

After Action

written by

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Revision 6

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FADE IN:

INT. ARMY JAG MEETING ROOM - LATE AFTERNOON

Captain Peter Crawford, 40, hair graying at the temples, with glasses, dressed in an Army dress uniform sits at a conference table, impatiently waiting.

He checks his watch, when...

The conference room door opens, and Crawford stands. In walks Lieutenant Benjamin Walker, 27, but looks younger, dressed in an Army dress uniform. Crawford is somewhat taken aback.

CRAWFORD:

You might be in the wrong room.
Can I help you?

WALKER:

Uh, I'm looking for a
(taking a sheet of
paper out of his
briefcase)
Captain Peter Crawford? I'm--

CRAWFORD:

You're Ben Walker?

WALKER:

Yes sir, Lieutenant Ben Walker. I
take it you're Captain Crawford?

CRAWFORD:

(extending his hand
to shake)
I am. I'm sorry, from your
emails, you sounded...older. How
long have you been out of law
school?

WALKER:

(shaking Crawford's
hand)
It'll be a year next month, sir.

The two men sit.

CRAWFORD:

And how many cases have you
tried?

WALKER:

This one's number three for me.

CRAWFORD:

You're not serious.

WALKER:

Why wouldn't I be, sir?

CRAWFORD:

You're Private Ross's counsel?

WALKER:

Yes sir.

CRAWFORD:

Division assigned a Second Lieutenant with two cases under his belt to a case that could cost a soldier his future in the Army?

WALKER:

Yes sir.

CRAWFORD:

They have no idea what they're doing over there, do they?

A beat.

WALKER:

Since agreeing with you would be oddly self-deprecating, I'll just remain silent.

CRAWFORD:

What can I do for you, Lieutenant?

WALKER:

I reviewed the discovery file you sent over last week, and it appears to be fairly thorough, with one notable exception.

CRAWFORD:

You want to see the After Action Report, don't you?

WALKER:

If you're speaking of the After Action Report from May 17, 2010, yes I do. I need it declassified and unredacted.

CRAWFORD:

Where do you live, Lieutenant?

WALKER:

Excuse me, sir?

CRAWFORD:

Where do you live?

WALKER:

I live in Arlington. Why does that matter?

CRAWFORD:

Because I can't understand why anyone in your position would drive any distance to have a meeting with opposing counsel, just to have that officer tell him that declassifying a top secret After Action Report is well above his pay grade.

WALKER:

(ignoring Crawford's quip)

You served with my client's commanding officer, Captain James Marshall in Iraq, correct, sir?

CRAWFORD:

This could have been an email--

WALKER:

Am I correct, sir?

CRAWFORD:

Yes, but what does that have to do with anything?

WALKER:

In my view, quite a bit. What was your opinion of his leadership style?

CRAWFORD:
(looking confused)
Professional?

WALKER:
Did he expect a lot from his
troops?

CRAWFORD:
He wasn't my commanding officer,
we served along side each other
as equals in rank. Where are you
going with this line of
questioning, Lieutenant?

WALKER:
My client contends that his
Commanding Officer was abusive,
to the point of causing him PTSD.

Crawford pulls a face: "Are you fucking kidding me?"

CRAWFORD:
Lieutenant, this is absolutely
ridiculous. Private Sam Ross has
a history of insubordination.
This court martial represents his
third strike. If you're
suggesting that the reason why he
physically assaulted Captain
Marshall was because he caused
Private Ross to develop PTSD,
your legal career in the Army
won't be very long.

WALKER:
I'm just doing my job as defense
counsel--

CRAWFORD:
By asking me to go to the
Secretary of Defense, and ask him
to declassify an After Action
Report that will smear an officer
with an impeccable service record
in court.

WALKER:
By asking the prosecution to
abide by the rules of discovery.

CRAWFORD:
I GAVE YOU EVERYTHING I HAD!

WALKER:
Including a completely redacted
After Action Report that could
exonerate my client!

CRAWFORD:
Oh for Christ's sake, what could
possibly be in the report that is
going to flip the verdict?

WALKER:
Private Ross contends that
Marshall ordered him to diffuse
three IEDs, with nowhere near the
protection required to perform
such a task--

CRAWFORD:
So you're upset that he gave your
client an order?!

WALKER:
An illegal order that contributed
to a psychological condition
leading to Private Ross's error
in judgment.

CRAWFORD:
You call knifing your boss and
puncturing their kidney an error
in judgment?! It's a miracle that
Captain Marshall didn't die from
his wounds!

WALKER:
I'm saying that Ross wouldn't
have done it if he was in his
right mind.

CRAWFORD:
And that's your plan to get him
off?

A beat. Both men take a moment to collect their thoughts.

CRAWFORD: (CONT'D)
You know, there was a time that I actually wanted to be a defense attorney. I almost fell for the "every client deserves a competent defense," garbage.

WALKER:
It's not garbage.

CRAWFORD:
Says the idealistic Lieutenant.

WALKER:
So we should just lock my client up?

CRAWFORD:
No, but you're stretching the truth. And that's why I hate defense attorneys. They're always graying the line between what's right and wrong.

(a beat)

You asked my opinion of Captain Marshall. Honestly, the guy was an asshole, but the problem is, he was Ross's CO. Private Ross should NOT have challenged Marshall's authority, and I'd say Ross stabbing him was a clear challenge to that authority.

(a beat)

There are hundreds of thousands of soldiers in the United States military who have assholes as their commanding officers, and somehow many of them avoid getting a dishonorable, or OTH discharge. The difference between those soldiers and your client is that they do what they're told, which is what is right, and they don't challenge that authority.

A beat.

WALKER:
In what world is it right to ask a 19 year old kid to dismantle multiple roadside bombs without the proper protective equipment?

CRAWFORD:

In our world. The world that asks young men and woman to take an oath to defend the constitution, against all enemies, both foreign and domestic.

Crawford stands from the table, and buttons his jacket.

CRAWFORD: (CONT'D)

I'll do what I can to get you temporary clearance to review the report. That's the best I can do.

WALKER:

Am I supposed to be grateful for that?

CRAWFORD:

It's more than what you have now, which is the word of a soldier on trial for assaulting a superior officer, and someone who should be on trial for something a lot worse.

WALKER:

The report needs to be entered into the court record in its entirety. I'll file a motion to have it declassified--

CRAWFORD:

Go right ahead, but you'll be sticking your neck out, not me.

WALKER:

You are blatantly violating the rules of discovery!

CRAWFORD:

No, sir, I am not. I would be violating discovery if I hid the report's existence from you. You have the report, and I'm sorry that it's classified, but I don't have the power to declassify it, because I'm not the SECDEF.

A beat.

WALKER:

The prosecutor and defense counsel are supposed to work together, despite being on opposite sides of the table.

CRAWFORD:

Don't lecture me on collegiality, Lieutenant, and don't pretend not to know who outranks who in this room. I knew that this meeting would be about this report, but I took the meeting anyway, because I have respect for just about anyone who wears the uniform, regardless of rank, with the notable exception of soldiers like your client.

(a beat)

We've talked a lot today about superior officers who don't have the temperament to be in the positions they're in. I would hope that by taking this meeting I've done more than enough to prove to you that I'm not one of them.

Crawford heads towards the door. Before he leaves...

CRAWFORD: (CONT'D)

You do know that you're going to lose this case, right? Sam Ross is never going to wear the uniform ever again.

WALKER:

You think that I'm idealistic, and that I think that every person I defend is innocent. That couldn't be further from the truth. I'm not saying that Ross deserves to wear the uniform. He doesn't.

CRAWFORD:

So why are you defending him?

WALKER:

Because he doesn't deserve Levenworth. He deserves a Medical Discharge so he can get some help when he gets home.

CRAWFORD:

You want the U.S. Military to medically discharge a man who would be charged with attempted murder in a civilian court? Why? So he can get "excellent" mental health care from the VA?

Walker chortle.

CRAWFORD: (CONT'D)

What's funny?

WALKER:

You really don't see how close Ross and Marshall are to being in each others opposing situations, do you?

(a beat)

One of those IEDs explode while Ross is trying to disarm it, and he's the one who ends up in the hospital, or dead, and Marshall's on trial for his future.

CRAWFORD:

You'd be the one defending Marshall.

WALKER:

And you'd be lecturing me about how he gave Ross an illegal order.

(a beat)

At the end of the day, you and I aren't that different.

A beat.

CRAWFORD:

Maybe we aren't. But you choose to defend the indefensible. I can't make that choice in good conscience.

(a beat)

I'll get you temporary clearance to review the report.

WALKER:

And I'll file my motion for declassification.

CRAWFORD:

Do whatever you want to do. It's your career on the line.

Crawford exits.

WALKER:

(to no one in particular)

Yeah. And I'm proud of it.

FADE OUT.

THE END