The sheriff threatens to shoot Danny Rosales, in Carlos Morton's The Many Deaths of Danny Rosales. The harsh, minimal setting, though essentially realistic, helps to convey the nightmarish quality of the action of the play.

Carlos Morton

The Many Deaths of Danny Rosales

Characters

BAILIFF/JUDGE, (voice)
BERTA ROSALES, the widow
ROWENA SALDIVAR, prosecuting attorney
DANNY ROSALES, the victim
DEPUTY DAVIS, sheriff's deputy
HAROLD PEARL, defense attorney
KIKI VENTURA, street dude
STEVE PETERS, good old boy
FRED HALL, sheriff of Castroville
GRACE HALL, sheriff's wife

DEBBIE HALL, sheriff's daughter

SCENE: Central Texas, 1975–77

ACT 1

(Lights up on a courtroom, bare except for a witness stand, where Berta is in the process of being sworn in.)

BAILIFF (voice only). Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?
BERTA. I do.

ROWENA (entering into the scene). State your name, please.

BERTA. Berta Lopez de Rosales.

ROWENA. Where do you live?

BERTA. Castroville.

ROWENA. How long have you lived there?

BERTA. Almost all of my life. I moved there from Sequin, Texas, where I was born.

ROWENA. How did you first meet Danny Rosales?

BERTA. At "La Rosa Tejana," it's a dance hall off Highway 90. (As Berta speaks of the dance hall, we hear strains of conjunto music being played. "Viva Seguin" would be appropriate.)

ROWENA. What was your relationship to Danny Rosales?

BERTA. We were living together as man and wife.

ROWENA. Were you legally married?

BERTA. No, when I first met him in 1967 I was too young to get married. So we just started living together. Besides, my parents didn't want us to. They really didn't like Danny because he was from el otro lado. (The conjunto music gets louder. Outlines of the dance hall begin to appear.)

ROWENA. El otro lado—"the other side"?

BERTA. Yes, Danny was born in Mexico and came across when he was 12.

ROWENA. Tell us more about your relationship with Danny.

(ROWENA fades out of the scene as Danny enters, dressed like a vaquero norteno, the Mexican counterpart to the Texas cowboy.)

BERTA (walking over to Danny). He was a really good dancer. He really knew how to move. Much better than the boys from this side. (They start to dance.)

ROWENA (only her voice). What's the difference between someone born in Mexico and a Chicano born in Texas?

BERTA. I guess you would call it a different culture. (To Danny.) You know, my parents want me to marry an Americano, some big tall blonde boy.

DANNY. Ah, hah. So they can have gringo grandchildren.

BERTA (teasing). They don't want you coming around the house anymore.

DANNY. Because I remind them of what they once were!

BERTA. Because you're a mojado.

DANNY. A wetback! Not anymore. I got my green card.

BERTA. What is your father, a Border Patrolman or what? (They both laugh.)

BERTA. Dicen que eres muy prieto.

DANNY. Me, too dark? As if your father was so Spanish! Ask him if, when he wakes up and looks in the mirror, he doesn't see a nopal right there in the middle of his forehead.

BERTA. Nopal?

DANNY. Cactus. All us Mexicanos have a nopal stamped right here on our foreheads. And look, we have two frijoles for eyes. (Laughing, jovial.) So, are you going to marry me?

BERTA. No, but I'll let you take me to San Antonio.

DANNY (kissing her neck). When?

BERTA. Whenever you want. (Danny kisses her on the lips and exits.) Go on, I'll see you later. (BERTA returns to the witness stand to address ROWENA.) I would practice my Spanish with him, and he would speak English to me.

ROWENA (entering again). How long did you live together?

BERTA. Seven years.

ROWENA. That is common law.

BERTA. Yes, I guess that's what you call it.

ROWENA. When was the last time you saw Danny?

BERTA. On September 14, 1975, that Sunday night at our home in Castroville.

ROWENA. Will you please tell the jury what happened that night?

BERTA. We were watching television and getting ready to go to bed when the Deputy Sheriff drove his car up to our driveway and knocked on the front door. (Flashback. Enter Deputy.)

DEPUTY. Danny Rosales here?

BERTA. "Just a minute," I said, "I'll call him." (Going to get Danny.) Danny, es la policia!

ROWENA (visible, but away from action). And what did Danny do?

BERTA (as Danny enters dressing). He put his shirt on and walked to the door.

DEPUTY. That's a mighty nice stereo and TV you got there, Danny. I'm afraid I'm going to have to take you in.

ROWENA. Do you remember what time of night this was?

BERTA. 10:45 p.m.

ROWENA. What happened then?

BERTA. He handcuffed Danny and took him to the squad car. (To the Deputy.) How much is the bail going to be?

DEPUTY. $100.00.

BERTA. Please, Deputy, I don't have a car. Can you give me a ride over to my mother-in-law's so I can borrow the money?

DANNY. Berta, ellos no tienen dinero.

BERTA. Deputy, please, can't you give him another break? Can't it wait until the morning?

DANNY (as the Deputy leads him away to the squad car). Berta, callate! Deja de rogar!

ROWENA. What did Danny say to you?

BERTA. He told me his mother didn't have any money. He also told me not to beg the Deputy. He was very proud.

ROWENA. What happened then?

BERTA. The Deputy put Danny in the squad car and then told me that he had some warrants to search the house.

ROWENA. Can you tell us how Danny was dressed?

BERTA. Red shirt, jeans, black shoes.

ROWENA. Did he have the shoes on when he left the house?
BERTA. No, he asked me to get them as he sat handcuffed in the squad car. I put them on, but didn’t have time to tie them.

ROWENA. Why?

BERTA. Because the sheriff pulled up in his private car and took him away.

ROWENA. Mrs. Rosales, I will hand you what has been labeled State’s Exhibit Number One. Is this Danny’s shoe? (Handing her a black shoe.)

BERTA. Yes, this is one of the shoes I put on him that night.

ROWENA. And when was the last time you saw it?

BERTA. When I found it the next morning next to a pool of dried blood on the Old Alamo School Road.

ROWENA. No further questions at this time. Your witness, Mr. Pearl.

HAROLD (entering from the opposite side of Rowena). Tell us, your husband, or boyfriend, or the man you were living with, did he have a job?

BERTA. Danny had just gotten laid off from construction work.

HAROLD. What kind of education did he have?

BERTA. He started school in Mexico, then got as far as the tenth grade here. He had to quit school to help support his family.

HAROLD. According to his school records, Danny Rosales was a truant who was constantly in trouble, was he not?

ROWENA. I object, irrelevant and immaterial.

HAROLD. I will show the relevancy, your Honor.

JUDGE. (voice only). Overruled. Answer the question, Mrs. Rosales.

BERTA. My husband was in trouble because none of the teachers understood him. He was put in a special class for slow learners.

HAROLD. Even in his later years—wasn’t Danny Rosales in constant trouble with the law?

BERTA. The Sheriff was always hassling and picking on him.

HAROLD. Take a look at this photograph. Is this a fair and accurate representation of what he looked like, Danny Rosales?

BERTA. Yes, it is. But I don’t know when this picture was taken.

HAROLD. You don’t? You weren’t with him? What does it say here?

BERTA. Arroyo County . . .

HAROLD. “Arroyo County Sheriff’s Department.” He was charged with burglary.

ROWENA. Your Honor, again, I object, irrelevant and immaterial.

HAROLD. Please, your Honor, give me time to show the relevancy.

JUDGE. Overruled, but please get to the point, Mr. Pearl.

HAROLD. Now then, Mrs. Rosales, isn’t it a fact that your husband was sentenced to three years probation for burglary?

BERTA. Yes, he was.

The Many Deaths of Danny Rosales

HAROLD. Wasn’t he picked up for questioning about other robberies?

BERTA. Yes.

ROWENA. Your Honor, I object, Danny Rosales is not on trial here, Fred Hall is.

HAROLD. I am establishing that Mr. Rosales had a criminal record and therefore my client had every right to question him.

JUDGE. Overruled.

ROWENA. Your honor, please note my objection to the ruling.

JUDGE. Very well, it will be noted.

HAROLD. Now then, Mrs. Rosales, let’s go back to the night Sheriff Hall took your husband away. Where were you?

BERTA. At the front door of the house.

HAROLD. What did the Sheriff say to him?

BERTA. I couldn’t hear, I was too far away. But they were shouting.

HAROLD. Did you see the Sheriff push or kick or beat your husband?

BERTA. No, it was too dark.

HAROLD. No further questions. (Starting to leave.)

BERTA. But they didn’t take him to the jail house like they said they would—they took him in the opposite direction.

HAROLD. I said no further questions, you may be excused. (Herald steps down.)

ROWENA. I would like to cross examine the witness. (Crossing up.) Now, Berta, this stereo and TV the Deputy was looking at, how long had they been in your house?

BERTA. We had just gotten them that weekend.

ROWENA. How did you acquire these items?

BERTA. Danny and Kiki brought them in Kiki’s car.

ROWENA. Who is Kiki?

BERTA. Kiki Ventura. He used to be a friend of Danny’s. They came into the house just before dawn. (As Danny and Kiki enter. Flashback.) Danny! Where have you been, it’s almost morning, I’ve been worried to death about you.

DANNY. Wouldn’t you know, Kiki’s car broke down and we spent all night fixing it.

BERTA. Your hands are dirty. Why don’t you wash up. I’ll make some chorizo con huevo.2 Is that Kiki’s car out there? Evertime I see him he’s got a different car.

DANNY. Si, that’s Kiki all right. The Chicano Robin Hood. Entrale,3 Kiki, Berta’s not going to bite your head off. (Kiki sticks his head through the door.)

KIKI. That’s what the black widow spider said to her viejo.4

BERTA. Why is Kiki the Chicano Robin Hood?

2 chorizo con huevo sausage and eggs 3 Entrale Come in viejo old man
KIKI. Because I take from the gringos and give to Chicanos like me. Hey man, come on, I'm tired, where do you wanna put the you know what?

DANNY. Shhhhh!

BERTA. What are you two whispering about?

KIKI. The new stereo and TV. It's a surprise.

DANNY. It was.

BERTA. New stereo and TV?

DANNY. I rented them from a store in San Antonio.

BERTA. Are you sure Senor Hood here didn't rip them off? Where did you get the money?

DANNY. Don't worry, viejita,5 I didn't use any of the money for the rent or la comida.6 This is extra feria7 I made picking watermelons.

KIKI. At least he didn't get it picking pockets, eh Berta?

DANNY. Kiki, go get the stuff, will you?

KIKI. O.K. Hey, Berta, no te pongas8 all uptight! (He exits.)

BERTA. Danny, I could have paid off the doctor's bills with that money. Give me the receipt, and I'll ride back to San Antonio with la comadre9 and take it back.

DANNY. Everybody else has a new TV, Berta, why can't we? (Searching for the receipt.)

BERTA. But there are more important things. We need to get our telephone turned on again. We need a car that runs. Groceries . . .

DANNY. All right. Ah, I can't find it. I must have left it at the store.

BERTA. Danny, you've got to start saving your receipts! How else are we going to know how much money we spent?

DANNY. Berta!

BERTA. Danny, we'll never get out of this mess we're in unless we save and sacrifice.

DANNY. Yo se,10 every day we get deeper in the hole.

BERTA. Those debts will drag us under.

DANNY (venting his frustrations). It's just that everything was going so good and then I got laid off. (Beat.) My family never had a TV. I used to go and watch "Lassie" and "Mr. Ed" with this little gabachito11 friend of mine. His mother would make us roast beef sandwiches and say, "poor boy, you probably don't get to eat roast beef at your house, do you?"

BERTA. What is it you want to watch on television?

DANNY. Don't you remember, my brother's going to be in the Diez Y Seis De Septiembre12 Parade in San Antonio? He's going to be dressed like a charro13 riding his horse!

BERTA. Oh, Danny, you're so sentimental. All right, mi amor, keep the TV for a while, but what do we need a stereo for?

DANNY. That's the surprise, I know how much you like your conjunto music. I couldn't get something for me without getting something for you, tambien.14

BERTA. Danny, you could talk me into anything! (They embrace.) Sabes que?15 I have a surprise for you too.

DANNY. What!

BERTA. Well, I, that is, you and I are going . . .

KIKI (bursting in on them). Hey man, why don't you surprise me and get that stereo and TV in here. Come on, that stuff is heavy. (Motioning to Berta that they will talk later. Exit Danny and Kiki.)

ROWENA. Mrs. Rosales, I want to tell the jury—was Danny telling the truth about having rented that stereo and TV from a firm in San Antonio?

BERTA. Yes, he was. My husband didn't steal anything. He died for nothing! He was murdered!

HAROLD. Your honor, I object, the witness is assuming that a murder has been committed.

JUDGE. Mrs. Rosales, please confine your comments to the questions at hand.

ROWENA. I would like to offer this receipt as evidence to be labeled State's Exhibit Number Two.

HAROLD. I ask that Court verify that receipt for its authenticity.

ROWENA. For our next witness, the State would like to call Steve Peters to the stand.

BAILIFF (as Steve enters). Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

STEVE. I do.

ROWENA. State your name, please.

STEVE. Steve Earl Peters.

ROWENA. What is your relationship to Mr. Hall?

STEVE. His daughter and I am engaged to be married.

ROWENA. How did he involve you in the shooting of Danny Rosales?

STEVE. I was just keeping him company.

ROWENA. You were keeping him company?

STEVE. I mean, I was just riding around with him. A lot of people ride around with their police friends. They're ain't nothing else to do in Castroville.

ROWENA. Let's go back to the night before shooting. What were you doing on Saturday, September 13, 1975?

STEVE. I was at Mr. Hall's home drinking . . . ice tea . . . and watching the football games on TV. I was also there to ask Debbie for her hand in marriage.

ROWENA. Debbie, Mr. Hall's daughter. Did you ask Mr. Hall for permission?

STEVE. I didn't get a chance to. The Chief kept getting all these calls on his police radio. He was on duty 24

5viejita  old lady (said affectionately)  6la comida  food  7feria  income  8no te pongas  don't get yourself  9la comadre  close friend  10Yo se  I know  11gabachito  Anglo kid  12Diez . . . Septiembre  September 16, celebrating Mexico's independence from Spain  13charro  Mexican cowboy  14tambien  also  15Sabes que?  You know what?
hours a day. I mean, we were in the middle of the Texas Tech-Baylor when he asked me to go with him on a stakeout!

ROwenA. What was Chief Hall hoping to accomplish?

steve. See, he'd gotten a tip from an informant that this Danny Rosales was going to be transporting some stolen merchandise. Mr. Hall wanted to catch him, as he put it, in \textit{flag-grande-dele-ecto}. I guess that means, "in the act."

ROwenA. Did he?

steve. No. We waited three hours by the side of the road for a '69 Burgundy Mustang, license plate number BQD195. It was hot and sticky and the skitters were bitting like crazy. All we had to listen to was the police radio squawking all night.

ROwenA. What did you do after the three hours were up?

steve. The Chief decided to swing over to "La Rosa Tejana" to see if the informant was there.

ROwenA. "La Rosa Tejana?"

steve. It's a Meskin Bar off the Highway 90. The Chief stayed in the squad car and asked me to go in to reconnoiter the situation. He waited outside to block any avenues of escape. (Flashback. Steve walks into "La Rosa Tejana").

KIKI (drinking a beer). \textit{Orale!} El Stevie Peters!

steve. Hey Kiki!

KIKI. What you doing this side of town, ese?\footnote{ese you (said contemptuously)}

steve. Kiki, you better get your ass out of here. The Chief is pissed off as hell. We waited three hours at the side of the road for you!

KIKI. You know what, Stevie, you gringos are all hung up on time. Did you know that, en Espanol, \textit{el tiempo anda}, time walks?

steve. Chief Hall is right outside, Kiki.

KIKI. Oh shit! Is that his squad car! I better go... (Kiki exits, but runs right into Fred at the back door.)

Fred. Well, what have we here!

KIKI. Mr. Hall!

Fred. Kiki Ventura. Sit down, Kiki, let me buy you a beer.

(Fred goes to a table. He makes a painful expression as he sits down.)

KIKI. Sure. I'll take a Longneck.

Fred (handing Steve some money). Get him whatever he wants. Gimme a Coke. (Steve exits.)

KIKI. Aren't you going to have a beer with me, Fred?

Fred. Not while I'm on duty. All right, what went wrong, what happened to you?

KIKI. Shit, Fred, my generator degenerated on me, man.

Fred. Why can't you Mexicans keep your cars running?

KIKI. 'Cause your gringos don't pay us enough! (Fred just stares at him.) Look, I'm sorry, I'll make it up to you.

(Steve enters with a beer for Kiki and two sodas.)

Fred. What's the deal with Rosales?

\footnote{\textit{Orale!} Listen!}
Carlos Morton

ACT 1

call Mrs. Grace Hall to the stand. *(Fade on Pearl, lights up on Hall home. Debbie is sitting and reading a magazine.)*

GRACE (entering with a pan). Debbie! Did you get those pans cleaned?

DEBBIE. Mother, I scoured them until my fingers ached.

GRACE (showing her the pan). You just have to scrub harder, dear.

DEBBIE. But, I'm scraping the finish off the pan, which is why the food sticks to it.

GRACE. Nonsense, you polish it until it shines like a mirror.

And you know I don't like you leave all them dirty dishes in the sink. I want them washed after each meal, the table wiped off, the sink shiny white.

DEBBIE. *(She's heard all of this before.)* All right, mother!

GRACE. Stevie is coming over tonight.

DEBBIE. Whoopee do.

GRACE. Arent you excited?

DEBBIE. Yeah, it just makes me want to stand on my head and shout Hallelujah!

GRACE. Debbie, I thought you were sweet on Stevie, I thought you liked him and wanted to...

DEBBIE. Past tense. The Lord didn't create me to spend the rest of my life in a kitchen cooking for Stevie Peters, that's for sure.

GRACE. Why, Debbie, a woman's place is with her man.

Why do you think Eve was made from the rib of Adam?

DEBBIE. Mama, you don't understand. I want to go to school, someplace like Chicago or New York!

GRACE. Oh no you don't! Austin is far enough away. Besides, you don't want to go to school with a bunch of Yankees, do you?

DEBBIE. I just don't want to be a dumb old housewife! *(Grace is offended.)* Oh, don't get me wrong, I'm not putting you down. You just don't realize your own worth. Cooking and cleaning and raising a child is a full-time job and you don't even get paid for it.

GRACE. Debbie, of course I get paid. Not with a check, with love. And I'm not just a housewife, I work part-time at the bank. Tell me, who do you think bought this trailer home and everything in it? Including your little foreign Japanese car?

DEBBIE. You and Daddy did of course. And I'm very grateful. I've seen the way some of these Black and Mexican kids live and it just about breaks my heart.

GRACE. The Lord helps those that help themselves, dear.

DEBBIE. I guess what I am trying to say is, I won't have time to be cooking, cleaning and taking care of kids because I'll be too busy working for me.

GRACE. Well, you can always get a Mexican to do your housework. Debbie, listen to me. Stevie told me he's going to ask your father for your hand in marriage—tonight!

DEBBIE. You know what? I hate weddings. They're just like funerals.

GRACE. We thought you'd like to have a June wedding, right after graduation.

DEBBIE. God! Did anybody bother to ask me?

GRACE. Debbie, don't use the Good Lord's name in vain!

*(Sound of someone coming through the front door.)* Listen, your Daddy is home.

DEBBIE *(out of earshot).* Jesus Christ!

STEVE. Hi, Mrs. Hall.

GRACE. Hello, Steve dear. *(Grace kisses Fred on the cheek.)*

STEVE. Debbie, can I talk to you for a minute?

DEBBIE *(crossing to her Fred).* How's my Lone Ranger?

FRED. Not too good, honey, Tonto and me let the bad guys get way.

STEVE. Deb...

DEBBIE. Did you play Tonto tonight, Steve? Hey, do you know that "Tonto" means "dumb" in Spanish?

FRED. That's pretty funny, eh, kimo sabe?

STEVE. Yeah. Hey, Deb, I gotta tell you something.

DEBBIE. What?

STEVE. Your dad said we could get married!

DEBBIE *(deadpan).* Wonderful.

GRACE *(noticing a pained expression on Fred's face as he sits down).* What's the matter, Fred, are you all right?

FRED. I'm O.K. Hand me my pain killers.

GRACE. You've been working too much, Fred.

FRED. Heard anything on the police radio?

GRACE. Can't we turn that thing off, even for one night?

FRED *(very much in pain).* Get me my pain killers!

DEBBIE. I'll get 'em for you, Daddy.

GRACE. Debbie, there's a nice cold pitcher of ice tea in the refrigerator. Fix everybody a tall glass.

STEVE. What's the matter, Chief?

GRACE. Oh, he ain't been the same ever since that shootout with the two Blacks at Del's Liquor Store. *(Harold enters from the side to encourage and coach Grace.)*

STEVE. Oh, yeah, that's right, he was shot three times.

GRACE *(acknowledging Harold).* It was late at night. Fred was on patrol when he noticed this suspicious looking car parked out in front of the liquor store.

FRED *(getting into the act).* One went left and one went right. I caught one guy and handcuffed him when I noticed a colored lady sitting in the car. I ordered her out and was trying to call for a back-up through the dispatcher when the guy who got away snuck up behind me and stuck a knife to my throat.

ROWENA *(interrupting).* Your honor, I object! Didn't we go over this material during the Sanity Hearing? *(The Hall family stays in place.)*

HAROLD. Your honor, I am merely trying to establish my client's state of mind that weekend. The jury should be aware that he was diagnosed as having a chronic brain syndrome. In fact, neurosurgery, even today, is seriously being considered.

ROWENA. You cannot plead Fred Hall not guilty by reason of insanity.

HAROLD. That is not my intention, but there were other factors present that had a direct bearing on the case.
ACT 1

JUDGE. I do want to remind the jury that we did find Fred Hall mentally competent to stand trial at the Sanity Hearing. You may proceed, Mr. Pearl, but let's not cover old ground.

HAROLD. Thank you, your Honor. (To the Hall family.) Now then, tell us about the shootout at Del's Liquor Store.

GRACE. Well, the first colored fellow that Fred had apprehended started hitting him on the head with a rock and with the handcuffs.

FRED. I went semi-conscious and hit the ground as one of them took my revolver away.

HAROLD. He took your revolver away?

FRED. Yes, he did.

HAROLD. What happened then?

FRED. He shot me with it! I kept rolling over and over on the ground to avoid the shots.

GRACE. Fred was wounded three times!

FRED. (Trying to take his shirt off ala L.B.J.) Here, I'll show you the scars.

GRACE. Fred, please don't!

DEBBIE (entering). Oh, Daddy! (Grace and Debbie embrace Fred.)

GRACE. And that is why my husband has to take pain killers to this day. (Debbie leads Fred offstage.)

HAROLD. Have you noticed anything unusual about your husband since this unfortunate incident occurred?

GRACE. I've noticed that his memory has gotten bad. He has also been depressed, moody, and given to fits of bad temper.

HAROLD. Anything else about your husband involving his line of work?

GRACE. He tended to do things that were extra risky. He would go into a dangerous bar to apprehend a criminal without a backup. Or, he would address a traffic offender in their car out on the highway. One time he even told me he looked forward to being killed in the line of duty.

HAROLD. You were very proud of your husband, weren't you?

GRACE. Oh, everyone in the whole town looked up to him. He would get invitations to speak at the high school and in front of law enforcement classes at the junior college.

HAROLD. Did he take too much of the responsibilities of his office upon himself?

GRACE. Oh yes. After Fred almost died in that shootout he rededicated himself to his career in law. He saw himself as someone saving the community from marital strife, bringing Christ to couples who go into marital conflicts, and cleansing the community of drug addicts . . .

ROWENA. Your Honor, I am going to object to this! This is nothing more than a barefaced ploy to gain sympathy for the defendant. Mr. Hall's efforts to bring Christ to couples has no bearing on this case whatsoever!

JUDGE. Sustained. Mr. Pearl, I suggest you wrap this testimony up.

HAROLD. Thank you, Mrs. Hall, thank you for telling us what kind of a husband and father Fred Hall was. Your witness, Ms. Saldivar.

ROWENA. I have no questions . . . at this time.

JUDGE. You may step down, Mrs. Hall. (Exit Grace.)

BERTA. Aren't you going to question her? She made the Sheriff out to be a saint.

ROWENA. Now is not the time, Berta. We'll get to her and her daughter later.

BERTA. Why isn't that vieja\(^1\) on trial? (Referring to Grace.)

ROWENA. Because she only pleaded guilty to concealing physical evidence.

BERTA. Physical evidence? What physical evidence?

ROWENA. Danny's body.

BERTA. There, you see, she buried his body in a ditch. What kind of people are they? Why don't they charge her with murder?

ROWENA. Situate,\(^2\) Berta, please—you're going to make it worse for our case.

HAROLD. I would like to call Mr. Kiki Ventura to the stand.

(Enter Kiki with his hat on his head.)

BAILIFF. Remove your hat, please. (Kiki removes his hat.) Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

KIKI. Yeah, I guess so.

JUDGE. You mean, "yes" don't you Mr. Ventura?

KIKI. Yes sir.

HAROLD. Please state your name, age and occupation.

KIKI. Enrique Ignacio Anselmo de Ventura y Rosas. But everybody calls me Kiki. I'm almost 30 years old and, uh, what else did you ask me?

HAROLD. Your occupation.

KIKI. Yeah, well, right now, I'm unemployed.

HAROLD. Mr. Ventura, what was your relationship to the deceased, Danny Rosales?

KIKI (saddened). He was my friend.

HAROLD. You were also a business associate of Mr. Rosales, were you not? Didn't you move different items of furniture and things like that from one county to another?

KIKI. Nah, we didn't do any furniture moving.

HAROLD. Mr. Ventura, is it not a proven fact that you have quite an extensive criminal record?

KIKI. That was in the past. I don't do that anymore. Ask my probation officer.

HAROLD. You and Danny were just good buddies, huh?

KIKI. Yeah, we hung out and drank Colorado Koolaid.

HAROLD. Is that all? Weren't you also involved in the sale of narcotics?

KIKI. I refuse to answer on the grounds that it might incriminate me.

HAROLD. Mr. Ventura, just answer my question, yes or no. KIKI. Don't I have the right to talk to my lawyers?

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\(^1\) vieja old lady \(^2\) Situate Be quiet
CARLOS MORTON

JUDGE. Answer the question, Mr. Ventura.

KIKI. Yes, but I served my time.

HAROLD. Isn’t it also a fact that you and Mr. Rosales sold a calf and then did not deliver it?

KIKI. No, that’s not true. Danny sold that calf, not me. No, you can’t pin that on me. (Flashback. Enter Danny.)

DANNY. Kiki, when am I going to get my dinero. The farmer wants his money back.

KIKI. Shit, Danny, I’m kind of broke right now. All I got is half a kilo of grass. Oaxaca Caca! Worth about $200.

DANNY. No, I don’t.

KIKI. You could sell it to some college student for $30 easy.

DANNY. I’m not dealing any drugs.

KIKI. OK, then, let’s smoke it!

DANNY. I’m tired of getting wasted.

KIKI. Hey man, are you turning into a Boy Scout?

DANNY. No, but I’m tired of beating my brains against the wall. From now on I’m going to use my head to think.

KIKI. What are you going to do, man, go to college for something?

DANNY. I could, if I wanted to. I could get my G.E.D. and enroll at the junior college.

KIKI. Ay si! Come on, you been talking to your old lady again? She’s been telling you how you could have been a pinche21 brain surgeon!

DANNY. No, I’ve been talking to myself. I’ve decided that 26 years old is too old to be playing in the streets, man. I don’t want to give Berta a bunch of chavalones22 just to watch them do a return of my own life. Look man, remember when Berta said she had a surprise for me?

Well, the surprise is that we’re going to have a baby!

KIKI. Hijoles,23 another poor esquincle24 in this world!

DANNY. No ve,25 I’m sick of being poor, and the alcohol and the food stamps.

KIKI. Hey, well excuse me. What are you going to do, go live with the gabachos in their part of town?

DANNY. No, but I’m not going to live like a punk kid, either.

KIKI. Simon, vato,26 you do your own thing. (Turning to go.)

Later.

DANNY. Hey, Kiki, we’re still friends, que no?

KIKI. Sure . . .

DEPUTY (entering). Which one of you is Danny Rosales?

KIKI. He is.

DEPUTY. I’m Deputy Davis. I have a warrant for your arrest on the charge that you sold but did not deliver a calf. A farmer named Gonzales signed the complaint.

KIKI. Hay te watcho,27 Danny . . . (Trying to leave.)

DANNY. Wait a minute, Kiki, you’ve got some explaining to do.

DEPUTY. No, I think you better start explaining, Rosales.

DANNY. Well, you see, Deputy, I couldn’t deliver the calf because Kiki here killed it.

KIKI. Yes, I killed it, but it was an accident.

DEPUTY. An accident?

KIKI. You see, I was trying to fatten it up for him. It was a little underweight. So, my Abuelita28 says to me, “Kiki, that calf looks a little sickly, maybe you should feed it some of this special grain.” So I did. Three weeks passed. One day I woke up and, boom, the calf was patas para arriba!29 Dead! I was feeding it loco weed by mistake. (Beat.) You don’t believe me?

DANNY. Tell him what you did with it, Kiki.

KIKI. I ate it. I was hungry.

DEPUTY. Look, whatever the reason, Rosales, you are still responsible. So, when are you going to give Gonzales his money back?

DANNY. I already gave half of it back last week. And I’m going to give him another fifty tonight. I promise to pay back every penny.

DEPUTY. Why should I believe you?

DANNY. Because I don’t want to go to jail. Also, if I’m in jail I can’t work. And if I can’t work, I’ll never pay him back.

DEPUTY. That’s a good point. I’ll tell you what, if you promise to pay $50 a week until you pay off the entire amount, I’ll let you free.

DANNY. Thanks alot, Deputy.

KIKI. Hey man, I wish all the chotas30 could be like you!

DEPUTY. I don’t want to lock you up, Rosales, but if you miss just one payment . . .

DANNY. Don’t worry, I won’t. Thanks for the break, Deputy!

KIKI. Orale pues!31 Let me show you the Chicano handshake. (Going to the Deputy, who ignores him.)

DEPUTY. Don’t let me down, Rosales. (Crosses to witness stand.)

KIKI. Pinche pig!

DANNY. Ya ve,32 Kiki, my luck is changing already! Pero,33 now you know how much I really need that money.

KIKI. Don’t worry, you’ll get it. You’ll get every bit of it. (Exits.)

ROWENA. Deputy, how did it happen that you went to arrest Danny Rosales at his home that Sunday night?

DEPUTY. Chief Hall had left instructions for me to serve that theft warrant against Rosales.

ROWENA. Wasn’t the warrant out-dated? Wasn’t it over two weeks old? And under Texas law isn’t a warrant only good for 72 hours?

DEPUTY. I told Chief Hall that, but he wouldn’t listen to me.

ROWENA. In other words, Chief Hall used the misdemeanor theft warrant as an excuse to take Danny Rosales out to the woods to beat him up and shot him.

20 dinero money 21 pinche fucking 22 chavalones kids 23 Hicholes Gee whiz 24 esquincle kid 25 No ve Don’t you see 26 Simon, vato All right, dude 27 Hay te watcho See you later 28 Abuelita grandma 29 patas para arriba hoofs up 30 chotas derisive term for police 31 Orales pues! All right! 32 Ya ve Now you see 33 Pero But
HAROLD. Your honor, I object to this line of questioning!
JUDGE. Sustained! Ms. Saldivar, this court is interested in facts, not assumptions.
ROWENA. All right. Deputy, tell us in your own words what transpired that night.
DEPUTY. (Flashback.) That's a mighty nice stereo and TV you got there, Danny. Maybe you should have used that money to finish paying off the farmer.
DANNY. I only missed one payment.
DEPUTY. You have the right to remain silent. You have the right to an attorney. Anything you say may be used against you in court of law.
ROWENA. What happened after you read the suspect his rights and finished searching the house?
DEPUTY. I was getting ready to take him in when Chief Hall pulled up in his private car. (Leading Danny off.) O.K. Danny, let's go.
FRED (entering with Steve behind him). Was the stolen stereo and TV in the house, Davis?
DANNY. Stolen!
DEPUTY. Yes, it was. Who is that with you, Fred?
FRED. None of your damn business. All right, Rosales, where did an unemployed Meskin like you who lives in a broken down shack like this which ain't even got a telephone, get a brand new stereo and TV?
DANNY. I rented them in San Antonio.
FRED. He rented them in San Antonio. Huh. Have you got a receipt?
DANNY. No, I left it at the store . . .
FRED (striking Danny in the stomach). You what! You what! Don't lie to me, boy!
DANNY. I'm telling the truth. I rented them from a store.
FRED (kicking Danny to the floor). You lying piece of shit! I've had just about enough of your lying and thieving, Stevie, give me that shotgun. (Jabbing Danny with the barrel.) Now then, are you going to tell me the truth, are you going to confess? I'll kill you, boy!
DEPUTY. Come on, Danny, tell us the truth. Where did you get them?
DANNY. I told you, I rented them from a store in San Antonio.
FRED. Let the thieving son of a bitch go! Uncuff him and let him run so I can shoot him!
DANNY. I swear to you! I haven't done anything wrong!
FRED. I'm gonna kill you! I'm gonna kill you! (Beating him.)
DEPUTY (pulling Fred off). Hey, Fred, what the hell's gotten into you?
FRED. You lying to me, boy. You've been lying to me all along! But I got you this time—dead to rights!
DEPUTY. Take it easy, Fred.
FRED. Davis, put him in the squad car. Let's go to the Old Alamo School Road, maybe his tongue will loosen up along the way.
DEPUTY. Couldn't we just lock him up overnight and call the rental place in the morning?
FRED. No, I want this cleared up now! How long you been a law enforcement officer in Arroyo County?
DEPUTY. Six months.
FRED. And you're the dumb son of a bitch who let him go in the first place. What are you, a social worker? I've been doing this for six years.
DEPUTY. But Fred, you can't be beating a prisoner like that.
FRED. Don't you know anything? (Taking him aside, whispering.) I'm only trying to scare him into confessing. I used to do this all the time in the C.I.D. Play along with me, tell him I'm going to shoot him if he doesn't tell the truth.
DEPUTY. O.K. Fred, we'll play it your way.
FRED. Tell him I'm a real mean son of a bitch. Tell him I killed a Meskin before and I'm fixing to kill me another one. Bluff him. I'll follow you in my car.
ROWENA. Then, you actually heard Fred Hall threaten to kill Danny Rosales?
DEPUTY. Yes.
ROWENA. How many times?
DEPUTY. At least five times.
ROWENA. Take note, Deputy Davis heard Fred Hall threaten to kill Danny Rosales at least five times that night. No further questions at this time. I pass the witness.
HAROLD. Deputy, what was your exact title? Didn't you call yourself Assistant Chief Deputy?
DEPUTY. The title was Deputy of Chief of Police.
HAROLD. You had aspirations of becoming Chief of Police, did you not?
DEPUTY. Every police officer has ambitions of bettering himself.
HAROLD. You didn't get along with Chief Hall at all, did you?
DEPUTY. We weren't exactly the best of friends. But I never let this get in the way of our work.
HAROLD. That night at the Rosales home, when you asked Fred who he was with, why did he respond, "none of your damn business?"
DEPUTY. I guess he didn't want me to know.
HAROLD (sarcastically). But in no way did your personal feelings for each other get in the way of your professional duties?
DEPUTY. That's what I said.
HAROLD. O.K. Those threats he made to Rosales, things like, "I'm going to kill you" and "I killed me one Mexican and I'm fixing to kill me another one." He told you that was just a ploy to get information out of a suspected burglar, was it not?
DEPUTY. He tried to convince me, but I didn't approve of it.
HAROLD. But you went along with it!
DEPUTY. He ordered me to.
HAROLD. He told you this was an accepted tactic used by him in the Civilian Investigation Division of the United States Air Force, did he not?

The Many Deaths of Danny Rosales

FRED. No, I want this cleared up now! How long you been a law enforcement officer in Arroyo County?
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FRED. And you're the dumb son of a bitch who let him go in the first place. What are you, a social worker? I've been doing this for six years.
DEPUTY. But Fred, you can't be beating a prisoner like that.
FRED. Don't you know anything? (Taking him aside, whispering.) I'm only trying to scare him into confessing. I used to do this all the time in the C.I.D. Play along with me, tell him I'm going to shoot him if he doesn't tell the truth.
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DEPUTY. The title was Deputy of Chief of Police.
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DEPUTY. Every police officer has ambitions of bettering himself.
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DEPUTY. I guess he didn't want me to know.
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DEPUTY. That's what I said.
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DEPUTY. He tried to convince me, but I didn't approve of it.
HAROLD. But you went along with it!
DEPUTY. He ordered me to.
HAROLD. He told you this was an accepted tactic used by him in the Civilian Investigation Division of the United States Air Force, did he not?
DEPUTY. He did, but I really wouldn’t know about the legality of that.

HAROLD. You wouldn’t know, would you? Were you ever enrolled in a professional Police Training Academy or anything of that sort prior to being hired in Castroville?

DEPUTY. No sir, but I plan to go.

HAROLD. You PLAN to go! No further questions. You may step down. (As the Deputy leaves the witness stand he encounters Fred coming in.) I would now like to call Fred Hall to the stand.

BAILIFF. Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

FRED. I do.

HAROLD. Tell us your name, please.

FRED. Fred Harold Hall.

HAROLD. Mr. Hall, would you please tell the jury a little about your background, specifically any experience in previous police work.

FRED. I retired from the United States Air Force after 30 years of service. I was a Senior Master Sergeant assigned to the Civilian Investigation Division. I also served in combat in Korea, and the Vietnam conflict . . .

ROWENA. Immaterial and irrelevant.

JUDGE. Sustained.

HAROLD. Let’s move on. When were you hired as Police Chief of Castroville?

FRED. When I retired from the Air Force.

HAROLD. And this was done on the basis of your previous experience in police work?

FRED. Correct.

HAROLD. Now then, that Sunday night, September 14, 1975, why did you take your future son-in-law along with you?

FRED. Well, I had been taking him along regularly to show him what police work was like. But that particular night I asked him to come along in case I needed a witness. I wanted to show Deputy Davis’ error in police work because he had done so badly in the past.

HAROLD. What about that outstanding theft warrant, that business with the calf? Why did you decide to activate it against Rosales?

FRED. I had hoped to catch him with some stolen property through information provided by an informant.

HAROLD. But you weren’t out to “get” Rosales, were you?

FRED. No, but there were all these trails leading to him. And when the informant told me he had a new stereo and TV, I thought I had him with the goodies.

ROWENA. Objection, hearsay.

HAROLD. I’m not going into what the informant said, your Honor, I just want to know if he was reliable.

JUDGE. Proceed.

HAROLD. Now then, was the informant reliable in the past?

FRED. Very reliable.

HAROLD. All right, tell us what happened when you went to arrest Danny Rosales at his home.

FRED. Well, as Stevie and I pulled into the driveway we saw the Deputy struggling to get Rosales into his squad car.

(Flashback. Enter Danny and Deputy.)

DANNY. God damn it, let me go! Let me go!

DEPUTY. I should have never given you a break, Rosales.

FRED. Have you read the suspect his rights, Deputy?

DEPUTY. Yes sir.

FRED. Good. Now then, Danny, could you please tell us where you got the new stereo and television set?

DANNY. Que chingados te importa, pinche guey!14

FRED. What did he say, Davis?

DEPUTY. I don’t know, Chief, but it don’t sound too good.

FRED. Danny, I hate to do this. But I’m afraid we’re going to have to take you down to the station and book you for possession of stolen property. Unless, of course, you can show me a receipt for the merchandise.

DANNY. I don’t have to show you nothing!

FRED. Put him in the squad car, Davis. Danny Rosales, are you resisting arrest?

DANNY. Hijos de puta!15 Police brutality! (Struggling with the Deputy.)

FRED. Deputy, why don’t you take him the long way to the jail house? Maybe Danny will calm down by the time we get there.

DEPUTY. Good idea, Chief. (Exit Deputy and Danny.)

HAROLD. What happened then?

FRED. Well, half way down there, by the Old Alamo School Road, I got to thinking, “maybe he is telling the truth.” So I signaled Davis to stop the car and turn the prisoner over to me. I figured if he was telling the truth I would let him go with a warning.

HAROLD. Now then, there was just you and Rosales out there in the woods, right?

FRED. Yes, the Deputy had left me in charge of the prisoner. Steve was in the car. Rosales and I were by the side of the road. I was still trying to question him.

HAROLD. Now, as a result to this questioning, did he make a gesture towards you?

FRED. Yes, he started coming closer to me and making threatening gestures. I remember pushing him back. At one point, I even went and got my shotgun. You see, he was unhandcuffed.

HAROLD. You had to protect yourself?

ROWENA. I object, defense is leading the witness.

JUDGE. Sustained. Watch your line of questioning, counselor.

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14Que ... quey What the fuck business is it of yours, fucking ass!
15Hijos de puta Sons of bitches
ACT 2

HAROLD. Tell us in your own words what happened that night.

FRED. He tried to grab a hold of the shotgun.

HAROLD. Show us how Rosales grabbed the shotgun.

FRED. Like this. He grabbed the barrel and tried to yank it away from me. Then he kicked me. At one point I was off my feet. I'd been kicked—just above the pelvis, I was down on one knee.

HAROLD. Mr. Hall, tell us, did you have fear and apprehension for your life?

FRED. Certainly! The thought flashed back in my mind how my gun had been taken away from me before in that liquor store, and how I had been shot three times.

HAROLD. So here was this younger, stronger man kicking you and trying to take your shotgun away, go on.

ROWENA. Your honor, please, the defense is leading the witness again!

JUDGE. Sustained! Cease this line of questioning.

HAROLD. I apologize, your Honor. Mr. Hall, I want you to look right at the jury and tell them exactly what happened that night.

FRED. I was afraid for my life. Thinking about that other fight when I was shot three times made me struggle all the harder. It was dark, he tried to yank the gun away from me and it went off.

HAROLD. Yes?

FRED. Accidentally.

HAROLD. Mr. Hall, I want you to look the jury right in the eye. Did you ever intentionally pull the trigger of that shotgun, sir?

FRED. As God is my witness, I never intended to pull the trigger and hurt that man!

HAROLD. Ladies and gentlemen, I ask you, does this man look capable of murdering in cold blood?

BERTA. He's lying! He's lying! He murdered Danny, he murdered him!

JUDGE. Mrs. Rosales, sit down, or I will be forced to remove you from this court.

BERTA. He's a killer! And you are going to let him get away with it!

JUDGE. Order, order in this court! Bailiff, remove Mrs. Rosales!

BERTA. Try the wife, try the daughter, try the son-in-law, they helped to kill my husband! (Berta is escorted off by the Deputy.)

ROWENA. Your Honor, I see no need to have Mrs. Rosales physically removed from this court!

JUDGE. Don't you raise your voice to me, Miss Saldivar! This court will recess for ten minutes.

ROWENA. Your Honor, I have not yet cross examined the witness!

JUDGE. Court is recessed for ten minutes!

ROWENA. Your Honor! Note my objection! Note my objection!

ACT 2

(Lights up on the courtroom. Harold and Fred on one side, Rowena and Berta on the other.)

HAROLD. She's going to cross examine you. Stick to the facts, and don't let her rile you.

FRED. Do you think she's going to ask Debbie to testify? My little girl doesn't have any business being up there!

HAROLD. Don't you worry about a thing. You have nothing to be ashamed of. Just stick to your story.

BERTA (to Rowena). How can he stand there, swear on the Bible, and lie through his teeth?

ROWENA. The problem is—the Sheriff is the only living witness to the shooting.

BERTA. Well, how's the jury going to know the truth unless you tell them?

ROWENA. Berta, we will. But we must work according to procedure. You can't go up there and try a man without evidence.

BERTA (pointing to the audience). But did you see their reaction? The jury believes him. They're all Anglos just like him.

ROWENA. That's because of the change of venue.

BERTA. I don't understand. How could they get away with that?

ROWENA. It's a legitimate tactic on the part of the defense, Berta. At the pre-trial hearings the defense has the right to ask the judge to change the trial from one place to another.

HAROLD. (Flashback.) Your Honor, I move for a change of venue on the grounds that biased publicity has made it impossible for my client to receive a fair trial here.

ROWENA. Your Honor, is the defense implying that Fred Hall cannot receive a fair trial in your court?

HAROLD. I am implying no such thing. My motion is based on evidence gathered from this radical Chicano newspaper which pictures my client as a pig and an ogre. There is a climate of racial hatred in Arroyo County that threatens to explode into riot and disorder.

ROWENA. Your Honor, of course the community is indignant. But rather than violence, they have staged some peaceful demonstrations. I fail to see how that can be labeled riot and disorder.

HAROLD. Your Honor, my client has been receiving threatening phone calls.

JUDGE. I will order a change of venue in this case. Unfortunately, there are strong racial overtones in this matter.

ROWENA. Your Honor, I submit that the question deals not so much with race, as it does with justice.

JUDGE. Trial will be held in Jim Bowie County. (Pounding gavel is heard.)

ROWENA (crossing back to Berta). That's why the trial is being held in a mostly white, Baptist county instead of
Arroyo County which has a high percentage of Mexican American voters.

BERTA. That's why the stores are closed on Sundays.

ROWENA. And then, to top it off, out of the 76 perspective jurors that were called, only three were Chicanos, and the defense rejected them.

BERTA. That's another example of their dirty tricks!

ROWENA. But the lawyers on both sides have the right to exclude or reject any juror they want.

BERTA. Is that why the jury is made up of 11 Anglos and one Black? It's not fair.

ROWENA. That's the way our system works, Berta. If only we would have had more registered voters who were Chicanos in this county. La Raza doesn't vote, Berta, La Raza doesn't vote.

BERTA. There's no one to vote for, all the politicians are alike.

ROWENA. Don't say that, Berta, the moment you throw away your vote, you lose all rights in this country.

BERTA. That's easy for you to say... you went to college... I picked crops in the fields.

ROWENA. Berta, it doesn't matter, we're in this together and we're going to win. We have all the evidence we need to convict Hall of first degree murder. We have witnesses that heard Hall threaten to kill Danny, witnesses who saw him beating Danny; we also have witnesses that saw Hall and his wife try and cover up the crime. We can't lose.

BERTA. Rowena, can't you see, I've already lost!

BAILIFF. All rise! (Everyone stands for the unseen presence of the Judge.)

JUDGE. Will both sides please approach the bench? (Harold and Rowena cross to the Judge's space.) First of all, Mr. Pearl, I want you to desist from leading the witness. Do you understand?

HAROLD. Yes, your Honor.

JUDGE. And, Miss Saldivar, I must warn you that outbursts of the kind you and your client engaged in are not tolerated in a court of law.

ROWENA. Your Honor, I apologize for having raised my voice in court and I assure you that my client will refrain from any further outbursts.

JUDGE. You may proceed, Miss Saldivar. (Fred makes his way to the witness stand.)

ROWENA. Now then, Mr. Hall, you told us you worked for the City of Cortez for six years as Chief of Police. What was your salary at the time you were released, or should I say dismissed.

FRED. $450 per month.

ROWENA. $450 per month. That's not very much for a family of three, even though your wife worked part-time at the bank.

HAROLD. This is irrelevant, your Honor.

ROWENA. I will show the relevancy.

JUDGE. Proceed.

ROWENA. You took that job because you had to supplement your income with your pension from the Air Force, did you not?

FRED. That wasn't the only reason.

ROWENA. Now, you never went to a professional police academy prior to being hired by the City of Castroville, did you?

FRED. No.

ROWENA. When you worked for the Civilian Investigation Division you were merely a clerk, were you not?

FRED. Yes, but...

ROWENA. You only worked for them two years in a clerical capacity, according to your records. Yet here you were passing yourself off as some kind of secret service man. The Air Force stationed you to different jobs in different places during your 30 year stint, didn't they?

FRED. Yes, they did.

ROWENA. You're not a native Texan, are you, and yet you went around dressed like John Wayne!

HAROLD. Your Honor, irrelevant and immaterial.

ROWENA. Your Honor, I am trying to show that small towns like Castroville hire retired servicemen like Mr. Hall because they are the only ones who can afford to take the relatively low paying jobs.

HAROLD. That is an assumption, not a fact.

JUDGE. Sustained. The jury will ignore that assumption.

ROWENA. Now then, Mr. Hall, in spite of the fact that you had no formal training in police work, you claim that you performed your duties as police chief according to the letter of the law, correct?

FRED. As to the best of my ability.

ROWENA. Then why did you take Danny Rosales to a deserted country road five miles outside of town to interrogate him? Why didn't you take him to your office inside the police station?

FRED. I took him out there because I had every intention of letting him go. I just did it to scare him.

ROWENA. While you were out there in that woods, rural area, did you notice any houses?

FRED. Yes, I did.

ROWENA. There were houses. Is that the reason you didn't want any lights turned on?

FRED. I don't recall that.

ROWENA. You don't recall that?

FRED. No.

ROWENA. You don't recall asking Stevie Peters where you could bury the body before it even got cold?

FRED. No, I don't.

ROWENA. You don't recall talking to your wife about taking the body to East Texas?

FRED. No, I don't.

ROWENA. Do you mean to tell the ladies and gentlemen of this jury that you don't recall driving around town with the body in the back seat of your automobile?
ACT 2

FRED. No, I don’t.
ROWENA. Your Honor, please instruct the witness to answer the questions!
JUDGE. Mr. Hall, I don’t need to remind you that you are under oath. Do you or do you not remember what happened that night?
FRED. Your Honor, I can’t recall anything that happened after the gun went off. My mind is a total blank.
HAROLD. Your Honor, if I may interject a word here. Mrs. Hall testified earlier regarding my client’s loss of memory due to the trauma of the wounds which he suffered in that shootout.
ROWENA. I insist that the witness answer my questions in full!
HAROLD. Your Honor, competent physicians have testified that the defendant, Fred Hall, has Alzheimer’s Disease or pre-senile dementia. He is a sick man, your Honor.
JUDGE. Mr. Hall, I want you to answer the questions to the best of your ability. Proceed, Ms. Salkivar.
ROWENA. All right, let’s talk about this so-called beating on your head, Mr. Hall. Did you have any x-rays taken?
FRED. No, I did not.
ROWENA. You mean to say that the doctor didn’t think it was important to take x-rays of your head and yet you claim that this is the cause of your amnesia five years later?
FRED. The bullet wounds to my body were the more serious. The problems with my head turned up later.
ROWENA. Now, you testified, and I quote, “as God is my witness, I did not intend to kill that man.” How come your thoughts are so clear on that point, yet on the other points, points that are damaging to your case—you can’t recall?
FRED. Well, as I indicated, my thoughts, even right now, are real scrambled because of the medication. I truly believe it was an accident.
ROWENA. You believe it was an accident. Are you saying you don’t know for sure?
FRED. I am saying that the whole thing has gone all kinds of ways around my head. I even dream about it. I can’t actually say yes or no one way or another, but this is what I feel in my heart.
ROWENA. You only recall the things you think will help you, but you don’t recall the things you think will hurt, right?
FRED. No, that is not correct.
ROWENA. That’s what it sounds like to me, Mr. Hall!
HAROLD. I will object to her arguing with the witness, your Honor.
JUDGE. Disregard the statement, “It sounds like it.”
ROWENA. Very well, Mr. Hall, you may step down. Let me call some witnesses which will help you to refresh your memory. I would like to recall Steve Earl Peters to the stand. (Enter Steve.) Steve, do you know what an indictment is?
STEVE. That is when someone is charged with a crime.
ROWENA. Are you charged with a crime now by indictment?
STEVE. Yes, I am.
ROWENA. Do you also understand that you are still under oath and that perjury is a punishable offense?
HAROLD. Your Honor, I object, the Prosecution is intimidating the witness.
JUDGE. Objection sustained. Watch your line of questioning, counsel.
ROWENA. Steve, let’s go back to that weekend at the home of Fred Hall, prior to Danny Rosales’ arrest. (Flashback.)
STEVE. Well, we got back from the stakeout late Saturday night. We all sat down and had a cold drink. Of course, I was so excited I could hardly wait to tell Debbie about the wedding. (Enter Debbie, Fred, and Grace.)
STEVE. Hey, honey pie, guess what? I talked to your Dad!
DEBBIE. Oh, Steve, you didn’t! (Hugging Steve.)
STEVE. He said we could get married!
DEBBIE. Wonderful!!! (Throwing herself in his arms.)
FRED. This calls for a drink.
GRACE. Is the June wedding on?
ROWENA (from the side). How many drinks did you have, Steve?
STEVE. About three or four. Debbie, I’m going to make you the happiest woman alive!
ROWENA. Exactly what were you drinking?
STEVE. Margaritas! Margaritas! How many kids do you want to have, Deb?
DEBBIE. Oh, Stevie, lots and lots!
STEVE. Hey, how about another pitcher of margaritas?
GRACE. Coming right up!
ROWENA. Was Fred drinking margaritas that day?
STEVE (suddenly realizing what he said). No, not margaritas, ice tea! We were drinking ice tea.
ROWENA. You’re under oath, Stevie.
STEVE. Yes, he was drinking margaritas.
ROWENA. Was he drunk when he went to arrest Danny Rosales?
STEVE. No, he was fine. He could really hold his liquor!
ROWENA. Was Fred Hall consuming anything other than margaritas that weekend?
GRACE. Fred, what are you doing? You know the doctor told you not to drink and take pain killers at the same time! (Fade on Hall family.)
ROWENA. Ladies and gentlemen of the jury, take note! Fred Hall was taking pain killers and washing them down with margaritas prior to Danny Rosales’ arrest. Now then, Steve, did you, at any time, participate in the beating of Danny Rosales?
STEVE. No, I was just holding the shotgun.
ROWENA. Did you point the shotgun at Rosales?
STEVE. No! In fact, the Chief took the gun away from me and pointed it at Danny’s head.
ROWENA. Why did he continue beating him even after Rosales denied stealing anything?
STEVE. I don’t know. He just had this thing for Rosales. We talked about it while we were out by the Old Alamo School Road waiting for Davis to bring the prisoner. (Flashback.) Hey Chief, how come you hit him so hard?

FRED. I told you Steve, when you’re dealing with people like that you gotta be real firm. (Holding shotgun.) You got to put the fear of God in them. This is the only language they understand.

STEVE. Yeah, ‘sides, they don’t talk English none too good.

FRED. Damn people breed like rabbits, end up having 15 kids and living on welfare. And our tax dollars pay for it. Before long they’ll be out numbers and take over. We oughta deport them, don’t make no difference if they was born here or not. Now, this particular guy is the worst of the lot. Did I tell you I seen him eyeing Debbie?

STEVE. What do you mean, “eyeing her?”

FRED. He was sniffing around her. One time, after I dropped her off at the bus station, I got back in the car and saw Rosales sitting next to her, grinning at me!

STEVE. That damn greaser! (Enter Debbie and Danny.)

DANNY (seated, as though on the Greyhound bus). Oh, I’ve been coming up to the United States since I was a little boy. My family and I picked crops all over the country. Of course, I was never able to get a good education. My father’s dream was to settle down in one place so we could go to school.

DEBBIE (sitting next to him). I can’t imagine what it’s like to be so destitute.

DANNY. Destitute?

DEBBIE. You know, poor.

DANNY. Destitute means poor? Well, we were so destitute, we couldn’t even afford to use the word destitute.

DEBBIE. You like Texas better than Mexico?

DANNY. Yes, there’s more jobs here. Although the people on my father’s side immigrated to Mexico from Texas.

DEBBIE. Oh really, how can that be?

DANNY. The Navarros were Tejanos, the original settlers of Tejas. My great-great grandfather had a rancho around the San Antonio area, but his children moved south to Nuevo Leon, Mexico.

DEBBIE. Really?

DANNY. Remember, it used to be a part of Mexico.

DEBBIE. But of course!

DANNY. What about you? Where were your people from?

DEBBIE. Well, my daddy’s an adopted Texan because he was born in the North. But my mother’s family all came from Alsace, a region in France, in 1844. They were the first white settlers of Castroville. In fact, that’s why Castroville is known as “The Little Alsace of Texas.”

DANNY. I didn’t know that.

DEBBIE. I was always rather proud of that, knowing that we were “original Texans.” (Fade on flashback.)

FRED (to the Deputy as he brings Danny in). Well, it’s about time you got here! Now then, Rosales, where did you get that stereo and TV?

DANNY. Mr. Hall, you’re making a big mistake. I rented them from a store in San Antonio.

FRED (striking Danny). You’re a lying son of a bitch! Unhandcuff him, Davis, let him run so I can shoot him!

DEPUTY. Hey, come on, Fred, that’s enough!

FRED. I said, unhandcuff him, that’s an order!

DEPUTY. All right, let me have the flashlight so I can see what I am doing.

FRED. No, no flashlights. I don’t want no lights.

DEPUTY (down on his knees trying to unhandcuff Danny). But I can’t see to get the handcuffs off him.

FRED. Steve, close that door! I don’t want no car lights, no flashlights, no cigarettes.

DEPUTY. There, I got the handcuffs off of him, now what are you going to do?

FRED (stage whisper to Deputy). I’m bluffing! Play along. (In a louder voice.) Go back to Castroville, Davis.

DEPUTY. Fred, stop this shit, it ain’t working!

FRED (getting mad now). Davis, you bastard, I gave you an order!

DEPUTY. He’s my prisoner!

FRED (threatening Deputy with shotgun). Fuck you! Now, git! (Deputy exits murder scene, stand off to the side.) Now then, Senor Rosales, this is your last chance . . . (Leading Danny offstage.)

ROWENA (voice only). Deputy, what was going through your mind when the police chief threatened you with the shotgun and told you to go back to Castroville?

DEPUTY. Being relatively new on the job and all, I was thinking that maybe he was trying to put me through some kind of test to see how sharp I was.

ROWENA. So, you disobeyed his order?

DEPUTY. Yes, I had the feeling, an intuition, that something was wrong. He said he was play acting, but there was something deadly going on.

ROWENA. What did you do?

DEPUTY. I drove about 200 yards or so down the road, cut the radio and lights, and sat there about two or three minutes. Then I heard what sounded like a shot. (Shot is heard.)

ROWENA. Steve, you were in the car. Could you see what was happening out there?

STEVE. None too good. The moon was bright that night, but they were both standing behind the car, two or three feet away from each other, arguing back and forth. Mr. Hall pushed him with the butt of the gun, and then with the barrel.

ROWENA. What did Danny Rosales do?

STEVE. He pushed the barrel of the gun away. Mr. Hall went towards him and then I heard the shot. (Shot is heard.)

ROWENA (voice). Did you see what happened?
STEVE. No, they were in my blind spot. (To Fred.) What was that! Fred! Fred!
FRED. He wrestled with the gun, Stevie. It went off . . . and it killed him.
STEVE. Jesus, what are you going to do now?
FRED. I don’t know, it was an accident, but nobody will ever believe me.
STEVE. Let’s get the hell outa here!
FRED. Wait. There’s a light! Somebody’s coming. Move away from here. (They walk in the direction of the Deputy.)
DEPUTY. What happened? I heard a shot. Fred, where’s Rosales? I want to know right now, the bullshit’s over.
STEVE. Stevie, uh, get back in the car. Come here, Davis, I want to tell you something.
DEPUTY. Just cut the bullshit, Fred. What’s going on?
Where’s Rosales?
FRED. If you shut up, I’ll tell you. Well, Davis, I, uh, killed him!
DEPUTY. You what? How did you do it? What happened, where is he?
FRED. No, I don’t kill him. I was just blowing smoke at you. I just winged him is all.
DEPUTY. Where did you “wing” him?
FRED. Right up here, under the left armpit. But he’s all right.
DEPUTY. What the hell are you talking about?
FRED. I was just joking.
DEPUTY. I said cut the bullshit. What did you do to Rosales?
FRED. I’ll tell you the truth. He tripped me and I fell. That’s when the gun went off accidentally. Then he ran away.
DEPUTY. Which way did he go?
FRED. He ran into the woods. He’s all right. I just scared him.
DEPUTY. God damn it! You better tell me the truth, Fred.
FRED. I am. Look for yourself. This is the spot where he took off from. If he’s here, he’d be in that ditch.
DEPUTY. Come on down here, help me look. (Fred makes no effort to look.)
FRED. Is he there?
DEPUTY. I don’t see anything.
FRED. He’s probably on his way home right now.
DEPUTY. Are you telling me the truth? Why did you tell me you killed him?
FRED. I was just testing you to see how you would handle a situation like this. Say, now, what would you tell the Sheriff’s office? He was supposed to have been at the county jail 20 minutes ago.
DEPUTY. I don’t know, what am I supposed to tell them?
FRED. Well, you could call the dispatcher and tell him that your prisoner escaped somewhere off Highway 90.
DEPUTY. Now, what in the hell am I going to do that for? In the first place, we’re not anywhere near Highway 90. In the second place, you had charge of the prisoner.
FRED. You’re a jerk, do you know that? You’re never gonna make it around this police department or any other police department. When a superior officer gives you an order you obey it!
DEPUTY. Look, first you told me you shot the man, then you told me you didn’t. And then you told me something else, I don’t know whether to believe you or not. But let me tell you something, I’m not going to lie for you or anybody else.
FRED. O.K. Go on, get the fuck out of here!
DEPUTY. I’ll see you back at the county jail, Chief. (Deputy exits, goes to the stand.)
HAROLD. Now then, Deputy Davis, if you were so certain that Chief Hall killed Danny Rosales, why didn’t you arrest him right then and there?
DEPUTY. I couldn’t prove anything because there was no body.
HAROLD. Did you actually see Fred Hall shoot Danny Rosales?
DEPUTY. No, but I heard . . .
HAROLD. You were 200 yards away in your squad car. How do you know what was going on out there? Just answer yes or no. Did you see Hall shoot Rosales?
DEPUTY. No, sir.
HAROLD. One more question. Were you granted immunity from prosecution by the State of Texas?
DEPUTY. Yes, sir, I was.
HAROLD. So, in return for this immunity you have agreed to come forward with the most damaging testimony you can think of to bury Fred, isn’t that right?
DEPUTY. No, sir, that’s not right. The statement I made was written four months before I was granted immunity.
HAROLD. The District Attorney didn’t come along at that time and tell you, “now, if you behave and be a good boy and tell us what we want to hear you won’t get prosecuted,” right?
DEPUTY. No, sir, that’s not true. I made an oath at the very beginning to uphold the laws of the State of Texas. That’s exactly what I told Mrs. Rosales when she came looking for her husband at the police station the night he was killed. (Flashback.)
BERTA. Deputy, where’s my husband? They say they haven’t seen him at the booking desk and it’s way past midnight?
DEPUTY. I honestly don’t know where he is, Mrs. Rosales.
BERTA. What do you mean? You arrested him two hours ago.
DEPUTY. Mrs. Rosales, there’s nothing I can tell you right now, believe me. If any information comes in you’ll be the first to know. Now, if you’ll excuse me, there’s some problems here at the jail, seems like there’s a riot going on or something.
BERTA. You expect us to be treated like this? You arrest my husband and say you’re going to take him to jail and he’s no where to be found?
DEPUTY. Please, I’m trying to do everything I can to find out what happened to your husband.
BERTA. No you’re not, what do you care? To you Danny is just another Mexican.
Carols Morton

DEPUTY. That's not true, Mrs. Rosales. Less than a month ago, I gave Danny a break, not because he was brown or green or any other color, but because I believed he'd live up to his word.

BERTA. Where's my husband? Is he hurt? Tell me where to look for him.

DEPUTY. Why don't you ask his friend, Kiki Ventura.

BERTA. I don't care about him, all I care about is Danny.

DEPUTY. You better care. The only difference between Kiki and Judas is that Judas hung himself. But I promise you one thing, everybody's going to get what's coming to them, everybody.

DEBBIE. (back at the witness stand, Debbie has been sworn in and has begun her testimony.) It was late, but Mama and I were sitting up talking... Mama, what are you doing up so late?

GRACE. Waiting for your father and reading the Good Book.

DEBBIE. Oh, how exciting.

GRACE. It is dear, it's the best seller of all time.

DEBBIE. I thought Gone with the Wind was.

GRACE. Do you want to know what passage I was reading?

DEBBIE. Sure.

GRACE. Corinthians 6:19, "Know ye not that your body is the temple of the Holy Spirit?"

DEBBIE. Oh, Mama, not again.

GRACE. The Bible says that thou shalt not defile the body with immorality. Debbie, does Stevie ever touch you?

DEBBIE. Of course he touches me, he touches me all the time.

GRACE. Debbie, you know what I mean. Does he touch you—do you know, where he shouldn't?

DEBBIE. Of course not, I wouldn't let him touch me there.

GRACE. I know he kisses you good night, because I've seen the two of you on the front porch, but does he ever, I don't know how to say this—does he ever stick his tongue in your mouth?

DEBBIE. Oh, Mama! Of course not!

GRACE. I know you're a good girl, Debbie, I just want to make sure you save yourself for your wedding night.

DEBBIE. Mama, you know something, I just made up my mind this very night! There will be no wedding!

GRACE. Debbie, you can't be serious. We told all our friends and relatives. (A car pulls into the driveway, Grace reacts.) Is that your Daddy and Steve?

DEBBIE. Stevie says he wants to start having lots of kids. Sometimes I think the only reason he wants to get married is so he can sleep with me!

GRACE. Debbie, don't say things like that. (She is looking out the window.) (Steve runs into the house past Grace.) Hello, Stevie dear.

STEVE. Hello, Mrs. Hall. (He stands nervously by Debbie's side as she ignores him.)

GRACE (opening the screen door and going out to the driveway). Fred, what are you doing? Did you know there was another disturbance at the county jail? I heard it on the radio.

FRED (sitting behind the wheel, exhausted). I can't go.

GRACE. Fred, what's the matter with you? Is your stomach bothering you again? You've been working too hard. You're not going out again, are you?

FRED. Have to.

GRACE. Well, at least let me drive. Scoot over. (Noticing someone is in the back seat.) My God, is that somebody in the back seat!

STEVE. Debbie, did a guy named Danny Rosales ever speak to you or anything like that?

DEBBIE. Yeah, sure, so what?

STEVE. Just answer my question.

DEBBIE. We talked once on the Greyhound to San Antonio. He was kind of nice, uneducated, but nice.

STEVE. Did Rosales ever touch you or try to make a pass at you?

DEBBIE. Why are you asking me these questions? What are you—my father?

STEVE. Debbie, your father just shot Rosales to death!

DEBBIE (breaking away from Steve, into a flashback). Daddy killed Danny!

GRACE (as Fred enters, followed by Grace). Answer me, Fred! Where is the Deputy? What did you do, for God's sake! (Fred sits silently.) Stevie, what happened?

STEVE. Fred said it was an accident. I don't really know, I didn't see it.

DEBBIE. Daddy, are you all right? You look so pale. What's this on your uniform?

GRACE. Debbie, pour your father a cup of coffee, he needs to think straight.

DEBBIE. Blood stains!

FRED. Get me a beer.

GRACE. No more drinking, Fred. Now tell me, why are you so worried? You said it was an accident.

FRED. Too many witnesses.

STEVE. I think I better go home. Goodnight, Debbie.

GRACE. Stevie Peters, you stay put. Let me tell you something about this family. We stick together, you hear? If you're going to be a part of it you got to stick with us come hell or high water, you hear?

STEVE. Yes 'um.

FRED. Got to get rid of the body.

DEBBIE. Why don't you just take it to the funeral home?

FRED. Give me a drink!

GRACE. I said, no more drinking! Now, listen to me, you and Stevie clean up the back seat of the car and put the body in the trunk. Hurry up, before it gets light.

FRED. You're right, you're right. Come on, Steve. (They exit.)

GRACE. Debbie?

DEBBIE. Yes, Mama.

GRACE. You'd do anything for your Daddy, wouldn't you dear?

DEBBIE. Of course.
GRACE. Your father is very sick, you know.
DEBBIE. From the shootout and all?
GRACE. That’s right, dear, we have to protect him. Especially when he makes a mistake like he did tonight.
DEBBIE. What are we going to do, Mama?
GRACE. I think we’re going to have to go for a little ride, dear. You and I are going to have to help your Daddy dispose of that body.
DEBBIE. What!
STEVE (entering). It’s all done. We moved the body into the trunk and the Chief’s hosing down the back seat. I gotta go now, Mrs. Hall.
DEBBIE. Stevie, Mama needs someone to help her... get rid of that body.
STEVE. Listen, I have to go to work tomorrow. I’ve done more than my share.
DEBBIE. Stevie, she wants me to go with her!
STEVE. Mrs. Hall, can’t you just go to the county jail and tell them the truth? Fred’s the Chief of Police, they’ll protect him.
GRACE. There’s a riot going on! That Mexican Independence Day Celebration has gone over into a riot. This could have something to do with it.
STEVE. Well, I’m sorry, I’ve got to go. (Turning to leave.)
DEBBIE (blocking his way). Stevie, go in my place, please!
STEVE. No, I can’t deal with this anymore, I just can’t.
DEBBIE. Please, Stevie, I love you. I’ll do anything, anything.
(Clinging to him.)
STEVE. They’re your parents!
DEBBIE. I don’t want nothing to do with it!
STEVE (flinging her to the floor). I told you, I done my share!
(Exit Steve.)
FRED (coming upon Debbie on the floor, comforting her).
What’s going on here!
GRACE. You tell me!
FRED. I don’t know.
GRACE. The only place I can think of is my brother’s ranch, in Carthage, by the Louisiana Border.
FRED. 500 miles away?
GRACE. Exactly.
FRED. I’ll clean up and get started.
GRACE. No, you stay here in case they come looking for you. And take off that blood stained uniform, I’ll throw it in the washer.
DEBBIE. Daddy! She wants me to go with her!
FRED. Grace, I don’t think this child...
GRACE. I need her to help me with the driving. You stay here and go to work in the morning as though nothing had happened. And call in sick for me at the bank.
FRED. I know I could count on you, Grace. (They embrace and kiss.)
GRACE. I love you, Fred. (Fred exits.)
DEBBIE. I don’t want to go!
Carlos Morton

took six hours. I remember stopping along the way and buying some shovels and a digger. It was the month of September and it was still very hot.

GRACE. The sun is so bright today, like a blinding white disk.

DEBBIE. I never seen so many dead animals on the road in all my life.

GRACE. Look how brown and dried the earth is.

DEBBIE. Just like Danny back there.

GRACE. There's the start of my brother's ranch, 300 acres.

DEBBIE. Mama, what if somebody sees us?

GRACE. Don't worry, I used to play here when I was a little girl. I know a spot no one will ever find.

DEBBIE. I'm not going anywhere near him!

GRACE. Debbie, I didn't expect you to!

DEBBIE. How are you going to bury him all by yourself?

GRACE. Simple. I'll back the car up near the space for the grave, wrap the rope around the body, loop it over a tree branch, and hoist it up out of the car trunk.

DEBBIE. How long do you think it's going to take to dig a grave in this hard clay earth?

GRACE. Don't you worry, I'll do all the digging.

DEBBIE. But Mother, why did you bring two shovels?

GRACE (starting to dig the grave). After all this is over, we'll go up to our cabin at Lake Austin and relax.

DEBBIE. Mama, what happens to a man's spirit when he dies?

GRACE. Well, if he believes that Christ is the Savior, then he'll be with Him. Honey, don't worry yourself about things like that. I know that you're thinking about that boy, but there's nothing we can do to bring him back to life. We have to think of the living.

DEBBIE. But Mama, there's too many witnesses! Even Daddy said so. Maybe we should just tell the truth.

GRACE. What is the truth?

DEBBIE. That it was an accident, that Daddy didn't mean to do it. Don't you see we're just making matters worse by trying to cover it up. Why don't we just go to a police station and tell them the truth?

GRACE. Debbie, I got too many things on my mind to argue with you. Besides, the truth will come out in the end, it always does. Now then, I'm going to dig a small grave and conceal the body. This clay earth will protect it until such a time as we need to retrieve it. Hand me some of those plastic bags.

DEBBIE. What are you going to use them for?

GRACE. To cover up his face and chest and other portions of his body.

DEBBIE. What for?

GRACE. You don't want dirt falling on his face, do you? (Blackout.)

DEPUTY (with Berta at the front door of the Hall home). Fred! Fred! Mrs. Rosales wanted to talk to you and asked me to come along with her.

FRED. Well, good morning, Mrs. Rosales, what can I do for you?

BERTA. I want to know what you did to my husband.

FRED. Well, he's in a lot of trouble. Not only did he escape my custody, but he attempted to assault a law officer.

BERTA. That's a lie. If he had escaped, he would have gotten word to me.

FRED. Maybe he's out having a little drink with the boys.

BERTA. You beat him, didn't you? And then you shot him!

FRED. Mrs. Rosales, I think you'd better get off my property.

BERTA. What have you done to my husband?

FRED. The last time I saw him he was high-tailing it through the woods.

BERTA. Then how do you explain his boot and the pool of dried blood I found near the side of the road?

FRED. Is that true, Davis?

DEPUTY. That's right, Fred, we spent all morning out there. There's dried blood and lots of it.

FRED. Well, that don't prove nothing. The gun did go off accidently, I could have wounded him, but he ran off! Besides, there's no body, where's the body?

DEPUTY. Fred, I think you'd better come down to the station and answer some questions.

FRED. Yeah, sure, I got nothing to hide.

DEPUTY. One more thing, Fred, let's see your sawed off shotgun. (Blackout.)

GRACE (later on that afternoon at Lake Austin). There, you see, we made it, safe and sound.

DEBBIE. It was such a long drive.

GRACE. Texas is a country all unto itself, darling.

DEBBIE. Who would have thought it would have taken six hours to dig that grave.

GRACE. You don't get any blood on your clothes, did you?

DEBBIE. Only on my hands.

GRACE. Now then, we have one more little task to do and then we'll be all done.

DEBBIE. What now?

GRACE. The trunk. First we have to get rid of the shovels and digger. Then we have to scrub it down real good.

DEBBIE. Oh no, not again!

GRACE. We'll scrub it until it's clean as a whistle!

DEBBIE. Mama, I still don't understand why we're going through all of this. You say we have every intention of telling the truth, of going back there and uncovering the body and clearing Daddy's name! Why are we here in Lake Austin hiding from everybody?

GRACE. We're not hiding! (She opens the trunk and takes out the shovels.) We're just waiting until your father can get his wits back together again and explain this unfortunate incident.

DEBBIE. Mother, I'm going to be sick.

GRACE. Hand me the cleaning detergent and that towel. (As she pulls out some plastic bags.)

DEBBIE (covering her face with her hands). What's in those plastic bags?

GRACE. Nothing, now just relax!

DEPUTY (entering rather suddenly). Excuse me! Mrs. Hall?
GRACE. Oh, my goodness, you startled me! What are you doing here, Deputy? Is something the matter?
DEPUTY. Is this your daughter, Debbie?
DEBBIE. No, I'm Berta Rosales.
GRACE. Debbie! These children have no respect nowadays.
DEPUTY. Mind if I take a look at the inside of your trunk?
GRACE. Why, whatever are you looking for?
DEPUTY. Two shovels and digger. (Commenting on the tools.)
GRACE. God, what is that awful smell!
DEBBIE. That's right, and his name was Danny Rosales. Only, you know something, we couldn't get his eyes closed!
(Blackout.)
JUDGE (back at the trial). Ladies and gentlemen of the jury, I want to remind you that this is a two-stage trial and that your first task is to decide on the guilt or innocence of the defendant. Your second task is to assess the punishment. First you must find the defendant, Fred Hall, (1) guilty of murder in the first degree or, (2) guilty of aggravated assault, or (3) not guilty as charged. Proceed with the closing arguments.
ROWENA. Ladies and gentlemen, this is more than just another case of murder in a small Texas town. What is being tried here is the American system of justice and whether or not all the people have the inalienable rights promised to them by the Constitution of the United States.
HAROLD. Ladies and gentlemen of the jury, Ms. Saldivar would have us believe that the American judicial system is on trial here. That is not the case, what is on trial is whether or not an officer of the law has the right to defend himself under attack.
ROWENA. On the eve of my involvement in this case, I reaffirmed my professional commitment not to identify too closely with my client, a rule which we were taught in law school. But the violent manner in which Danny Rosales died tore away the veil of my impartiality.
HAROLD. The prosecutor has admitted being blinded by her emotional involvement in this case. Consequently, she has turned this trial into an arena for her political crusading. But she will find no scapegoat here, no sacrifice to appease the masses.
ROWENA. Danny Rosales was accused of a crime he did not commit, arrested in his home, beaten without cause in his driveway, dragged into the woods, beaten again, and then shot to death at point blank range by the highest ranking law enforcement officer of the town in which he lived. If this could happen to Danny Rosales, it could happen to me or you.
HAROLD. If my client is guilty of anything, he is guilty of being over-zealous in his dedication to duty; a man who served his country for 30 years in the United States Air Force, a God fearing family man who almost gave up his life three years ago in an exchange of gunfire with three suspects in a liquor store. And yet the prosecution paints him as a sadistic racist.
ROWENA. Ladies and gentlemen, if you decide in your wisdom that this was not first degree murder, which I most certainly think it was, then surely Fred Hall can be found guilty of nothing less than an aggravated assault in which he caused the death of Danny Rosales through his negligence. According to the coroner's report, the sawed-off double barrelled LeFever shotgun was no more than three and a half feet from the point of impact and wadding from the shell was found imbedded in Danny's chest. Was this negligence? No, this was an execution-style murder.
HAROLD. Let us examine what happened that night. While there is no denying that Fred Hall was carrying a shotgun when he arrested Danny Rosales, there is also no denying that Rosales attacked Hall. There was a struggle; Rosales grabbed the shotgun with both hands, kicked Hall to the ground, and while attempting to seize the weapon, it discharged, accidentally. It was self defense, not murder.
ROWENA. Now we come to the gruesome cover up attempt. And please keep in mind that by your actions today we will judge those who helped Fred Hall cover up the crime tomorrow. How could this so-called devoted father and husband allow his wife and daughter to become involved in this macabre affair? And to those of you who say that Fred Hall was temporarily out of his mind, I say, he— with the help of his wife—coldly and calculatingly tried to occult the deed by disposing of the evidence 500 miles from the scene of the crime.
HAROLD. Ladies and gentlemen, if Fred Hall was going to go out there and kill somebody on purpose do you think he would take this boy who was going to be his son-in-law to witness a killing? Does that make any sense?
ROWENA. Why was Danny Rosales killed? Was it because he was born poor? Was it because he was caught stealing in the past? Was it because he was too proud to confess to a crime he did not commit? Or was it because he was a Mexican?
HAROLD. Race had nothing to do with this! We give our police officers the right to bear arms. How can we expect them to perform their duty if they are brought to trial each and every time there is a confrontation with a common criminal? It is time that we stopped coddling and indulging the criminals and started caring more about the police officers.
ROWENA. But does a badge and a uniform give them the license to kill?
HAROLD. Examine your hearts and find the only possible verdict . . .
ROWENA. Guilty!
HAROLD. Not guilty!
FRED. Oh God. They're trying to pin First Degree Murder on me!
GRACE. No, Fred, you're going to be freed!
BERTA. We want justice! Queremos justicia!40

ROWENA. You'll have it, I promise!

JUDGE. Ladies and gentlemen of the jury, have you arrived at a verdict? Hand it to the Bailiff, Mr. Hall, please rise.

(Fred rises.) The jury finds the defendant, Fred Hall, guilty . . . of aggravated assault.

FRED (hugging Grace). Oh God!

HAROLD (to Fred and Grace). It could have been worse.

BERTA. Aggravated assault! Aggravated assault! Row-

ENA . . .

ROWENA. It means that Hall caused Danny's death. But it is a term usually associated with traffic accidents.

BERTA. Traffic accidents!

JUDGE. We have now reached the second point of the trial, which is where you, the jury, deliberate and decide upon the appropriate punishment that should be assessed in this case. Counselors will make their final statements.

ROWENA. Ladies and gentlemen, it is not our place to ques-

tion the wisdom that you have used in arriving at a verdict of guilty of aggravated assault. But I think that the situation cries out for punishment in this case, and the punishment you have found the defendant guilty of is two to ten years in prison. Now, the defense has filed a motion asking that you consider probation for the defendant. This would be like letting Fred Hall go scot-

free for the killing of Danny Rosales. Mr. Pearl made the statement that the law allows a man like Mr. Hall to carry a 12 gauge sawed-off shotgun. That is true, but along with that privilege came the responsibility to use it with discretion and extreme caution. There is a saying, originally in Latin, that goes, "Who will guard the guards?" I am talking about guards who could preserve any type of oppression they care to. Who will guard your liberty and mine? I think your verdict should speak to that question. Do not probate the sentence of two to ten years. Probation is no punishment and without punish-

ment we have no protection. That is our system of justice.

HAROLD. May it please the Court, ladies and gentlemen of the jury, the verdict at which you arrived was probably a very just one. You felt that the gun was not handled prop-

erly and that it caused the death of a man. That is now history. When I was selecting you I told you that the defense was going to be looking for the God-like qualities in you. We are created in God's image and we are the only creatures that have the ability to show mercy and compassion, just as God is merciful and compassionate. No matter what we do here today we cannot bring life back to Danny Rosales. Please, we have heard one terri-

ble tragedy, don't cap it with another. Please, for your sakes, don't let another tragedy occur. Each and everyone of us has to look at ourselves in the mirror each morning.

Make sure what you do here today you can be proud of tomorrow. Fred Hall is a man of good reputation who has never been convicted of a felony. I urge you to probate him. Thank you.

JUDGE. Ladies and gentlemen of the jury, have you arrived at a verdict?

BAILIFF. They have, your Honor.

JUDGE. Hand it to the Bailiff, please. I will read the verdict.

"The jury, having found the defendant, Fred Hall, guilty of the offense of aggravated assault, a third degree felony, assesses the defendant's punishment as confinement in the Texas Department of Corrections for a period of not less than two nor more than ten years."

GRACE. Oh Jesus! Oh sweet Jesus! (Embracing Fred, crying.)

HAROLD. It's the best we could do, Fred.

STEVE. Mr. Hall . . . I'm sorry.

FRED. It's all right, Steve. Just promise me you'll take care of Debbie.

HAROLD (walking over to Rowena). Congratulations, coun-

selor.

ROWENA. For what?

HAROLD. For winning the case. My client was found guilty.

ROWENA. You know damn well that with time off for good behavior he could be out in 20 months.

HAROLD. True, but he's going to have to serve some time.

Look, why don't we go have a drink and talk about the case?

ROWENA. No thanks, I'm going to be too busy filing for a Department of Justice investigation into this case.

HAROLD. Ms. Saldívar, you know you can't try a man twice for the same crime.

ROWENA. But you can try a man for violating another man's civil rights.

HAROLD. Don't waste your time, counselor, don't waste your time. (Exits.)

BERTA. Civil rights? What does that mean, Rowena? What about his life, can they bring back his life?

ROWENA. Berta, listen to me, we're not through yet, we're going to fight this all the way . . .

BERTA. I'm being sued by the funeral home, did you know that? I can't even afford to buy Pampers for the baby!

ROWENA. Berta, listen, we're going to do fund raisers, protest marches, letters to Congress, radio and TV appeals . . .

BERTA. I don't care what you do, Rowena. I've had it with the courts and the police and the gringos. Rowena, creo que todavía estas en law school!41 This is Texas, not Har-

vard! There's no justice for us here. (Exits.)

DEPUTY. Miss Saldívar.

ROWENA. Yes, Deputy.

40Queremos justicia! We want justice!

41crees . . . en law school Do you think that you are still in law school?
DEPUTY. Did you hear? We finally caught the town burglar.
Do you know who it was?
ROWENA. No.
DEPUTY. Kiki Ventura!
ROWENA. That figures.
DEPUTY. But what really riles me is that Grace Hall pleaded
“no contest” to the charge of concealing physical evi-
dence and was only fined $49.50 in court costs.
ROWENA. Forty-nine dollars and fifty cents! If Danny
weighed 154 pounds at the time of his death, that means
she got off with about three pounds per dollar! (Rowena
and the Deputy fade into the background as two spots shine on
Debbie and Berta.)
BERTA. They killed my husband many times.
DEBBIE. Stevie and I are getting married next Saturday.
BERTA. Once when he was born poor.
DEBBIE. All our family and friends will be at the wedding.
BERTA. Once when he didn’t get a decent education.
DEBBIE. A Country and Western band will be playing.
BERTA. Once with a shotgun on the Old Alamo School Road.
DEBBIE. We’ll have fajitas and kegs of Lone Star beer.
BERTA. Once with a pick and shovel near the Louisiana bor-
der.
DEBBIE. We’re going to Las Vegas for our honeymoon.
BERTA. Once in a court of law.
DEBBIE. We plan to have lots of kids.
BERTA. My son will never know his father.
DEBBIE. I’ll be dressed in white.
BERTA. I’ll be dressed in black.
ROWENA. Two years after Danny Rosales’ death, we realized
a great victory. Fred and Grace Hall were indicted by a
federal grand jury. They were eventually found guilty of
violating Danny’s civil rights. Fred Hall was sentenced to
life in prison, and Grace Hall was sentenced to three
years in prison. But was this such a great victory? Did you
hear what happened in Mejia, Texas, a couple of years
ago? Three black men drowned while in police custody.
And just last year in San Antonio they shot another
Mexicano . . . (Fade.)

THE END

TOPICS FOR CRITICAL THINKING AND WRITING

The Play on the Page

1. Given the evidence that is presented to the jury—the
   testimony of witnesses in response to questions by
   lawyers—do you think the decision that the first court
   reached is clearly wrong? (Remember, a jury is to decide
   only on the basis of the evidence presented to it, not on
   the basis of its intuitions.)
2. One reviewer of the play said that the characters were
too sharply distinguished, good versus bad. Do you
agree? Consider the two chief characters. What (if any-
thing) can be said on behalf of Fred Hall, and what (if
anything) can be said against Rosales? Also consider
two of the lesser characters, for instance, the Judge and
Grace.
3. When Grace and Debbie are digging the grave, they
talk about the truth. Grace asks, “What is the truth?”
and after Debbie’s response Grace says, “[T]he truth will
come out in the end . . . .” Do you think that Grace
means what she says about the truth’s coming out, or do
you think her words are unconsciously ironic. (On
irony, see the Glossary.) Is Morton being ironic?

The Play on the Stage

4. An earlier published version began with this dialogue:

ROWENA. In September 1975, on a moonlit gravel
road five miles west of town, Fred Hall, the 52-
year-old police chief, put the barrel of a 12-gauge
sawed-off shotgun under the left armpit of Danny
Rosales and pulled the trigger.

(Behind scrim, in silhouette, we see Hall struggle with
Rosales. Rosales falls, a shot is heard.)

BAILIFF (voice, offstage). All rise! Court is now in ses-
sion!

If you now glance at the text of the revised version, you
will notice that it begins differently. Which beginning
do you prefer? Why?
5. The Judge is an offstage voice, not a visible character.
Why do you suppose Morton chose to present the judge
in this manner? What do you think of Morton’s deci-
sion?
6. Select two characters, and discuss the special challenges
that the roles present for the actors.
Carlos Morton

TALKING ABOUT DANNY ROSALES

[Following is an interview conducted with Carlos Morton in March 1996.]

Interviewer: How did the family respond to the play and the changes you made?

Morton: First of all, I interviewed members of the family, the widow, and the lawyers on both sides. Then I read all the articles I could find on the case, as well as the court transcripts. I even saw actual photos of the crime scene. In terms of research, I approached it from a journalistic point of view. I told everyone I would base the play on the facts, but would also be taking “poetic license.” Even then, when the mother came to see a production at the University of Texas in 1982, she told me in no uncertain terms, “that ain’t the way it happened.” I told her I was sorry, but that’s the way I saw it!

I understand that you changed the names? Was this for legal reasons?

For a professional production at the Bilingual Foundation of the Arts (1980) in Los Angeles, the lawyers for the theater company insisted that I change the names to avoid any lawsuits. I had 48 hours to come up with alternate names. In a panic, I used names of actual people I knew in El Paso, Texas, like Stevie Peters, Berta, Rowena, Kiki, Pearl, etc. (Some friends were a little upset.) The protagonist’s real name was Richard Morales, but we changed it to Danny Rosales.

Aside from legal reasons, were there other reasons to make changes?

As far as staying with the facts, it’s not always possible, try as you may. In the actual case, there were three women (including Grace Hall’s sister) who drove 500 miles to bury the body. I didn’t have enough actors to fill the parts in the first version written in 1977.

Did the play change as you worked on it?

It began life as a one-act bilingual play entitled Las Many Muertes de Richard Morales, as part of a class assignment at the University of California, San Diego. It had to be taken “from the public record,” and it had to accommodate all ten actors in my Master of Fine Arts class. Over time, much of the Spanish was translated into English and the work evolved into a two-act play. The title and names were changed, and some scenes were altered or dropped. Danny Rosales has been rewritten, in some form or another, half a dozen times. There have been at least a dozen productions—that I know of. Every time I see a production, be it professional or amateur, I get new ideas on how to improve it. The version published here is based on rewrites done after a staged reading at the New York Shakespeare Festival Latino in 1986. Including this version, the play has been published six times in English and Spanish in the U.S., Mexico, and Cuba over a span of twenty years.

Did you write the play with a particular stage or set in mind?

The play can work well on any stage, it all depends upon the directors and their “vision.” The less “realistic,” the better; that is, getting away from the made-for-TV movie. I would also urge the director to avoid melodrama and “cast against type.” For instance, the more personable the Sheriff and his wife, the more frightening they become. Danny and Kiki are opposites, as are the Sheriff and the Deputy. Kiki and Stevie provide “comic relief,” while Debbie and Berta embody pathos. The director doesn’t need to have the actual Judge (or Bailiff) on stage. A mysterious voice looming over the entire set will suffice. American justice, like God, works in mysterious ways.

The police chief’s lawyer is a man, the opposing lawyer a woman. Are you making a point about gender?

Harold can become a woman and Rowena a man, or you can have two female or male lawyers, as long as the director finds some inner conflicts in their style or temperaments.

Do you think Anglos and Chicanos differ in their responses?

I have witnessed different ethnic groups act in various ways, because, on a gut level, the play isn’t just the tragedy of Danny Rosales, it is also the story of Fred Hall bringing his house down. To me, this makes it a very American experience for our time. Conservatives and liberals also differ in their reactions. For instance, some audiences identify with the Sheriff and his family, on the side of law and order. This isn’t necessarily “bad,” but rather an indication that the defense attorney’s closing arguments made their mark on the jury. The play loses its strength when it becomes a simple “brown vs. white” issue. There are heroes and villains on both sides. In real life, the “Kiki” character did turn Danny in, and the real life Deputy was instrumental in bringing the Sheriff to justice—which is what the play is really about.