

Unreasonable Doubts

Horizon drags the low sun closer, long shadows devour glowing concrete. Cars are packed together on either side of the street, owned by people all coexisting in this overgrown garden plot, long since neglected by a gardener's hands, only to take on its own organic growth. The weeds stand proud next to the kaleidoscopic wildflowers, thorns have become part of intricate spiderwebs and deeply-hidden nests. The crime's gravity perches upon his shoulder—a man was murdered here. For what?

Booming voices stop. Eyes bore into him from across the street. A flock of barely teenage girls shamelessly cross that crocodile-cracked asphalt towards him—laughing, loudly chattering. Franz moves forward. Was it a hulking, dusky hand that had—so maliciously intoxicated—plunged him into this here filmy fishbowl? His thoughts—so much floating particle-debris cornered between symmetrical pairs of glass panes. No, he isn't supposed to be here at all—the judge explicitly stated it—but they won't know. Focus, focus on the crime scene—where and how did it happen?

THE HEAD MEDICAL EXAMINER winced, actually winced. She quickly controlled it, but it could be seen in her pause, in the way that she was reminded of her stomach below. And she'd seen it all, certainly a lot—the suicides, the accidents, the sourish barely-stomachable reek of cooked flesh, the auto-erotics. Along with the others she participated in that grim joking of professionals at crimes scenes, an easy and necessary way to cope. Over ten years of experience and training, and she sat there in her ash gray suit and winced. A simple handgun,

the trigger squeezed five times, five times thunder; life going, going, gone. These were the facts. With every autopsy photo shown she was reminded of the cold body's examination last year. She was sincere, dedicated, perhaps noble.

She admitted that maybe it was four bullets, instead of five, that did such tremendous injury. However she knew intimately the bullet wounds. A chunk of metal broke through side of skull, ripped downward through neck, severing spinal column in two. The others entered below the neck. She shifted in her seat as she illustrated the entrance and exit wounds, using her own fingers and body. This one did major and severe damage, skewering his intestine and ripping apart his diaphragm, "the muscle we use to breathe," she said, "that connects our upper and lower halves." She rose, leaving only the courtroom and these incontrovertible facts behind, taking from the courtroom a large dose of honesty, playing a role that would not be matched in the hours and days ahead.

The court now had access to the cold, hard facts of the murder; the jury knew now exactly what happened to the body. It took some work to understand that this body was not long ago a living human being. It was forgivable to think that the victim, whose name had been Dante Phipps, had never been born, had never been a toddler learning to speak, or walk, or spell. All of the effort that went into developing this human being, all of the sacrificed days and nights of his father and mother, seemed wasted, as if some Old Testament punishment was meted to his family, as if to set an example, to simply prove a point—live for the day, remember?

The victim's family was there every day of the proceedings under somber cloud, tragically hopeful, hanging onto words, intently observing, from a distance as instructed. The body had indeed been damaged, by another person, by someone who had squeezed a trigger multiple times, calling thunder down into this world, who surely understood this profound

destruction of life itself, who watched life spurt from the body after each shot, like an animal struggling to escape, only to be knocked down again and again, each blow injecting a deeper agony and poison into an increasingly hollow shell.

THE GIRLS APPROACH. His hands shake; adrenaline surges. The sweat comes fast, like his dive-bomber thoughts. Hold it together now. In and out, old Franz. He used to practice ignorance as a coping mechanism—they left him alone some, but it had run its course a lifetime ago. Maybe it never worked. The only thing it ever really did was buy him time. It never offered a chance of salvation, and it especially won't work here, not in this neighborhood resembling a foreign country.

He walks across the street to the crime scene, practically sniffing it out, nose following all the lingering, thick, seasoned scent-trails introduced first in that fine Baltimore courtroom. The three dark-skinned girls stand beside him now giggling, talking about him as if he were out of earshot. The men and boys on the stoop burn him with magnified stares.

He stands next to where the Lexus must have stood that night—a metal and plastic product, unwittingly created as a suitable environment for a murder—an elegant XL coffin of steel and glass. He imagines it, trying to pinpoint Ms. Smith's home and the window from which she said she'd witnessed the crime; he thinks he's spotted it.

"MS. SMITH, isn't it true you have a drug problem?"

"No," she said, staring hard, rolling eyes.

"Where were you on the morning of July fourteenth, last year—the morning Mr. Phipps was murdered?"

“I was just steppin' out the shower.”

“At three in the morning?”

“Yes mam.”

“You were taking a shower at *three* in the morning?”

“I said I was. Yeah, I came out when I heard some uh arguing, from the...street.”

“And then, what did you do when you heard people arguing in the street?”

“I went to the, the window. And then, it w—”

"Wait, wait," the judge chided. "Now, I'm giving you a warning. Make sure you keep your voice up. I can't hear a thing. And if I can't hear a thing, that means the jury can't hear a thing either!"

“OK. I saw him shoot uh, Phipps.”

“Who was the man you saw shoot Mr. Phipps?” asked the defense attorney.

“Him, I saw *him* do it.”

“You saw Mr. Washington shoot Mr. Phipps.”

“Yes mam.”

"Ms. Smith, weren't you and Mr. Teffle outside laughing and carrying on right outside the courthouse this morning?"

Was that the start of a grin? “No.”

Thin Ms. Smith hobbled down off of the stand. She could have been mistaken for a young teenager, but for her painful shuffle, her labored breathing, her regular exhaustion after every string of words, and that unkempt weighty crown of black hair—an everyday crown of thorns.

STARES LOCK as if in competition. His neighbor playfully hits him. Franz instinctively looks down, concrete filling his vision. The giggling girls broadcast sporadic bushwhacking bursts, breaking his thoughts to rubble.

"You live around here Mr.?" It's not asked seriously, her warbling voice admits as much. She muddles her sentence, which is consumed by general laughter.

"Ask him if he want to come to yo' house," says the taller girl with the front-toothed gap.

"Shut up girl!" Laughter peels. Franz notices her exposed midriff.

"Hey Mr., why you here?" But this is serious now—a genuinely perplexed question.

No answer.

"Ooh, he dissed you Tamara," says the taller girl.

"He didn't diss me, shoot...I'll...girl he doesn't even know what I'd do to him." Again laughter.

"Hey Mr., what you doin' here, I asked you."

"Just looking for something," mutters Franz. How can I send them away?

"Can I help you?" a deep male voice.

Franz's head swivels like a compass. "Excuse me?" It's knee-jerk.

"MR. TEFFLE, do you mind telling the jury what occurred at approximately three o'clock in the morning on July fourteenth?"

"I was sellin' drugs on the corner."

"You were *selling* drugs. Continue, please."

"This drunk man come out of nowhere. Then he um, he just start pissin' on the wall. We was tellin' him to leave. I didn't have my gun with me that night, so I picked up a brick. I guess

he got scared and he hid, he hid in a car. But it wasn't his. So, I opened the door, with the brick in my hand, above my head—like that. Everybody was shoutin' at him; I told him to get out. I knew whose car it was.”

“And then?”

“Then I saw like suddenly, this boy run around and just shoots him—BAW, BAW, BAW—three times. I don't know why he even did it. It was just crazy and not even human, you know? I couldn't believe it.”

“Who is this boy who shot Mr. Dante Phipps, and ended his life that morning?”

“He's right there. It's Durell.”

“Are you saying, Mr. Teffle, that you saw Durell Washington pull the trigger that morning?”

“Yeah, that's what I'm sayin'.”

The young man on trial for murder, Durell Washington, eyed the jury with soft canine eyes, cautiously, lowly observing. He guessed at the cards closely held, guessed at what gears might be turning in those middle-class heads across from him. He might catch a hint in their faces, in their bent lips or furrowed brows. It was like a reverent card game, or something more superstitious—a collecting of ominous and auspicious signs, like a Roman priest devotionally inspecting the Rorschach-entrails of a sacrificed sheep.

Is that it? Which damnable train did this kid catch that left him at this last stop alone? Tattoos like cattle brands, eyes of smoldering wood, come face-to-face with a blindfolded and milky-breasted lady justice. But isn't that pristine cloth slipping, just a tad down from her twinkling blue eye? Hey, no peeking. Just a peek, just enough to notice his burnt umber

skin...To her credit she doesn't turn; she holds her gear more-or-less steady—that long star-licked sword and those hypnotizing brass scale pans. Calibrated? But isn't one pan shinier than the other? Perhaps settled dust, a fine meal of glass, concrete, rainbow plastic, and some guessed-at liquid allowing it all to cake around the saucer. Just enough to deliver to the other pan an unfair, elevated advantage?

Innocent? No. But guilty, of murder?

THE LARGE MAN in a white T-shirt motions for his friend to come over. He repeats his question, "I said, can I help you?"

"No, I'm uh, just taking a walk," replies Franz.

His friend is skinny and also sports a white T-shirt. "Ay yo, I think he done got lost!" Unruly laughter, rocking. "I think my man left out without his map today." Their bodies are a wall before him. The larger man continues, "You know you standin' at the exact spot a murder took place, but you must know that, right? Why you lookin' 'round here? Tell the truth now."

Franz's heart is the only answer, masterfully beating a physical alarm.

DETECTIVE ROBINSON was confident, polite, and sharply-framed in light gray suit. Beneath cropped hairline, his cool round eyes, set off in brown, touched the jury.

"Detective, can you tell the men and women of the jury what exactly you found at the crime scene, the place where Dante Phipps was murdered?"

"I found Mr. Phipps' body inside the vehicle."

"Detective, is that all you found?"

"No, I also found two spent bullets and a brick."

“Where did you find those—the two spent bullets and the brick?”

“On the ground, outside of the vehicle. On the sidewalk.”

“Thank you, Detective Robinson,” said the prosecutor.

“Thank you.” His eyes lingered confidently over the jury.

The defense attorney was a professional and wasted no time punching holes through his ever-thinning cloak of invincibility. She would undress Detective Robinson before the court, revealing all his warts and vulnerabilities. Her questions were arranged and played in a winning sequence, questions that she knew he couldn't answer sufficiently.

Why had he canceled the autopsy? How did the used bullets come to rest on the sidewalk? And finally, most damning, why had Detective Robinson not investigated the long, red streaks coloring the silver car's side? Could they have been blood? Possible, but he inexplicably reckoned they were irrelevant to his investigation. A photograph of the crime scene captured clearly the red striping the passenger-side door. And why on the outside of the car?

The defense attorney sat down, attempting to calculate the amount of damage she'd wreaked on the state's case against her client.

FRANZ'S HEART is a jackhammer.

"Answer the question. What bidness you got here?"

"I was just..."

"You just observing the murder scene area."

"Yes, OK, I knew that, that there was a murder, here."

"And it's your bidness how?"

A thought wriggles in from somewhere. "I'm writing a newspaper story."

"Who you work for?"

"No, no..."

"No one?"

"No, I mean I don't work for anybody."

"What?" The skinny one chuckles. "He scared, yo!"

"This is kind of a...a DIY project, about crime, in Baltimore. You know, to get published in a newspaper."

"Crime in Baltimore, huh?" The two men laugh as if he's just told a joke.

The interrogator is serious and casts a shadow on the thinner one. "You want to know about crime in Baltimore? Here's a little somethin' to make your story complete. Here's how it works. You come into my area and you act all tough? There's a problem. Maybe I let you go, with a warning. First time, OK, benefit of the doubt. Maybe you didn't *know* that this here's my turf, maybe you just didn't know. So, you go, but you don't come back. You feel me?"

"The boy they want to send to prison for this? He ain't do it. It's all about turf son. You get it?"

"Yes," stammers Franz, "I think I do." He feels his confidence resurface, a buoy released, returning to equilibrium. "That will be good for the story," says Franz. "But are you *absolutely* sure that he didn't do it?"

"He ain't do it because I know he ain't do it. I know who did it, and it wasn't him." His massive mouth splits into mischievous grin. "Man, if the system worked the way it was supposed to work, we'd have a whole different picture of justice. Everybody here would be on trial for somethin'. As a matter of fact all yall people would be on trial as well."

"I know that's right!" exclaims the other.

"Everybody has to do something just to survive, you feel me? Because the system so broke, it really don't matter who done it. What really matters is who gonna take the rap, who gonna take the heat, you feel me? The boy who on trial? He just happened to take the heat on this one."

"Got it. Thank you. This is helpful, for my story." Franz turns and walks quickly to his bushes-stashed bicycle. He hears their laughter, and the teenage girls.

"Hey Mr., where you goin'?"

"I have to run." He's never been so sure of his destination. His pedaling is interrupted by a shout—"Hey yo! Hey yo white boy!" Franz doesn't turn, but pedals faster—in fact too fast—his right foot slips off, his bike swerves. The unbridled laughter breaks behind him. He's on stage, the lead buffoon, time has turned back to the slapstick, the old un-PC physical comedy. He's hoping that's the end of the act, and not just the middle or something, where the routine will only naturally get funnier and funnier—gut-bustingly—after something like a bird nonchalantly shitting on his shoulder, followed by something worse (funnier) like a bandit hiding up in a tree, who is just waiting to drop his anvil on a poor unsuspecting Franz. It's the hilarious finale—when he tumbles headlong from his bike to the uneven concrete below. It must be over now. He speeds away, realizing that his heartbeat matches the rhythm of his circling feet.

THE JURORS ARE REMINDED to deliberate only on the accepted court evidence. The door is closed behind them to the lustrous, wood-laden deliberation room. The men and women of the jury view one another across a slick mahogany table, all transposed into some extracurricular American royalty. All the hardwood makes a man feel humble. Hard shiny wood, hard shiny logic, hard shiny rules. There is something alluring, even sexy about it, hypnotizing. You enter thinking about the I, but are soon overwhelmed by so much polished wood. Here you easily could let yourself go, right along with the riverlike sentiments of those around you. Franz hangs onto his ego like a lifejacket, some unnameable haunt tugs at his extremities. Either way, an ego here looks silly, small, asinine, laughable when seated in this mahogany grandeur.

Thomas is the foreman. Thomas interrupts the small talk. "I believe we have everything to make our decision. The clerk will bring in the photographs of the crime scene soon. I guess I'll go ahead and start," surveying the faces, pausing, continues:

"I was confused about the number of bullets fired, and then found at the crime scene." Murmurs of approval and acknowledgment.

"Yeah, that was strange," intones a box-like man, briskly glancing around, querying for confirmation, which he receives. "How was it that the medical examiner said five bullets, the detective said two, Mr. Teffle the *drug dealer* said three shots...?" This name inspires chuckles and spawns little relief-valve side conversations. "Ms. Smith said three shots also. Now I'm confused. How many shots was it altogether?"

"I don't know about you all, but I think we can write off the testimony of Teffle and Ms. Smith right away," Thomas says. There is agreement here too. Any clandestine support for these witnesses remains stashed.

A petite woman, who's been gazing at Thomas approvingly, even somehow codependently-admiring, starts, "and did you notice the defendant—not only how quiet he was, but how he dressed? I mean if I were being tried, I might wear something nicer than a pair of jeans—"

Franz interrupts, "yes but, the judge said that—"

"*without* a belt."

"we can't make decisions based on the defendant's silence, or his appearance for that matter."

"I know what he said, but it just feels *strange* to me; that's all. I just can't help thinking that he's hiding something."

"Agreed. I don't know about you, but I wouldn't trust that defendant as far as I could throw him," says Thomas.

Franz is surprised at the ample agreement here, but remains quiet, convinced that he won't win the fight, that their opinions are too entrenched in their guts. After hours of deliberations Franz realizes that the reflecting table is roughly split into two racial halves. It is rough, there are whites who have sided with the black side and vice versa, but roughly, the white folks want to convict and the black folks don't.

"I just can't say there are no reasonable doubts here," says Franz.

"You can't just let these kids run around and shoot people, *murder* people, and get *away* with it. This is exactly why Baltimore gets a bad name," says the petite woman passionately.

What bullshit. Franz's refracted thoughts turn to his youth, staring into the bathroom mirror at the unusual width of his nose, imagining turning into a raging bull, like how the guy transformed into a werewolf in that movie. It must have added up to hours, to days, all his chunking of minutes in devotion to his daydreams, spreading his nostrils, wide as they could stretch, till it ached, saliva foaming at the corners of his mouth, emanating a smorgasbord of grunts—each demarcated by variously-colored emotions.

He boils internally against her, but more so against the foreman, and his neatly-trimmed face, who allows this. He's just like the rest, engaging in his minuscule social activities, utterly meaningless, somehow allowing him to sleep at night unbothered. A good man, in control—he probably tells himself—encouraging his family to follow him, with his fine social control.

Blesses himself before his family and then dies on the flickering couch. Feels helpless, no TV remote in reach. He rests for goodness sake—an escape. Any nagging don't-play-well-with-others thoughts are devoured by the television's maw-vacuum. Good. Was good—now he real gone, *reeeal* gone. But he manages it, efficiently strangling these voices, and with little feeling, without tears' salvation—like a muscle-memory trained soldier, stuffed...stuffed with pre-programmed circuits, march on, a grand foolery, every family member seeing through each other like windows. Ha! A family of windows! Yes Mr. Foreman, you are a window and I see through you, as obvious as a spring day.

As the deliberations roll on, Franz finds his teeth tightly clamping his tongue. As the minor debates grow and ebb, so does his teeth's pressure. What the hell is it Franz? He traces the daydream-links of his gossamer-chain thoughts until it hits him—if only I could download my mind's video of those men at the crime scene this weekend—their testimony—that would

hold more truth, more weight than any of this. In the courtroom—bible-swearing notwithstanding—a plethora of motivations existed to tell a lie. Franz inexplicably believed in the honesty of the men at the crime scene. This mind-video could quite possibly end deliberations right here on the spot; they wouldn't need to run their silly mouths anymore. We'd all agree that Durell Washington was not guilty. Thomas could read their unanimous verdict, and we could all go home.