

**A HYPOCRITE'S REVELATION**

BY

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*A Hypocrite's Revelation* is a play based, not on an actual occurrence, but rather the actual *facts* (or *some* of them!) which contributed to the playwright's wrongful conviction in June of 2008. The play is an adaptation of ~~written~~ during the month of August, 2014, from the original short story of the same name, which was written during the Summer-Fall of 2009. The purpose and/or intent of the story/play is not so much about attempting to reveal the facts surrounding his case and wrongful conviction as it is about raising the question about the consequences and ramifications behind overlooking and/or abusing the statutory guidelines, rules, policies, etc., etc. that make our Justice System both effective ~~and~~ fair. A hypocritical Justice System is not an individual problem, but a societal one. There are approximately two-million people incarcerated for serious crimes in the United States, today. If we do not stick to the principles and rules that make the system work (such as the Presumption of Innocence, and Proof Beyond a Reasonable Doubt), it only takes a ~~two~~ ~~to~~ ~~five~~ percent error (or misconduct!) rate to incarcerate 40,000 - 100,000 people for crimes of which they did not commit!

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**SETTING:**

BACKDROP IS ENLARGED PHOTOGRAPH OR MURAL OF MAIN ENTRANCE TO THE PEORIA COUNTY COURTHOUSE IN PEORIA, ILLINOIS, TAKEN FROM AN ANGLE WHERE THE LETTERS/WORDS "COUNTY OF PEORIA COURTHOUSE" ARE PROMINENTLY CENTERED, AND THE STATUE OF ABRAHAM LINCOLN IS CENTERED, FAR-RIGHT, FACING THE CAMERA/ARTIST.

ARTIFICIAL CONCRETE BENCH POSITIONED AT CENTERSTAGE, WITH A "CITY LINK" BUS STOP SIGN BEHIND IT, AT THE LEFT CORNER.

**CAST:**

DALE MICHEALS

60-YEAR-OLD LIBRARIAN / JUROR

TRACIE DEANE

47-YEAR-OLD SECRETARY / JUROR

MICAH ROBERTS

28-YEAR-OLD STUDENT / JUROR

DARNELL HICKS

33-YEAR-OLD / JUROR

KEVIN DAVIDS

PROSECUTING ATTORNEY

UNNAMED CITIZEN

ASSOCIATE OF KEVIN DAVIDS



CONTEMPORARY



## ACT I

LIGHTS UP. THERE IS THE SOUND OF LIGHT TRAFFIC AS THE FOUR JURORS ENTER STAGE- LEFT. THERE IS INDISTINCT CHATTER AMONGST THEM AS THEY MAKE THEIR WAY TO THE BUS STOP BENCH. TRAFFIC AUDIO FADES.

### TRACIE

Well, Dale - I guess we've arrived at your destination! Are you absolutely sure you don't want a ride? I mean, I *am* going in that direction! And it would be *no* trouble at all!

### DALE

(GRABS TRACIE BY HER SHOULDERS, LOOKING INTO HER EYES)

Listen. Again. I truly appreciate you-all's generosity. I do.

(SIGHS, AND REMOVES HIS HANDS)

But I've been riding the city bus system, at least, 40-years-or-so. I'm a librarian; a simple guy, with simple needs. I enjoy it. Sometimes, it's like taking a walk; a great opportunity to just relax and gather your thoughts. You know?

### TRACIE

Well, I guess we can all understand that. Right?

(GLANCES AT BOTH MICAH AND DARNELL FOR SUPPORT, IN WHICH THEY BOTH VERBALLY AGREE, AND LOOK TO EACH OTHER, AS THEY NOD THEIR HEADS)

TRACIE

But, wait. Gather your thoughts? Does this *have* anything to do with the trial?

DALE

Well, yeah. I just think -

TRACIE

Oh, Lord, Dale! We made the right decision! That joker did it!

DALE

We certainly made a decision - but I'm not so sure it was the *right* one. I mean, there wasn't even any real -

MICAH

Mr. Micheals! That bastard ~~did~~ it! I promise you! We women! And we can tell when another woman is lying, or telling the truth about something like that!

DALE

(SARCASTICALLY)

Oh! Is that so!?! Well, why didn't -

MICAH

Argh! (FRUSTRATED, ROLLING HER NECK, WITH ONE FINGER IN THE AIR-SPACE BETWEEN HER AND DALE) There was DNA! D-N-A!

DARNELL

Well, that's what got me! I got sisters, man -

DALE

Yes! (FRUSTRATED, THROWING BOTH HANDS IN THE AIR) ~~but~~ he testified - he never denied having had -

DARNELL

Look, Mr. Micheals. (IRRITATED, CLASPING HIS HANDS ATOP HIS HEAD, AND LOOKING INTO THE SKY) Like we ~~all~~ agreed during deliberation; (LOOKING DALE DIRECTLY IN THE EYES, PLACING A HAND ACROSS HIS HEART, AS IF TO RECITE THE PLEDGE OF ALLE-  
GENCE) I am comfortable with convicting him on the possibility that he -

TRACIE

Absolutely! According to what we ~~can~~ surmise about the situation, it is entirely possible that he might have done it! And I, personally, am ~~okay~~ with convicting him on that basis. I mean; What happens - or, how would you feel - if we'd've let him go and he did it, again?

DARNELL

Yeah! (NODDING HIS HEAD) Exactly!

MICAH

(ALMOST SIMULTANEOUSLY WITH DALE)

Right! And we all agreed that that should be the verdict! ~~///~~ of us!

DALE

I suppose -

DARNELL

Well, it's over now. I don't see the point in continued debate. I have a job interview to get to.

(REACHING INTO HIS BACK POCKET, HE RETRIEVES A NEWSPAPER)

Here's something to keep you company while you wait on your bus, or whatever, Mr. Michaels.

DALE

(ACCEPTS THE NEWSPAPER)

Thanks. I appreciate it.

DARNELL

You all take care.

(EXITS STAGE- RIGHT)

(EVERYONE WATCHES AS HE BEGINS HIS DEPARTURE. THE ONLY SOUND IS THE SLIGHT TRAFFIC AUDIO IN THE BACKGROUND)

TRACIE

(AFTER DALE IS NO LONGER VISIBLE - OFFSTAGE)

Huh! I guess that my cue! (HUGGING BOTH DALE AND MICAH) It was nice meeting you all!



MICAH

Well, it was nice meeting you, too! Why don't you let me walk you to your car! I have a little bit of time before I need to go to class! See you around, Mr. Micheals. .!

(MICAH AND TRACIE EXIT STAGE RIGHT)

(AFTER WATCHING BOTH WOMEN OFFSTAGE, DALE UNFURLS THE NEWSPAPER. HE TAKES A SEAT ON THE BENCH, AS HE TAKES A FEW SECONDS TO PERUSE THE PAGES. IN FRUSTRATION, HE TOSSES THE NEWSPAPER OVER HIS SHOULDER, LEANS BACK, TAKES A DEEP BREATH, AND LOOKS TO THE SKY)

DALE (PRE-RECORDED VOICE, OFFSTAGE)

I was born and raised in Peoria, Illinois, in an area that the youngsters now simply call, "Da Bluff." In my youth, it was *such* a beautiful space in the city for one to call home. It was illustrious! It had a feel-good, fun-loving atmosphere that made its residents proud. We fostered hope within, and for each other, and our children; children who were not as lost, forgotten, and broken, as they are, today. You could peek out of your window, on practically *any* given day of the year, and see young men hard-at-work with the up-keep of lawns, or shovelling sidewalks and driveways during the winter - not just for want of commercial gain, either! - but, mostly, in the sense, sake, and appreciation of responsibility! A *beautiful* sight! A sight that could touch you to the core, and



fill you with a prophetic-like knowledge and assurance that this city and its people had a bright future ahead. (PAUSE) It's not the same, anymore.

(DALE SLUMPS OVER, WITH HIS FOREARMS ON HIS KNEES, GAZING DOWN INTO HIS HANDS, AS HE TWIDDLES AND CLEANS HIS FINGERNAILS, SORROWFULLY LOST IN THOUGHT, PANTOMIMING SUCH, THROUGHOUT THE REMAINDER OF THE VOICE-OVER)

Where is that friggin' bus? (PAUSE) Wow. 40-plus years. I never thought much about that until today. Driving just isn't the same anymore. Riding the bus allows an old widower like myself to still feel human, be around other people, and still be able to enjoy the solitude of my own thoughts and feelings. That's where I find myself, this afternoon; waiting on the bus, realizing that everything and everybody have become so bent out of shape that moral fortitude and fortification no longer have any worth. And the chase of the things that define and manifest the illusion that is Materialism has become the ultimate value and reality of life - at the cost of our very souls.

(PAUSE) What I witnessed, this morning, from the perspective that is Peoria - I'd definitely say it is small-scale. But! - being the reasonable man I am - I am convinced that this is a thing happening everywhere - in *every city* - in America! (PAUSE) I still can't get over the fact that the whole trial process took less than two days. I'm an avid reader of the Local section of the Peoria Journal Star, and before being selected as a juror, I had a slight recollection about the details pertaining to the incident in question, which was whether or not a young man had forcefully exercised his libido against the wishes of an even younger woman. If taken at face value, the article implied that the young man was guilty, due to the fact that the investigation into the case uncovered his DNA. Well, there you go! Right? I mean, as far as I know, the *JS* is an immaculately well-written newspaper.

And I would've bet my right arm, *at the time*, that it was incorruptible and completely exhaustive in its efforts at feeding us hungry residents the news without the blemish of sensationalism for commercial gain. But, admittedly - I am naive to the politics of business. There was a *full* accounting in the newspaper, though! Right? D-N-A! Right?! For crying-out-loud! The guy's *guilty*!  
(PAUSE) Right? (PAUSE. BEGINS TO PACE) I still have *so* many questions. Lord, help me. (SHAKES HIS HEAD)

We went with what was possible, under the circumstances. Conjecture. We ignored the instructions of law that the judge had given us. (PAUSES) I know now, that no matter how I felt - I may well have sent an innocent man to prison. But any *some* person, any *reasonable* person, would've voted the same way! Right?! And how do you even *begin* to consider evidence like that presented in the case, 'in the light of your own observations and experiences in life?' I've *never* witnessed *anything* like that before! But I guess that that's what happens when you give average people, with average lives, the power over the fate of others. If we can't be the next Rockefeller, Carnegie, or Gates - *at least!* - we're better than the guy at the defense table! Everyone wants to get ahead and/or be better than the next man. It's the American Dream. Who cares about Truth and Justice, anymore? What is right, What is fair, What is *just* - will *always* take a backseat to prejudice and bias of imperfect people given the power to exercise judgement because they know that they really don't *have* to follow the rules. Injustice is prevalent in *all* places where it is known that there are no personal consequences to the decisions we make. So, one must *act* - What is the cost?

(ENTER KE DAVIDS, STAGE-LEFT, CARRYING A BRIEFCASE) DALE NOTICES HIM ABOUT 1/3 OF THE WAY ACROSS THE STAGE, AND IMMEDIATELY APPROACHES

HIM)

DALE

Excuse me! Excuse me! (STICKS OUT HIS HAND) Mr. Davids, correct?

KEVIN

Uhhh - (LOOKS AROUND, AS IF FOR WITNESSES) Yeah, that's me. (LOOKS AT HIS WATCH) Juror #4, right? (SHAKES DALE'S OUT-STRETCHED HAND)

DALE

Well - Number 8, actually. But, hey! - I have a couple questions for you!

KEVIN

(LEERILY) O-kaaay.

DALE

There are still a few things about your case that make the back of my neck quiver.

KEVIN

Oh, really?! How -

DALE

Like - Were you aware that the young woman had responded to practically *all* of the imperative questions, concerning the things that she reportedly said and

did, with 'I don't remember.'<sup>2</sup> - and that it was done, *at least*, 40 times? And that was the number that I ended-up with, only *after* I had decided that that answer had occurred frequently enough that maybe it should be noted!

KEVIN

Well, of course I was aware -

DALE

Can 'I don't remember' even be *construed* as testimony, let alone *fact* or *corroboration*.<sup>2</sup>

KEVIN

Apparently so! (SMILES, AND RUNS HIS HAND OVER HIS TIE) I mean; you guys convicted him, didn't you?!

DALE

Well- yeah! (FLABBERGASTED) But that's because *you* told us that it was okay to overlook the fact the she was 'inconsistent!'

KEVIN

Yes, but -

DALE

(HOLDS / THRUSTS OUT HIS HANDS, PALMS UP, AS IF TO HOLD KEVIN BACK FROM SOME IMAGINARY ATTACK) Whoa! Whoa! Okay! (PAUSE) Okay! Answer me this: Why did it take you all, over-a-year, to arrest and charge the young man?

KEVIN

Well, that's about how long it took to get the DNA match.

DALE

Despite the fact that, even though you - and the woman! - claim that she did not know, had never spoken to, or seen the young man before, the -

KEVIN

That's what she told us.

DALE

-initial investigating officer testified that she phoned him, at his home, within two-weeks of the alleged incident, to give him the defendant's name and address?

KEVIN

Well - (SNICKERS) That was stricken from the record. And you all were ordered to disregard that testimony because, like I stated in my objection to said testimony - it was hearsay. Hearsay is inadmissible!

DALE

Why was everything *else* she told the police admissible, then?

KEVIN

Hey! It's not my fault his attorney dropped the ball!

DALE

(RUBS HIS CHIN, MOMENTARILY, IN THOUGHT) I suppose you have a point.  
(KEVIN BEGINS TO SNICKER) Until you take into account the fact that the defendant's attorney was appointed by the court. Isn't his check signed by the same people who sign yours?

(KEVIN DOES NOT ANSWER. INSTEAD, HE GLANCES AROUND, AS IF SEARCHING FOR AN OPPORTUNITY TO BREAK AWAY FROM THE CONVERSATION)

KEVIN

Look, Mr. - Uhhh... (PUTS HIS HAND TO HIS HEAD AS HE TRIES TO REMEMBER DALE'S NAME)

DALE

It's Micheals, son. Dale Micheals.

KEVIN

I'm sorry, Mr. Micheals. I deal with so many people -

DALE

I just find it strange that, in your opening statement, and according to your alleged witness - who was also the only other person present, of course, besides the defendant, himself - you all claim ~~no~~ knowledge between the two! She did ~~see~~ know him! And that the only reason that he was identified in the case, was due to DNA-matching!

Isn't that correct? That *that's* how he became the suspect?

KEVIN

Well, uh-hh - yes. Yes, it is. (LOOSENS HIS TIE)

DALE

So! Why on *Earth* would you prevent the original investigating officer from testifying that she had *personally* provided him with the defendant's name and address, at *least*, eight-months *prior* to your so-called "match?" (SIMULTANEOUSLY PANTOMIMING THE SIGN FOR QUOTATION MARKS) That seems, *to me*, to denote that -

KEVIN

(**RUNNING** A HAND THROUGH, OR OVER THE TOP OF HIS HAIR, IN SLIGHT FRUSTRATION)

Mr. Micheals, my job was to prosecute the case. I am of the opinion that a defendant will say or do, anything, to beat their cases. Therefore, for me, they lack credibility, from the outset.

DALE

But - isn't that a violation of a defendant's right to the presumption of innocence? And! - What does that have to do with the *facts* of the case? - Which is what a trial is supposed to be about! *Re-vealing the facts!* The defendant never denied having had sex with the young lady! His claim was that ~~XXXXXXXXXXXXXXXXXXXX~~ happened, on the night in question, was grossly exaggerated! *We* claimed seeing her, on more than one occasion! And that *the truth* behind her accusation was that they had a disagreement, which resulted in him verbally abusing her, due to the fact that she claimed that he owed her money in exchange for the sexual

encounter, *after* the fact! That didn't seem plausible, or worthy of consideration, to you?

KEVIN

Absolutely *not!* My job was to present *our* version of the case! He's a criminal! Criminals *lie!*

DALE

Well, that certainly *could* be true, for the most part. And, in all honesty, *neither* of their testimonies *have* rang with *completeness*. But it was very hard for me to discount the fact - to *overlook* the fact! - that, *regardless*, his testimony was *uncontradicted*. *He's*, on the other hand...? (PANTOMIMES SCALES OF JUSTICE, AS IF WEIGHING SOMETHING IN THE PALMS OF HIS HANDS)

KEVIN

(CHUCKLES) Yet! (HOLDS UP A FINGER, TO EMPHASIZE THE POINT) You all still convicted him, didn't you?!

DALE

Well, we thought that there was the possibility that -

KEVIN

Of course you did! (GIDDY) Nature of the crime, and all! Right?

DALE

But there wasn't any *real* evidence to support the young lady's claims - to



*corroborate* her claims - other than the fact that she says so. No evidence that there was a gun used during the commission of the crime; or anything *else* for that matter. She claimed that he used a prophylactic - yet, they recovered DNA? Apparently, he didn't use a mask. . . In fact, according to *her*, he assaulted her in a well-lit area, in a part of the neighborhood constantly frequented by pedestrians. Yet, *no one* saw it? The doctor who examined her reported that there were *no* injuries - sexual - or otherwise! Now, add that to the fact that the young woman testified that she didn't tell the police some of the things that *they* claim that she *did!* She committed numerous perjuries on the stand! And when it became obvious that she had gotten caught in a tight spot during cross-examination by the defense, she would answer, 'I don't remember!' And *you* said, that that was okay!? But this is a young man's *life* -

KEVIN

Yes, I did - because there was other evidence corroborating her story! (PAUSES, MOMENTARILY, AWAITING A RESPONSE, BUT GETS NONE) Okay. Okay. . . (LIFTS A FINGER IN THE AIR) So, what about the earring that was found on the porch steps? The earring that *she* told us fell out of her ear when he put her in a head-lock, and drug her across the street. . . ?

DALE

It's funny that you mention that. (RUBBING HIS CHIN) That *was* brought-up during deliberation.

KEVIN

You see! Corroboration! - right there! (TURNS, AS IF TO WALK AWAY IN TRI-

UMPH)

DALE

Ohhh, no! (TUGGING ON KEVIN'S ELBOW WITH HIS FORE-FINGER AND THUMB, TO WHICH KEVIN RETURNS TO ORIGINAL POSITION) Earrings don't normally just ~~fall~~ out of a woman's ear, sonny. I've been married almost 40 years. Besides, under the circumstances that ~~you~~ described, there should've been some kind of abrasions - scratches behind the ear! - *Something!*

(UNNAMED CITIZEN ENTERS FROM OFF-STAGE LEFT)

KEVIN

Well, don't you think you're reaching? Just (HOLDS UP HIS FORE-FINGER AND THUMB, DEMONSTRATING A SMALL MEASUREMENT) - a little bit?

DALE

No more than you! The doctor supposedly reported that there wasn't a scratch on her - *anywhere!* Add *that* to the fact that - I guess I was the only person to realize - that she testified that she didn't even know that her earring was gone until the police officer pointed it out!

KEVIN

Mr. Michaels, you - (GETS INTERRUPTED BY A FRIENDLY SLAP ON THE BACK FROM THE UNNAMED CITIZEN)

UNNAMED CITIZEN

Look at you! Doing *great* things, I see! I'm proud of you! And I just

wanted you to know that you have both my vote and my *full* support, for your election to the soon-to-be-vacant State Attorney seat! (OFFERS HAND)

KEVIN

(SCRATCHES HIS HEAD; LOOKS AROUND, SLIGHTLY EMBARRASSED BY DALE'S EXPRESSION OF CONFUSION) Uhhh. . . Thanks. (SHAKES THE UNNAMED CITIZEN'S OUTSTRETCHED HAND) I appreciate that.

UNNAMED CITIZEN

Well, I hope you enjoy the rest of your day! More heads must roll, in the morn!  
(RELEASES KEVIN'S HAND AND EXITS STAGE RIGHT)

KEVIN

Yeah. . . Sure. . .

(BOTH DALE AND KEVIN WATCH THE UNNAMED CITIZEN AS HE EXITS THE STAGE. THERE IS A MOMENTARY AWKWARD SILENCE. THEN, KEVIN SLUMPS HIS SHOULDERS, TAKES-AND-EXPELS A DEEP BREATH, AND TURNS HIS ATTENTION BACK TO DALE, WHOM HE IS SLIGHTLY SHOCKED TO REALIZE IS STARING AT HIM, RATHER INTENTLY)

Look, Mr. Micheals. . . There aren't any heroes left. No matter what you, or anybody else, thinks about what it is that I do - this is a *career*. I chase *convictions*; because convictions tell people that I am good at what I do. . . Take a good look around (WAVES HIS HAND) - *after* you examine *yourself!* No one cares about *Truth* or *Justice*, today! I've learned, the

hard way, mind you - that *Morality* is a foregone conclusion!

DALE

Well, I wouldn't say -

KEVIN

How can you disagree? I mean, you could've hung the jury! *You!* But you didn't! And *I* know *why!* In *fact* - I *counted* on it! I *expected* sympathy and prejudice to influence the decision!

(DALE, IN SHOCK, LOWERS HIS HEAD INTO HIS HANDS. THERE IS A MOMENTARY PAUSE, AS KEVIN STUDIES HIS REACTION)

Oh, don't be so dramatic! I weigh each case by the value and potential of what it will do for my career, friend. That's the *real* world!

DALE

(LOOKING UP-AND-DOWN THE STREET) I guess it is. (PAUSES, LOOKS AT THE GROUND) Boy, do I regret this conversation. (KEVIN SHRUGS HIS SHOULDERS) Well, thank you for your time. (OFFERS HAND. KEVIN ACCEPTS, THEN EXITS STAGE RIGHT)

DALE (PRE-RECORDED VOICE, OFF-STAGE)

(SITS BACK ON THE BENCH, CLASPS HIS HAND, HUNCHES OVER, AND TWIDDLES HIS THUMBS, IN THOUGHT) Wow. I guess I can't help but to admit that he's right. No one cares, anymore. Not enough to do what is right and proper. In the moment of judgement, we were like gods, elevated above the substance that is Man. We swam in

the absolute *power* of it! And, in the test to prove our worthiness, we failed, with flying colors. (PAUSE) We took an oath to serve Justice, only to reveal ourselves as the hypocrites that we knew we were. (PAUSE) The *truth* is, though, that *none* of us *knew*, with certainty, what had happened between the two people brought before us. But we weren't given instruction that commanded or said that it was our *duty*, or that we *had* to determine what had actually happened, either! We were told to apply *the law* to the *facts*, as presented in the case before us - without sympathy, with prejudice, without conjecture.

(DALE STANDS-UP, LOOKING DIRECTLY INTO THE AUDIENCE.) LIGHTS OUT.  
SPOTLIGHT ON DALE)

Fade

DALE

DALE

From Peoria, I can see the world. And based on Aristotle's idea that 'man is the most imitative of all creatures,' I assume that it is safe to suspect that this is *no* phenomenon. When we've grown complacent, and act contrarily to *our own* established truths, ideals, and morals - *of the things that make us humans!* - we are *actively*, and unwittingly, for some, *contributing* to the destruction of all life as we know it. There is *no* future for a people complacent with not honoring the establishment of what is fair and reasonable; for Justice is the ~~essence of~~ the manifestation, and maintenance, of what is to come. It should be served *unconditionally*. (PAUSE) Anything else - is hypocrisy. (BOWS HIS HEAD, CLASPS HIS HANDS TOGETHER, PALMS UP)

(LIGHTS OUT)  
(CURTAINS)