

MY LIFE IS PROOF

Alicia, a 24-year-old graduate student in theater, is suing her grandfather for sexual, emotional, and physical abuse. Harry, 40, her attorney, called her this week to try to convince her to take an offer of forty thousand dollars made by her grandfather's lawyer. Alicia outright refused and has made an unexpected trip to Harry's office to confront him.

- HARRY: Alicia, please calm down.
ALICIA: I'm calm, I'm calm. I'm waiting. I'm listening.
HARRY: Look, I am not the enemy, all right? I'm here to help you.
ALICIA: By telling me to settle?
HARRY: Forty thousand dollars is a lot of money.
ALICIA: Not when we're suing him for over a million.
HARRY: You said he didn't have a million.
ALICIA: He might, if he sold everything. But that's not the point, Harry.
HARRY: What is the point?
ALICIA: He's not admitting he's guilty. He'll just say that his poor granddaughter is deranged. He's just a loving grandfather, helping her out by covering some of her psychiatric expenses.
HARRY: Alicia, first of all, perpetrators like your grandfather almost never admit their crimes. I've been doing these kinds of cases for eight years and in all that time maybe three have come clean.
ALICIA: Well that's not good enough. That's why I want to go to court.
HARRY: Secondly, for someone who is not a millionaire, forty thousand dollars is a lot of money to just be "helping out."
ALICIA: He gave my mom thirty or forty.
HARRY: What?

- ALICIA: My mom got breast cancer and he gave her like thirty thousand dollars. To help with her medical expenses.
HARRY: I'm sorry to hear that. *(Beat.)* Alicia, just because he gave your mother money doesn't mean . . . cancer is a very serious life-threatening disease.
ALICIA: So is incest! A lot of people die from abuse, ya know!
HARRY: I didn't mean to belittle what happened to you.
ALICIA: Then what did you mean?
HARRY: If anything I've said seemed to indicate that I didn't think what you suffered was traumatic, I apologize. My wife and I . . . we aren't rich. I'm not a wealthy lawyer out to buy a yacht with your money. You know that. I take all of my cases on contingency—if I lose, I get nothing. *(Beat.)* So why do I do this? Because someone has to get the rotten bastards. What I'm saying is I care. Very much. However, as I've told you before, this is never easy. It's messy, it's ugly, it's exhausting. Most lawyers won't even touch these types of cases. Because they know, in court, they'll lose.
ALICIA: Why? How can you be so sure?
HARRY: We have to prove your grandfather is guilty beyond a reasonable doubt. That would be hard enough to do if it happened yesterday and you had wounds and bruises. To prove *he* was the one who did it. But now, years later, it makes witnesses and physical evidence—all of it—that much harder.
ALICIA: Exactly. Harder, not impossible.
HARRY: Alicia, the chances of winning a case like this in court are . . .
ALICIA: Then why did you take it in the first place?
HARRY: I didn't want to take it to be honest with you. The last sexual abuse case I had practically put me out of business. You do realize I have to front all of the expenses myself.
ALICIA: And I repeat, then why did you take it?
HARRY: Because nobody else would.

ALICIA: You know what I think? I think you chickened out, Harry.

HARRY: What are you talking about?

ALICIA: The new lawyer. The “hotshot.” He moved it from state to federal court and you got scared. Suddenly, you’re in the big league—and you caved.

HARRY: I didn’t cave.

ALICIA: The day you called me and told me about the federal court thing. That was the same day you asked me how much my expenses were, without any money for emotional duress.

HARRY: Because he also made me an offer that day, and I wanted to counter it.

ALICIA: But initially when we talked, *you* were the one who added one million dollars for emotional duress.

HARRY: You think one million dollars is too much for what you’ve suffered?

ALICIA: No. There is no amount that could ever make up for what he did to me. My point is, you were confident enough to up my figure 600 percent. And you meet with this lawyer and he says “federal court” and you drop down to 45 percent. Admit it, you’re scared.

HARRY: Of course. But not in the way you think. I told you day one that 99 percent of these cases settle out of court. If this went to court, I would be scared that, one, it would be detrimental to your well-being, and two, that you’d come away with no money at all.

ALICIA: Or that *you’d* come away with no money.

HARRY: That’s ridiculous. If I only cared about money, I’d have pursued corporate law. Let me tell you something, Alicia. On my last two cases, I worked my tail off doing research, finding records, footing the bill to have witnesses flown in for testimonials. And you know what happened? We lost. I lost. Both defendants made offers to settle, but we hung tough. In the end it wasn’t me I was concerned about. I mean, obviously I would like to make some money at this.

But those women . . . They couldn’t afford the treatment they needed. I should have just given them the money I spent on their cases. Because we all wound up worse than when we started. I’m not caving. I’m just trying to be realistic.

ALICIA: I’m sorry.

HARRY: So am I. (*Pause.*) You’re a tough cookie—and smart. You should have gone to law school.

ALICIA: My dad would have loved that. He lost it when I told him I was going to be an actor. “Ninety-nine percent of actors are unemployed. You’ll wind up in the streets.”

HARRY: Alicia, I really think you should take the money. Pay your bills, get the counseling you need. And I won’t even take my third. How about a quarter? What do you think?

ALICIA: I can’t do it. I want to go to court.

HARRY: We’ll get creamed. We have no proof.

ALICIA: My life is proof! I want him to admit what he’s done!

HARRY: Someone who can rape his own granddaughter is certainly capable of lying under oath.

ALICIA: So the jury can find him guilty. He can’t just do what he’s done and have it be okay!

HARRY: What he did is not okay. He should be punished—

ALICIA: Don’t you get it? I need to stand up for myself! And for everyone else who this has happened to who can’t stand up. I need to show him that I’m taking my life back! You can’t imagine how many times and ways I’ve gone over confronting him. Making him admit it, torturing him the way he tortured me. I locked myself in the closet one day because I was afraid I would go buy a gun and kill him. I was in the fucking hospital on his birthday because I wanted to kill myself. And where was he? Kicking up his heels in his cushy house in Florida celebrating. That is not justice. There is no justice!

HARRY: You’re right. Our system is faulty. But it’s the best we’ve got. It shouldn’t be called the Justice System. It should be called the “trying-to-do-justice-system.”

ALICIA: Then *try* with me for God’s sake.

HARRY: You just said you were suicidal. That lawyer will kill you, Alicia. He's a shark.

ALICIA: I'm not afraid of him!! It can't be any worse than what I've already lived through!

HARRY: Fine. You think you can take it?

ALICIA: Yes.

HARRY: Okay-okay! (*Moving with a new energy that we have not seen.*) I'm him. You're in the witness stand. Everybody's watching. Your mom, your sisters, and your grandfather.

ALICIA: I'm ready.

HARRY: So Alicia, you say that your grandfather forced you to have oral sex and intercourse with him, is that right?

ALICIA: Yes.

HARRY: Umm-hmm. And you were how old?

ALICIA: Four to six years old.

HARRY: You don't know how old you were?

ALICIA: I meant it happened from the time I was four to the time I was six.

HARRY: How old are you now?

ALICIA: Twenty-four.

HARRY: Well, you must have an amazing memory.

ALICIA: It's hard to forget something like that.

HARRY: You're not allowed to speak unless I ask you a question. Now, you also claim that your two sisters were with you on certain occurrences of this supposed abuse. Is that right?

ALICIA: Yes.

HARRY: And you claim they were abused by your grandfather as well?

ALICIA: Yes, that's right.

HARRY: The court has heard both of their testimonies and they don't seem to remember any—

ALICIA: Because they're too scared to remember. Their bodies won't let them until they're able to handle it.

HARRY: I see. So *you* can "handle it"?

ALICIA: Not well.

HARRY: Can you please tell the court what you do for a living?

ALICIA: I'm finishing up graduate school. I'm working on an internship.

HARRY: In what? What are you studying?

ALICIA: Theater.

HARRY: And what do you do in the theater, specifically? Do you make costumes? Sets?

ALICIA: I'm an actor.

HARRY: You're an actor! So you make things up for a living?

ALICIA: No. The playwrights make it up. We just help tell the story.

HARRY: I see. But you pretend a lot. In telling their stories. Pretend to be someone you're not, to say that things happened when they didn't—to act as if they did? Is that right?

ALICIA: We try to portray other characters, yes.

HARRY: It's kind of like lying for a living, isn't it?

ALICIA: You should know.

HARRY: So you claim your grandfather sexually abused you in his former house in Brooklyn and in your parents' former house in New Jersey. Something strikes me as odd. Your parents both testified that they weren't aware of any abuse. Yet you say it happened in their house. How would you explain this?

ALICIA: I don't know.

HARRY: You don't know? Uh-huh. Tell me, Alicia, do actors make a lot of money?

ALICIA: It depends. Hollywood film stars do.

HARRY: Let me rephrase this. People in the theater like you. Do you make a lot of money?

ALICIA: No, I don't.

HARRY: Do you have a lot of bills? Student loans?

ALICIA: The usual.

HARRY: How much would that be in student loans? The usual?

ALICIA: I don't know exactly. Maybe twenty or twenty-three thousand.

HARRY: Twenty-three thousand dollars? And then you have your living expenses and your car and unforeseen emergencies

and you don't make much money as an actor. That must be rough on you.

ALICIA: I'm getting by.

HARRY: Scraping by with bills piling up. Wouldn't it be nice to have those bills paid off so you can be free to do your acting?

ALICIA: Lots of people have student loans. It's common these days.

HARRY: Answer the question. Wouldn't it be nice?

ALICIA: Yes.

HARRY: Would you say your grandfather has a lot of money?

ALICIA: I guess.

HARRY: Yes or no?

ALICIA: Yes.

HARRY: So let's review here, your grandfather has a lot of money. You're at least twenty thousand dollars in debt and not making much at all working as an actor. You claim that your grandfather sexually, physically, and emotionally abused you and your two sisters. They don't recall any abuse. You say the abuse happened in the homes of your grandfather and your parents, but you don't know where your parents were while it was supposedly happening. Your father stated that he did not know of any abuse. Your mother said the same thing. You agreed that it would be nice to have your bills paid off. It's a lot of debt. And in your daily work, you pretend that things happened to you that didn't actually really take place at all. Would you agree with all of that?

ALICIA: Not what you're insinuating.

HARRY: Would you or would you not agree with the statements that I have made?

ALICIA: *(Beat.)* Yes.

HARRY: Of course you would because you made all of this up, didn't you, Alicia?

ALICIA: No!

HARRY: You've been diagnosed with major depression on several occasions, have you not?

ALICIA: Yes, and post traumatic—

HARRY: You've been in more than one hospital because you overdosed on medication. Is that correct?

ALICIA: Yes.

HARRY: You're not exactly a stable human being are you?

ALICIA: If I'm not, it's because—

HARRY: Answer the question!!

ALICIA: No.

HARRY: Your grandfather never laid a hand on you! Did he?!

ALICIA: Yes!!

HARRY: He never fondled you, he never raped you, he never did those sick, demented things that you're accusing him off! Did he?!

ALICIA: Yes!!

HARRY: You are under oath, Alicia! You're depressed and unstable and broke and you want to blame someone for your life and make them pay for it and you picked him! Didn't you?!

ALICIA: *(She suddenly curls inward, protecting herself. Her eyes are filled with terror and she looks like a little girl. Her speech is broken, like she's somewhere else. She makes a fearful, whining sound.)* Mmmmmm. No.

HARRY: Say it!

ALICIA: Go away. Get away from me. *(She breathes heavily through her mouth and watches him with hyper-paranoia.)*

HARRY: *(Dropping the character.)* Alicia?

ALICIA: Mmmmm. Stay away from me. You stay over there.

HARRY: Alicia, it's okay.

ALICIA: *(She jumps at a tiny sound.)* I'm not bad. Uhh. *(She lightly touches her forehead with apprehension.)* You're gonna hurt me.

HARRY: No, no. Alicia? You're safe now. It's me, Harry. You're in my office. It's safe here. *(He moves toward her but she recoils.)* I'm sorry. I'm sorry. Can you hear me? *(She still looks terrified but she's silent now and she nods yes.)* It's okay. It's all going to be okay. *(She stares at him and starts to rock.)*