

Wayne Mills Murder Trial is Turned Over to the Jury



Judge Steve Dozier reads instructions to the jury right before deliberations.

The matter of the 2nd Degree Murder Trial of Christopher Michael Ferrell in the killing of Gerald Wayne Mills has been turned over to the jury for deliberation. After the prosecution and defense made their closing arguments, Judge Steve Dozier read the jury instructions and ordered them into deliberations.

The jury will consider the 2nd Degree Murder charge, but if the jury is unable to conclude beyond a reasonable doubt that defendant Chris Ferrell is guilty of the crime, they could convict him for Voluntary Manslaughter. If Voluntary Manslaughter does not meet the burden of proof, Reckless Homicide can be found. If Reckless Homicide is not found, Criminally Negligent Homicide could be found—each with a lesser degree of burden of proof needed, and each with lesser sentencing guidelines. The jury can also find Chris Ferrell Not Guilty.

The jury can also decide if Chris Ferrell acted in self-defense, which goes beyond the other levels of charges. If Ferrell acted in self-defense, he would be Not Guilty. And as was explained by both the defense and Judge Steve Dozier, in Tennessee it is up to the prosecution to prove that self-defense was *not* used in a case, instead of the burden of proof laying with the defendant.

Friday morning's court session commenced just after 10:15 a.m. with the prosecution giving their closing argument. Then the defense made their closing statements, and the prosecution was given another opportunity to address the jury.

Assistant District Attorney Tammy Meade was the first to address the jury. Meade explained the basic facts of the case, how Wayne Mills was completely unarmed, was turning to leave, and wasn't shot in the front or in the side, but in the back of the head while he was making an effort to leave the premises. *"1-2-3—he shot three times,"* Tammy Meade said to the jury. With a strong Southern accent, the petite prosecutor attempted to simplify the issues facing the jury.

Then defense attorney David Raybin took his opportunity to address the jury, citing sloppy police work, a rush to judgement, and his client acting in self-defense as the reason Chris Ferrell should be found Not Guilty.

"This is their case, and they haven't proved anything," Mr. Raybin said, becoming fiery at times in his presentation, and other times speaking to the jury in intimate, hushed tones. Raybin's presentation wasn't an oration, it was a performance. *"Once the bullet leaves that gun, there's nothing else that matters,"* he said, trying to convince the jury to overlook the fact that Chris Ferrell initially lied to authorities and said Wayne Mills had pulled a gun on him before recanting the account.

"They stopped investigating their case within hours...they didn't care...that case was done," Raybin said, citing that investigators failed to find the second bullet lodged in the wall of the Pit and Barrel bar, that they didn't test the bullets to conclude they had come from Ferrell's .22 pistol, that police accidentally erased Wayne Mills' cell phone with magnetic fingerprinting powder, didn't get Wayne Mills' name right even when Chris Ferrell corrected investigators and showed them a picture of Wayne, and didn't take into consideration the lighting in the bar at any time, among other grievances with the investigation. *"How can you convict this man of murder without that critical evidence?"*

David Raybin also cited that once Chris Ferrell had retained his services as a lawyer, investigators refused to meet with him and Chris Ferrell for a more formal interview. *"I hate that! I hate that!"* Raybin yelled. *"What else did he [lead detective Leonard Peck] do? This case is completely backwards and upside down."*

Much had been made about the amount Chris Ferrell paid for private investigator Larry Flair to be hired to analyze the crime scene. *"The price of justice is \$20,000,"* Raybin said, explaining that Larry Flair was needed to find the extra bullet to help re-create the crime scene. The police detectives relied on a "strike point" on a window frame to account for the missing bullet from the three shots fired, later to be found as simply a defect in the wall.

One of the recurring elements of the Wayne Mills murder trial was David Raybin bogging the proceedings down to meticulously walk the jury through pictures and evidence, to the point where his presentations through cross examinations and questions to witnesses had become tedious, and bordering on painful. *"I'm sure you were bored of listening to me,"* Raybin said, and even brought up the instance when one of the jurors fell asleep. *"...I bored you to tears."* But Raybin said his detail-oriented presentations were important to make up for the prosecution's lack of evidence and investigation.

Then David Raybin addressed Chris Ferrell's false statements to police. *"The lie in this case lasted for a couple of hours, but the truth goes on forever."* He then quoted Chris Ferrell numerous times from his Central Precinct interview, including when Ferrell said, *"I am not going to jail for fucking defending myself."*

Late in David Raybin's closing argument, he brought up how the night had started at the George Jones tribute concert at the Bridgestone Arena, where Wayne Mills was in attendance. *"Maybe he heard a song George Jones sang,"* Rabin said, and then Raybin recited lines from the George Jones song "Choices."

*I've had choices since the day that I was born
There were voices that told me right from wrong
If I had listened, no I wouldn't be here today*

Living and dying with the choices I've made

For the prosecution's rebuttal, Assistant District Attorney Wesley King addressed the jury. Mr. King handled the majority of the questioning of witnesses for the state during the trial.

"He killed a man who was fleeing from him," Wesley King said, once again trying to simplify the issue. "We've tried the state and Wayne Mills, now why don't we try the defendant?"

Mr. King came to the defense of Wayne Mills. *"He has been dragged through the mud. He's been called a 'Volcano of violence'...because that's all they can do is talk about the victim...Why do they want you to focus on the police work? Same reason."* Mr. King asserted that the defense was simply trying to distract jurors from the matter at hand. *"There will never be a case where everything can be done...They don't want you to focus on the man behind me [Chris Ferrell]."*

DA Wesley King pointed out that Chris Ferrell could have stopped arguing with Wayne. He could have called police and told them there was a man who refused to leave. He could have flashed the gun. He could have told Wayne Mills he was going to shoot him if he didn't leave. *"It matters what happened after because if his actions were reasonable, then he would not have anything to hide,"* said Mr. King. *"It was saving himself. He doesn't care about Mr. Mills. He is planting evidence and talking on the phone with his friend [while Wayne was dying]...He lied all morning."*

Then Wesley King portrayed himself as Chris Ferrell, holding the actual .22 murder weapon entered in evidence, mimicking the firing of the first two shots with his right hand, and then bringing his left hand up with the third shot to steady the gun as had been presented by witnesses as the likely shooting method.

"Why did he cup the gun?" Wesley King asked. "To finish the job."

The jury is currently in deliberations. A decision could come Friday afternoon or evening.