Writer’s Note

You Can't Kill Michael Malloy grew out of a true story I had been carrying around for years. I first heard about Michael Malloy a long time ago and couldn't believe nobody had turned his story into a movie. During the Depression, a group of men took out life insurance policies on Malloy, an alcoholic drifter, and tried to arrange his death so they could collect the money. The problem was that Michael Malloy proved extraordinarily difficult to kill.

The more I learned about the story, the more absurd it became. Poisoned alcohol didn't work. Neither did increasingly desperate attempts to speed things along. Some of the things that reportedly happened were so insane that I actually left them out of the screenplay because I worried an audience wouldn’t believe it.

We know the broad historical events, but we can't know these people in the intimate way a movie requires. That gave me room to build a darkly comic character story based around what happened rather than pretend I could reconstruct every conversation or motivation. I wanted the humor to come from desperate people making one terrible decision, then discovering that every attempt to fix it only creates a worse problem.

I was especially interested in the strange question of who an audience might find itself rooting for. Malloy is the intended victim, so I wanted him to become more lovable as the story goes on. In my version, he's poor, alcoholic, almost invisible to the rest of New York, but stubbornly optimistic and fiercely loyal to the people he considers his friends.

Tony Marino was more complicated to build. He's doing something indefensible, but his speakeasy is also a refuge for people who have nowhere else to go. The Depression is destroying his business, the bank is closing in, and several people depend on him for a warm place to sleep. That doesn't excuse what he does, but it gave me a way to understand how he might begin excusing it to himself.

At first, Tony doesn't even let himself call the plan murder. Malloy is already drinking heavily and seems likely to drink himself to death eventually. The proposal is simple: insure him, open an unlimited tab, give him all the alcohol he wants, and wait for nature to take its course. Malloy will essentially do the work himself, the insurance money will save the bar, and everyone else gets to survive. Then Malloy keeps surviving.

That's where the story becomes both funnier and much darker. Every failure requires another rationalization. What begins as waiting for an alcoholic to drink himself to death gradually becomes something far more deliberate, while Malloy remains convinced that the men around him are treating him with extraordinary kindness.

What surprised me was how sad the story became. Malloy is someone almost nobody notices until there is money to be made from his death. Once that happens, people suddenly pay very close attention to him. That was what kept me interested beyond how unbelievable the true story already was. These men assume Malloy is someone nobody will miss. Instead, their attempts to kill him are the reason people still know his name.