

33. The Case

(In an office. #1 is working at his/her desk. He/she is very engrossed in what they are doing. #1 pokes his/her head in the door and knocks. #1 looks up.)

- #2: Hey. How you doing?
#1: OK.
#2: Busy?
#1: Depends on your definition of busy. Let's just say that I have enough work to keep me occupied for...oh, I don't know, the rest of my life.
#2: Can I come in for a minute?
#1: Sure. *(#2 comes in and sits down. There is a pause.)*
#2: Is that the Jenner case?
#1: Have I worked on anything else in the last four months?
#2: No, you haven't. I want to tell you that everyone thinks you've done a great job with this case. We wouldn't be as far as we are without you.
#1: *(Leans back in his/her chair.)* Why do I get the feeling that there's a "but" attached to the end of that statement?
#2: Because there is.
#1: Are you going to tell me or should I guess? Here, let me make it easier for you. "You've done a great job on this case, but..."
#2: You've done a great job, but I want you to put it aside. I've got another project for you. *(Starts to get up and leave.)*
#1: Wait a minute, wait a minute. What do you mean, "put it aside"? I thought you liked my work.
#2: I do. *(Pause)* We're dropping the case.
#1: You're what?!
#2: We're dropping the case.
#1: Just like that?
#2: Not just like that. We've been talking about it for a week.

- #1: So, why am I just now hearing about it and why don't I have any input?
#2: Because when the District Attorney makes a decision, assistant DAs don't have a lot to say about it. Including me.
#1: Then just give me the *Reader's Digest* version. Why?
#2: We can't win.
#1: Not true! Tell me honestly. Did I screw this up somehow?
#2: No, I told you, we have all the confidence in the world in you. What we don't have anymore is a witness.
#1: What are you talking about? I just talked with Kathy Jenner and her parents last week about her testimony.
#2: I know and this morning her father called and told me that he's decided that Kathy shouldn't testify. He wants her to put this whole little mess behind her.
#1: Little mess?! The girl was abused. He calls that "a little mess"?
#2: Let's just say he was convinced to change his mind.
#1: *(Pause)* How much were they paid?
#2: Enough. End of story.
#1: No, not "end of story." We cannot just let this guy get away with abusing a 14 year old. And I don't care how big a celebrity he is.
#2: Well, because he is so big, he can afford to show the Jenners that time and money can heal all wounds.
#1: That stinks!
#2: I couldn't agree more. *(Starts to leave.)*
#1: So you and the District Attorney are content to just let it end this way?
#2: *(Stops and turns back.)* No, we are not! But our hands are tied. No witness, no case. Period!
#1: It's not as simple as that.
#2: Yes, it is. Look, we are not going to spend millions of taxpayer dollars to lose. The District Attorney will look bad, I'll look bad, you'll look bad...it's a no win situation.

- #1:** So what are you saying? That we did all this work so we could have the appearance of propriety?
- #2:** Would you please cut out all this sanctimonious crap and listen to me? We went after this guy and we went after him hard. We can't fight the fact that Harold Jenner is a scumbag who puts a dollar, or several million, over the well-being of his daughter.
- #1:** Well, I can't let it end like this.
- #2:** What are you going to do? You did the best you could. You made a big impression on the public...and this office. Just cut your losses and let it go.
- #1:** Do you think I did this for publicity? To make myself look good? Coming to the DA's office was not a lucrative career move. I have no political ambitions. I just wanted to make a difference.
- #2:** Didn't we all?
- #1:** What the hell does that mean?
- #2:** Sorry. It's not as jaded as it sounds.
- #1:** I hope not.
- #2:** Look, when I came here, I felt the same way you do.
- #1:** So what happened?
- #2:** Reality. I have a sign hanging on my wall that was a present from my old law professor. It's a quote from a book that says, "The study of the law is divine, the practice of the law is obscene."
- #1:** And that's supposed to make me feel better?
- #2:** I didn't say that. It's a suggestion that you look at things the way they really are.
- #1:** I know how things are. Simply put, there are a lot of bad people out there, doing a lot of bad things.
- #2:** That's right and no matter how hard you try, you can't stop them all or even punish all the ones you catch.
- #1:** And that includes a man who, because of his celebrity status, abuses a child and gets away with it?
- #2:** Yes, it does. But if it's any consolation, for all that walk,

- or buy their way out of trouble, at least three times the number are put away.
- #1:** That's not a consolation. Not in this case.
- #2:** That's because you're taking it too personally.
- #1:** And how am I supposed to take it?
- #2:** Like the professional that you are. You're new to this office. I guarantee this will happen again and if you can't accept that...the door's over there. I'd understand.
- #1:** Are you suggesting I quit?
- #2:** Not at all. A lot less sensitive lawyers than you have quit. I'm just saying that I'd understand if you don't think you can take the inevitable, and may I add frequent, disappointments.
- #1:** I don't quit! I just can't help but think that Kathy Jenner's going to regret this.
- #2:** Very possibly, but you have to let it go. If it's any consolation, this guy's life is probably ruined anyway. There's been too much press and too many unanswered questions. Let's just move on.
- #1:** (Pause) Fine.
- #2:** (Takes a folder and gives it to #1.) Here.
- #1:** What's this?
- #2:** Your new case. It's that guy who took those people in the bank hostage and killed the guard.
- #1:** Yeah, I know the case.
- #2:** It's pretty much a no-brainer.
- #1:** Really? How much money does this guy have?
- #2:** None.
- #1:** Fine then, I'll take it.
- #2:** Go home. I'll see you tomorrow. (Exits.)
(#1 sits back at his/her desk.)