

# ACTUAL INNOCENCE

Outline by

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Based on the book by

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OUTLINE

April 20, 2001

ACTUAL INNOCENCEOutlineAct One

*December 8, 1982. Ada, Oklahoma. Forensic evidence is collected from on and around the body of a young woman. The name "Duke Graham" is written on her back in ketchup. The word "Die" on her chest in fingernail polish. Tiny hairs are tweezed from her bare skin. A blood-soaked wash cloth is pulled from her mouth. A chunk of drywall bearing a bloody palm print is sawed from the wall.*

*An Oklahoma cemetery, nearly five years later. The headstone reads "Debra Sue Carter, 1961-1982." A back hoe goes to work exhuming the body. The casket is opened. The hands rolled in ink and pressed to paper.*

*1987. Kansas City. DENNIS FRITZ, 37, handsome, fit, watches TV with his 12-year-old daughter ELIZABETH. It's late. They absently toss a football as they watch. The phone rings. The caller asks if this is Dennis Fritz and Dennis says it is. The caller hangs up. Dennis sits back down. The doorbell rings. Elizabeth opens the door. SWAT officers storm past her, grab her father and place him under arrest for the rape and murder of Debra Sue Carter. Elizabeth sobs as her father is torn away from her. Dennis swears to Elizabeth that he'll straighten this out and come back to her.*

Present day. Elizabeth Fritz, now in her early twenties, beautiful, professional, arrives at the Oklahoma State Prison in McAllister. It's Father's Day and the line is long. Elizabeth waits.

*A pubic hair is mounted on a slide. SUSAN LAND peers at the hair through a microscope. It's late. She makes a note. She looks very, very tired.*

The McAllister prison. Elizabeth Fritz finally gets to the front of the line, only to learn Dennis hasn't put her name on the list. She can't see him.

*1987. The Oklahoma State Bureau of Investigation. JERRY PETERS' phone rings. It's a call from Ada. "Jerry, you know we exhumed the Carter girl. I'd like you to take a second look at that palm print. It's the only thing standing in the way of solving that girl's murder."*

From a pay phone outside the prison, Elizabeth pleads with Dennis. It's been 12 years since they've seen one another. When she was a child, she understood that the prison visiting room wasn't the place for a little girl. But she's older now. She needs to see her father. Dennis tells her his appeal is in front of a federal judge as they speak. He asks her to wait a little longer. When he finally does see her, he needs to be able to stay with her as a free man.

*1988. An Ada, Oklahoma, courtroom. A JURY of 12 listens intently as PROSECUTOR BILL PETERSON hammers home his closing argument. "How do we know that we know that we know that Debra Sue Carter died at the hands of Dennis Fritz and his buddy Ron Williamson?"*

Oklahoma's Death Row. A lumpy, white-haired, semi-toothless schizophrenic, RON WILLIAMSON languishes in his cell. A woman's voice calls to him. "Ron?... Ron?" He looks but there's no one there. The woman speaks again. "Ron, this is Debbie Carter. Why did you kill me?" Ron answers. "I didn't kill you."

Manhattan's Cardozo Law School. The Innocence Project. A warren of cubicles. Students poring over files. Law student VICTOR CRUZ throws open the door to attorney BARRY SCHECK'S corner office, announces that the lab is about to fax in the DNA test results that they all believe will free an innocent client. But when the fax comes in, the results aren't what they expected. Their client is guilty. They lose.

*The Oklahoma courtroom. Prosecutor Peterson is angry. A young woman in this peaceful little Oklahoma town was brutally raped and murdered by Dennis Fritz. We know that because semen found on the victim is consistent with Dennis Fritz's blood type.*

*Super 8 footage of Dennis and daughter Elizabeth with a young German shepherd. The dog keeps running out of the frame.*

*We know Dennis Fritz is guilty, Peterson tells the jury, because 13 head and pubic hairs found on the victim match samples taken from Dennis Fritz.*

*A high school science classroom. A thirtysomething Dennis teaches a roomful of students.*

*We know Dennis Fritz is guilty, Peterson tells jurors, because he confessed not once but twice, first to a fellow inmate, then to a jailer.*

*On a high school football field, Dennis runs his team through drills.*

*We know Dennis Fritz is guilty, the jury hears Peterson say, because his best friend Ron Williamson confessed that he and Dennis killed Debra Carter.*

*And with the jurors' faces upturned like an audience watching a movie:*

*Dennis Fritz and Ron Williamson force their way into Debra Carter's apartment. Debra grabs her Mickey Mouse phone and calls for help. Dennis rips the phone from the wall. Ron grabs a ketchup bottle off the kitchen table. Stuffed animals scatter. A washcloth is jammed in Debra's mouth. Her bloody hand gropes, pressing a crimson print against the wall.*

Death Row. Prison guards wrestle Ron from his cell and drag him ranting into the warden's office. The warden reads Ron a death warrant that dictates he will be executed in seven days. The guards drag Ron to a soundproof cell where he wails that he's innocent until his voice gives out.

In his own cell, Dennis Fritz learns that the federal appeal on which he's pinned all his hope has been denied.

### Act Two

*Ada, Oklahoma. A somber mood inside the jury room as jurors take their first straw vote. The majority votes to convict. But a handful, including TAMMI KLAUSSEN, a girl barely 18, vote to acquit.*

The McAllister prison. Televisions mounted at opposite corners of a cell block. Inmates have gathered, watching a news report that shows Barry Scheck escorting a client exonerated by DNA testing to freedom. The inmates cheer. For them, this is better than a touchdown in the Superbowl. Then the reporter says that Scheck got involved in the case after the client wrote a letter to the Innocence Project in New York. Now the inmates start shouting. "Im innocent!" "Me, too!" "I'm gonna write a letter to Barry Scheck!" The guys laugh. But at the far end of the cell block, Dennis stands beneath the other TV. And he's not laughing.

*Inside the jury room tempers are flaring. Tammi and two or three others have doubts. This is serious business and they want to be sure. The foreman is angry. Let's not forget what happened here. FLASH TO:*

*In the courtroom, Debra Carter's father is on the stand describing the horrible moment he discovered his daughter's lifeless body. INTERCUT WITH:*

Dennis alone in his cell, painstakingly writing a letter, and:

*The medical examiner on the stand, clinically reporting to the jury that Debra Carter was violated with a ketchup bottle, the top of which he retrieved from her anus. Death resulted from asphyxiation caused by a bloody wash cloth jammed down her throat.*

On Death Row, Ron is counting down the days to his execution. He's not alone. A young woman is with him in the cell. DEBRA CARTER. Ron tells Debbie he's sorry that no one ever tried to find out who really killed her. They just picked me and Dennis and did what they had to do. Ron asks Debbie what it's like to die. She says she's not supposed to tell.

The Innocence Project. A clerk moves among the cubicles, dropping a stack of letters on each desk. Student Victor Cruz sorts through his stack. At the bottom finds one bearing the name "Dennis Fritz."

*Outside the Coach Light bar, Dennis Fritz and Ron Williamson strum their guitars and sip beer, patiently working out the chords to a song.*

McAllister prison. Dennis is summoned to the phone. On the other end are two students from the Innocence Project, Victor Cruz and DOMINIQUE GRAHAM. The handwritten pages of Dennis's letter and a thick legal file are spread before them. Victor identifies himself and says, "Hell of a letter." Something visceral stirs in Dennis, something like hope. He can hardly speak. Dominique wastes no time. "Tell us about your confession to the jailer."

*In the courtroom. A young jail employee named MIKE TENNEY is on the stand, telling the jury a story he says Dennis told him one day in his cell. Dennis and Ron went to Debra Carter's apartment. Ron broke down the door and Dennis went in and "got a little." But then Ron got carried away trying to teach her a lesson and she died. But Dennis didn't see Ron kill Debbie, so how can he tell the DA that he did?*

Dennis tells Victor and Dominique that isn't what he said. Tenney used to come to his cell like a long-lost brother and talk to him about the death penalty and say if Dennis didn't make a deal he was going to die. So Dennis told him if he had gone to the apartment with Ron, if they had broken in and "got a little" and Ron had killed her, Dennis would gladly tell the prosecutor and cut a deal for himself. But Dennis told Tenney that wasn't what happened. So how could he say it did? Victor asks, "What about the story you told Jimmy Harjo?"

*The Pontotoc County Jail. Dennis is in his cell, helping a semi-literate prisoner named JIMMY HARJO write a letter to his girlfriend. Harjo asks questions about the evidence in the Debra Carter murder, tells Dennis, "It sounds like you must be guilty," and Dennis begins to cry, finally telling Harjo, "We didn't mean to hurt her." They'd been drinking, says Dennis, and after Debbie died, he and Ron cleaned up their beer cans and wiped all their prints out of the apartment. And then he makes Harjo swear never to tell anyone. He's got his little daughter to think of. **In the shadows surrounding the cell, the faces of the jurors. Watching. Listening. Believing.***

Dennis directs the students to look in his folder at a series of photocopies of scraps of paper. Every last one reads, "Dennis Fritz always says he is innocent," and is signed by Jimmy Harjo.

A conference room at the Innocence Project. A dozen students around a table. Barry Scheck says, "I'm in a bad mood," points at Victor and Dominique and says, "Give me your best case." Victor hands Barry a one-sheet summary of the Dennis Fritz case and says, "There's two confessions but we talked to Dennis and he's very nice, very persuasive." Barry scans the summary. "Even if both confessions are bad, you've got all this corroborating evidence. An eyewitness. Semen. Seventeen hairs. It's not a good case. What's next?"

*Sometime in 1982. Dennis and Ron together in a Texas bar. Dennis riding a mechanical bull. Ron drinking and trolling for women.*

*The courtroom. Bartender GLEN GORE is on the stand, recounting Debbie Carter's last night at the Coach Light bar. Ron Williamson was there, hassling Debbie --*

*December 7, 1982. The Coach Light bar. Ron Williamson is half-drunk, pawing Debra Carter, trying to draw her into a dance when Gore steps between them, eases Debra away. Ron is angry, tries again. Gore again intervenes and rescues Debra.*

*Inside the jury room, jurors heatedly debate the significance of Gore's testimony. This is an eyewitness account that puts Dennis Fritz's sidekick with the victim only hours before the murder. Juror Tammi Klaussen points out that no one ever testified that they saw Dennis with the victim, anytime, anywhere. She isn't ready to vote guilty.*

Death Row. Guards tear Ron screaming from his cell. "It's too soon! Too soon! I have five more days!" But it isn't the death chamber they're dragging him toward. They put him in a tiny room with Oklahoma attorney MARK BARRETT who looks like he just won the lottery.

The Innocence Project. Barry Scheck calls Victor and Dominique into his office. He just got off the phone with Mark Barrett in Oklahoma. Ron Williamson's execution is off. He's been granted a new trial. And Barrett has dug through the so-called evidence and swears these guys are innocent. So maybe Victor and Dominique's instincts were right. Ron will get DNA testing for the new trial. The students need to make sure Dennis is part of that.

The Pontotoc County Jail. Mark Barrett is with TERRI HOLLAND. Sensual. Wearing only a long T-shirt. Her bare legs covered with tattoos. A woman who knows how to use what she has to get what she needs. She refuses to budge from the story she told the jury. Ron Williamson confessed to her. Twelve years ago, right here in this jail. He said he killed Debra Sue Carter because she wouldn't sleep with him. Simple as that. Ron's a strange guy. Used to run around here asking girls for their panties. Terri smiles at Barrett and says, "I never gave him mine."

Ron Williamson's cell. He seems less disturbed. He sits facing Debra Carter. A long silence between them. Did she know, he wonders, that he was once married to a girl who'd been Miss Ada? Did she know he was drafted in the second round by the Oakland As?

*In the courtroom. Hair microscopy expert MEL HETT on the stand with complicated charts and graphs, showing the jury blow-up photos of 13 hairs found on Debra's body. Demonstrating that they match hairs taken from Dennis Fritz. Jurors strain forward in their seats. This is powerful stuff.*

The Innocence Project conference room. Victor and Dominique lay out what they know so far. Dennis Fritz was defended by a civil litigator who'd never even tried a criminal case and was paid a total of \$500 for the entire case. The "jailer" who says Dennis confessed to him wasn't even on the jail payroll at the time of Dennis's supposed confession. The guy got hired on *after* he testified. And Terri Holland, the snitch who heard Ron's confession? Turns out Ron was the second man she'd put on Death Row. And both times her testimony earned her a reduced sentence. And then look at this, one more confession from an inmate who says Ron Williamson confessed to the murder. But he comes back later and says he got the name wrong. It wasn't Ron Williamson who confessed to him. It was Glen Gore, the witness from the bar. The defense never saw either of this guy's statements. And Victor and Dominique are getting

nowhere trying to persuade Peterson, the prosecutor, to test Dennis's DNA. He won't even return their phone calls.

Barry makes the call himself. Peterson seems a little starstruck to get a call from the famous attorney. He's pleasant and collegial and very interested in Barry's work with the Innocence Project. Barry tells Peterson he knows they're all interested in knowing the truth and asks Peterson to include Dennis Fritz in the testing they're doing for Ron's new trial. Peterson tells Barry he can't do that. It's Ron who's getting the new trial, not Dennis. Dennis's case is closed. He's got no legal right to testing. As a prosecutor, Peterson's responsibility is to the crime victims, not convicted murderer-rapists. Before Barry can say anything more, Peterson says he's late for court and hangs up.

McAllister prison. Dennis is on the phone with Barry. He's worried. He doesn't think Ron killed Debbie, but wants to know what happens to him if he's wrong, if Ron's tests come back and say Ron did it. Barry tells Dennis that he and Ron are basically joined at the hip. The only way Dennis gets out is if both men get out.

*Somewhere in Oklahoma, late at night. Ron is on a woman's front porch, angry, arguing, trying to push past her into the house, insistent on sex. She refuses and Ron shoves her. Hits her. Crazy and terrifying. Dennis intervenes. It's all he can do to defuse Ron and get him back in the car and out of there.*

*A police interrogation room. Detectives are questioning Ron. He's worn out. Finally he says, "I dreamed about Debbie Carter. I dreamed I was stabbing her."*

*Inside the jury room, Tammi Klaussen studies the blow-up photos of the hairs. Lays them side by side with photos of the samples from Dennis Fritz. And finally reasonable doubt succumbs to hard science.*

*The courtroom. The jury files in. Dennis rises to face them. The judge polls them individually. And one by one, each juror says, "Guilty." Dennis rises. Plaintively cries out his innocence as the judge and his own attorney shout him down.*

### Act Three

*A ketchup bottle inside a refrigerator. The door opens. Debra Carter reaches in, shoves the ketchup out of the way and grabs a carton of milk.*

Ada, Oklahoma. Prosecutor Bill Peterson arrives at his office to find three phone messages from a New York reporter named Jim Dwyer who wants to talk to him about the Fritz and Williamson case. Peterson throws the message slips away.

*Debra Carter's apartment. Morning. She gobbles cereal and talks on her Mickey Mouse phone.*

Peterson's secretary tells him he's got a call from ABC News. Peterson says he's too busy to take the call.

*Dennis Fritz, a lifetime younger, hurries 7-year-old Elizabeth out the door to school.*

Peterson arrives home. The phone is ringing. It's Barry Scheck from New York. He tells Peterson that when Ron's DNA results come back, the genetic profile of the evidence will become public record. Then Barry will be able to run his own tests on Dennis. But Barry says he's knows there's growing public interest in this case and he's worried about how that might make Peterson look. Maybe it would be better to go ahead and test Dennis now.

*Seven-year-old Elizabeth at school, playing football with the boys.*

McAllister Prison. Dennis Fritz is escorted to the prison infirmary. In the presence of Mark Barrett, a vial of blood is drawn from his arm and sealed inside an envelope. "That's it?" asks Dennis. "That's it," says Barrett.

*The Brockway Glass factory in Ada. Debra Carter at work. A friend asks if she wants to get together tonight. Debra says she can't. She's waitressing tonight at the bar.*

A Q-tip swabs a petri dish and detergent washes over it. A drop of blood goes into a small test tube.

*Afternoon shadows. Young Dennis helps Elizabeth with her homework.*

A lab tech works at a computer console.

Elizabeth Fritz at home. She calls the Innocence Project to see if there's any news. Victor tells her they're still waiting, that he'll call her the minute they know anything. Elizabeth is nervous. She and her dad have worked for his freedom for so long and now it feels so close and she's scared something's going to go wrong. Victor tells her all they can do is wait and see what the tests show.

The lab tech at a PC, two-fingering his report into a word processor.

*It's night at the Coach Light. Debra Carter arrives for work.*

Victor and Dominique are with Barry at the fax machine, a dozen students gathered behind them. The results are being faxed in. The line chirps. The machine hums. A sheet of paper rolls slowly out. Barry snatches the page and reads.

McAllister prison. Dennis is in his cell during lockdown when he hears shouting outside through the steel cell door. He can see it's Mark Barrett but he can only make out two words: "DNA"

and “innocent.” Dennis turns weak. Chokes out, “Can you repeat that?” and Barrett shouts it again, the one word unmistakable: “Innocent.”

At home, Elizabeth Fritz holds the phone and cries.

Dennis’s cell block, late at night. A guard is doing a cell check. Comes to Dennis’s cell. And just stands looking in at Dennis. Like he’s seeing this prisoner for the first time as a fellow human being.

An Oklahoma courthouse. Prosecutor Peterson and Mark Barrett in chambers with a judge. Barrett argues for Dennis and Ron’s release. Peterson says no way. There was a hell of a lot more evidence than the semen and panties. They’ve got all those hairs. Barry’s voice breaks in over the speaker phone. Everyone knows hair microscopy is junk science. Those hairs don’t mean a thing. Peterson counters that might be true with one or two hairs. But in this case there were seventeen, head and pubic. And Peterson insists that no one is going free before he runs DNA tests on all seventeen.

In New York, Victor passes a panicked phone call from Dennis off to Barry. Dennis has heard about the new round of tests and as a former science teacher, he knows this new test can be cheated. The police took dozens of hairs from him. What if someone planted them in the evidence?

*Inside the Coach Light. Glen Gore is sitting with friends around a big table. Debra Carter is serving drinks. Passing one man after another. Each face strangely sinister.*

Late at night. Barry phones his partner PETER NEUFELD. Barry sent the hair evidence to “a good hair guy” out in California and the guy just called back with the results. Some of the hairs attributed to Dennis Fritz couldn’t possibly have belonged to him. But they did appear to match Ron Williamson. Maybe somebody really did plant some hairs.

*1982. Police question Glen Gore about the night of the murder. He tells them he went to school with Debbie. He saw her that night at the bar and talked to her about maybe painting her car. The cops ask if anyone was bothering her. Gore shrugs, says no.*

Prosecutor Peterson resists as Barry and Peter lobby the Oklahoma judge to utilize a sophisticated testing protocol that they believe will foil any cheating on the hair tests. And there’s one more thing they want: Run the results against the Oklahoma state prison DNA databank. See if they can’t identify the real killer.

*Outside the Coach Light, very late. Debra Carter walks toward her car. Someone behind her in the shadows calls her name. She turns –*

Dominique shows Barry something that’s just turned up. Lab notes from Susan Land, an Oklahoma hair expert in the Debbie Carter case who started attributing hairs to the victim, then

asked to be removed from the case because she said she couldn't be "objective." Then Mel Hett took over, learned the prime suspects were Dennis and Ron and went back and attributed those very same hairs to *them*.

And Victor's got something else. Following the murder, Dennis and Ron weren't charged for five years because there was a bloody palm print at the crime scene that didn't match the victim or either of them. So Peterson had Debbie Carter's body exhumed, got new prints, and suddenly the bloody palm print matched Debbie Carter and Peterson moved against Ron and Dennis. But we had our own expert look at the prints. And according to him, the print on the wall *doesn't* match Carter. Not even close.

The moot courtroom at Cardozo Law School. Victor is in the middle of a presentation when Barry interrupts, walking down the aisle reading the results of the latest round of DNA tests. The bottom line: not a single one of the hairs belongs to Dennis or Ron. All of the hair microscopy reports were wrong. 100 percent of the time. And one more thing. When they ran the results through the prison database, they got a match. Suddenly –

*The parking lot of the Coach Light. Debbie Carter is climbing into her car when a man comes out of the shadows. Says something to her. **It's Glen Gore.** Debbie pushes Gore away from her and pulls her door closed. He watches as she drives away.*

*Debbie Carter's apartment. Gore forces his way inside. Debbie angrily dials for help. Gore rips the phone from the wall. And now Debbie's scared. Screams. Gore grabs her, drags her into the kitchen where he picks up a rag, tells her to shut up or he'll stuff it down her throat. He throws open the refrigerator. Grabs the bottle of ketchup and turns for Debbie.*

The Pontotoc County courthouse. *Dateline* is here interviewing Bill Peterson as he takes credit for acting to free two innocent men. Inside the small city jail, Dennis Fritz and Ron Williamson come face to face for the first time in 12 years. They're dressed in striped prison pajamas straight out of a 1930s film. Incredibly, Terri Holland is also here.

Waiting to go into the courtroom, Barry Scheck and Mark Barrett sit with Peterson. Barry asks what everyone thinks about jailhouse snitches in light of the DNA results. Peterson asks, "You mean Terri Holland? We like to say she has a C-spot. You know. C for confessions." Peterson and his assistant hoot. Barry and Mark Barrett can't believe it.

Juror Tammi Klausson, now over 30, searches for a parking spot and hurries inside the courthouse.

Inside the courtroom. With the testimony of the state's DNA expert and an apology from the judge and absolutely nothing from Peterson, Ron and Dennis are set free. Dennis turns. Lays eyes on his daughter Elizabeth for the first time in 12 years. Tammi Klausson watches their reunion.

Barry Scheck and Mark Barrett escort Dennis and Ron out the door of the courthouse, Elizabeth close at her father's side.

A reporter calls out a questions to Ron. "How do you feel, Mr. Williamson?"

Ron pauses. Gives the reporter a long look. "About what?"

The End

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