

TWELVE ANGRY MEN

RE (PAGES 640-648)

INT. JUSTICE OF THE PEACE - NIGHT

STAGE MANAGER/SPALDING GRAY

It's about 4:30 am when Marcus pulls up in front of cinderblock building on the outskirts of Ephrata, across from the police station. In the reception area is a very drunk man who may be a midget.

SMALL PERSON

You can't fucking party anymore. You pull out a gun and nobody gives a shit. But if you get too happy and pull out your weiner to take a leak, they drag you in. It's fucking Christmas. You can't even celebrate Jesus no more. What did you do?

MARCUS

Nothing.

SMALL PERSON

Then how come you look guilty?

STAGE MANAGER/SPALDING GRAY

The policeman walks in at this point.

MARCUS

I do not look guilty. I got a ticket for being gay.

SMALL PERSON

I got one for being Christian. It's Christmas and they'll lock you up for taking a leak.

STAGE MANAGER/SPALDING GRAY

The cop motions Marcus into the courtroom. The room has brown, fake paneling. A tired, Christmas garland is, scotch-taped to the paneling. On the walls are pictures of George Washington, George Bush and big 3-D one of the Last Supper.

MARCUS - MONOLOGUE

None of the decoration is reassuring for a gay, actor from New York, who quickly understands that anything could happen in this room, in the name of God and America, and no one will know. The Justice of the Peace enters. He is as white as you could possibly be without being transparent.

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MARCUS - MONOLOGUE (CONT'D)

This is not Spencer Tracy in *Judgement at Nuremberg* who was gracious enough to preside over the courtroom of my mind when I thought that Ugo had stolen my car. This judge is real in the worst ways. He sits behind a desk that is not elevated.

How can you throw yourself at the mercy of the court or look down pleadingly from the witness stand when the stage has no rake? How can you come forward to the bench when there is no bench, just a swivel chair behind a dirty, metal desk?

JUDGE

What are you here for?

MARCUS

This is a matter of entrapment, harassment, I mean. I am not technically clear on the legal difference.

JUDGE

I didn't ask your legal opinion. What is the charge?

POLICEMAN

Obstructing the roadway at the boat launch on County Road 12.

STAGE MANAGER/SPALDING GRAY

The Bible comes out. A big grubby thing that looks like everybody's had their hands on it, without ever opening it.

JUDGE

Place your hand on the Bible. No, your right hand.

MARCUS

Sorry. I am left handed.

JUDGE

I figured as much. Do you swear to tell the truth, so help you God?

MARCUS

Of course I do.

JUDGE

This is not a wedding. Yes or no. Is that too complicated?

MARCUS

No.

JUDGE

No, you *don't* swear to tell the truth?

MARCUS

No, it is not too complicated. I *do* swear to tell the truth.

JUDGE

You do swear to tell the truth *so help you God*?

MARCUS

Yes. That too.

JUDGE

Now put it all together. I know it's a lot to remember. I can write it down if you can't keep it in your head.

MARCUS

I swear to tell the truth so help me God.

JUDGE

You may be seated.

STAGE MANAGER/SPALDING GRAY

Marcus sits in the metal folding chair on the opposite side of the desk.

JUDGE

Was your car parked in the roadway?

MARCUS

The back end of my car may have been sticking out a bit in the road but there was no traffic and it did not..

JUDGE

I didn't ask you for an explanation. I just asked whether your car was in the road or not. The law is not complicated, Mr. Di Pina.

MARCUS

Pino.

JUDGE

You're Italian?

MARCUS

Like Anton Scalia, your honor.

JUDGE

The fine is \$167 for this particular violation. You can pay by cashier's check or credit card.

MARCUS

Are you not going to ask me why I am even here?

JUDGE

Now you are telling me how to run my court?

MARCUS

No. I am sorry.

JUDGE

Sergeant Kuffel, where exactly is this boat launch?

POLICEMAN

Just outside of Lafayette Landing.

JUDGE

If I'm not mistaken, isn't that the same spot where two people were just cited for not using their turn signals?

POLICEMAN

Could be. I only brought in one of them. The guy with a cowboy hat. There have been a lot of complaints from residents in the area.

JUDGE

About people not using their directionals?

POLICEMAN

About the kind of activity at night in this spot. Even on Christmas night it was happening, Your Honor.

JUDGE

Judging by the outfit you are an undertaker, Mr di Pina?

MARCUS

No. I am an actor.

JUDGE

A mime?

MARCUS

No. A classical actor.

JUDGE

Bit parts?

MARCUS

I do not know what you mean by that.

JUDGE

"Yes. *I swear to tell the truth, so help me God.*" Not a lot of lines to remember. A little rusty, then?

MARCUS

I have been teaching for about fifteen years. Now I have decided to go back to my original calling, but it has been slow, even though I have made the contacts and, certainly, have the credentials to be employed at any moment.

JUDGE

Mr di Pina, you heard that the neighbors are concerned with activity in the area.

(MORE)

JUDGE (CONT'D)

You admitted that you were in violation of the traffic ordinance. Now you may tell me just what *did* bring you to my court at 4:30am? Did you think this might be one of those employment opportunities that could happen at any moment?

STAGE MANAGER/SPALDING GRAY

Marcus stands.

JUDGE

You may be seated.

MARCUS

Please.

JUDGE

Will you be needing a blackboard and slide projector for this?

MARCUS

When I was a freshman in college at Rutgers, a university cop posing as a student, came on to me in the basement stacks of the library. I did nothing but stare at the man while he exposed himself. My advisor told me to leave school. If I fought my expulsion everyone would know I was gay. So, instead, I transferred out of Rutgers to Temple. I told my parents it was because I decided to switch from architecture to acting. Now my parents are both dead, but even before they died I swore that I would never let that happen again. And I will not. This policeman did not entrap me. But he arrested me, not because of how my car was parked, but because I am gay.

JUDGE

You were not arrested. You were given a traffic ticket. Sergeant Kuffel, is what Mr di Pina just said so?

POLICEMAN

There have been reports of lewd behavior in that spot on at least four occasions in the last month, Your Honor.

JUDGE

Was Mr. Di Pina engaged in any kind of behavior that could be considered lewd?

POLICEMAN

He was sitting in his car.

JUDGE

And he was clothed in this sorry, black suit?

POLICEMAN

Yes.

JUDGE

So you gave this man a summons for obstructing traffic because people have complained about the lewd conduct of other people?

POLICEMAN

And a busted taillight. He has a busted taillight. I know what you're saying, Your Honor, but it is clear to anyone why the defendant was parked there at that hour. It wasn't to launch a boat.

JUDGE

(striking the gavel)

Mr. Di Pina, the court dismisses the charge and the fine for obstruction of traffic. You both can go now. But one more question, Mr. Di Pina. Why do you have New Jersey plates on your car if you are living in Lafayette Landing?

MARCUS

Your honor, I purchased the place in July but I have not moved in yet.

STAGE MANAGER/SPALDING GRAY

The judge looks at the paper in his hand.

JUDGE

So you *don't* live on Shauspieler Road?

MARCUS

I do. It is complicated.

JUDGE

I believe that. Register your car in Pennsylvania, Mr. Di Pina and fix your taillight. My instruction is simple. Don't complicate it.

STAGE MANAGER/SPALDING GRAY

Marcus walks out of the courtroom. In the ante room the small man is still sitting on the bench. Marcus is grinning so broadly that he looks idiotic. The policeman walks to the Coke machine.

MARCUS

I won! Acquittal!

STAGE MANAGER/SPALDING GRAY

The small man jumps up and high-fives Marcus.

SMALL PERSON

You look much better than when you went in there. Must be feelin' good, huh?

MARCUS

I feel like Brown after Brown v The Board of Education.

SMALL PERSON

Was *he* a homo too? Hey, we can celebrate a little. You and me.

MARCUS

My mother's funeral was today.

SMALL PERSON

You're not Irish.

MARCUS

No.

POLICEMAN

He's gay.

MARCUS

You got that right, officer.

POLICEMAN

That was some performance in there.

MARCUS

Look, we're all grown-ups in here. We heard the facts didn't we? You're not gonna tell me we're supposed to believe this kid, knowing what he is.

POLICEMAN

What the hell is that?

MARCUS

My performance as Juror #10 in *Twelve Angry Men*. And, if I may say so, Sergeant Kuffel, my performance in that drama was not nearly so effective as it was in this one.

POLICEMAN

You mighta outsmarted Pennsylvania law, but you're still a criminal in the Bible.

SMALL PERSON

Tell me what to say. I need a good defense like that.

MARCUS

You took a leak, right?

SMALL PERSON

Right. I was drunk. I mighta pissed on somebody at the bar. Just tell me what to say. Should I tell them I'm a homo? Gay guys piss on each other all the time. You do that?

MARCUS

In heels moving backwards.

SMALL PERSON

Wow. Okay. Just say to me what I tell them. I need a gay defense. Being a midget doesn't get you anywhere nowadays.

MARCUS

"I was in such a state of shock, I completely blacked out. I can't remember a thing. It wasn't until later, when I was washing the blood off my hands I even knew that I peed on him.

SMALL PERSON

There was blood on my hands?

MARCUS

It was Velma Kelly's defense. If you use Kander and Ebb you will not have to say you are gay. They will know it.

STAGE MANAGER/SPALDING GRAY

The policeman spits and leaves.

SMALL PERSON

You see what I mean? What the fuck kind of Christmas spirit is that? You think it's just some coincidence Jesus just showed up around Christmas? He wanted it to be big and happy, like a birthday. You know what I mean? The Bearcat, over behind the American Legion, is still open and I could get us in there, if you got twenty bucks.

MARCUS

It sounds great but I feel it would be disrespectful to my mother.

SMALL PERSON

Just a couple of drinks for Christmas. She's dead. She won't even know.

MARCUS

Sorry.

SMALL PERSON

I tell you what, I'll corn-hole you. For nothing. A Christmas present.

MARCUS

No room at the in.

SMALL PERSON

Holy Shit!

MARCUS

That is getting right to the point. Is it not?

STAGE MANAGER/SPALDING GRAY

Marcus shakes the small man's hand.

MARCUS

I want to thank you for restoring my faith in Christianity.

SMALL PERSON

God bless you one and all, Tiny Tim. Right?

EXT. CAR - NIGHT

STAGE MANAGER/SPALDING GRAY

Marcus gets in his car and puts the top back down, even though it's now lightly snowing. Then he gets out of the car and walks over to the cop car. Sergeant Kuffel is inside of the patrol car smoking a cigarette. He lowers his window.

MARCUS

I have read the Bible and I do not really remember Jesus calling anyone a criminal.

POLICEMAN

You might have read the Bible, but you certainly have not invited Jesus into your life.

MARCUS

When a man is flicking his tongue up my asshole and I scream "Jesus, God in Heaven, give it to me.", I regard that as a pretty straight-forward invitation.

POLICEMAN

You people are disgusting.

MARCUS

Do you hear what I hear?

STAGE MANAGER/SPALDING GRAY

The cop moves his head outside the window.

POLICEMAN

What? I hear a radio.

MARCUS

I hear heaven and nature sing.

STAGE MANAGER/SPALDING GRAY

Marcus, gets in his car, turns up the volume and sings along with the Christmas carol on the radio as he pulls onto the road.

MARCUS

**(singing with the
radio)**

**.And heaven and nature sing. And heaven and nature sing .
Joy to the world! The Savior reigns.**

(MORE)

MARCUS (CONT'D)

Let men their songs employ while fields and floods, rocks,
hills and plains repeat the sounding joy . Repeat the sounding
joy. Repeat the sounding joy.....