

Ralph doesn't take the bait, continues --

RALPH

The thing about kids is, they ain't nothin' like havin' a dog. It is a whole different thing. I wish somebody told me that earlier... My kids think they got it so bad but they ain't seen nothin' like I seen. Try makin' it as a foster kid your whole damn life, soon as you figure out one shitty parent, they movin' you to a new one.

BRYAN

Sorry, that must have been really hard.

Ralph looks at him to see if he's sincere -- he is. Ralph nods, something softening in him. A beat. Then --

RALPH

How many kids he got?

BRYAN

Johnny D? He has three.

Ralph ponders this as he takes another SIP. Bryan can see his wheels turning. He decides to step out on a limb.

(CONTINUED)

BRYAN

Mr. Myers... I know you made a deal with the State, but I don't think they told you Johnny D was going to die because of it.

(beat)

I'm sure that's not easy to carry, and I'm hoping there's a part of you that wants to make things right.

Bryan lets that sit for a beat. Ralph seems to be listening.

BRYAN

Something made you agree to this meeting.

RALPH

Maybe I was just bored.

BRYAN

I don't think that's true.

(beat)

Can we please talk about your testimony?

Ralph looks off, seems to really consider the question when -- BAM! He jumps, looks around, only to find a VISITOR BANGING on one of the vending machines. He begins to LAUGH, then --

RALPH

From the first day they lock my ass up in Escambia, for something I'm tellin' you I ain't had nothing to do with, all them police wanna talk about is Ronda Morrison. Morrison this, and Morrison that. Sometime four or five of 'em in the room at the same time.

BRYAN

They were questioning you about her the day you were arrested?

Ralph looks at him nervously, dodges the question.

RALPH

Alls I'm sayin' is, ain't nobody cared about a damn thing besides who killed that girl.

(MORE)

(CONTINUED)

CONTINUED: (3)

RALPH (CONT'D)

And when people care about a thing
that much, they do anything to get
what they want.

(MORE)

77

CONTINUED: (4)

77

RALPH (CONT'D)

(beat; shakes head)

You know they'll kill you if you
get to the bottom of this, right?

Off Bryan's surprise, Ralph LAUGHS AGAIN, suddenly
stands.

BRYAN

Where are you going?

RALPH

We done here, Bobby. Thanks for
the Jujies.

BRYAN

Ralph, please. We're not
finished.

RALPH

I am.

He walks to the door, YELLS to the guard --

RALPH

Ready, boss!

Bryan watches Ralph go, his words ringing in his head.

78

EXT. PAY PHONE (COUNTRY) - LATER

78

Bryan stands, phone cradled to his ear --

BRYAN

He said he was questioned about
Ronda Morrison the day he was
arrested on June *third*. But the
only statement they presented in
court was recorded almost two
months later.

INTERCUT WITH:

79

INT. EJI OFFICE - CONTINUOUS ACTION

79

Eva listens to Bryan on SPEAKERPHONE --

EVA

You think they're hiding that
first statement somewhere?

*

(CONTINUED)

BRYAN (V.O.)

(over speaker)

If they are, it might be at the
Escambia Courthouse with the files
for his other case. You know
anyone over there?

*

Before she can respond, Brenda looks up from her desk --

BRENDA

I do.

INT. ESCAMBIA COUNTY EVIDENCE ARCHIVES - DAY

The evidence custodian, DORIS (40, black), THUMPS two
boxes on the counter in front of Brenda and Bryan.

DORIS

That's everything we got on Myers.
Y'all can make copies over there.

BRYAN

Thank you, ma'am.

DORIS

Sure, baby.

Bryan smiles as he grabs the boxes and heads for the copy
machine. Doris looks at Brenda.

DORIS

He's cute. Married?

BRENDA

Married to his work. How's Uncle
Mickey doin'?

DORIS

He's buildin' another shed 'cause the
other two apparently ain't enough.

BRENDA

Man's gotta have a project.

As Brenda keeps her occupied, Bryan goes through the
boxes, pulls out a stack of cassette tapes, duplicate
copies of each. He turns back to Doris, plays it cool --

BRYAN

You mind if I take a copy of
these?

DORIS

They ain't payin' me enough to
stop you.

Doris and Brenda resume their talk as --

81 INT. EJI OFFICE - NIGHT

81

Eva and Brenda at the table, pore over the photocopied files.

Bryan at his desk listening to the tapes on headphones -- faint VOICES bleeding through. Something grabs his attention. He jots a note. Hits STOP. REWIND. PULLS off his headphones --

BRYAN

You gotta hear this.

He unplugs his headphones and hits PLAY so they can hear as RALPH'S VOICE fills the air --

RALPH (V.O.)

(on tape)

I understand that, Sheriff...

BRYAN

That's Myers.

RALPH (V.O.)

(on tape)

That's what I'm trying to tell you, because I'm gonna be honest, I don't know a damn thing.

SHERIFF TATE (V.O.)

(on tape)

Is that right?

BRYAN

That's Tate.

RALPH (V.O.)

(on tape)

Yes, sir, it's righter than anything I've ever said.

SHERIFF TATE (V.O.)

(on tape)

And you would take a polygraph to the fact that you do not know who killed Ronda Morrison.

RALPH (V.O.)

(on tape)

That's right, sir, I will.

(CONTINUED)

SHERIFF TATE (V.O.)

(on tape; beat;
frustrated)

*And you would face the person that
could testify --*

RALPH (V.O.)

(on tape; firm and
strong)

*I will face any damn body in this
world on that, 'cause it's a stone
lie. And if you askin' me to
frame a innocent man for murder,
that just ain't somethin' I'm
willin' to do.*

Bryan STOPS the tape, looks to Brenda and Eva, stunned
until --

EVA

Holy shit.

Bryan and Tommy across from JUDGE FOSTER (60s), white,
formidable, and commanding, finishing his lunch.

BRYAN

Your Honor, we've submitted this
statement with another motion for
a new trial, but all of our work
so far has been without any access
to the State's files --

TOMMY

Askin' the State to furnish these
broad, generalized requests is a
waste of all our time and taxpayer
money. None of the requested
materials are relevant to this
case.

BRYAN

(to Tommy)

Your main witness contradicting
his own trial testimony seems
pretty relevant to me.

TOMMY

Those tapes were taken from a
completely different
investigation!

82

CONTINUED:

82

BRYAN

(looks to the judge)

This is about whether or not the State withheld critical exculpatory evidence, which would require a new trial. Brady vs. Maryland entitles us to see everything else they have.

*

OFF Bryan's charged stare --

A83

INT. EJI OFFICE - DAY

A83

Bryan and Brenda walk in with TWO BOXES in hand. Eva takes them from Brenda and stacks them in the conference room with MORE BOXES -- they won the motion.

83

INT. EJI OFFICE - LATE NIGHT

83

Brenda writes labels on yellow stickies, cataloging a vast inventory of new evidence. Eva pulls a stack of files from a box, hands it to her.

Bryan FLIPS through a THICK, RED BINDER. He finds something.

BRYAN

(reads)

Walter McMillian, admitted to Holman Prison's death row on August 1, 1987, over a year before his trial. Signed by the warden.

They all exchange a look before jumping back into their work, knowing there's so much more to discover.

A84

EXT. HOLMAN PRISON - NIGHT (ESTABLISHING)

A84

84

INT. HERBERT'S CELL - NIGHT

84

The dead of night. The lights all off along the row. Herbert sits slumped against the wall, exhausted and drained.

INTERCUT WITH:

(CONTINUED)

INT. WALTER'S CELL

Walter stands at his cell door, knows what's on his friend's mind. A beat before --

WALTER

Herbert! You okay over there?

Herbert doesn't respond, fighting back tears. A beat before --

WALTER

You gotta get your mind off tomorrow, man, it ain't over. Bryan's workin' it out right now. The court always waits till the last minute. They gonna give you that stay.

Herbert's mind is elsewhere. He rocks back and forth. Shakes his head, begins to HYPERVENTILATE. It's unclear whether he's talking to himself or to Walter.

HERBERT

Why d-d-did I make that bomb? Why did I do that?

WALTER

(knowing)
Don't go there, Herb.

HERBERT

(growing manic)
I wasn't tryin' to hurt nobody.

WALTER

I know.

HERBERT

Why am I so stupid? What's wrong with me?

WALTER

The war made you sick, Herb. You're still sick.

HERBERT

That girl wasn't s-s-posed to come by and pick it up. She w-wasn't s'posed to. She wasn't --

Herbert BREAKS, squeezes his temples, wishing his brain worked right.

(CONTINUED)

WALTER

Come on, Herb. You gotta slow your mind down. Remember what we practiced... Slow breaths.

Herbert finally listens, leans his head back, body tight with rigid agony until -- he manages a single DEEP BREATH --

So loud Walter can hear it. He nods. Closes his eyes.

WALTER

That's good. Now close your eyes, get away from all this. No more walls, no more guards, no more wars to fight, just you, out in the open, fresh air on your face...

SLOW PUSH ON Walter as he remembers --

LOOKING DOWN AT Walter in the grove of pines, he looks up at the treetops, swaying in the wind.

WALTER (V.O.)

Look at them pine trees that been growin' since way before we was born, and gonna keep on growin' way after we gone. They been through all the same shit we been through and more, but they still dancing in the breeze.

Walter's eyes are still closed. Quiet.

WALTER

You see 'em?

Herbert's eyes quiver beneath his closed lids. He's calm.

HERBERT

Yeah.

WALTER

Don't think about nothin' else, just stay right there. It's gonna be okay, brother.

(CONTINUED)

86

CONTINUED:

86

Herbert takes a deep BREATH, fights to keep his panic at bay.

87

INT. EJI OFFICE - LATE NIGHT

87

INSERT: CLOSEUP ON "HERBERT LEE RICHARDSON" as Bryan types. (NOTE: THIS COULD BE THE TITLE PAGE THAT THEY FAX, OR ANOTHER PAGE THAT HE'S TYPING WHICH CLEARLY STATES HIS NAME.)

*
*
*
*

Bryan types at rapid speed, transcribing a handwritten draft from a messy notebook.

BRYAN

I need Strickland vs. Washington,
and the affidavit from Herbert's
Sergeant.

Eva grabs a binder from the shelf as Brenda finds the affidavit and hands it to him. Like clockwork.

88

INT. EJI OFFICE - LATE NIGHT

88

Silence as Bryan flips to the last page of the petition, quickly proofreading. He seems satisfied.

BRYAN

Let's send it.

89

INT. EJI OFFICE - LATE NIGHT

89

Brenda feeds the "PETITION FOR A WRIT OF CERTIORARI" through a fax machine. Page header: "SUPREME COURT OF THE U.S."

BRENDA

Now what?

BRYAN

We wait.

90

INT. EJI OFFICE - THE NEXT DAY

90

Bryan and Eva sit at the table, a box of files in front of them. Bryan should be reading, but he can't take his eyes off the clock -- 4:42, counting the seconds.

The phone RINGS. Bryan picks up, still hopeful.

BRYAN

EJI, this is Bryan Stevenson.

(CONTINUED)

COURT CLERK (V.O.)

(on phone)

Mr. Stevenson, the court has just entered an order in case number 89-5395; the motion for a stay of execution and petition for writ of certiorari have been denied. We'll fax copies of the order to your office shortly.

As Bryan listens, Eva and Brenda watch his expression fall.

BRYAN

Okay.

Bryan hangs up, sits in silence, staring at the wall. Eva knows what's on his mind, deep in thought herself before --

EVA

When they executed Wayne Ritter, I tortured myself over whether or not to go... But some things are just too much.

(beat)

He knows how much you've done for him. You don't have to watch him die to show him you care.

Bryan nods. He understands this. But then, very plainly --

BRYAN

He asked me to be there.

Eva can see that he doesn't have a choice. A beat, she nods --

EVA

I'll drive you, then.

OFF Bryan's look of gratitude for his friend --

INT. HERBERT'S CELL/DEATH ROW WALKWAY - LATER

Herbert sits on his bed. Jeremy, the guard who strip-searched Bryan, stands nervously outside with an OLDER GUARD.

JEREMY

Come on, Herbert. We gotta go.

Herbert hesitates, shaking with fear. He stands with a nod, then steps out onto the walkway.

(CONTINUED)

He glances to the cell next door, can just make out Walter on the other side.

HERBERT

(to the guards)

Can I say b-b-bye to my friends?

Jeremy looks unsure, but the older guard nods, familiar with this routine. They usher Herbert to Walter's cell as --

INTERCUT WITH:

INT. WALTER'S AND ANTHONY'S CELLS

Walter looks at Herbert through the small opening in the center of his door, can see how scared he is --

WALTER

When it get too much, you take them deep breaths and let your mind go.

HERBERT

(beat; terrified nod)

Wish I d-d-didn't have to do this alone.

WALTER

You not alone, brother. We all with you.

(to Anthony's cell)

Ain't that right, Anthony?!

Anthony stands at his cell door, watching, listening --

ANTHONY

That's right, Herb. You ain't rid of us yet!

Herbert almost smiles, but the weight is too heavy. He looks at Walter, nods.

HERBERT

You been a good friend.

Walter tries to speak, but his words get caught in his throat. Herbert manages a small smile, then turns and walks away, leaving him with an emptiness he hasn't felt in years.

92 INT. HOLDING ROOM - LATER 92

Electric clippers BUZZ through Herbert's hair. A GUARD mans the clippers, shaving off everything.

93 INT. HOLMAN PRISON - WITNESS ROOM - LATER 93

Jeremy and a CHAMBER GUARD set up folding chairs in the small witness execution room.

Jeremy looks THROUGH the viewing window to see another GUARD checking the straps on the yellow electric chair.

CHAMBER GUARD
(off Jeremy's nerves)
First time in the chamber, huh?

JEREMY
Yeah.

CHAMBER GUARD
(matter-of-fact)
Don't think too much, or you'll
lose your shit.

Jeremy nods, tries to be strong as he unfolds another chair.

94 INT. HALLWAY/EXECUTION WAITING CELL - LATER 94

A FEMALE GUARD leads Bryan into a holding cell to find Herbert sitting alone, all his hair and eyebrows are completely shaved off.

As the Guard enters, Herbert looks up, shaken and humiliated.

FEMALE GUARD
Need anything, Mr. Richardson?

HERBERT
You still gonna play my song?

FEMALE GUARD
We got it cued up and ready.

HERBERT
Thank you.

She leaves. Herbert shakes his head as Bryan approaches.

(CONTINUED)

HERBERT

This been a strange day... More p-
people ask how they can help me
today than ever asked in my whole
life.

He looks at Bryan, seemingly for the first time.

HERBERT

Do I look funny? I didn't know
they was gonna s-s-shave off
everything.

BRYAN

(beat; tender)
You look fine.

Bryan sits down beside Herbert. Remains calm for him.

HERBERT

Most people d-don't get to think
all day about it bein' their last
day alive.

(beat)

It's different than Nam... least I
had a chance there.

BRYAN

(beat; finds the
words)
I'm sorry, Herbert.

Herbert looks at him, nothing but gratitude in his eyes.

HERBERT

You the only one that c-cared
enough to fight for me.

The statement hits Bryan hard, fighting back his emotions
as --

HERBERT

I t-told the Army to send my flag
to you, if that's okay.

BRYAN

I'd be honored.

Herbert smiles through his pain. Then, a scared beat
before --

HERBERT

Can you pray with me?

(CONTINUED)

94 JUST MERCY - FULL YELLOW 88.
CONTINUED: (2) 94

BRYAN
(beat)
Of course.

Herbert nods his thanks, letting go of his fear for just a moment as they bow their heads.

95 INT. HOLMAN PRISON - CONTROL ROOM - CONTINUOUS ACTION 95
The Female Guard enters, nods to the CONTROL ROOM GUARD.

FEMALE GUARD
They're ready.

He turns, PUSHES PLAY on a small boombox aimed at the intercom microphone as --

96 INT. WALTER'S CELL - CONTINUOUS ACTION 96
Walter sits on the floor, silent as ELLA FITZGERALD'S version of "OLD RUGGED CROSS" begins to play over the P.A. SYSTEM.

97 INT. EXECUTION HALLWAY - CONTINUOUS ACTION 97
"Old Rugged Cross" echoes through the empty hallway as --
The cell door opens. Herbert steps out, handcuffed, led by the WARDEN, followed by Jeremy, the older guard, and the PRIEST. They begin the long walk to the chamber.

98 INT. DEATH ROW WALKWAY/WALTER'S CELL - CONTINUOUS ACTION 98
"Old Rugged Cross" continues. EVERY DEATH ROW PRISONER stands at the bars of their cells, all SILENT, WAITING SHADOWS.
INSIDE HIS CELL -- Anthony lies in bed, arm over his face.
INSIDE HIS CELL -- Walter sits on the floor, waiting.

99 INT. WITNESS ROOM - CONTINUOUS ACTION 99
MUSIC CONTINUES -- 20 WITNESSES (cops and reporters, all white) in the small room, window in front, closed curtain.
Bryan sits among them as the curtains part to reveal --

(CONTINUED)

99

CONTINUED:

99

Herbert stands beside the electric chair. He looks lost and confused as the warden WHISPERS something to him. Herbert's gaze finds Bryan in the crowd, his one anchor.

Then, trembling, he addresses the witnesses --

HERBERT

I'm s-sorry for all the p-p-pain I caused.

100

INT. EXECUTION CHAMBER - CONTINUOUS ACTION

100

The warden leads Herbert to the chair, helps him sit down as Jeremy walks up. He looks to the older guard, opposite side of the chair. The older guard nods.

Jeremy takes hold of Herbert's hand, forces it down into the wrist restraint. He looks up as Herbert glances at him.

Herbert's fear hits Jeremy hard. He tries not to think about it, shakes it off, finishes the restraints as --

INTERCUT BETWEEN EXECUTION CHAMBER, WITNESSES, AND DEATH ROW --

101

INT. DEATH ROW - NIGHT

101

-- IN WALTER'S CELL --

Walter walks to his door. Begins to BANG his cup against the bars, increasing in speed and intensity as --

-- IN ANTHONY'S CELL --

Anthony gets out of bed, bangs on his door with his fists.

The REST OF THE ROW joins in, BANGING on their metal doors with cups and fists. A GROWING WAVE OF PROTEST --

102

INT. WITNESS ROOM - NIGHT

102

As the warden reads Herbert his DEATH WARRANT, they hear the distant sound of BANGING.

103

INT. DEATH ROW - NIGHT

103

The BANGING PEAKS. Walter takes a BREATH --

(CONTINUED)

WALTER
WE ALL WITH YOU, HERB!

CAMERA SPINS to reveal the line of cells, a hundred other VOICES join in, SHOUTING to Herbert at the top of their lungs as --

AN INMATE throws a roll of toilet paper from his cell. A SECOND INMATE throws his metal cup. We SWING WITH the cup as it falls TO the --

FIRST FLOOR

We PICK UP the cup as it bounces off the wall and REVEAL another row of SHOUTING INMATES.

INT. WITNESS ROOM - NIGHT

Everyone can clearly hear the MEN SHOUTING ON THE ROW, echoing through the vent. Bryan looks back to Herbert as --

INT. EXECUTION CHAMBER - NIGHT

Herbert listens to the sound of his friends CLANGING and SCREAMING through the walls. He remembers Walter's advice, closes his eyes, slows his BREATH, lets the VOICES wash over him. Everything slows as --

Jeremy grabs a yellow sign that says "READY," holds it up to a circular window that looks into the generator room.

We FOLLOW him as he leaves the room, shuts the door, walks DOWN the hall, and TAPS on the door with a large key.

INT. GENERATOR ROOM - NIGHT

The EXECUTIONER hears the TAPPING, walks to a big generator, and FLIPS the switch.

TOTAL SILENCE -- All sound drops out completely.

INT. HALLWAY - NIGHT

Jeremy stands in the hallway, stares THROUGH a window, eyes on Herbert until -- he averts his gaze, can't take it as --

108 INT. WITNESS ROOM - WINDOW - NIGHT 108

Bryan can barely watch, the ghostly IMAGE of Herbert's pulsing body reflected dimly in the glass as --

109 INT. WALTER'S CELL - NIGHT 109

Walter stops clanging his cup, staring in Herbert's direction, feeling the loss of his friend.

110 EXT./INT. HOLMAN PARKING LOT/BRYAN'S CIVIC - NIGHT 110

Eva sits on the hood of her car, numbing her stress with a cigarette. A few GUARDS and REPORTERS walk to their cars.

Eva finishes her smoke as, across the parking lot, Bryan slowly approaches. She can clearly see his shock and pain from what he just witnessed. A long beat, then --

EVA

You okay?

Bryan shakes his head, can't even speak. He opens the passenger door and gets in. Worry etched across her face, Eva gets into the driver's seat and sits beside him.

She doesn't start the car. Sitting in a long silence until --

Bryan tries to say something, but words don't come, caught in his throat, the emotion hits him suddenly like a storm, a dam breaking as all of his clients' pain pours out of him.

Eva burns with compassion for this man who has become her friend. She reaches over and wraps her arm around him, allowing him to let it out.

111 INT. EJI OFFICE - LATE NIGHT 111

Bryan sits alone at his desk, back to doing the one thing he knows -- disappearing into his work, poring over transcripts and files from Walter's case.

INSERT PAPERWORK -- Walter's mug shot (OR A PHOTO FROM HIS FAMILY PHOTOS), or paper that says Walter McMillian (something that makes it clear he's looking at Walter's case.)

*
*
*
*

(CONTINUED)

CONTINUED:

As he reads, something grabs his attention. He stands, grabs the THICK, RED BINDER, the intake log from Holman Prison. He DROPS it on the table and FLIPS through pages.

He stops at a page. Whatever he's looking at, it's big.

112

INT. ST. CLAIR CORRECTIONAL - VISITING ROOM - DAY

112

BOOM! The door SLAMS behind Ralph Myers.

Bryan sits at the table in the EMPTY ROOM, he doesn't stand or have the space for any bullshit. As Ralph approaches --

RALPH

Hope this important news of yours comes with somethin' to eat, 'cause I'm starvin'.

BRYAN

(calm but firm)
Sit down, Mr. Myers.

Ralph sees how serious he is, takes his seat.

RALPH

You was a lot nicer last time.

BRYAN

That was before I saw my friend executed.

Ralph is sobered. News of executions hit every prisoner hard.

RALPH

You knew that guy?

Bryan nods, lets this sit for a moment before continuing.

BRYAN

I heard the recording of the first statement you made on June 3. The one they didn't present in court.

(off Ralph's surprise)

You told the Sheriff you didn't know anything about Johnny D or the murder. You told him you didn't want to frame an innocent man. Do you remember saying that?

Ralph looks at him like a deer in headlights. Speechless.

(CONTINUED)

BRYAN

What I'm wondering, is how you went from knowing nothing about the murder on June third, to becoming the State's key witness three months later? What changed your mind?

After a beat, Bryan grabs the THICK, RED BINDER and places it on the table, begins to flip through it. Ralph watches, can't help his curiosity.

RALPH

What's that?

BRYAN

The intake log for Holman Prison.

Ralph watches him stop at a page.

BRYAN

On August 1, 1987, Sheriff Tate transferred two inmates from county jail to death row. Walter McMillian...

He spins the binder around to face Ralph.

BRYAN

... and you.

Ralph's face drops, his nerves firing. Bryan looks at him with compassion, aware of the pain he's been put through.

BRYAN

Did they move you to death row because you didn't want to testify against him?

Something shifts in Ralph, suddenly looks like a child. The fear in his eyes makes it obvious the answer is yes.

BRYAN

They executed Wayne Ritter just a few weeks after you got there. Isn't that right?

Ralph looks at him, his wall beginning to crack as he nods.

BRYAN

I was in the witness room when they killed Herbert Richardson Thursday night.

(MORE)

(CONTINUED)

BRYAN (CONT'D)

It was the worst thing I've ever experienced.

(beat; caring)

I'm sure Ritter's execution wasn't easy for you, either.

Ralph can see how much it affected him. Their shared experience breaks down his defense. He shifts in his seat, remembering, finally feels safe enough to speak.

RALPH

They put me in the cell closest to the kill room...

(long beat; fidgets)

Middle of the night, everybody started screamin' and bangin' on the bars. And then... then come the smell of his skin burnin'.

Ralph points to the burn scar on his face.

RALPH

I know that smell.

BRYAN

(careful)

Can I ask what happened?

RALPH

I was sleepin' in my foster mom's basement and her heater blewed up, caught my PJs on fire. I screamed for two minutes straight before they found me.

(beat; grows frustrated)

Everybody knowed that I got a fear of bein' burned. They knowed what it do to my head to be in a place like that.

(looks to Bryan)

I couldn't stop shaking all night, curled up on the floor cryin' like a baby, tryin' to breathe, but every breath just give you another taste of the man they killed.

(beat)

You can't go through somethin' like that and come out the same.

Bryan understands exactly what he means.

BRYAN

I know.

(beat)

I'm sorry they did that to you.

Ralph sees Bryan's empathy. A new trust growing between them.

RALPH

The next morning, I called the Sheriff and told him I'd say whatever he wanted if he got me out. He took my statement and moved me back to county the same day.

Bryan sees his window, gently pushes forward.

BRYAN

That's why you lied in your testimony.

Ralph looks at him, can see what he's doing. He doesn't bite, tries to rebuild his wall --

RALPH

I didn't say nothin' about lyin'... now you puttin' words in my mouth.

He tries to look strong, but clearly overwhelmed by guilt and fear. Bryan continues with caution.

BRYAN

Mr. Myers, we're going to court very soon to try to get Johnny D the retrial he deserves. And I'd really like you to take the stand.

*

Ralph searches Bryan's face, wondering if he can trust him. Bryan can see he's getting through. It's time to close --

BRYAN

They're using you to condemn a man who you have much more in common with than you think... and if any part of you wants to make things right, this is the last chance you'll get to do that.

Ralph looks at him, struggling with the weight of this decision. OFF this look --

A113 EXT. BALDWIN COUNTY COURTHOUSE - MORNING A113

SUPERIMPOSE: APRIL 16, 1992

ALICE BROOKS (REPORTER) speaks into the camera in front of the courthouse. PEOPLE (black and white) file in behind her.

ALICE BROOKS

The tension is high this morning here at the Baldwin County Courthouse, where a hearing is being held to see if the man convicted of killing Ronda Morrison deserves a new trial. Miss Morrison was only eighteen years old when she was murdered at Jackson Cleaners in Monroeville, Alabama. Many have taken the two-hour drive here from Monroeville to show their support.

(beat)

Extra security precautions were implemented due to the highly emotional nature of this case.

BLACK FOLK stream out of a church bus. Minnie, John, Jackie, and Evelyn walk from their car, dressed in Sunday best. Bryan, Eva, and Brenda exit his car and head in, focused.

B113 INT. BALDWIN COUNTY COURTHOUSE - LOBBY - MOMENTS LATER B113

A CROWD (all black) files through a metal detector, 2 GUARDS standing by. Another GUARD holds a German shepherd as it BARKS at a WOMAN who jumps back in fear.

Sheriff Tate enters the courtroom with Tommy and his ASSISTANT ATTORNEY.

C113 INT./EXT. HOLDING CELL - MOMENTS LATER C113

Walter exits the holding cell in leg irons and a waist chain, guided by Jeremy and ANOTHER GUARD.

113 INT. BALDWIN COUNTY COURTHOUSE - HALL - LATER 113

FOLLOW Walter, Jeremy, and the other guard down a hallway.

(CONTINUED)

ALICE BROOKS (V.O.)

*Ronda Morrison's parents said they
have no doubt Mr. McMillian is the
man responsible for the murder of
their daughter.*

(MORE)

113

CONTINUED: (2)

113

ALICE BROOKS (V.O.) (CONT'D)

*But members of McMillian's family
claim they have the wrong man.
Much of today's hearing is hinging
on the testimony of Ralph Myers, a
convicted felon, who was the key
witness against McMillian in the
original trial.*

*
*

Walter tries to keep himself together as they push
through the door, walk into --

114

INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY

114

Everyone turns to Walter as he tries to stand tall, keep
his dignity, but fear is evident in his eyes.

The place is PACKED WITH PEOPLE (WHITE and BLACK).

At the front, Tommy and his assistant attorney sit at the
prosecution table, Sheriff Tate in the seat behind them.

Bryan's at the defense table, nervously checking his notes.

Walter's eyes land on Minnie in the first row. Eva and
Brenda sit beside her, John and Jackie on her other side.
Behind them, all of Walter's FRIENDS AND FAMILY, giving
him strength with their nods and smiles.

Walter shares a look with Minnie laced with love and
pain. Then he nods to John, who sits up tall, trying to
be strong.

He reaches the defense table. As Jeremy unlocks Walter's
cuffs, Bryan exchanges a reassuring look with him, though
it's impossible for either man to hide his nerves.

115

INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - MOMENTS
LATER

115

Jeremy takes his place in the back as Judge Foster, stern
and commanding in his robe, looks up from his seat in
front.

JUDGE FOSTER

What we'll be talking about today
is obviously an emotional issue.
And if any of y'all don't think
you can maintain a reasonable
degree of decorum, then I would
ask you to leave now.

*
*

(beat)

All right, if we are ready, then,
we will proceed. Mr. Stevenson?

(CONTINUED)

BRYAN

Thank you, Your Honor.

Bryan stands. He glances back at Walter's family, meets Eva's eyes. She gives a reassuring nod. Then -- DEEP BREATH, remembering how many are counting on him. He turns forward.

BRYAN

The State's case against Walter McMillian turned entirely on the testimony of Ralph Myers. There was no other evidence to establish Mr. McMillian's guilt. No physical evidence linking him to the crime, no motive, no witnesses. Only the word of one man.

(long beat)

We call Ralph Myers to the stand.

The deputy opens the side door and Ralph walks into the courtroom. He looks exhausted and vacant, clearly rattled.

Walter can't take his eyes off him, remembering what Ralph did the last time they were here. Ralph avoids his gaze, distant and stone-faced, as he takes a seat on the stand.

Ralph looks up to see Sheriff Tate staring at him from his seat. Ralph looks away, fear instantly taking hold.

The BAILIFF holds out a Bible, but Ralph is distracted.

BAILIFF

Sir, please stand and place your right hand on the Bible.

Ralph hesitates, then stands and extends his hand.

BAILIFF

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

(long beat)

Mr. Myers?

RALPH

(snaps out of it)

Yes, sir. Sorry, guards got me up at two in the morning to get out here.

(CONTINUED)

Ralph rubs his face, sits. At the table, Walter with a deeply worried look. Bryan remains calm, approaches the stand, unsure of where Ralph's head is, proceeds with caution.

BRYAN

Mr. Myers, did you testify against Walter McMillian in August of 1988?

RALPH

(odd beat)
Is that when that was?

BRYAN

According to the record, yes.

RALPH

Okay, then. Sure, if you say so.

Ralph looks more nervous by the second, color draining from his face. Bryan fights his nerves, remains steady --

BRYAN

What did you tell the jury when you testified?

*
*

Ralph sees Walter staring. He avoids his gaze, too afraid to face the source of his shame as he MUMBLES --

RALPH

Don't think I can fully remember to be honest with you. Sorry, sir.

Bryan's heart sinks. They haven't even begun and they're already losing him. A BREATH before --

BRYAN

It's okay. I have a transcript of your testimony here...

Bryan walks to the table, grabs the transcript he's prepared --

BRYAN

At the trial, do you remember testifying that you were *unwillingly* made part of a capital murder and robbery on November 1, 1986, when Walter McMillian saw you at a car wash and asked you to drive his truck because his arm hurt?

(CONTINUED)

RALPH

(nervous; scratches
scar)

Yes, sir. I guess so.

BRYAN

Do you remember saying that you
drove Mr. McMillian to Jackson
Cleaners, subsequently went into
the building, and saw McMillian
with a gun, standing over the body
of Ronda Morrison?

RALPH

(beat; nods)

Yes, sir.

Bryan locks his eyes on him --

BRYAN

Mr. Myers, was the testimony you
gave at Mr. McMillian's trial
true?

In his seat, Walter leans forward, praying for truth as --

Ralph stares at Bryan, about to speak until -- he glances
past him again, back to Bryan. Then, finally, with great
pain --

RALPH

I don't know.

BRYAN

(remains calm)

You don't know?

RALPH

Don't... think I remember.

Walter sinks in his seat as A MURMUR fills the courtroom.

Behind him, Minnie stares in shock as John shakes his
head.

Tommy WHISPERS to his assistant as he scribbles notes.

Bryan notices Ralph glance past him again. He turns,
follows Ralph's gaze to Tate, staring harshly back at him
from his seat. Ralph is frozen in fear until --

Bryan deliberately steps between Ralph and Tate, blocking
their view of each other. Gently locks his eyes on
Ralph.

(CONTINUED)

BRYAN

Mr. Myers. Do you know who Walter McMillian is?

Ralph hesitates, gathers his strength.

RALPH

Yes, sir.

BRYAN

Is he in this room?

RALPH

Yes, sir.

BRYAN

Can you point him out?

Ralph fully looks at Walter for the first time, points. Neither man looks away, connected by their common status in the margins of society. Bryan sees this, continues carefully.

BRYAN

I'd like to ask again. Was the testimony you gave at Walter McMillian's trial true?

Ralph keeps his eyes locked with Walter for another beat until -- he looks down, gathers all the courage he has before looking back at Walter. Finally, he speaks --

RALPH

No, sir, not at all.

A wave of GASPS and WHISPERS rolls through the audience. Tommy sits in his seat, completely stunned --

Walter sits back, eyes still locked on Ralph as --

JUDGE FOSTER

Order, please!

As the courtroom quiets, with increasing momentum --

BRYAN

Did you see Mr. McMillian on the day that Ronda Morrison was murdered?

RALPH

No, sir.

BRYAN

Did you drive his truck to
Monroeville that day?

RALPH

No. Never did.

BRYAN

Did you go into Jackson Cleaners
and see Mr. McMillian standing
over Ronda Morrison's body?

RALPH

Absolutely not.

Bryan lets this sink in, looks at him with care. Then --

BRYAN

No further questions.

Tommy questions Ralph, mid-way through his cross-
examination.

TOMMY

Mr. Myers, didn't you work out a
deal with the State to get a
lighter sentence if you testified
to the truth?

Ralph thinks a beat, then --

RALPH

If I *testified*... but the truth
ain't got nothin' to do with it.
When it come to them, Ralph Myers
is tellin' the truth when it
agrees with what they wantin' for
you to say. But if it ain't what
they wanna hear, Ralph is a liar.

TOMMY

Well, how do we know you're not
lying now? How do we know, you
ain't just upset about the deal
you got, and you feel like somehow
by you changing your story, it
might help you get out?

*

Ralph's fear is gone completely now, ready for a fight.

RALPH

Because that don't make no sense, sir. Who do you think is decidin' what happens to me? If I live or die? Not me. Not Johnny D. It's all y'all that decidin' that. So how is me sayin' what I'm sayin' gonna help me get out? If anything, it gonna help me get to death row.

Tommy doesn't respond to this. Ralph looks to Sheriff Tate.

RALPH

But I don't care, y'all can do what you want to me. But I got to tell the truth now, even though it might not be what y'all wanna hear --

TOMMY

(interrupts)

Thank you, Mr. Myers, let's move on to the next question.

RALPH

But I ain't done.

TOMMY

(quickly)

You've said enough.

BRYAN

Objection, Your Honor. Mr. Myers has the right to finish his answer.

Judge Foster looks to Ralph with a nod.

JUDGE FOSTER

Go ahead, Mr. Myers.

Nothing Tommy can do. Ralph speaks with conviction.

RALPH

Thank you, Your Honor.

(beat; looks around)

I think it's pretty clear to y'all I ain't no saint. I can't read, and I ain't made it past the third grade, but I still know what's right and what's wrong. And a innocent man dyin' on account a me, or you, or anyone in this room, ain't right.

(MORE)

(CONTINUED)

116

CONTINUED: (2)

116

RALPH (CONT'D)

(to the Judge)

'Cause me, I can look in your face
or anybody else's face dead eye-to-
eyeball and tell you anything I
told about Mr. McMillian was a
lie.

(looks right at

Walter)

He's here because of me, and I
would really appreciate you
sendin' him home to his kids where
he belongs.

Walter locks eyes with Ralph again, everything having
changed between them. A moment of true, shared
sincerity. Bryan and Eva exchange a charged look as MUSIC
takes us to --

117

MONTAGE - INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY

117

THROUGH THE REST OF THE HEARING:

Clay Kast, the white mechanic Bryan spoke to at the shop.

CLAY KAST

We didn't convert Johnny D's truck
to a lowrider till May of '87, six
months after that girl was killed.

118

INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY

118

Bryan hands a paper to the court.

BRYAN

We submit a copy of the official
log from the police officer who
stopped by the fish fry,
confirming that Walter McMillian
was there with his family.

119

INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY

119

Woodrow Ikner, the officer Bryan found going door-to-
door.

WOODROW IKNER

Mr. Myers said that the body was
face-up near the front counter,
but I found her face-down in the
back by the bathroom.

(CONTINUED)

JUST MERCY - FULL YELLOW 105.
119 CONTINUED: 119

Judge Foster makes a note in a pad, he seems engaged.

120 INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY 120

Bryan hands a file to the court.

BRYAN

Submitting exculpatory records
from Ralph Myers' stay at Taylor
Hardin Psychiatric Hospital, which
the State did not disclose to
defense counsel.

Tommy takes notes at his table, not looking very pleased.

121 INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY 121

A PSYCHOLOGIST with glasses speaks to Bryan.

PSYCHOLOGIST

Mr. Myers was my patient at the
time, and he claimed on numerous
occasions that he was being
threatened with the electric chair
if he didn't say what authorities
wanted to hear.

122 INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY 122

Back to Ikner. The Judge listens intently, jotting down
notes, very engaged now.

WOODROW IKNER

The prosecutor asked me to testify
that the body had been drugged
from the front to the back, and I
told him I ain't gonna lie in
court. Few weeks later, I got
fired from the department.

123 INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - DAY 123

The end of Bryan's closing comments, steady and firm...

BRYAN

All the evidence presented today
would have been critical to the
outcome of this case and its
exclusion was a clear violation of
Brady versus Maryland and Mr.
McMillian's constitutional rights.

(MORE)

(CONTINUED)

123

CONTINUED:

123

BRYAN (CONT'D)

(beat; sincere)

The truth has not been told in this case. And I know a lot of time has gone by, but I don't believe it's ever too late for justice. We ask the court to grant our motion and order a new trial for Mr. McMillian. Thank you, Your Honor.

Bryan takes his seat beside Walter, filled with hope. Tommy can barely look at him, not happy with the way this went.

JUDGE FOSTER

Thank you, Counselors. We'll reconvene at a later date once I've had time to look through everything.

The BAILIFF walks to the front of the court, hearing over as --

BAILIFF

All rise!

124

INT./EXT. TRANSPORT VAN/COURT - PARKING LOT - LATER

124

Walter sits in the transport van, Bryan stands outside the open side door, processing what they just went through.

WALTER

I didn't think he was gonna go through with it.

BRYAN

(smiles)

Honestly, for a second there, I wasn't sure, either.

Walter shakes his head, genuine gratitude in his eyes.

WALTER

Man. I can't even tell you how I feel right now.

(looks to Bryan)

Thank you.

As Bryan nods, Walter notices his family gathering twenty yards away, Minnie, John, Jackie, Evelyn. He waves to them.

Jeremy, standing guard nearby, addresses Walter's family.

(CONTINUED)

JEREMY

We got a few minutes if y'all
wanna say hi.

Bryan and Walter look to Jeremy, shocked by the kind
gesture. Jeremy glances at Bryan, then looks down.
There is a humility here not present in their first
meeting. A sense of shame.

JEREMY

We'll leave in five minutes.

Bryan is speechless. Walter nods, grateful --

WALTER

Thank you.

Bryan gives Walter space with his family, approaches Eva
and Brenda, waiting for him.

EVA

You did great. Chapman oughta
just call you tonight and drop the
charges.

BRYAN

Let's not hold our breath on that
one...

As they walk to their car, Bryan grabs one more glimpse
of Walter LAUGHING with his family at the transport van.

Bryan sits on his bed, working as usual. A KNOCK at the
door.

He OPENS the door to see John (Walter's son) and his
FRIEND.

BRYAN

John? Everything okay?

JOHN

My dad wanted me to drop this off.

He reveals a used Rhodes keyboard with a bow around it.

JOHN

He said to have a little fun for
once.

126 INT. BRYAN'S RENTAL - NIGHT 126

Bryan sits at the keyboard, taking a rare break from his work to play a slow, JAZZY RIFF. His spirit lifts with every note.

PUSH IN ON a new addition to his bookshelf -- beside a photo of Herbert as a young soldier: an American flag, folded in a triangle, in a display case that reads, "In loving memory of, Herbert Richardson, United States Army, Vietnam Veteran."

127 EXT. BALDWIN COUNTY COURTHOUSE - DAY 127

SUPERIMPOSE: ONE MONTH LATER

Full parking lot, but most of the people are already inside.

JUDGE FOSTER (V.O.)

(pre-lap)

Upon the reading of my decision, I expect the rules of decorum within this courtroom to be upheld...

128 INT. BALDWIN COUNTY COURTROOM - CONTINUOUS ACTION 128

EVERYONE is seated. Walter beside Bryan, nervous.

Eva and Brenda are with Walter's family behind them. John is too nervous to look, lowers his head, arms on his knees. Minnie tenderly rubs his back with her hand.

Tommy sits with his assistant, Tate behind them. Judge Foster, sitting at the bench, continues reading his decision --

JUDGE FOSTER

Ralph Myers took the stand before this court, swore to tell the truth, and proceeded to recant most, if not all, of the relevant portions of his testimony at trial. Clearly, he has either perjured himself at trial or in front of this court.

(beat)

After careful review, it is this court's opinion that conclusive evidence has *not* been provided that Ralph Myers perjured himself at the original trial, and that pressure put on him since his trial testimony could tend to discredit his recantation.

(CONTINUED)

A MURMUR from among Walter's friends and family.

JUDGE FOSTER

Therefore it is ordered, adjudged,
and decreed that the trial
testimony of Ralph Myers is not
found to have been perjured
testimony, and no new trial shall
be granted at this time. Walter
McMillian shall be returned to
Holman Correctional Facility where
he is to face death by
electrocution.

A WAVE OF DESPAIR sweeps through Walter's family and
friends. Walter puts his head down, Bryan puts his hand
on his back, exchanges a devastated look with Eva.

Behind them, John suddenly STANDS with tears in his eyes --

JOHN

You can't do this to us again,
Judge.

JUDGE FOSTER

(beat; firm)
Sit down, young man.

John shakes his head, more broken than defiant. He looks
from the Judge to Walter, quivering with emotion.

JOHN

That's my dad, sir. He ain't done
nothin' wrong.

A hint of empathy flashes over Judge FOSTER before --

JUDGE FOSTER

Sit down right now, or you'll be
arrested in contempt of court.

Bryan stands, tries to manage the situation.

BRYAN

Your Honor, please give us a
minute.

WALTER

(firm)
Listen to the judge, son.

Minnie pulls on John's arm to sit, but he pulls away, the
situation quickly escalating.

(CONTINUED)

JUDGE FOSTER

I won't say it again. Sit down.

John stares at JUDGE FOSTER, body trembling, tears streaming, but unable to move. He shakes his head, totally broken.

JOHN

Not if you gonna kill my dad for no reason...

WALTER

That's enough, Johnny.

Bryan sees the Judge nod to TWO OFFICERS. John doesn't stop.

BRYAN

Judge, please. Let me deal with this.

A GUARD steps up to Bryan, blocks him from moving. Behind him, Jeremy and the other Holman guard move toward Walter.

JOHN

You killin' our family, sir.

Walter sees the Officers approaching John.

WALTER

Shut your mouth and sit down, boy!

John looks right at his dad, shakes his head, so broken it's the only thing he can do as --

OFFICER #1 grabs his arm, pulls him ROUGHLY into the aisle.

John YANKS his arm away, enough resistance to make OFFICER #2 grab him and THROW him to the floor.

MINNIE

HEY!

WALTER

Get your damn hands off my son!

Walter tries to stand, but is held back by Jeremy. Bryan wants to jump in and help, but is blocked by the Guard standing like a wall right in front of him.

Officer #1 has his knee on John's back, violently pulling his arms back to cuff him.

BRYAN

He's not resisting!

(CONTINUED)

128

CONTINUED: (3)

128

Once the cuffs are on, the officers pull John to his feet and drag him to the door. Minnie starts to chase after, but is held back by more OFFICERS. Tate shoots Bryan a cold look as --

Bryan turns to Walter, more devastated than ever as Jeremy, a clear look of guilt in his eyes, and the other Holman guard, pull him away from the chaos.

As Walter is led out, Bryan's heart sinks into the floor. He looks at Eva -- how the hell did this just happen?

129

EXT. BALDWIN COUNTY COURTHOUSE - PARKING LOT - AFTERNOON 129

As Bryan walks to his car, he looks across the lot to see Minnie and Evelyn, embracing Jackie as she sobs. The sight hits him to his core.

A130

INT. WALTER'S HOUSE - KITCHEN - AFTERNOON

A130 *

Minnie sits down at the kitchen table, stirring instant coffee into a mug of hot water. She sets the mug on the table, doesn't take a sip, haunted by the empty chairs that were once filled with those she loves. *

For a moment, she lets down her guard, lets the pain and frustration bubble to the surface of her skin. In this moment, she isn't the solid rock of her family, she is a hurting, angry, devastated human being. *

Then, after she lets it out, she composes herself, wipes her tears, and takes a sip of her coffee. *

130

INT. DEATH ROW WALKWAY/WALTER'S CELL - LATER

130

Jeremy and a SECOND HOLMAN GUARD walk Walter to his cell. As the door SLIDES open, his body goes stiff. The second guard UNLOCKS his cuffs. Walter hesitates.

They try to usher him in, but he stands strong. Shakes his head. They push against him as he grabs the door, refuses to go back in.

JEREMY

Come on, man, don't make this hard.

They push him harder, but Walter doesn't budge, grabs the sides of the door to keep from going in.

JEREMY

Don't do this, McMillian.

(CONTINUED)

The second guard shoves him hard from behind as --

WALTER

NO!

Walter lunges backwards against the guard, knocking him back.

Jeremy tries to grab Walter as the second guard, fuming, rushes and HITS him in the back. Walter goes flying, SLAMS into his desk, everything CRASHING to the floor as --

131 INT. DEATH ROW - STAIRS - DAY 131
TWO GUARDS run towards them --

A132 INT. ANTHONY'S CELL, THROUGH THE DOOR - DAY A132
THROUGH the door. Anthony shouts through his door slot --

ANTHONY
HEY! WHAT THE HELL'S GOIN' ON?

INMATES up and down the row begin to CALL OUT TO WALTER --

132 INT. WALTER'S CELL/DEATH ROW - DAY 132
As Walter FLAILS on the floor --

Jeremy rushes down, pinning Walter to the ground with the second guard as he lets out an ANGUISHED SCREAM.

END ON Walter, level with the floor, uncomfortably close.

133 INT. WALTER'S CELL/DEATH ROW - LATER 133
WIDE SHOT, OUTSIDE LOOKING IN -- Empty. Then we see --

Jeremy cleans up the aftermath of the struggle, picks up some books and pens and puts them back on Walter's desk.

He stops suddenly, eyes on the floor, staring at something we can't see. He bends down to pick it up as --

134 INT. SOLITARY CONFINEMENT - LATER 134

A small, empty cell. No bed, no window. Walter sits, back against the wall. He stares ahead. Lost. Then --

The slot in the door SLIDES open. Walter looks up to see Jeremy looking at him through the small window.

A beat before -- he slides something through the slot.

Jeremy gives him a nod and walks away. Walter hesitates, then stands, walks to the door, and reaches into the slot to find --

The family photos Minnie gave him long ago, faded with age.

135 INT. SOLITARY CONFINEMENT - MOMENTS LATER 135

Walter sits on the floor again, flipping through the photos one-by-one until --

He reaches the picture of himself with John. Suddenly, his anger fades, replaced by tears fighting to break free.

He turns the photo over to see in his wife's handwriting --

"This is you. Love, Minnie."

Walter stares at the words for a long beat, wondering if he will ever be able to believe them again.

136 INT. BRYAN'S RENTAL - NIGHT 136

Bryan lies in bed, wide awake, his brain spinning out. He looks at the clock -- 2:23 AM. No point trying to sleep.

He sits up, might as well get some work done --

137 INT. BRYAN'S RENTAL - MOMENTS LATER 137

Bryan sits at a small table, covered in papers and files. He tries to work, but he can't get his mind off the frustration of Walter's case. He rests his foot on the table, leans back, covers his face, draws a long, frustrated BREATH.

Then BOOM! He suddenly KICKS the table, a brief but shocking burst of anger, spraying a few stacks of files to the floor.

He sits there another beat, still, broken, silent. Then, he stands and starts to methodically clean the mess up.

138 EXT. ALABAMA RIVER - LATER 138

Bryan sits with Eva on a bench overlooking the wide, flowing river. In the distance, a large dinner boat, *The Harriet*, a "historical" recreation of the riverboats used during the time of slavery.

ADD SHOT OF BRIE WALKING UP AND SITTING BESIDE BRYAN. *

Bryan watches the boat move slowly toward them. Then --

(CONTINUED)

BRYAN

Nobody wants to remember that this is where thousands of enslaved people were shipped in and paraded up the street to be sold. Ten miles from here, black people were pulled from their homes and lynched and nobody talks about it.

(beat)

You can talk about the civil rights movement, but only the good parts. Can't talk about schools becoming as segregated now as they were in the '50s. Can't talk about one out of every three black men ending up in prison. Can't talk about the fact that nobody ever apologized, or even acknowledged that they did something wrong.

Bryan stops here, the facts of the past threatening to overwhelm. Eva can see his pain, his eyes tight before --

BRYAN

And now this *black boy* from Delaware is walking into their courtrooms, expecting them to admit they convicted an innocent black man.

(looks off; beat)

I promised that whole community I'd bring him home.

Bryan shakes his head, looks off, tears welling.

BRYAN

How was I so naive to think we could ever change anything?

Bryan closes his eyes. Eva looks at him with compassion.

*
*
*

*

EVA

I've heard a lot of lawyers say
it's never a good idea to get too
close to your clients. Distance
is healthy.

(beat)

But working with you showed me
that's bullshit. You choose to
get close to every one of them,
and you love them like family.
And when your family is hurting,
so are you...

(beat)

There's no way I could ever fully
understand what you're going
through. But I'm pretty sure you
mean a lot more to this community
than you think.

Bryan thinks about that for a moment, watching *The
Harriet* continue across the river.

A139

INT. CHURCH - DAY

A139

A vibrant GOSPEL CHOIR lifts their voices to God in a
church filled with BELIEVERS.

Bryan stands among them, watching his people SING to a
Higher Power. He closes his eyes and takes it in, trying
to tap into their hope and peace.

139

INT. JUVENILE FACILITY - LOBBY - DAY

139

Bryan stands in a circle, holding hands with Mrs.
Coleman, CHARLIE'S MOM, and CHARLIE'S GRANDPA, heads
bowed --

MRS. COLEMAN

*We thank You, Lord, for watching
over our boy and bringing him
home...*

As she CONTINUES, Bryan opens his eyes, watches her pour
love over her children. A door OPENS. They turn to
see --

Charlie, dressed in a button shirt, jeans, sneakers.
Still quiet and shy, but looking better than we last saw
him.

Charlie's mom rushes to him and pulls him into a hug,
followed by his grandpa and grandma. Bryan watches them,
moved by their love and tears.

(CONTINUED)

139

CONTINUED:

139

Charlie finally breaks away from his family and walks up to Bryan. Juvie has given him an edge he didn't have before. He goes for the pound-hug to keep it cool.

But once he's in Bryan's arms, he stays there long enough to let Bryan know how thankful he is.

As Bryan squeezes Charlie, the grateful look on Mrs. Coleman's face shows him that you can never know when your work will truly make a difference.

140

EXT. HOLMAN PRISON - DAY

140

HIGH SHOT, LOOKING DOWN as Bryan's Civic pulls into the parking lot.

141

INT. HOLMAN PRISON - CHECK-IN - DAY

141

Bryan waits as Jeremy checks him in, just like he did the first time he visited. But something seems different in Jeremy's demeanor. He glances at Bryan as he checks his ID.

JEREMY

After that dude said he made the whole thing up, I thought they'd let McMillian go.

Bryan looks at Jeremy, surprised, before --

BRYAN

Me, too.

JEREMY

You get his kid out?

BRYAN

Yeah.

JEREMY

That's good.

Bryan takes his ID, hesitates, clearly taken aback by this exchange. Then, he gives a polite nod, turns away as --

JEREMY

Hey.

(off Bryan's look)

Uh, can I ask you somethin'?

Bryan nods, watches him struggle to form the words.

(CONTINUED)

JEREMY

Um... I could get in trouble for this, but... I got an uncle, who took care a me growin' up, good guy. And, uh, he's in here. Block 4.

BRYAN

(beat; then)
He's an inmate?

JEREMY

(nods)
His lawyer's a piece a shit. I was wonderin' if you could maybe take a look at his case. I can pay you.

Bryan never saw this one coming. He can see Jeremy's sincerity, realizing he has his own struggles to face.

He walks up to him, pulls a business card from his pocket, and hands it over.

BRYAN

Call me tomorrow... You won't have to pay anything.

Jeremy nods, the moment clearly resonates, touched by Bryan's gracefulness. The only words that he can find are --

JEREMY

Thank you.

Bryan nods, turns into the prison with a little more hope than when he first walked in.

CLOSE AND INTIMATE: Bryan sits across from Walter in the spot they first met, still fighting his guilt.

Both men sit in silence. Bryan looks at him with regret.

BRYAN

I'm so sorry.

Walter lets that sink in a moment, shakes his head slightly.

WALTER

The day they arrested me, I thought I was gonna be okay.
(MORE)

(CONTINUED)

WALTER (CONT'D)

'Cause I had the truth. Soon as they talk to everybody that was with me, they gonna have to let me go.

(beat)

But then the police keep callin' you a killer. Some white dude says he saw you do it. News people sayin' you did it. Judge and jury sayin' you did it. And now you on the row two, three, four years, your friends and kids ain't callin' as much as they used to. After a while, you start to wonder what they think of you, you start to wonder what you think of you. The truth ain't so clear no more.

(beat; remembering)

But the last few days, I can't stop thinkin' 'bout Myers sittin' up there, tellin' everybody how it really went down.

(beat)

That's the first time I feel like myself since they locked me up. First time I remembered who I is.

(beat)

These fools gone do what they gone do, but if they take me to that chair tonight, I'm a go out smilin'. 'Cause I got my truth back. You gave me that. You gave it to my family. And nobody can take that from us again.

Bryan takes this in, releasing the guilt he's been carrying. Walter cocks his head, playful --

WALTER

You ain't quittin', right?

BRYAN

Of course not.

WALTER

Then you ain't got nothin' to be sorry for.

Bryan looks at him, deeply moved.

(CONTINUED)

142

CONTINUED: (2)

142

BRYAN (V.O.)

(pre-lap)

I know how disappointing the last hearing was, but that's not where this is going to end.

143

INT. WALTER'S HOUSE - LIVING ROOM - EVENING

143

Bryan sits with Minnie, John, Evelyn, Jackie, and a handful of other family and friends, including Uncle Leo, sitting in his wheelchair.

BRYAN

We're preparing a motion to submit our evidence to the State Supreme Court in Montgomery. They have the power to reverse the last decision and force the circuit court to give us a new trial.

*

MINNIE

You think they'll do that?

BRYAN

Nothing's guaranteed, but I don't see how an outside court could ignore the evidence we have.

JOHN

(unconvinced)

Even if he do get out, everybody but us still gonna think he guilty. If they can't kill 'im in there, they can still do it out here.

BRYAN

We've been worried about that, too, and we're working on it.

*

Uncle Leo speaks up, stern and to the point.

UNCLE LEO

You know what you doin', boy?

Bryan can't tell if he's being criticized or not.

UNCLE LEO

You beatin' the drum for justice, that's what you doin'.

(CONTINUED)

Before Bryan knows how to respond, Uncle Leo tilts his head to reveal a scar on his crown.

UNCLE LEO

See this? Got it in Greene County, tryin' to register to vote in '64.

He turns and points to a 4-inch scar above his right ear.

UNCLE LEO

Got this one in Mississippi fighting for civil rights.

He turns and shows another scar at the back of his neck.

UNCLE LEO

This one in Birmingham after the Children's Crusade.

(beat)

These ain't just scars... they my medals of honor.

(into Bryan's eyes)

You see 'em?

Something about this moment touches Bryan's core. He nods.

BRYAN

Yes, sir.

UNCLE LEO

Good.

(beat)

Now you just gotta get everybody else to see it, too.

As Uncle Leo smiles, Bryan scans the faces in the room, their belief in him spurring him forward.

A VIDEO SHOOT: Bryan sits as a SOUND MIXER adjusts his mic.

BRYAN

Test test. Check check.

The sound guy gives a thumbs-up. Eva stands off to the side, watching silently as --

CAMERAPERSON (O.S.)

We're rolling. Whenever you're ready, Mr. Bradley.

(CONTINUED)

In front of Bryan, his INTERVIEWER, ED BRADLEY, of "60 MINUTES" fame, unseen but heard.

ED BRADLEY (O.S.)

Okay, Bryan, you ready?

Bryan puts his game face on, nods as --

"60 MINUTES"

(SHOT TO LOOK LIKE 90s TV):

-- Ed Bradley addresses the camera, a blown-up picture of Walter McMillian behind him.

ED BRADLEY (V.O.)

(on TV)

His name is Walter McMillian, known to his friends as Johnny D, and he's been on death row in Alabama's Holman Prison for almost six years. Was he in fact the man who walked into a dry cleaning store in Monroeville, Alabama in November of 1986 and robbed and murdered the clerk? Or, did they get the wrong man? And is the real murderer still out there somewhere?

Walter's family on the couch, around them, many FAMILY MEMBERS AND FRIENDS from the first time Bryan visited. All eyes glued to Ed Bradley on TV.

ED BRADLEY (V.O.)

(on TV)

A jury was convinced they got the right man. But you may not be after you watch this story.

Anthony presses his face to his cell door, trying to listen to the broadcast --

ANTHONY

Turn it up, man! I can't hear!

Next door, Walter turns up the VOLUME on a small TV as he watches, glued to every word. Through the TV --

(CONTINUED)

ON TV: Johnny D sits across from Ed Bradley. *

ED BRADLEY (V.O.) *

(on TV) *

You didn't kill Ronda Morrison? *

WALTER (V.O.) *

(on TV) *

No, sir, I didn't see Ronda Morrison a day in my life. God knows I ain't. *

ED BRADLEY (V.O.) *

(on TV) *

Where were you on the day of the murder? *

WALTER (V.O.) *

(on TV) *

At my house. *

ED BRADLEY (V.O.) *

(on TV) *

Did you ever go into Monroeville on the day of the murder? *

WALTER (V.O.) *

(on TV) *

No, sir. Never went to Monroeville period. *

ON TV: Walter walks down the death row walkway, toward his cell.

ED BRADLEY (V.O.)

(on TV)

McMillian is certainly not a typical death row inmate, he had a good job in the logging business, has no prior felony convictions, and lived with his family near Monroeville his entire life...

Jeremy and some OTHER GUARDS watch the show on a small TV as --

ON TV: Bryan speaks to Ed Bradley in the interview we started with --

BRYAN (V.O.)

(on TV)

I have never had a case where the State's only evidence of guilt comes from one person. Where there's no motive, there's no physical evidence, there's no corroborating circumstances, there's nothing but the word of one person.

148 INT. BAR (MONROEVILLE) - CONTINUOUS ACTION

148

Sheriff Tate drinks with some off-duty COPS, all watching --

ON TV: Ed Bradley sits with Ralph Myers, in his prison uniform.

RALPH (V.O.)

(on TV)

I told them I had seen a young girl laying on the floor with her mouth open. Johnny D standing over her.

ED BRADLEY (V.O.)

(on TV)

Did he have a gun?

RALPH (V.O.)

(on TV)

Yeah, I had told the court that, yeah.

ED BRADLEY (V.O.)

(on TV)

Was it true?

TIGHT ON Tate, fuming as --

RALPH (V.O.)

(on TV)

No, sir, not at all. Nowhere near true.

ED BRADLEY (V.O.)

Why should anyone believe you now? When you're taking back what you said at the trial, under oath.

RALPH (V.O.)

(on TV)

Well, it's like this. I don't know the words for that, but I can tell you this much... Right is right, and wrong is wrong. And for a man to straighten his own life out, he must tell the truth. He must try to do what is right, and that's what I'm tryin' to do.

149

INT. TOMMY CHAPMAN'S HOUSE - LIVING ROOM - CONTINUOUS
ACTION

149

Tommy sits with his WIFE and TWO YOUNG SONS (8, 10),
eating and watching the TV --

ON TV: Tommy responds to a question from Ed Bradley.

ED BRADLEY (V.O.)

(on TV)

*How would you characterize Ralph
Myers?*

TOMMY (V.O.)

(on TV)

*Ralph's about as low as you can
get. He's a scum.*

ED BRADLEY (V.O.)

(on TV)

A liar?

TOMMY (V.O.)

(on TV)

*Yes, sir, I'd characterize him a
liar, particularly now.*

Cut to Bryan, mid-interview:

BRYAN (V.O.)

(on TV)

*I'm sure Ralph Myers would agree
that any threat he was under in
prison, is nothing like the threat
he's under now, having recanted
his testimony and opened himself
back up to perjury charges, to
capital murder charges. What
Myers has done is take a pretty
radical risk.*

TOMMY (V.O.)

(on TV)

*What's wrong with our criminal
justice system is the fact that,
um, people want to come back
sometime and second-guess juries.
Uh, I don't think there been any
law enforcement misconduct in this
case, I don't think anyone's
proved it.*

(CONTINUED)

BRYAN (V.O.)

(on TV)

The prosecutor's job is not to obtain a conviction, it's to achieve justice. And one of the greatest tragedies about this case, is that somebody in Monroe County has literally gotten away with murder.

ED BRADLEY (V.O.)

(on TV)

If an execution date is set for McMillian, and that day comes and it's time for him to go to the electric chair, would you be comfortable?

TOMMY (V.O.)

(on TV)

Yes... I'd be comfortable with it.

ED BRADLEY (V.O.)

(on TV)

You think it's, fair, just, he had his...

TOMMY (V.O.)

(on TV)

He had his day in court. He, uh, was tried by a jury and they heard the testimony and they believed it.

HOLD ON Tommy as he chews on his dinner, pondering his role in this story as --

OVER "60 MINUTES" AUDIO:

150

INT. EJI OFFICE - DAY

150

Bryan types a motion as Eva brings a law book to his desk for reference.

151

EXT. STATE JUDICIAL BUILDING - DAY

151

Bryan walks up the steps of the grand entrance, ready for court.

(CONTINUED)

151

CONTINUED:

151

BRYAN (V.O.)

(on TV)

Next we'll be presenting our evidence to the Alabama Supreme Court, hoping they'll see what we think is very clear, that Walter McMillian is innocent.

BACK TO TV

A final shot of Walter escorted to his cell.

ED BRADLEY (V.O.)

(on TV)

McMillian's fate is now in the hands of the Alabama Supreme Court, which is expected to decide soon if he's entitled to a new trial.

A152 EXT. EJI OFFICE - DAY (ESTABLISHING)

A152

SUPERIMPOSE: 3 MONTHS LATER

152 INT. EJI OFFICE - DAY

152

TRACK Eva THROUGH the busy main room of the office. She drops a file on the desk of a new, MALE LAWYER #1 (20s, black).

EVA

Lunch vote. Chris' or Martha's?... Hands up for Chris'?

MALE LAWYER #2 (20s, white) stops TYPING to raise his hand along with male lawyer #1.

EVA

Martha's?

Brenda raises her hand, along with FEMALE LAWYER (20s, black), standing at the copy machine spewing out pages.

EVA

Bryan! Tie-breaker!

BRYAN (O.S.)

Martha's!

Brenda raises her fist in the air -- victory.

(CONTINUED)

152

CONTINUED:

152

Eva drops a final file on Brenda's desk as her PHONE RINGS. She picks it up --

BRENDA

EJI, this is Brenda.

OFF her look --

A153

INT. EJI OFFICE - BRYAN'S OFFICE - MOMENTS LATER

A153

Brenda KNOCKS on the opening to Bryan's office. As Bryan looks up from his cluttered desk --

EVA

The clerk from the Supreme Court said their ruling in the McMillian case is ready to be picked up.

Bryan looks stunned for a moment, then he quickly gets up and rushes out the door. Everyone in the office watches him go.

B153

EXT. STREET (MONTGOMERY) - MOMENTS LATER

B153

Bryan walks quickly through downtown Montgomery, trying to keep his expectations realistic as he picks up the pace, breaks into a light run.

C153

EXT. ALABAMA SUPREME COURT BUILDING - MOMENTS LATER

C153

Bryan runs up the tall stairs toward --

153

INT. ALABAMA SUPREME COURT - FILE ROOM - MOMENTS LATER

153

A CLERK slides the 35-page document under a glass partition.

Bryan takes it, flips to the first page, starts to read, his gaze giving nothing away as --

154

MONROE COUNTY NEWSCAST

154

STELLA TAYLOR (REPORTER) stands in the Alabama courthouse lobby, PEOPLE moving behind her as she speaks into the camera --

*

(CONTINUED)

STELLA TAYLOR (V.O.)

A wave of shock rolled through Monroe County today when the Alabama Supreme Court overturned the circuit court's previous decision and granted a new trial to convicted killer Walter 'Johnny D' McMillian.

*

*

Cut to -- Bryan in the lobby, mid-interview.

BRYAN (V.O.)

(on TV)

This was the first time a court outside the county was shown the overwhelming evidence that proves Mr. McMillian's innocence. Though the court granted him a new trial, we believe he deserves to be released immediately, and that's what we'll be arguing at the next hearing.

The camera ZOOMS in on Tommy as he exits the courtroom.

STELLA TAYLOR (V.O.)

(on TV)

Mr. Chapman, how do you feel about today's decision?

*

TOMMY (V.O.)

(on TV)

No comment at this time.

As Tommy heads out the door --

Tommy sits at the table, looking over paperwork from McMillian's case, stressed. His WIFE enters, hands him a glass of water. She rubs his back, sees his anxiety.

TOMMY

If I don't keep fightin' this, I'm not gonna have a job when it's over.

*

TOMMY'S WIFE

Do you think he did it?

155

CONTINUED:

155

TOMMY

(beat; then)

It doesn't matter what I think.

TOMMY'S WIFE

Of course, it does.

As Tommy ponders her words --

A156

EXT. EJI OFFICE - DAY

A156

A BLACK CAR stops in front of the office. A STATE OFFICER in a suit steps out, envelope in his hand.

He walks to the door and into --

B156

INT. EJI OFFICE - NEXT

B156

The STATE OFFICER enters the office, sees Eva with a stack of files.

STATE OFFICER

I'm looking for attorney Bryan Stevenson.

Eva motions toward the desk as Bryan looks up, stands as the Officer walks to him.

STATE OFFICER

Mr. Stevenson?

BRYAN

Yes?

He hands him an official envelope.

STATE OFFICER

I've been ordered to serve this pleading to you.

The Officer leaves. All eyes in the office are on Bryan as he opens the envelope, takes out the file, and reads. His face falls, processes for a beat before --

BRYAN

Tommy Chapman is asking the court to stay the proceedings so the order for a new trial isn't implemented. He's claiming he now wants to reinvestigate the crime.

(MORE)

(CONTINUED)

B156

CONTINUED:

B156

BRYAN (CONT'D)

(beat; looks up)

He's trying to block us to buy
time to rebuild his case.

EVA

That son of a bitch.

Bryan can't believe this is happening. He grips the file
in his hand, walks toward the door, infuriated.

EVA

You want some backup?

BRYAN

I'm good.

C156

EXT. MONROE COUNTY - AFTERNOON

C156

Bryan's car drives by.

D156

INT./EXT. BRYAN'S CIVIC/CHAPMAN'S HOUSE - EVENING

D156

Bryan drives up to Tommy's house, gets out, and strides
up to the front door --

KNOCK KNOCK KNOCK. A beat of Bryan keeping his anger in
check. The door OPENS, Tommy sees Bryan glaring back at
him.

TOMMY

Bryan.

BRYAN

(not holding back)

You're asking the court to keep a
man on death row that you *know* is
innocent?

Tommy steps outside, closes the door, squares up against
him.

TOMMY

Not sure what you mean.

BRYAN

The Supreme Court supports all the
evidence we presented, and every
one of your witnesses have
recanted. You've got nothing
left.

(CONTINUED)

TOMMY

My investigation is still in process.

BRYAN

We both know you're not going to find anything.

Tommy stares at him a beat. Then --

TOMMY

Do you have any idea the bullshit I've put up with since your '60 Minutes' story aired? I got the governor on my ass, the NAACP callin' me a racist, Ronda's family checkin' in every day.

BRYAN

You can't keep an innocent man in prison while you try to salvage your reputation.

TOMMY

This ain't got nothin' to do with my reputation. It's about the people in this county who hired me to keep them safe.

BRYAN

What people are you talking about? The ones in *this* neighborhood? Or the ones from the black community you took McMillian from? You think *they* feel safe?

(off Tommy's look)

Your job isn't to defend a conviction, it's to achieve justice. And as long as you keep fighting us, someone in your county is literally getting away with murder.

TOMMY

You drive all the way down here at dinnertime just to tell me how to do my job?

BRYAN

No. I'm here because I think you know the difference between right and wrong, and you know Johnny D didn't kill her.

(MORE)

(CONTINUED)

D156

CONTINUED: (2)

D156

BRYAN (CONT'D)

(off his look)

I'm filing a motion to dismiss all charges, and I think you should join it.

For a brief second, it seems as if Bryan's words might break through. But then, Tommy speaks --

TOMMY

Next time you wanna stop by my house, I'd appreciate you callin' first.

(beat)

Get the hell off my property.

Tommy heads inside as Bryan turns back to his car, unfazed.

156

INT. HOLMAN PRISON - CHECK-IN - DAY

156

A BLACK GUARD (50s) checks Bryan's ID, signing him in.

BLACK GUARD

Saw you on TV a few times, talkin' 'bout McMillian.

Bryan smiles, unsure what he'll say next. Then, the guard holds out his fist. Bryan gives him a bump. A moment of connection before he heads inside.

157

INT. HOLMAN PRISON - VISITING ROOM - DAY

157

Bryan sits across from Walter.

BRYAN

We'll be presenting our motion to a new judge this time. It'll be a small hearing to present our motion to drop the charges against you.

*
*

WALTER

And what happens when they say no?

BRYAN

(tries to be positive)

Then we start over with a new trial. Clean slate.

Walter leans back, shakes his head.

(CONTINUED)

WALTER

Been in here six years. And they gonna make us start this all over?

BRYAN

I know it's frustrating, but think about how far we've come.

Bryan can see he's not connecting. He reaches into a bag and pulls out a suit, spreads it on the table.

BRYAN

I don't want you wearing a jumpsuit this time.

(off his look)

Regardless of what happens, I want them to know that we expect them to send you home.

Walter touches the fabric of the coat, tries hard to believe there might be hope, but can't get there. He shakes his head.

WALTER

You ever think about dying?

BRYAN

Why would you ask that?

Walter looks off, deep in thought. Then --

WALTER

That's all everybody in here talk about. What they gonna do before they executed, what they gonna eat for their last meal, who they givin' their stuff to. I always try to stay away from talk like that, try to stay positive. But the longer this goes, the harder it is to stop my mind from goin' there.

BRYAN

You can't think like that.

(beat)

We're too close to give up now.

WALTER

I know.

(long beat)

I'm just tired.

*

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157 CONTINUED: (2) 157

Bryan sees the exhaustion in his eyes. He doesn't know how much more his friend can endure.

158 EXT. BALDWIN COUNTY COURTHOUSE - DAY 158

Bryan's Civic pulls into the packed parking lot. A handful of PEOPLE (black and white) walk to the doors from their cars.

159 INT. BALDWIN COUNTY COURTHOUSE - DAY 159

Bryan, Eva, and Brenda walk down the hall, exchanging concerned looks as they see a large group of PEOPLE in front of the courtroom doors. All of them are black. Walter's FRIENDS and FAMILY.

Bryan exchanges a concerned look with Eva as he finds Evelyn, Minnie, John, and the rest of Walter's family.

BRYAN
What's going on?

MINNIE
They won't let us in.

Evelyn points to a YOUNG GUARD (22, white) standing at the door, letting a short line of WHITE PEOPLE through.

EVELYN
That boy's makin' us wait out here
for over an hour. *

Bryan quickly approaches the Guard, boiling. *

BRYAN
What are you doing?

YOUNG GUARD
Just followin' orders.

Bryan knows exactly who gave that order. He continues firmly.

BRYAN
This is a public hearing and these
people need to be let in *right*
now.

The Guard doesn't know quite what to do. Doesn't really matter, anyway, the last WHITE AUDIENCE MEMBER walks in.

YOUNG GUARD
Umm... Y'all can go in now.

(CONTINUED)

EVA

(pissed)

You mean now that there's no seats
left?

*

As the Guard stares at Eva, Minnie diffuses the tension,
doesn't want to ruin her chance to get inside.

MINNIE

It's okay, we'll find room.

The Guard stands firm as Minnie leads the group inside.

INT. BALDWIN COUNTY COURTHOUSE - COURTROOM - CONTINUOUS
ACTION

Bryan sits at the defense table with Walter, in his suit.
Eva and Brenda are with Walter's family, standing behind
a sea of white people. 40 MEMBERS of Walter's community
also stand at the back, peering over the heads of the
white audience as --

Sheriff Tate sits behind Tommy and his assistant at their
table. Tommy looks through his papers, deep in thought.

BAILIFF #2

The Twenty-Eighth Judicial Circuit
Court of Alabama is now in
session, the honorable Judge
Pamela Baschab presiding!

The courtroom stands as JUDGE BASCHAB (40s, white)
enters. BAILIFF #2 finds his place as the Judge settles
in.

JUDGE BASCHAB

Please be seated.

(as they sit)

We got a full house so let's try
to move through this in a timely
manner. We're here because Mr.
Stevenson has filed a motion to
dismiss all charges against Mr.
McMillian in this case.

(beat)

Mr. Stevenson, since it's your
motion, I'd like you to speak to
it first, and then we'll hear from
the State.

Bryan stands. He looks at Walter, trying to control his
nerves, then to Walter's family, and the men and women
standing in back. He looks forward, strong.

(CONTINUED)

BRYAN

It's easy to see this case as one man trying to prove his innocence. But when you put a black man on death row for a year before his trial, and exclude black people from serving on his jury... When you base your conviction on the coerced testimony of a white felon and ignore the testimonies of two dozen law-abiding black witnesses... When any evidence proving his innocence is suppressed, and anyone who tries to tell the truth is threatened, this case becomes more than the trial of a single defendant, it becomes a test of whether we're going to be governed by fear and anger or by the rule of law.

(beat)

If the people standing in the back of this courtroom are all presumed guilty when accused, if they have to live in fear of when this very thing will happen to them, if we're just going to accept a system that treats you better if you're rich and guilty than if you're poor and innocent, then we can't claim to be just.

Bryan takes a beat to look at Tommy. They briefly lock eyes.

BRYAN

If we say we are committed to equal justice under law, to protecting the rights of every citizen regardless of wealth, race, or status, then we have to end this nightmare for Walter McMillian and his family. The charges against him have been proved to be a false construction of desperate people, fueled by bigotry and bias, who ignored the truth in exchange for easy solutions. That's not the law... That's not justice... That's not right.

(long beat)

This case should be dismissed immediately, Your Honor. Thank you.

(CONTINUED)

Bryan takes his seat. Silence as --

JUDGE BASCHAB

Mr. Chapman, what is the State's position on this motion?

Tommy sits there, deep in thought, playing with his pencil. He stays silent long enough to make it awkward.

JUDGE BASCHAB

Mr. Chapman?

TOMMY

Yes, Your Honor. Sorry, I'm just...

Tommy reluctantly stands, unsure of what to say.

TOMMY

I'm troubled, Your Honor.

The Judge glances at Bryan, confused by Tommy's statement.

JUDGE BASCHAB

You're troubled?

TOMMY

Yes, Your Honor, sorry I...
(hesitates)

People in this community want to go to sleep at night knowin' that if someone commits a terrible crime, *that someone* is gonna be punished for it...

(beat)

But... I've taken another look at the evidence, and...

Tommy turns to Walter's people standing in the back. He glances at Bryan, then to the Judge. Another long beat...

JUDGE BASCHAB

Mr. Chapman, please.

Tommy thinks for another beat. Then finally --

TOMMY

The State does not object to the motion, Your Honor.

A stunned beat. MURMURS in the courtroom.

(CONTINUED)

JUDGE BASCHAB

(to Tommy)

To be clear, Mr. Chapman. Are you joining the motion to dismiss all charges today?

TOMMY

(beat)

Yes, Your Honor.

The MURMURS grow louder from the courtroom as --

JUDGE BASCHAB

Order, please.

Silence falls. Judge Baschab is quiet a beat, considers everything. Then, she looks at Tommy and Bryan.

JUDGE BASCHAB

Well, y'all made my job easy today.

Walter and his family hold their breath, nervous and unsure as to what this means as --

JUDGE BASCHAB

In the case of The People vs. McMillian, the court hereby grants the defendant's motion.

(beat; looks to
Walter)

All charges against you are dismissed, Mr. McMillian. You're free to go.

Walter sits in stunned silence, trying to process as --

His family erupts in JOYFUL SOBS. Minnie hugs John and Jackie. Eva hugs Brenda. Tate shoots Tommy a disappointed look as he walks out the door.

Amidst the rejoicing, MOVE IN CLOSE ON Walter as he suddenly hides his face in his hands, unable to control the emotions inside of him. Bryan leans in, tries to comfort him.

Bryan realizes Walter needs his family. He glances at Eva, who nods back -- she understands. She waves to Minnie, John and Jackie to follow her down the aisle. They stop at the partition.

Minnie looks to the Judge, who nods for her to continue. She rushes to Walter, her children close behind, all of them crouch down and embrace him where he sits.

(CONTINUED)

160

CONTINUED: (4)

160

Bryan steps back, lets them have their moment. He sees Tommy watching the reuniting of this family. They briefly lock eyes. Tommy offers a humble nod, which Bryan returns.

Then, he exchanges a knowing look with Eva, neither of them fully able to believe this is really happening as --

CLANGING fills the air, overtakes all sound. Followed by the SHOUTS OF MEN, YELLING, BANGING AGAINST BARS as --

161

INT. HOLMAN PRISON - DEATH ROW - AFTERNOON

161

Walter steps out of his cell in a black suit, duffle bag on his shoulder as a HUNDRED MEN YELL, WHISTLE, and BANG their metal cups on the bars, letting him know he's not alone.

Jeremy and a guard walk behind Walter, letting him lead for once as he walks to --

INTERCUT WITH:

INT. ANTHONY'S CELL

Anthony stands at his door, sad to see Walter go, but proud for his friend. He sticks his hand through the slot, fighting back tears as he shakes Walter's hand.

ANTHONY

We all with you, brother.

The words give Walter strength. He hesitates, then lets go of Anthony's hand. Anthony looks at him through tears as --

162

INT./EXT. BRYAN'S CIVIC/WALTER'S HOUSE - LATER

162

Bryan drives, Walter beside him. On his way home from prison, both still not fully able to believe it.

Bryan makes his way down the long dirt road toward Walter's house as Walter soaks it in like he's seeing everything for the first time.

WALTER

(points to a house)
Benny got a new truck.

Bryan glances at him, moved by his childlike wonder.

(CONTINUED)

They pull up to Walter's house, the front yard packed with PEOPLE, grilling meat and celebrating Walter's return. A few of them wave to Walter as they pull up.

Bryan parks, turns off the engine. A quiet moment between friends as Walter hesitates, then --

WALTER

Spent so much time thinkin' 'bout
dying in there, never thought
about what I'd do if I got out.

Walter watches all his friends cooking and laughing. Minnie waves for him to hurry up. He waves back.

WALTER

Those six years wasn't all they
took from me... They took a lot
more than that.

(beat)

Not sure how I'm gonna do this.

BRYAN

(beat; caring)

We'll figure it out.

Walter looks at Bryan, full of gratitude as a smile forms.

WALTER

Let's go eat everything on that
grill before the kids get to it.

BRYAN

(smiles)

Great idea.

They step out of the car and walk to the party as --

WALTER (V.O.)

(pre-lap)

I heard some people say that me
gettin' out shows that this system
is workin'.

Walter sits at a table with Bryan, addressing the 20 SENATORS seated in a semi-circle in front of him. Behind them, a room full of REPORTERS and COMMUNITY LEADERS. Walter continues --

WALTER

But if pullin' a innocent man from his family and lockin' him in a cell for 6 years is what you call workin', we got a different understandin' of the word. I still can't sleep past 3 A.M., 'cause that's when the guards woke us up for breakfast. Everywhere I go, I make sure somebody knows where I am and what I'm doing. When I go to the store, I make the cashier sign my receipt, so if somebody tells me six months later I was doing a murder on the other side of town, I can show 'em proof of where I was.

(emotional beat)

I saw seven men killed while I was in there. Some of them was my closest friends. I know they ain't all innocent. But they still people. And...

Walter's emotions overtake him, thinking about Herbert and Anthony and all those he left behind, the pieces of himself he will never get back.

Bryan pats his shoulder, can see he can't go on, so he takes over for him. Leans into the mic, addressing the Senators.

BRYAN

This man has taught me a lot in the time I've known him... I came out of law school with grand ideas in my mind about how to change the world. But then I started working with people who were wrongly convicted; children who were sent to adult prisons where they were raped and abused; people with mental and physical disabilities who were thrown into cells when they should be in hospitals; vulnerable people calling me every day, begging for help. Sometimes the problem seemed so big, I felt like a fool for thinking I could do anything to fix it.

(beat)

But working with Mr. McMillian made me realize that we can't change the world with only ideas in our minds, we also need conviction in our hearts.

(MORE)

(CONTINUED)

BRYAN (CONT'D)

This man taught me how to stay hopeful, because I now know that hopelessness is the enemy of justice. Hope allows us to push forward, even when the truth is distorted by the people in power. It allows us to stand up when they tell us to sit down, and to speak when they say be quiet.

(beat)

Through this work, I've learned that each of us is more than the worst thing we've ever done; that the opposite of poverty isn't wealth, the opposite of poverty is justice; that the character of our nation isn't reflected in how we treat the rich and privileged, but how we treat the poor, the disfavored and condemned.

(beat)

Our system has taken more from this innocent man than it has the power to give back. But I believe if each of us can follow his lead, we can begin to change this world for the better. If we can look at ourselves closely, and *honestly*, I believe we will see that we all need justice, we all need mercy and perhaps, we all need some measure of unmerited grace.

Bryan sits back in his chair, lets that sink in. Walter looks at him with playful disbelief. The mic picks him up as --

WALTER

I taught you all that?
(off Bryan's nod)
That's pretty good.

Bryan LAUGHS along with a handful of the Senators as --

SERIES OF PHOTOS

Over photos of real-life Bryan, Walter, and Eva:

SUPERIMPOSE:

-- BRYAN STEVENSON HAS BEEN FIGHTING FOR DEATH ROW INMATES FOR 29 YEARS.

(CONTINUED)

JUST MERCY - FULL YELLOW

143.

163

CONTINUED: (3)

163

-- TOGETHER, BRYAN, EVA, AND THE EJI STAFF, HAVE WON REVERSALS, RELIEF, OR RELEASE FOR OVER 115 WRONGLY CONDEMNED PRISONERS ON DEATH ROW.

-- FOR EVERY 9 PEOPLE WHO HAVE BEEN EXECUTED IN THE U.S., ONE INNOCENT PERSON HAS BEEN EXONERATED AND RELEASED FROM DEATH ROW.

164

INT. DEATH ROW - ANTHONY'S CELL - DAY

164

FREEZE ON Anthony looking out of his cell.

SUPERIMPOSE:

-- IN 1985 ANTHONY RAY HINTON WAS SENTENCED TO DEATH FOR A DOUBLE HOMICIDE. HIS CONVICTION WAS BASED ALMOST ENTIRELY ON A FAULTY BALLISTICS REPORT.

-- THE PROSECUTOR AT TRIAL SAID THAT HE COULD TELL ANTHONY WAS GUILTY, AND "EVIL," SOLELY FROM HIS APPEARANCE.

FADE OUT.

OVER BLACK

SUPERIMPOSE: IN 2016, AFTER SPENDING 30 YEARS ON HOLMAN PRISON'S DEATH ROW FOR A CRIME HE DID NOT COMMIT, ANTHONY RAY HINTON WAS SET FREE.

FADE IN:

ACTUAL NEWS FOOTAGE

OF THE REAL BRYAN STEVENSON walking out of prison with THE REAL ANTHONY RAY HINTON (50s), cameras flashing as he embraces his sister with tears in his eyes. He's quickly smothered by the hugs and tears of loved ones as --

Bryan watches from the side, grateful for the moment, but reminded that all of us can do better for one another.

The work continues.

FADE TO BLACK.

THE END

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