

Boston Legal

A Whiff and a Prayer

Season 2, Episode 4

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At Crane, Poole and Schmidt.

Congressman Raymond Jacobs: I'd like to know how a United States congressman can be held liable for an official act of congressional business for which he enjoys immunity.

Shirley Schmidt: You're liable because you've been sued under judicial state tort law for which you enjoy no immunity.

Congressman Raymond Jacobs: I want Denny Crane.

Paul Lewiston: Ah. You don't want Denny Crane. Denise is one of our top...

Congressman Raymond Jacobs: I'm entitled to the top. Is there a reason I'm not getting Denny?

Paul Lewiston: Denny... Denny has... ah...

Shirley Schmidt: Mad Cow disease.

Congressman Raymond Jacobs: I just saw him on television in Kelly Nolan's murder trial.

Shirley Schmidt: He was at the defense table for effect Raymond. He's not capable of any complex litigation. **Raymond Jacobs steps aside. Denny Crane is behind him.** I knew you were there Denny. Did you?

Congressman Raymond Jacobs: Raymond Jacobs. **They shake hands.** You handled my first divorce fifteen years ago.

Denny Crane: Oh.

Congressman Raymond Jacobs: My wife's name was Lois.

Denny Crane: I remember.

Congressman Raymond Jacobs: Why wouldn't you? You slept with her.

Denny Crane: Only after the divorce was final.

Congressman Raymond Jacobs: May I ask Denny? How do you feel about gun control?

Denny Crane: For communists.

Congressman Raymond Jacobs: What about banning assault weapons to the private sector?

Denny Crane: As soon as you say its okay to ban assault weapons my friend even in the private sector you make it easy to take guns away from hunting and personal protection. Soon the military and the police are without firearms.

Shirley Schmidt: By banning assault weapons in the private sector the military and the police would lose their guns?

Denny Crane: And the dominos. It's the whole theory. She's a liberal. Can't even hunt.

At Crane, Poole and Schmidt Brad Chase walks down the hallway and then into Alan Shore's office.

Brad Chase: You set?

Alan Shore: Set?

Brad Chase: You sure you don't need a second chair? This is a murder trial.

Alan Shore: I want Catherine to be the underdog. An army of lawyers wouldn't subvert that.

Brad Chase: You okay?

Alan Shore: Tara quit.

Brad Chase: What do you mean she quit?

Alan Shore: She's gone.

Brad Chase: She quit the firm?

Alan Shore: She quit me actually. But, she's left the firm as well.

Denny Crane: Alan do you have the necessary focus to try this case?

Alan Shore: I do.

Alan is guiding a frightened Catherine Pipers down a courthouse hallway through a mob of reporters and photographers while "He had it coming" from "Chicago: The Musical" plays.

In Judge Harry Hingham's courtroom.

Detective John Stephenson: The coroners report showed he'd been struck twice behind the head. The second blow being fatal.

D.A Valerie Murrow: And was there any sign of a struggle, Detective?

Detective John Stephenson: No.

D.A Valerie Murrow: Any evidence to suggest that the victim had made any threatening movement toward the defendant?

Detective John Stephenson: No.

D.A Valerie Murrow: And in the statement made to you by the defendant. Did she say the victim was threatening her?

Detective John Stephenson: But did not say that she was in any imminent danger at the time she hit him.

D.A Valerie Murrow: Thank you sir. **She goes to sit down.** Your witness.

Alan Shore: I have nothing. It appears your exhaustive testimony covered everything, you left nothing out. **He moves to sit down and then stands up again.** Is that correct detective?

Detective John Stephenson: Pretty much.

Alan Shore: Pretty much? Thank you Detective, for your fine commitment to detail.

Alan sits down. The Judge, Catherine and Jurors all show surprise on their face.

Judge Harry Hingham: Okay. The witness may step down.

Alan Shore: **He gets up again.** Actually one thing you pretty much left out, no harm we can cover it now. Mr Ferrion had previously killed two people. He whacked both his mother and a neighbor?

Detective John Stephenson: Allegedly.

Alan Shore: Allegedly? **He moves to sit down and then stands up again.** Isn't it pretty much the opinion of the Boston Police Department that he committed these murders?

Detective John Stephenson: Yes.

Alan Shore: Thank you. I'm sure you pretty much meant to include that in your testimony but forgot. **He moves to sit down and then stands up again.** Oh! Mrs Piper came to you a week before Mr Ferrion was killed. Didn't she?

Detective John Stephenson: She did.

Alan Shore: Told you she feared Mr Ferrion would kill again.

Detective John Stephenson: Yes.

Alan Shore: Related to you Bernard's comments about how the next time he'd be sure to leave little clues like the BTK killer. She tell you that, Detective?

Detective John Stephenson: Yes.

Alan Shore: And after she told you all this, you did what Detective?

Detective John Stephenson: I told her there wasn't enough to make an arrest.

Alan Shore: You sent her away? **The Detective doesn't reply.** Tell me Detective, have you considered if you'd heeded Catherine Piper's warnings Bernard Ferrion might still be alive?

D.A Valerie Murrow: Objection!

Alan Shore: Withdrawn. Moving forward a bit to Bernard Ferrion's demise. So? You found him dead? Conducted a Sherlock Holmesian investigation which lead, at last, to Catherine Piper's doorstep.

Detective John Stephenson: No. She came to us.

Alan Shore: Oh! She came to you?

Detective John Stephenson: Yes.

Alan Shore: Well you certainly left that out, didn't you?

Detective John Stephenson: She didn't come forth for a full week!

Alan Shore: Maybe Catherine hesitated because she feared being arrested. Yet her conscience and sense of morality eventually overcame her fear which of course the jury would know if you'd lived up to your oath to tell the whole truth.

D.A Valerie Murrow: Objection! **Said together with: Judge Harry Hingham:** Mr Shore!

Alan Shore: What! What did I say?

In Judge Gordon Kolodny's courtroom.

Alex Naughton: I paid two thousand dollars to his campaign personally. And I contributed another two million to the Democratic National Party. On the assumption that this congressman, if reelected, would support gun control.

Atty. Christopher Palmer: Certainly Mr Naughton you realize that you cannot buy votes on Capital Hill?

Denny Crane: **He gawfs.** Please.

Alex Naughton: There was never any quip pro quo on any specific vote.

Atty. Christopher Palmer: But sir, in your complaint you cite his failure to support the ban on assault weapons.

Alex Naughton: The fraud was perpetrated on me during his reelection campaign. The two of us got together for dinner, we shook hands, he looked me in the eye, and he told that he would champion, not support, but champion the renewal of the ban against assault weapons! Then, he goes off to Washington and the ban just lapses. Doesn't even get brought up for a vote.

Atty. Christopher Palmer: And sir, the fact that this ban was not renewed. How has it hurt you, personally?

Alex Naughton: On January second my nephew was buying milk in a convenience store; two men came in to rob store bearing AK47's. Gunfire ensued. My nephew was killed.

Denise Bauer: I am very sorry for your loss, sir. Are you suggesting that because you contributed money to this congressman that you bought his vote?

Alex Naughton: There was no vote! Instead, Congress just let the ban lapse without so much as a discussion.

Denise Bauer: Didn't it lapse in part because the legislators I favor of the ban realized the votes just weren't there?

Alex Naughton: When you secure a contribution based on a policy you have no intention of honoring, that's flat out fraud.

Denise Bauer: My point is Congressman Jacobs couldn't have gotten the ban renewed. Tom DeLay had dismissed as just a piece of feel-good legislation that had no chance of passing.

Alex Naughton: I didn't get a commitment from Tom DeLay. I did from him.

In the library at Crane, Poole and Schmidt, Sarah Holt removes two books from a shelf. Reverend Donald Diddum's face suddenly fills the empty space.

Sarah Holt: Oh my God!

Reverend Donald Diddum: Not quite.

Sarah Holt: What are you doing here?

Reverend Donald Diddum: Your behavior saddened me Sarah. It left me bereft.

Sarah Holt: Bereft? Let's not get carried away Reverend.

Reverend Donald Diddum: You desecrated my collar.

Sarah Holt: How?

Reverend Donald Diddum: You smelled it in a sexual manner. You rubbed it lasciviously against your face. I'm reporting you.

Sarah Holt: To whom?

Reverend Donald Diddum: Your superiors. Perhaps the bar.

Sarah Holt: And. And what happens to you if your behavior becomes public.

Reverend Donald Diddum: I considered that. I must atone as well. We must both go public with our sins and atone.

Sarah Holt: But Reverend. I'm sorry. I was only trying to help a client I felt was being taken advantage of. I'm really sorry. I'd really appreciate you not telling.

Reverend Donald Diddum: *He takes a deep breath.* On one condition. Go into the women's room, remove your panties and give them to me.

Sarah Holt: I beg your pardon?

Reverend Donald Diddum: You sniffed my personals. I should like a whiff of yours.

Sarah Holt: First of all, I smelled your collar. Not your shorts!

Reverend Donald Diddum: Give me your underwear. Or I'm going to atone.

In Judge Harry Hingham's courtroom.

Catherine Piper: I first met him as a recovering murderer. He'd killed his mother and neighbor.

Alan Shore: Had he admitted these crimes to you?

Catherine Piper: Oh, yes. Many times.

Alan Shore: Catherine, may I ask? Why would you seek to befriend this man?

Catherine Piper: Well I felt at his core he wasn't evil. I also thought I could help him by introducing him to Jesus Christ, our Savior.

Alan Shore: Was he open to that?

Catherine Piper: Not terribly. He thought it would make him look like a bad Jew.

Alan Shore: So? What happened?

Catherine Piper: Well. We were in the kitchen, watching the telecast about the Kelly Nolan trial. He was talking about leaving hints the next time. Saying how he enjoyed the taste of killing. My mind started swirling. I was thinking, I'd gone to the police, they said they couldn't help, there was no place for me to turn. If I ran away that was a betrayal he said he couldn't tolerate. I looked down at my hands, saw I was holding the skillet, the weapon he'd used to commit murder, and I suddenly thought, this was my only way out. So I just swung. Twice, and he dropped.

Alan Shore: Catherine, you took a human life.

Catherine Piper: Killing his mother was strike one, killing his neighbor was strike two. And the way he talked? Bernie had a third strike coming.

Alan and Denny are having a drink in Denny's office.

Denny Crane: I heard about Tara. I feel your hurt.

Alan Shore: What's most upsetting Denny is, I don't hurt.

Denny Crane: So I don't have to hug you and tell you, "I'm there for you." and all that crap?

Alan Shore: We can skip it. How's your trial going?

Denny Crane: Hmm. I'm there as a prop.

Alan Shore: Shirley not giving you enough to do?

Denny Crane: Oh hell. It's a dream case. To be able actually defend a Congressman who opposes the ban on assault weapons?

Alan Shore: It's what any lawyer lives for.

Denny Crane: I'm gonna show you something.

Alan Shore: Jeeze Denny.

Denny Crane: Oh. This one my father gave me.

Alan Shore: Lovely. Could you kindly point it in any direction other than my head?

Denny Crane: It's not loaded. *The gun goes off.* Oh, I guess it is.

Alan Shore: For God's sake Denny!!!

Denny Crane: Oh, lighten up, will you? *The gun goes off again.*

Shirley Schmidt: *She rushes in.* What in God's name!?

Denny Crane: And it is in God's name, Shirley! The right to bear arms. Second commandment.

Shirley Schmidt: That would be the second amendment.

Denny Crane: That's...Same difference. I should be first-chairing this case. If anybody should be the poster-boy for guns in this country...

Shirley Schmidt: It should be you. Denny. Congressman Jacobs is for the assault weapon ban. Did you know that?

Denny Crane: What do you mean he's for the, the ban?

Shirley Schmidt: He let it lapse, because sometimes in politics, there are politics. But in principal he's for the ban.

Denny Crane: Well, if he supports the law, then agrees to let it lapse! Then that would make him...

Shirley Schmidt: A Democrat. You're giving representation to a Democrat.

Denny is out on the sidewalk sitting on a chair. He's holding a fishing rod, it's line hanging down a sewer. Alan walks up to him..

Denny Crane: With all the rain, the Charles has spilled into the sewage systems.

Alan Shore: It isn't exactly Nimmo Bay.

Denny Crane: Word is, they're catching some uncommon ones. I think I'm gonna to retire, Alan.

Alan Shore: What's going on?

Denny Crane: I don' know. I think it's a sign when the practice of law is less rewarding than...ah...

Alan Shore: Fishing in a sewer?

Denny Crane: I feel devalued. I always wanted to go out with my pride. Failing that at least my old time slot. I wish I was never great.

Alan Shore: Because...?

Denny Crane: Because, I remember. When God strips you of your talent, he should at least have the decency to strip away the memory of having had any.

Sarah and Garrett in an office at Crane, Poole and Schmidt.

Garrett Wells: What do you mean he wants your underwear?

Sarah Holt: I mean he wants my underwear!

Garrett Wells: Is he still here?

Sarah Holt: No! He asked me to think on it. Pray on it. And he'll be back in the morning.

Garrett Wells: Okay, relax. ***Sarah sighs and sits on the window ledge. Garrett walks up to her.*** Okay. You've gotta give him your underwear.

Sarah Holt: What?

Garrett Wells: Otherwise we'll be fired.

Sarah Holt: I'm not gonna give him my underwear. Are you crazy? The guy is obviously sick!

Garrett Wells: Which is why we need to be afraid here! If we can't count on him to be rationale enough to save his own career? Just give him your underwear.

Sarah Holt: That's not even a option, Garrett. First because I would never do it.

Garrett Wells: What if he reports us?! We'll be fired in...

Sarah Holt: Second, I'm not wearing any.

Garrett Wells: What? You're not wearing any?

Sarah Holt: Garrett! This is your doing! I'm making it your problem. You go deal with the sicko.

In Judge Harry Hingham's courtroom

D.A Valerie Murrow: The skillet was in your hand? Could you hold it please?

Alan Shore: Objection!

D.A Valerie Murrow: I would like her to demonstrate how she struck Mr Ferrion.

Alan Shore: Your Honor, this meant to inflame the jury. There is simply no reason...

D.A Valerie Murrow: She already described it.

Alan Shore: The potential value of a demonstration in a case like this...

D.A Valerie Murrow: She has taken this witness chair and exposed her actions.

Alan Shore: The prosecution is petrified that my client comes off as sympathetic. She wants her to reenact the crime to negate that sympathy. It has no probative value. It's a stunt and a cheap one.

Judge Harry Hingham: I'm going to allow it.

Alan Shore: What?

Judge Harry Hingham: The jury can see how it happened.

Alan Shore: She testified as to how it happened!

Judge Harry Hingham: I have made my ruling. Step back. **Alan stares.** Step back counsel!

D.A Valerie Murrow: Would you show us your movements, Mrs Piper?

Catherine looks toward. Alan.

Alan Shore: **He shrugs helplessly.** I...

Catherine Piper: **She gets down from the witness chair, takes the skillet from D.A Valerie Murrow and walks up to a dummy of Bernard Ferrion.** I was at the sink, facing this way, and he was going on about the taste of killing! That's when my mind started to swirl at the thought, "My God! He'll kill again. He might kill me!" I looked at the skillet and suddenly, this could be my way out! And I wheeled... **She swings the skillet at the dummy's head. The head flies into Alan's hands.**

Alan and Catherine alone.

Catherine Piper: A plea?

Alan Shore: Did you have to hit it so hard?

Catherine Piper: I was under oath. **Alan sits down and groans.** I don't like the sound of that.

Alan Shore: **He sighs.** Catherine, I'm not sure I can win this.

Catherine Piper: You promised!

Alan Shore: I promised I'd try.

Catherine Piper: I mean that's all I'm asking you for! I mean. Keep trying. Please! **Alan sighs.** She really left?

Alan Shore: I'm sorry?

Catherine Piper: Tara. She's gone?

Alan Shore: Ah. Evidently.

Catherine Piper: I'm sorry.

Alan Shore: Not to worry.

In Judge Gordon Kolodny's courtroom.

Congressman Raymond Jacobs: Look if I had the power to move the bill for a vote I would have.

Shirley Schmidt: In fairness, did you try to move the bill for a vote?

Congressman Raymond Jacobs: No.

Shirley Schmidt: Okay. Why not?

Congressman Raymond Jacobs: Quite honestly because I was up for reelection. If I'd been active about renewing the ban on assault weapons the NRA would have opposed me. Run smear campaigns against me and I'd be sitting here as an ex-congressman.

Shirley Schmidt: You caved?

Congressman Raymond Jacobs: I cannot serve my constituents if I'm not in office. Well, like any elected official, I have to pick my battles. And political survival has to be a consideration.

Atty. Christopher Palmer: You told my client you'd support the ban.

Congressman Raymond Jacobs: At the time I fully planned to. Then in September, three lobbyists from the NRA walked in my office, informed me they'd contribute heavily to my opponent's campaign, informed me they'd finance negative ads against me. My advisors told me they'd be successful. So I would have lost my seat supporting a bill that had no chance of passing. Does that seem practical to you?

Atty. Christopher Palmer: Sticking to ones principals always struck me as being practical.

Congressman Raymond Jacobs: Look. The ban on assault weapons, the Democrats are for it, the Republicans are for it, the police are for it, eighty percent of the public is for it, and we don't have it. That should tell you how powerful the gun lobby is.

Atty. Christopher Palmer: So you ran scared?

Shirley, Denise and Congressman Raymond Jacobs are in a room.

Denny Crane: **He comes in.** That was horrible testimony.

Shirley Schmidt: Alright, Denny.

Denny Crane: What was the strategy? Can someone please explain it to me?

Shirley Schmidt: The strategy was there was nothing our client could really do to renew the ban. He's therefore not the proximate cause of the plaintiff's injury.

Denny Crane: But that's defensive! Why be defensive when justice is on our side?

Denise Bauer: Justice being...?

Denny Crane: Guns! There are more guns in American households than pets for God's sakes. More guns than cell phones! Guns are hot.

Denise Bauer: It's not that simple, Denny.

Denny Crane: It's as simple as this. You don't get on the stand and say, "I'm sorry for not doing the right thing." You testify, "I did the right thing!" That's how you win lawsuits. You're right! Even when you're wrong!

Garrett Wells: Alright. The pants are in the envelope. But before I give them to you we're gonna to set a few conditions of our own.

Reverend Donald Diddum: Let me see. The panties! Let me see that they're really in there. **Garrett looks around, then he opens the envelop and partially pulls out a pair of pink panties.** Let me have a sample sniff to ensure the authenticity.

Garrett Wells: I'm not going to let you smell them now.

Reverend Donald Diddum: Ha. Those are new. She never wore them. Your law career is over Mr Wells. **He stands up.**

Garrett Wells: Alright. Look. Let's try another approach. **Garret stands up and moves in close to the Reverend. They stand nose to nose. Garrett is about six inches shorter than the Reverend.** I will beat you up. Think I'm kidding? I will smack you around Reverend.

Reverend Donald Diddum: And what makes you think I wouldn't enjoy that? I'll be back this afternoon. If my terms are not met. I will go to your superiors.

Denny is out on the balcony smoking a cigar. Shirley Schmidt comes out.

Shirley Schmidt: Awfully tiny cigar.

Denny Crane: It's the kind of cigar that goes along with our wimpy defense today.

Shirley Schmidt: Denise and I were discussing it. We think you're right. We think maybe, maybe our approach should be, 'Guns are good'.

Denny Crane: But of course they are.

Shirley Schmidt: The thing is I don't really believe it, Denny. Nor does Denise. And juries can always tell when lawyer are being disingenuous. We need you to close.

Denny Crane: Me? Hmm. **He sighs.** Thing is, Shirley I don't, I, I don't really do that. I'm more of a... effect.

Shirley Schmidt: This is a big client who's responsible for awarding this firm many government contracts. We need you to pull this out.

Denny Crane: The, the thing about closing Shirley is too many words. I, I, I can't remember the... Mad Cow.

Shirley Schmidt: You don't have to remember words, Denny. This is about assault weapons. Just speak from your heart. This is about what's dear.

Alan comes into his office and sees Denny writing on a tablet.

Alan Shore: Now what are you doing?

Denny Crane: Shirley asked me to close. I need more time to prepare. I really, I can't... just... So I'm copying yours.

Alan Shore: What do you mean you're copying mean?

Denny Crane: Your closing. It's good stuff. Do you write it?

Alan Shore: You can't just copy my closing.

Denny Crane: Why not? We're on the same team. Don't be such a girl.

Alan Shore: Denny we have completely different cases.

Denny Crane: So what? It's not like the jury really listens.

Alan Shore: Are you out of your mind? **They are both startled.** What's the matter?

Denny Crane: I'm afraid.

Alan Shore: Afraid of what? **Denny doesn't answer.** Hey! You're Denny Crane.

Denny Crane: No I'm not. That's somebody I used to be. Can you believe the irony? All I ever really wanted to do was to rise up one day and deliver the big summation on behave of a...

Alan Shore: A gun.

Denny Crane: Now the day finally comes and I'm afraid.

Alan Shore: The day will be here tomorrow my friend, and you won't be afraid. Do you know why? You're still Denny Crane. This I know.

In an office at Crane, Poole and Schmidt.

Garrett Wells: I'm not suggesting you give him your underwear.

Sarah Holt: Ugh. Yes you are, Garrett.

Garrett Wells: I'm not! I'm saying put these on and ah...

Sarah Holt: You're as sick as he is!

Garrett Wells: Sarah if this guy reveals what...

Sarah Holt: Where is he?

Garrett Wells: Waiting in the lobby. **She marches down the hallway.** Reverend?

Reverend Donald Diddum: Sarah!

Sarah Holt: You're not getting any of my apparel, Reverend. If you wanna tell my superiors about our little sting? Then do it. **Garrett sneaks up to eavesdrop.** Knowing the consequences will be far worse for you than for me.

Reverend Donald Diddum: One sniff. Right here. I'll walk away. **She slaps him.** One more slap, we can call the whole matter settled. **She slaps him again and walks away.**

Reverend Donald Diddum: **He sees Garrett.** Sweet.

In Judge Harry Hingham's courtroom.

D.A Valerie Murrow: There was no self-defense, or defense of others here. I'm not going to waste time telling you something you already know. The defendant simply made a decision, a reflective one, that Bernard Ferrion should no longer be among the living. Two whacks to the back of the head. Whether Catherine Piper was playing at executioner or God, she committed murder. Law and Order isn't simply something found on television four nights a week. Our integrity as a people is inextricably bound up with the idea that we are a nation of laws. You as jurors took an oath to uphold the law. In a time when we as Americans are increasingly labeled as a 'Might makes right' society, I sincerely hope for our legacy as a moral society you choose to honor that oath.

Catherine Piper: I certainly hope you're good.

Alan Shore: In 2003 we had 16,500 murders in this country. 6200 went unsolved. On another 4000 we made arrests! The defendants eventually went free. We don't catch killers in this country. Since 1960 200,000 murders have gone unsolved. Forget about the ones where we just failed to convict! For 200,000 we were baffled! Ask me, we could use a few more vigilantes. Now! You swing that skillet at your own risk, I grant you. Kill an innocent person? Off to prison you should go. But Catherine Piper didn't do that. Catherine Piper tried law and order. She was scared for her life. She did fear for the safety of others. And in the heat of that fear she swung that skillet! Accomplishing in the process something the police couldn't. She got the bad guy. Now, I certainly don't want a society where people start arbitrarily taking the law into their own hands. I know you don't. But society certainly isn't safeguarded, nor is it remotely benefited by putting Catherine Piper in prison. Unlike the District Attorney, I don't think we're a country inextricably bound up with law and order or some National integrity. I like to think we're a people. Mostly about humanity. And humanity isn't about the right to trumpet moral superiority. Humanity is about compassion, even forgiveness.

Catherine Piper in all her fear reacted in a very human way. She's here now asking you to do the same.

Catherine Piper: I thought you'd be better.

Shirley Schmidt is in a courthouse hallway talking on a cell phone.

Shirley Schmidt: Where the hell is he?

Alan Shore: **He's in his office.** I don't know. The last time we spoke he seem...

Shirley Schmidt: He's supposed to be here closing.

Alan Shore: I'll call him on his cell phone, but Shirley...

Shirley Schmidt: The other side has started.

Alan Shore: You may have to do this yourself. Denny's feet seemed a little frozen.

Shirley Schmidt: Oh my God. **She closes her cell phone.**

Alan Shore: **He hangs up the phone.** Denny's missing.

Catherine Piper: I heard. How long does a jury deliberate?

Alan Shore: There's no rule.

Catherine Piper: But it could be today?

Alan Shore: The Judge said he'll keep them til ten o'clock tonight.

Catherine Piper: Alan? Whatever happens. Thank you. I mean that. Barretta said that to his attorney! Brought him luck.

In Judge Gordon Kolody's courtroom.

Atty. Christopher Palmer: Like Congressman Jacobs says, "Everybody wants the ban on assault weapons." The Democrats. The Republicans. The police. Seventy-eight percent of the public? And yet, we don't have it. Why? The Senate majority leader has said, and I quote, "The will of the American people is consistent with letting it expire." Is that consistent with your will? With yours? What the hell is going on here? The NRA has them all terrified! How powerful is this lobby? Senator Kerry, in his bid to get elected President, was advised that he had to go out and shoot an animal and to be photographed doing so. He's a wind-surfer for God's sake! Well, enough is enough. It is time to hold Congress accountable. 30,000 deaths by firearms every year in this country. And we can't ban assault weapons? People need them for personal protection? To hunt? And now we actually have legislation pending in Washington that will literally shield the gun manufacturers from being sued. Even for negligence. We can sue doctors, big tobacco, asbestos but the gun industry gets its own special legislation granting them immunity. What the hell is going on? Where are our elected officials? This one vowed to fight the gun industry. Took campaign contributions on the promise that he would. And what did Alex Naughton get in return? His sixteen-year-old nephew, while buying a quart of milk, was mowed down by two AK47's.

Shirley Schmidt: **Whispers.** You wanna take it?

Denise Bauer: It's all yours.

Shirley gets up.

Denny Crane: Denny Crane. **He enters the courtroom dressed as a minuteman; he's carrying a long firearm.**

Judge Gordon Kolodny: Mr Crane we do not allow firearms in the courtroom!

Denny Crane: Oh. It's just a prop Judge. It's not... **The firearm goes off. Everybody ducks.** ...loaded. **He walks to the front. The gun goes off again.** Apologies. **He turns and points the gun at the opposing counsel's table. They try to duck under the table.** It was a shot heard around the world. Remember? Not the punch. Not the stabbing. It was a shot. To rally the minutemen to defeat the Red Coats at Lexington. This nation began with a gun. Will go down with a gun. Or maybe, if we have them, won't go down at all. Let me tell you about assault weapons. The FBI now reports that terrorists are coming to America to get them because it's easier to procure them here. Now I ask you, how can we supply terrorists with AK47's and not give them to our own people? **Shirley and Denise both hide their face in their hand.** That may sound crazy

but part of being an American in the Wild West was we came armed! It's in the bill of sale for God's sake.

Shirley Schmidt: *She whispers.* Bill of Rights.

Denny Crane: In our National Anthem we've got bombs bursting in air for God's sake. We drive around with our shotguns on the outside of our pickup so the neighbors will see 'em. And! No one talks about this out loud of course, but things might have turned out differently for the nephew of the plaintiff if he had had his own automatic weapon. **Shirley and Denise both hide their face in their hand again.** First sound of Democracy came from a gun like this one. And that's why the ban on assault weapons has been allowed to lapse. It's all about our basic civil rights. It's about Democracy. It's about freedom! **The melody "Glory Glory Hallelujah" starts to play.** Denny Crane. **The melody continues.**

In Judge Harry Hingham's courtroom

Judge Harry Hingham: Mr Foreman. Has the jury reached a verdict?

Jury foreman: We have your Honor.

Judge Harry Hingham: How say you?

Jury foreman: In the matter of the Commonwealth of Massachusetts versus Catherine Piper on the charge of murder in the first degree. We the jury find the defendant... **He looks down at his paper.**

Catherine Piper: Is it so much to remember?

Alan Shore: Shhh.

Jury foreman: ...not guilty.

Judge Harry Hingham: Ladies and gentlemen of the jury, we thank you for your service. You are dismissed.

Catherine Piper: *She whispers.* Oh, thank God.

Alan Shore: Amen.

Catherine Piper: I think. I think I might actually cry, ha.

Alan Shore: Ha.

Catherine Piper: I would have if I'd have been guilty.

Judge Harry Hingham: Mrs Piper? You are free to go. Court is adjourned.

Alan Shore: Congratulations Catherine.

Catherine Piper: Thank you. You know, in all the time I've known you Alan. I don't think I've ever hugged you.

Alan Shore: We need to fix that.

Catherine Piper: Oh. **They share a hug,** Oh.

Alan and Denny are fixing drinks. They walk out to the balcony.

Denny Crane: Was it thrilling?

Alan Shore: It actually was. Of all the battles we fight, we don't often get to wage them on behalf of people we genuinely care about. And you? To be able to walk into court dressed as a mascot for the New England Patriots!

Denny Crane: Super Bowl Champion Patriots. Alan I was good in there. I can't be sure, but in the middle I think I actually felt smoke coming out of my Alan Shore:.

Alan Shore: I have no doubt.

Shirley Schmidt: Boys! **She joins them.**

Denny Crane: Any word?

Shirley Schmidt: The jury's still out. Which is a miracle. Denny your closing was nothing short of unbelievable.

Denny Crane: Thank you.

Shirley Schmidt: We might actually have a chance of winning this, although, well you heard me say miracle. I, I just wanted to say that you intermittently made sense in there and...

Denny Crane: You'll have sex with me? Come on. At least pet the musket.

Alan chuckles.

Shirley Schmidt: I have a dinner. But because you've been so good. **She leans up to his ear.**

Denny Crane.

Denny Crane: Whooo. A quickie.

Alan Shore: Nothing for my musket?

Shirley Schmidt: Another time. **She walks away.**

Denny Crane: Hmm. Alan you were right. I still am Denny Crane. I still got it. And I've decided for my New Year's resolution I'm gonna remember that. What's your resolution?

Alan Shore: It's October. **Denny checks his watch.** And that's a watch.

Denny Crane: October's not too late to make a resolution. You don't have any

Alan Shore: Mine would be to appreciate my friends every single day. And catch more fish!

Speaking of which, the rumor appears to be true, they're catching them up on Common way.

Denny Crane: Then what the hell are we doing on this balcony?

Alan Shore: Indeed. Cheers Denny.

Denny Crane: Cheers, my friend.

While the theme song to "The Andy Griffith Show" plays, Alan and Denny walk on the street smoking cigars, carrying fishing rods, wearing dress jackets over hip waders and boots.