

## AMERICAN TUNE

“This is the microphone, just speak in a normal tone of voice.” The pretty young woman pointed to a tiny hole in an electronic device lying flat on the table.

“Like this?” The man was nervous, bedraggled, with a patchwork of abrasions on the left side of his forehead.

“Yes, but you can sit back, no need to lean into it. That’s good. Now, if you would, please state your name, and today’s date.”

“What if I’m not sure about it?”

“I have your name on the records, right here.” She found herself bracing for a difficult interview. “And today is July 7<sup>th</sup>.”

“Okay, my name is Raymond Hammett on July 7<sup>th</sup>.”

“Please state your occupation and current residence.”

“Currently, I reside within the walls of this detention facility. Otherwise, as we say, I alternate between choice street corners downtown, on casino row. Say, what’s your name, little lady?”

“Here’s my card.”

“You’re a lawyer, Ms. De la Rosa? Representing me?”

“I am a state licensed attorney, Mr. Hammett, assigned from the office of the Clark County Public Defender. After we review the transcript of this interview today, an attorney will be assigned to your case, prior to your scheduled arraignment on Wednesday. It could very well be me.”

“Oh, Lord. Well, pleased to meet you. You can call me Ray.”

“Perfect. Call me Nina. And, please state your occupation.”

“Entertainer and entrepreneur.”

“We can use that as your visible means of support?”

“Well, sometimes it’s more visible than others,” Ray explained. “I cover classic tunes for the tourist crowd. Dylan tunes mostly, on guitar, harmonica. That folk rock sound is so long gone it’s coming back now.” There was a pause while his wide, crooked smile unfolded. “I don’t have the voice for anything melodic.”

“Where do you play?”

“At choice street corners in and around casino row. There was this gal, I think she may be still be locked up, who made me this great sign, got it laminated and everything. I got it taped inside my guitar case. It reads; ‘Leaving town? Now accepting buffet vouchers, drink coupons, all change and jewelry you don’t want to carry through airport security.’” Some nights I do real good. I eat, sell off the vouchers and some comp items at a big discount. Usually got a free drink ticket waiting in my pocket.”

Nina was just about finished arranging her binder, electronic devices and stacks of documents on the small table between them. Ray rarely saw beautiful women flawlessly dressed

in business attire and told himself, almost aloud, to get a grip. He hadn't had a drink or a snort of anything for three days. He held one hand in the other, below the table, so she wouldn't notice that annoying tremble.

“Well, Nina, tell me again what I'm up against. What I'm charged with. There was a plenty of talking before they put me in here, but a lot of chatter tends to confuse me.” He fiddled with the stiff orange cuffs of the jump suit as he spoke. “Hey, do you have a cigarette so maybe I can think straight?”

“No, but if I motion like this,” she held two fingers to her glossy garnet lipstick, “they're watching on the other side of the glass and may bring some shortly.” She pulled some papers from the left side of her leather binder. “The state charges include attempted murder with the use of a deadly weapon and possession of an explosive device. If convicted, you could face 40 years to life in prison. Because this involves the Joint Terrorism Task Force, you could also be charged with aiding and abetting known terrorists and possession of a weapon of mass destruction. Those charges can carry the death penalty.”

“Wow. Well, fuck me. Life sure can dish up a bowl of . . . Oh, pardon me, I apologize. I guess that kind of language on the recording might work against me.”

“Whatever you say here is covered by attorney/client privilege. Please speak freely and tell me anything that might be used to help your case.” There was a knock on the door and a uniformed officer delivered several cigarettes, ashtray and a green plastic lighter. She pushed them toward Ray and said, “I hope you can smoke this brand.”

“Oh, yeah, thank you. I pick up anything not burned to the filter. Been a long time since I got to smoke a whole cig by myself. I tell you, it's hard out here on a pimp.”

“Wait now, we have priors for vagrancy, public indecency, and controlled substance charges documented here. Are there charges related to prostitution that might show up at your hearing?”

“No, no. That’s just something people say. You never heard that? Just a saying.” Her expression suggested she had not.

“Tell me when you first became acquainted with the other suspects.”

“I guess the first time was when Waylon saw me at the band stand.”

“You were playing on it?”

“No, I was crawling out from under it. See, there’s a section of the skirting behind the stand that’s loose enough to squeeze in. When I wire it shut with a coat hanger from the inside, nobody walking by can tell any different.”

“Why were you under there?”

“To sleep in the shade. Hang out without being hassled. It’s that sound stage in the center of the covered part of the street.” Ray explained how, under the elevated stage, he kept several lengths of bubble wrap on half a cardboard restaurant appliance box. The base of the framing sits at street level, several inches below the curb. Surrounded by open casino doors, air conditioning find its way to the lowest point. “Pretty comfortable under there, even last week when the high hit 104.”

“That’s where you first met Mr. Wainwright?”

“Who, oh Waylon, yeah. When I saw him spot me coming out, I thought he was plainclothes, looking to get me arrested. Those private security dudes watch us street performers like hawks.”

“And he tried to recruit you at that first meeting?”

“I don’t know what to say about all that. He asked me if I was interested in making some easy money. I told him up front I wasn’t no homo, if that’s where the conversation was headed, but always looking to earn some spending cash.”

“That was on Friday, the fourth?”

“Yeah. The day the big street party was happening.” He paused to dab his sleeve along his perspiring hairline. “Waylon said, no worries, mate, it ain’t like that, and he hands me two fifty dollar bills and a key to a room at the Fitz. He tells me to act like a hotel guest, buy a drink at the lobby bar, and bring it up to room 315 to meet with him and his wife. He says that’s when we talk about the real money.”

“That would be Fitzhugh’s High Aces Casino Hotel,” Nina keyed in her notes.

“Yeah, right there by the sound stage. When they built the canopy for the light show, it cut off the view of the Aces sign higher up on the building. Everybody just calls it the Fitz.”

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From what Ray told Nina, he stepped off the elevator that afternoon with a three foot plastic tube of blue frozen margarita and a trepidation in his heart. “The door to room 315 was left cocked open, all spooky like. I knocked, a woman’s voice told me to come in, and I went on and pushed my way in.” The back of Waylon’s chair was pressed against the droning A/C unit

to muffle the vibration. A rugged looking woman in western clothing sat in the swivel desk chair.

“Take a load off,” Waylon told him, and gestured to the chair on the other side of the round table top. Ray put the room key on the table and sat down. “Hey, you’re doing good so far,” nodding at the beverage. “Nothing more tourist than that.”

“Hello, I’m Shari,” the woman said. “My husband really has better manners than that. He’s just got a lot on his mind.”

“That’s for damn sure,” Waylon added, “just trying to walk around this place gets to you. All these mixed breeds and coloreds. And you can’t tell the slant-eyes from the illegals.” As he spoke, the hands joined in his lap folded vigorously on each other, as if kneading a wad of putty. “And all the white people acting like it’s a big, happy party. Like the government ain’t taking over, blending us all together, turning America into some kind of shit colored rainbow.” The turned up cuffs of his plaid shirt partially revealed tattoos; half of an Iron Cross on the left forearm, a portion of a coiled snake over the words, ‘Don’t Tread,’ on the right.

“Come on, you can lighten up, Sweetheart,” Shari said. “He didn’t need to come here and hear all that.” The head jerk in her direction said he didn’t appreciate the interruption. “Isn’t that right, mister . . .?”

“You can call me Ray.”

“Yeah, maybe so,” Waylon said, “but it’s something everybody should be thinking about every day. What do you think, Ray?”

“I think I don’t know why I’m here,” Ray answered, and took a long pull of blue slush from the wide oval straw in his drink.

“Well, sir,” Waylon began, and seemed to make a conscious effort to reduce his fidgeting. Ray sized them up and decided neither one of them were yet forty. “It ain’t no big deal. We just needed someone to do us a little favor.”

Waylon proceeded to tell Ray their plane departs early that evening. His brother, Jake, flies in after they’re gone. The three of them had checked their luggage when Jake got an emergency business call. Jake had to go back to the office while his luggage went ahead on the flight with Waylon and Shari. Waylon pointed at two zipped up bags stored beside the night stand.

“All you got to do is make sure he gets his luggage. You wait out there on the esplanade till he swings by in the airport cab to pick them up. Stand right there by the street side of the sunglasses kiosk. There’s a thousand bucks in it for you when you do,” he said.

“Why out there?” Ray wondered. Shari had the answer.

“He’s got places to be, things to do. Best that he just steps out of the cab, sees you, grabs his bags, and is on his way. He’s a busy man.” Her look was softer after his eyes adjusted to the light. The straight auburn hair framing her face made him remember a sweet Irish setter he once knew. The crucifix necklace was just like the one his sister wore in high school. Somehow, Ray had the clear sense Shari was the brain power behind this duo.

“So how’s he gonna know me?”

“That’s the fun part,” she told Ray as she turned to Waylon. “Give him the money, babe.” Waylon unbuttoned a pearl button on his shirt pocket and handed over five one hundred dollar bills. “That’s the first half,” she told Ray. “You got the rest of the afternoon to get a haircut, shave, and buy yourself some new clothes. Get a white dress shirt, some khaki pants, and some of those sport shoes like people wear on yachts.” She cocked her head toward the ceiling in further thought. “Oh, yeah. Get yourself a blue or black blazer to match the shoes.”

“What’s a blazer?” Waylon wanted to know.

“One of those sports coats,” she told him.

“Some have brass buttons on ‘em,” Ray explained to her husband.

“Some do, yes. See, he knows what I’m talking about.” Condescension flavored Shari’s tone. “Sure, it’s the middle of summer, but that’s what all those official types and Chamber of Commerce dudes will be wearing for the ceremonies. He’ll look just like he’s supposed to be there.” Waylon nodded in agreement and looked back to Ray.

“We meet you back here at seven o’clock. Take a picture of you in your new outfit with my cell phone and send it to Jake so he knows who to look for. He makes the pick-up, and hands you an envelope with the other five hundred.”

“Well,” Ray slowly opened exploration of questions emerging from his misty mind. “I’m grateful for the opportunity and all. But isn’t there a cheaper way get this done?”

“Jake is very particular about his luggage and in this case, timing is everything,” Shari told him. “You roll them out there shortly before the big ten o’clock light show finale begins. Make sure you’re in the right spot. Jake should be there before 10:15.”

“How will I know it’s him?”

“He looks just like his brother,” she said with a nod toward Waylon, “could be twins.”  
Waylon’s face took on a look like his electric massage chair he was sitting in just shorted out.

“Look, this don’t need to turn into one of your gab fests,” he told his wife. “What else does he need to know? Shari pointed at the room key on the table. “Oh, yeah,” Waylon remembered, and handed it back to Ray. “The room is paid for and yours for the night. After you get back here to take the picture in your new clothes, we’re gone. You stay here until it’s time to take the luggage downstairs. You stay sober till then, be there when you’re supposed to be, get your money, get wasted, and have a decent place to sleep tonight.”

“One other thing,” Shari said, “Jake’s real particular about the way he packs his things. No one touches those bags but you. Make sure not to treat them with care, deliver the bags in their current, undisturbed condition.”

“Yeah,” Waylon chimed in, “Jake sees those little padlocks been messed with, you don’t get your money,” and he extended his stare to assure the message was received.

“Anything else,” Shari wrapped it up, “before you go get your new outfit?”

“Yeah,” Raymond had to ask, “Why me? I need the money as bad as anyone else but, with all those folks on the street to choose from, why me?” Waylon’s intent stare was undeterred.

“Well, for starters, you’re the right race, color, creed and all that good stuff.”

“Creed? How you know I got one?” Raymond wanted to know.

“Your music, brother, your music,” Waylon told him. “I stood there watching you the last couple nights. Watching from afar. Those songs you wrote really speak a truth that needs to be spoken in these troubled times.”

“But wait, I didn’t write any of those songs. And I don’t know all the lyrics. Sometimes people tell me I don’t even get the words right.”

“That don’t make no difference,” Waylon’s voice was on the cusp of joy. “It’s the message that matters, man. The message. Like when you sing about that hard rain that’s gonna fall. Or that one about all the righteous people standing along the watchtower, keeping tabs on all the illegal aliens undermining us in this country. I tell you, you’re going to be famous one day. Real soon.”

“But, you know,” Ray said, “that message has been around a long, long time.”

“But one that everyone needs to hear, my friend, right here, right now.” Waylon fingered the whiskers around his lips as he considered what else to say. His facial hair was an archipelago; the largest formed around his mouth and chin, with smaller, clustered islands ranging out and up toward his sideburns. “That message is the answer. And the answer will soon be blowing, by God, blowing in the wind,” his smile reflected satisfaction with his profundity.

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“Bottled water?” Nina interjected as she handed one across the table. “So, you didn’t see them again, after the meeting at seven o’clock?”

“That’s correct,” he affirmed. Sorting the documents on the table, Nina revealed the corner of a photocopy. “Is that it?” Ray asked with an extended index finger.

“Yes, this is the photo sent to CNN at 10:05 that night. You’re famous alright, seen around the world. It was sent from a stolen cell phone at a gas station near the airport. That’s the proof other parties were involved. You were in already in custody at that time.”

“I cleaned up pretty good, didn’t I,” he asked with raised eyebrows.

“Okay, maybe, but to be honest, I didn’t see the ‘before’ picture.”

“You wouldn’t want to, I suppose, pretty rough,” he told her, “but see, you get a good look at the bags right there.” The photo showed a freshly groomed man in blue blazer, dress shirt and pressed khaki slacks, striking a pose, with hotel room wallpaper in the background. “I sat in that room, looking at the clock, drinking most of a 32 ounce bottle of Fanta I chilled in the ice bucket. Watching celebrations on television. The tug boats in New York Harbor were blowing streams of red, white, and blue water. Spotlights were all over the Statue of Liberty. Blue Angels flying in formation. Awesome. Beautiful, really.”

“You made it out there under the canopy before the light show began?”

“Way, before. Probably 9:45. I was ready to get my money and get loaded. I first started noticing the luggage on the elevator down to the lobby,” Raymond explained. “It looked brand new, like it had never been packed or shipped anywhere before. You see these raised ridges, around the edges?”

“The piping?” Nina offered as she studied the image.

“Yeah. There were little pieces of plastic, still stuck behind the piping, like the covering was pulled off in a hurry. They felt heavy, too, even with the rollers. Lot of people over pack but, I don’t know, it seemed like more than a man would load in a suitcase.”

“You went directly to the designated location? Nina checked her note pad for other items to cover.

“Yes, I rolled the bags to right where I was supposed to be. Just stood there and watched the crowd gathering. There were all kinds of people there. From all over. I caught the rehearsal several times that week, and I was still excited. For me and for them. Images of those jets flying overhead, the music, the flag flapping in the breeze behind all those other things playing out in the lights up there.” Ray’s intent gaze fixed on a corner of the tiny room as if he, once again, watched the show in progress. “I felt excited for what they were about to see. Babies in strollers with streamers. Ancient dudes with veteran caps. Cross dressers in flag face paint. There was these Elvis impersonators in red and white striped stretch pants.”

Ray’s focus returned to the room. He looked across the table into Nina’s eyes, down to the documents and devices on the table, then back up at the attorney. I guess I spend a lot of time messed up, not thinking straight, moving down the street like I’m walking through water. But that night, I heard a voice that changed all that.”

“Did the voice seem to come from, maybe inside your head?” Nina poised to make note.

“No, from the corner by the mobile sunglass hut. I think her name’s Angie. She sings folk rock like me, only she has the voice for it. I guess I’ve heard that song she sung a hundred times but, that night it was like brand new. Sometimes when you’re sober, things hit you different.”

“What was the song?”

“That one about people coming through their own struggles to find themselves here in America. How we come on different ships, whether they call it the Nina, hey, like your name, the Pinto, or the Mayflower. Or the spaceship that sailed the moon.” Ray took a moment to redirect his thoughts. “I went to an AA meeting once, well, twice actually, and this guy talked about a moment of lucidity. I guess I had one right then. I knew that brother Jake wasn’t coming. That there never was no Jake and those suitcases were set to blow.”

“Is that when you turned yourself in to Officer Gilroy?”

“I want to go on record as saying it wasn’t like that. Wasn’t any ‘turning in’ to it. I was looking for help and it’s just a damn shame it was him had to be one of the two cops standing close by.”

“You knew the arresting officer?”

“Yeah, he took me in a couple times before, the last on the concourse last month when I had to go so bad I couldn’t make it around the corner and out of sight. But hell, I mean, like I told the judge, at least I had the decency to piss in a planter.”

“What happened when you approached the officers?”

Witnesses noted on the night of the celebration, Gilroy was making sweeping gestures and talking over the gathering crowd noise, demonstrating his expertise for the benefit of his rookie partner when a man in a blue blazer stepped urgently toward them.

“Officers, I need your help,” the man told them. Gilroy rubbed his eyes and blinked theatrically, as if looking at a mirage.

“I don’t handout to panhandlers,” he replied. He turned to the rookie and loudly said, “You see, when you scrub off all the shit, all you have left is a clean asshole.” In the police report, the perpetrator began acting erratically, clenching Officer Gilroy’s uniform shirt with both hands and screaming obscenities.

“What was it you said to them?” Nina leaned forward in her chair to ask. Ray seemed contrite.

“I don’t mind telling you. I grabbed him and said I’m trying to make you a hero, mother-fucker. That luggage is about to explode.” He continued with a tone resignation coloring his voice. “I guess that’s when the other cop hit me with the taser gun. I woke up in the back of the police car before they brought me in here.”

Nina’s body language suggested that the session was drawing to a close. She turned off her devices and began shuffling papers back into assorted binders. When those were in order, she sat with hands folded in her lap and smiled across the table.

“There are other components to this,” she told him. “The city, the county, does all they can to cap this kind of publicity but that option was taken by broadcast news. When our review is complete, I suspect the state will defer to federal charges. Your value to them lies in identifying the suspects when they’re apprehended, and your defense should be structured accordingly. I should also advise you that they will be visiting you within the next hour or so.”

“Well, it’s all right,” Ray told her. “All right. We can’t be forever blessed,” his voice trailed to silence, in time with the tune still playing in his head.

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