

1 IN THE CIRCUIT COURT OF STONE COUNTY, MISSISSIPPI

2

3 STATE OF MISSISSIPPI

4

5 VERSUS

CAUSE NO. 06-44

6

7 RONALD HUSBAND

DEFENDANT

8

9 -----
10 TRANSCRIPT OF THE PROCEEDINGS HAD AND DONE IN THE TRIAL
11 SENTENCING OF THE ABOVE STYLED AND NUMBERED CAUSE,
12 BEFORE THE HONORABLE ROGER T. CLARK, CIRCUIT COURT
13 JUDGE OF THE SECOND CIRCUIT COURT DISTRICT OF THE STATE
14 OF MISSISSIPPI, ON JANUARY 21, 2008.
15 -----

15 APPEARANCES:

16 Present and Representing the State:

17 HONORABLE CHRISTOPHER L. SCHMIDT
18 HONORABLE CHRIS FISHER
Assistant District Attorney
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Gulfport MS 39502-1180

20 Present and Representing the Defendant:

21 HONORABLE ALISON STEINER
Office of Capital Defense
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23 HONORABLE DON MEDLEY
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1 (OPENING STATEMENTS)

2 MR. SCHMIDT: May it please the court
3 counsel, ladies and gentlemen, the defendant
4 has now been convicted of two counts of
5 capital murder, and today, likely just today,
6 you will hear the testimony and evidence in
7 support of whether or not the jury should
8 impose the death penalty in support of your
9 verdicts of capital murder.

10 what the testimony by the state will
11 be -- and I'll be very brief in my opening
12 statements. what we intend to elicit is to
13 re-call Frances Arnold because at this time
14 at the guilt phase because of rules of which
15 the court is required to impose on the
16 lawyers, we could not, on behalf of the
17 state, tell the complete story.

18 So Frances Arnold will come to you and
19 testify as to some more events that occurred
20 inside of her house, mainly that the
21 defendant attempted to rape her. That he
22 told her this, pulled down her pants, and
23 said what he was going to do to her that
24 night. And finally when the police arrived,
25 he told her that he could not go back to

1 prison. That is the reason why he fought
2 with the officers. He was not going to go
3 back to prison.

4 That will be the brief testimony by
5 Ms. Arnold. And we'll introduce some
6 documents to establish that the defendant has
7 three prior felony convictions, one of sexual
8 battery, one of aggravated assault, and one
9 of felonious harassing or annoying
10 phonecalls.

11 At that time the state will rest. The
12 defense will put on evidence in mitigation.
13 We'll conduct a law hearing with the court as
14 to further jury instructions, and at that
15 time we'll return to argue what the facts
16 show and what the law is for you to return a
17 verdict of capital punishment or life without
18 parole. Thank you.

19 THE COURT: All right. Ms. Steiner.

20 MS. STEINER: Good morning. We're back
21 today, Martin Luther King Day. We're
22 working. Everybody else is off. But we're
23 here to work because today it will be over
24 one way or the other. You have entered your
25 verdict. You have found Mr. Husband guilty

1 of capital murder. We respect that. I hope
2 you don't hold it against me that you and I
3 disagree. I respect it. We promised each
4 other respect and individual honor and I
5 respect yours.

6 And we are here today, as Mr. Schmidt
7 points out, there's no question, you're not
8 going to be deciding whether or not to ever
9 return Mr. Husband to freedom, to society.
10 His honor will instruct you there are only
11 two possibilities now, two very severe
12 punishments.

13 The state is asking you to impose the
14 death penalty, and they -- their witness
15 is -- that he will tell you -- the judge will
16 instruct you that is a aggravating
17 circumstance before they even ask for the
18 death penalty that they show he was -- after
19 an attempted commission of a sexual battery
20 or a rape, and they must show he was somehow
21 resisting arrest or interfering with law
22 enforcement.

23 Those are -- he will be showing those to
24 give you permission even to consider the
25 death penalty. But we will be putting on

1 evidence that will establish so you can
2 choose, and you promised me, each of you, you
3 would listen to this evidence to each make up
4 your own mind, can you personally,
5 individually decide this man is so beyond
6 redemption, so useless to society that he
7 should die.

8 Our evidence today we hope will do two
9 things and help you make that choice and to
10 choose life in prison without parole, a
11 punishment that's severe, the worst, but does
12 not take the good man that is a part of
13 Ronald Husband. We are hoping to show you
14 the other side of Ronald Husband.

15 All you will hear about from the state
16 is the worst thing Ronald Husband ever did
17 and the bad things about him. We will be
18 asking his family and friends to come tell
19 you about the other Ronald Husband.

20 It doesn't mean he's not guilty of this
21 crime. It doesn't mean he didn't do these
22 bad things. What it means is that he's not
23 beyond redemption. And we will give -- put
24 on -- that's mitigation. And our evidence
25 will be from his family and friends to see

1 the other side of him.

2 You will hear from -- and the other
3 thing you will hear from is you will hear
4 from a doctor who will talk about how the man
5 who did this worst thing that ever was done
6 and caused great pain to other people and
7 committed the capital murder you have
8 convicted him of is how he got to that point.

9 we're not asking you to believe --
10 we're -- he will explain how this man did
11 this bad thing. So our evidence will be on
12 that level. You will hear from people who
13 love him, from people whose lives -- who love
14 him as much as any child loves their father,
15 loves him as much as -- you'll hear from his
16 mother who loves him as her son knowing he's
17 done these bad things. And she will tell you
18 what his life was like and what joy he
19 brought to the world and why and hope that
20 you understand that in fairness and mercy he
21 should be allowed to live.

22 You will hear from his sister. You will
23 hear from his wife. You may hear from others
24 in his family as well. And you will hear
25 from a doctor that explains how this good man

1 whose life is still precious not only to the
2 lord, but to people on this earth, but
3 anyone, as precious as anybody's life, should
4 be allowed to remain.

5 He will be caged up. He will never walk
6 free. He will never be there at graduation,
7 at weddings. He will never see his
8 grandbabies if ever he has any through the
9 window. You will hear from the family who
10 will be going on with their lives.

11 And that will be mitigation. It will be
12 something in fairness and mercy that each one
13 of you -- and you don't all -- will not all
14 have to agree. But you promised me that each
15 one of you would listen to what we're here to
16 say today and understand how this terrible
17 tragedy came to happen and why the person who
18 committed it should be severely punished,
19 should be locked up, removed from society
20 where he can never do this again but should
21 still be allowed to let God decide when his
22 time comes and not people in the State of
23 Mississippi with a needle poisoning him to
24 death.

25 And we will be hope -- we will be asking

1 you to look in your hearts, to your moral
2 responsibility and to find the fairness and
3 mercy to vote to let him live in prison, in
4 punishment away from society, but not that
5 he's so irredeemable as to impose the death
6 penalty. Thank you.

7 (STATE WITNESS)

8 THE COURT: Call your first witness,
9 state.

10 MR. SCHMIDT: We would call as our
11 witnesses, Frances Arnold.

12 (OATH ADMINISTERED)

13 FRANCES ARNOLD

14 was thereupon called as a witness for and on behalf of
15 the State, and, having been duly sworn, testified as
16 follows:

17 DIRECT EXAMINATION BY MR. FISHER:

18 Q. Good morning.

19 A. Good morning.

20 Q. Again, for the record your name is a
21 Ms. Frances Arnold.

22 A. Yes.

23 Q. Are you the same Frances Arnold that
24 testified earlier this week in this case?

25 A. Yes.

1 Q. Ms. Arnold, as your testimony prior to
2 today -- prior to today, were you made aware that you
3 were going to give testimony when you testified earlier
4 this week? Were you asked to testify?

5 A. Yes.

6 Q. And in preparation for that testimony, were
7 you advised by the state that there were certain
8 aspects that you could and could not talk about?

9 MS. STEINER: Your Honor, I'm going to
10 object to leading, and I'm going to object to
11 the relevancy of this. I don't think who
12 advised her one way or the other is at all
13 relevant.

14 THE COURT: Sustained. Just go ahead
15 and bring out whatever testimony you intend
16 to bring out.

17 BY MR. FISHER:

18 Q. Ms. Arnold, tell us again about what
19 happened the night of November 27, 2005. And if you
20 would, start with when you arrived back from visiting
21 at the hospital.

22 A. When I drove into my driveway, he came in
23 behind me. He was coming down the road, you know,
24 pulled in right behind me. So I just went on in the
25 house, and I left the door open.

1 Q. Okay. Let me stop you. When you say he,
2 who are you referring to?

3 A. Ronald Husband.

4 Q. What happened next?

5 A. He came in and attacked me, start beating
6 me, trying to rip my clothes off and stuff, and he
7 punched me so hard the first time till I wet myself
8 when he hit me the first time. Then he caught me by my
9 throat and drug me in the back and kept struggling
10 trying to get my close off telling me he was going to
11 fuck me and different stuff like that.

12 So after I convinced him that I was
13 bleeding really bad that I needed to get some ice, I
14 started to act like I was going to cooperate with him.
15 And I said, let's not do it like this. You know, I
16 said, let me get some ice because I feel like I'm going
17 to pass out.

18 So when I got in the kitchen where the
19 refrigerator was, I put the phone down and I dialed the
20 911. And he saw me when I dialed the phone. Well, he
21 saw me when I had the phone. I don't know if he saw
22 what I had dialed. He said, bitch, you trying to call
23 the police on me, and he took the phone from me.

24 And it was just a few minutes later, you
25 know, we saw the blue lights and stuff, and he grabbed

1 me, and he says, Frances, he says, please don't tell
2 them, he says, think about me, think about my family.
3 He says, if I go back for this again, I'll never get
4 out. And I told him that F him because he should have
5 thought about that before he attacked me.

6 Q. When he -- prior to the police arriving,
7 did he notice that you were bleeding?

8 A. Yes.

9 Q. Did he say anything about you bleeding?

10 A. Well, where he had beat me real bad in my
11 face, he told me, he says, look at your face, I might
12 as well go ahead and kill you. He says, I might as
13 well go on and kill you.

14 Q. When you got -- so at some point were you
15 able to get to the door?

16 A. Yes. When he saw the police, he saw the
17 blue lights and stuff, and after he grabbed me, I just
18 pushed the door open. I unlocked the door and pushed
19 the door, and the two police officers were standing
20 there. And I told them, I said, he attacked me, he
21 tried to rape me, and they started struggling from
22 there.

23 Q. And prior to the police officers arriving,
24 prior to them responding to the scene, did you -- did
25 he say anything else to you?

1 A. At one point after I had pulled my pants
2 back up, he told me, he says, you might as well go
3 ahead and pull them pants off because I'm going to fuck
4 you. He told me that.

5 Q. And was this during the time that he had
6 hit you?

7 A. Yes.

8 MR. FISHER: Court's indulgence for one
9 moment.

10 Q. If you would, Ms. Arnold, tell the jury
11 more about what happened when you went back into the
12 bedroom.

13 A. When I went back -- when he first drug me
14 back there?

15 Q. Yes.

16 A. Well, he was trying to rape me. He was
17 trying to pull my clothes off and stuff. He choked me,
18 beat me, and finally, like I said, I -- what I did was
19 I drew my legs back and kicked at him, and he fell up
20 against the dresser. And I jumped up. And that's when
21 I started explaining to him, you know, I says, I'm
22 bleeding really bad, I feel like I'm going to pass out,
23 you know, just let me get some ice or something.

24 I said, let's not do it like this. You
25 know, I was pretending as if I was going to cooperate

1 with him. So finally, you know, he let me go ahead and
2 get the ice, to get the ice. And that's when I called.
3 But before that he just been struggling and pulling at
4 me.

5 Q. When you say pulling at you, what was he
6 pulling at?

7 A. He pulled my clothes. He pulled my pants.
8 He got them down one time. Then I pulled them back up.
9 And it was back and forth between me and him.

10 Q. Okay. During that time, was he -- what was
11 he trying to do?

12 A. He was trying to rape me.

13 Q. Did he actually try to penetrate?

14 A. He never could get me still long enough to
15 do that.

16 Q. Okay. And when you -- the police arrived
17 and opened the door, did they announce themselves as
18 police officers?

19 A. Yes.

20 Q. And what did he do?

21 A. He automatically started struggling with
22 them, you know, they asked him to come with them, and
23 he just started -- when they tried to get him with the
24 handcuffs, told him to come on, he just started
25 fighting them.

1 MR. FISHER: Nothing further, Your
2 Honor.

3 THE COURT: All right.
4 Cross-examination.

5 MS. STEINER: Yes, Your Honor.

6 CROSS-EXAMINATION BY MS. STEINER:

7 Q. Ms. Arnold, this was not the Ronald Husband
8 you had known up to then, was it, this man attacking
9 you like that?

10 A. What do you mean?

11 Q. He wasn't acting -- he never acted like
12 that with you before; is that correct?

13 A. Not with me, no.

14 Q. He was the man who a few hours earlier had
15 wheeled your husband, Ray Arnold, who was bleeding in
16 his esophagus into his room; is that right?

17 A. No. I took him to his room.

18 Q. So -- well, I'm going to ask you if you
19 remember these pictures that are in evidence of you and
20 Mr. Husband and your husband with the -- are you saying
21 that Sergeant Rocky Hartfield who works every day in
22 the hospital -- are you saying that Sergeant Hartfield
23 is lying when he says --

24 MR. FISHER: Your Honor, I'm going to
25 object to that.

1 BY MS. STEINER:

2 Q. -- this is the pole of the wheelchair where
3 Mr. Husband is wheeling your husband into the hospital?

4 THE COURT: Overruled.

5 A. I have no idea. I've never seen that
6 picture before. I have no idea what that is. I mean,
7 I see him on there, but I don't know if that's the pole
8 of a wheelchair or what.

9 Q. But you would trust that someone who works
10 in the hospital and is familiar with equipment, if he's
11 told this jury that what Ronald Husband is doing here
12 is wheeling your husband's wheelchair from the
13 emergency area to the next stop on his admission, you
14 could not dispute that?

15 A. If that's what he said, I have no way of
16 knowing because I can't see what else is on that
17 picture.

18 Q. All right. Where are the photographs? I'm
19 going to hand you what's in evidence as Exhibit D-45,
20 and I'm going to pull that other one out and ask you to
21 look at it. Now, I'm going to ask you to compare
22 again, the jury's heard from Mr. Hartfield, about what
23 this means. What does the time and date say on this
24 picture you say you don't know whether he was helping
25 wheel your husband to the --

1 A. It says 11/27/2005.

2 Q. At what time?

3 A. 14:52:47.

4 Q. And now having looked at this picture, D-45
5 what time does it say there?

6 A. 11/27/2005, 14:52:48.

7 Q. One second later. Who else is in that
8 picture?

9 A. I'm in that picture.

10 Q. So you do recall that when Mr. Ronald
11 Husband came to that hospital that Sunday afternoon, he
12 was helping you and your husband?

13 A. He helped us.

14 Q. At your request; is that correct?

15 A. I didn't request it. My husband asked that
16 I call him.

17 Q. All right. But you were the messenger.
18 Your husband was too ill to make the call.

19 A. Right.

20 Q. And your husband had him in the room and
21 in -- and you communicated with your husband?

22 A. Yes.

23 Q. And he in fact stayed with you until your
24 family had arrived to take over, take looking after
25 your husband and yourself; is that correct?

1 A. He stayed on.

2 Q. All right. Now, I believe you told this
3 jury before that he'd been coming to your home
4 practicing daily for several years. He visited in and
5 out of your home pretty much every day; is that
6 correct?

7 A. Yes.

8 Q. And you and he had become friends in
9 addition to his being friends with your husband; is
10 that correct?

11 A. Yes.

12 Q. And he would sometimes -- you and Ron
13 Husband would go out and visit with other friends when
14 your husband didn't want to go out; is that correct?

15 A. No. We never went out and visited when my
16 husband didn't want to go.

17 Q. You're saying you never went on social
18 calls as Ronald Husband's friend to visit other friends
19 of Mr. Husband or perhaps mutual friends of Mr. Husband
20 and your family?

21 A. No, we never went to visit without my
22 husband.

23 Q. You never stopped and had a meal in a
24 restaurant or a drink at a club or something when y'all
25 were out. You're saying you never left the home

1 without your husband with Ronald Husband.

2 A. Not left my home with him. I had seen him
3 places, but I haven't left my home with him.

4 Q. And you've been friendly and social with
5 him.

6 A. Yes.

7 Q. Even when your husband wasn't there.

8 A. If I seen him, yes.

9 Q. And he -- when he comes to your house, he
10 would bring -- if he was coming over from Louisiana, he
11 would sometimes pick up things to bring that y'all
12 wanted for a drink or for food or something like that?

13 A. Yes, and we do the same thing for him.

14 Q. And when his boys shot a deer or they
15 caught some fish, they would sometimes bring over the
16 sausage from the deer and that sort of thing?

17 A. Yes.

18 Q. And that you and he were seen in the world
19 as friends, right?

20 A. Yes.

21 Q. Now, I believe that your testimony before
22 and certainly the 911 tape that's in evidence indicates
23 that what he was most angry about, what he yells at you
24 about and what you're cursing back at him about is that
25 you lied about even coming home that night. He seemed

1 very upset about that. Do you agree with that?

2 A. Yes.

3 Q. In fact don't you agree that that is what
4 started -- it was your being -- it was your having lied
5 about not coming home. He told your husband you would
6 stay with him and then turn up at the home that he was
7 most upset about, what he first confronted you with.

8 A. I don't really know what he was most upset
9 about. I just know he was upset.

10 Q. Now, I believe you told the police that
11 throughout this incident he was looking at you crazy.
12 Do you recall that?

13 A. Yes.

14 Q. Like it was something wrong with him.

15 A. Yes.

16 Q. He was just angry. He had hit you. He had
17 taken you in the bedroom. Are you're saying you were
18 struggling on the bed with the yellow bedspread?

19 A. Yes.

20 Q. He didn't pull a gun on you?

21 A. No.

22 Q. You did not defend yourself with the
23 shotgun in that room?

24 A. I didn't think that I could -- I didn't
25 even want to draw his attention to any weapon the way

1 he was. I knew he probably could overpower me. I
2 didn't even want to make him aware that it was even
3 there.

4 Q. You continued out in the yard. You drew a
5 weapon, a flashlight and said, I'll bash him in the
6 head. We heard you say that; is that right?

7 A. Yes.

8 Q. And he was very agitated and upset. I know
9 you said it was because he was afraid of going back to
10 prison, but he was very agitated and upset as soon as
11 he realized that you were going to take him from his
12 family by telling the police what you say he did to
13 you.

14 A. I don't know what he was thinking.

15 Q. He was -- you know how he was acting.

16 A. I knew how he was acting. But I can't tell
17 you how he was thinking.

18 Q. He was acting crazy. You told the police
19 he was acting crazy, didn't you?

20 A. Well, you know he was acting crazy. You
21 see all the evidence.

22 Q. And you knew it was like there was
23 something wrong with him then, something had snapped in
24 him. He turned on you, and then he turned on the
25 police all as part of the same being angry, didn't he?

1 A. I guess. I mean, I can't tell you what he
2 was thinking.

3 Q. Do you believe he loves his family?

4 A. If he loved his family, he should have been
5 there with them and not there with me trying to kill
6 me.

7 Q. Did you tell him -- and did you say, F you,
8 F your family or did you say the word that he said to
9 you? Did you say fuck you?

10 A. Yes.

11 Q. Fuck your family.

12 A. Yes. I told him you should have thought
13 about them before you attacked me.

14 Q. And you used that word about his family.

15 A. Yes, I was angry too.

16 Q. You were angry too. Everybody was angry;
17 is that correct?

18 A. Yes.

19 Q. Everybody was agitated, and he didn't -- he
20 stopped. Actually you said back off, and he didn't
21 kill you, did he?

22 A. No, but he told me, he says, you might as
23 well go ahead and pull those pants off because I'm
24 going to fuck you. After he had backed off, he still
25 told me that.

1 Q. You're an attractive woman, correct? He
2 had known you for three years; is that correct?

3 A. Yes.

4 Q. He had been out with you in social
5 situations where you had been friendly to him without
6 your husband; is that correct?

7 A. What kind of social? We went out, me and
8 him and my husband went out to clubs.

9 Q. All right. You went to clubs, and if you
10 were out at a club without with your husband you --

11 A. I never went to clubs without my husband.

12 Q. And you never visited in any friend's of
13 Ronnie Husband without your husband either. Is that
14 your testimony?

15 A. No. He may have went by, stopped by and
16 picked something up. But I never went inside and
17 visited any of his friends.

18 Q. But you were alone with him in the car when
19 he stopped at those friend's house to go pick something
20 up; is that correct?

21 A. I was in my car.

22 Q. He was in your car. Y'all were riding
23 together in the same car stopping by to visit his
24 friends --

25 A. No. He was in his car, and I was in my

1 car.

2 Q. In company with you. It wasn't like you
3 drove on. You stopped. You caravanned with him. So
4 you would be seen together and he would be seen
5 together with you without either his wife or your
6 husband present; is that correct?

7 A. Maybe once.

8 Q. Maybe once. But maybe more?

9 A. Once to my knowledge.

10 Q. You never told him, don't come around,
11 don't come see me?

12 A. No. I never had no reason to tell him
13 that.

14 Q. You were always nice to him?

15 A. Yes. I had no reason to act any other way.

16 Q. And this was a complete change that night.
17 He was furious because you had lied to your husband
18 about coming home; is that correct? That was the first
19 thing he charged you with --

20 A. That's what he said.

21 Q. And you say that that turned into him
22 trying to have sex with you by violence without your
23 consent?

24 A. Yes.

25 Q. And from there it just got even more

1 emotional, even more out of hand.

2 A. Yes.

3 Q. And this terrible tragedy happened at the
4 end of that.

5 MS. STEINER: I have nothing further of
6 this witness.

7 THE COURT: Redirect.

8 MR. FISHER: Yes, sir.

9 REDIRECT EXAMINATION BY MR. FISHER:

10 Q. Ms. Arnold, is what the defendant said is,
11 you lied to your husband, as counsel just said? Is
12 that what the defendant said to you or did he say
13 something else?

14 A. He said, you lied, you said you weren't
15 coming home. He didn't say anything about my husband.

16 Q. In fact he didn't say that you lied to your
17 husband, right?

18 A. No. He just said, you lied, you said you
19 weren't coming home.

20 Q. Now, you were asked about the photos. I
21 think this was Defense Exhibit 45. And as in the guilt
22 phase, you were asked to read off what's on the photo.
23 Did you have anything to do with taking these photos?

24 MS. STEINER: If the court please, I
25 would object. She was not asked what you

1 knew. She specifically predicated Sergeant
2 Hartfield has explained what these notations
3 mean. I think it's irrelevant.

4 THE COURT: Overruled.

5 BY MR. FISHER:

6 Q. Did you have anything to do with taking
7 these photos?

8 A. No.

9 Q. Did you have -- can you explain what the
10 images are on there, this writing here?

11 A. No, I can't explain it.

12 Q. Did you have any decision in what was
13 captured on that imagine?

14 A. No more than what I can see.

15 Q. Now, on the way to the hospital, did you
16 actually call Ronald?

17 A. Yes, I did.

18 Q. Okay. Was it your idea?

19 A. No.

20 Q. Whose idea was it?

21 A. My husband.

22 Q. Did you ask him for help?

23 A. No. I just called him and let him know we
24 were going back to the hospital.

25 Q. Is that because your husband told you to do

1 that?

2 A. Yes. He says, call Ronald, let him know
3 I'm going back to the hospital.

4 Q. Now, when the defendant was trying to rape
5 you, did he pull a gun on you during the attack?

6 A. No.

7 Q. Okay. In doing so, were you still in any
8 fear?

9 A. Was I in fear?

10 Q. Were you in any fear even though he didn't
11 pull a gun?

12 A. Yes.

13 Q. Why?

14 A. Well, he --

15 MS. STEINER: I'm going to object. This
16 goes beyond the scope of the direct.

17 THE COURT: Pardon?

18 MS. STEINER: Her fear goes beyond the
19 scope of the direct.

20 MR. FISHER: Your Honor --

21 MS. STEINER: Cross. He's on redirect.

22 THE COURT: Overruled. Go ahead.

23 BY MR. FISHER:

24 Q. Were you in any fear?

25 A. Yes.

1 Q. why?

2 A. Because he had been trying to kill me, and
3 he told me, he says, look at your face, I might as well
4 go ahead and kill you.

5 Q. Is there anything difference about your
6 size and his size?

7 A. Yeah.

8 Q. How what is your size, Ms. Arnold?

9 A. I weigh 148.

10 Q. How tall are you?

11 A. About 5' 6".

12 Q. Do you know how tall the defendant is?

13 A. He's over 6 feet tall.

14 Q. Do you know how heavy he is?

15 A. Probably about 300 pounds.

16 Q. would you describe him as a small man, a
17 large man?

18 A. Large.

19 Q. Now, you were questioned also about when
20 you were dragged back into the room and that there was
21 a shotgun in there. where was that shotgun at?

22 A. It was standing in the corner right by the
23 closet beside the bed.

24 Q. Okay. when you were dragged back into the
25 room, did you have an opportunity to reach for the

1 shotgun?

2 A. Not really.

3 Q. Okay. Were you gently walked back, or were
4 you dragged back?

5 A. Dragged.

6 Q. Okay. And that shotgun was not lying on
7 the bed?

8 A. No.

9 MS. STEINER: I'm going to object to
10 leading.

11 THE COURT: Sustained.

12 BY MR. FISHER:

13 Q. Where was the shotgun?

14 A. When we got back there, it was still
15 standing in the corner.

16 Q. Now, you were asked how long you knew the
17 defendant, and I believe you said about three years?

18 A. Approximately.

19 Q. Okay.

20 A. I'm not quite sure how many years, but it
21 was for a few years.

22 Q. And at that time did the defendant know at
23 all times that you were married?

24 A. Yes.

25 Q. Okay. Did he know you were married when

1 you visited with your husband in the hospital?

2 A. Yes.

3 Q. Did he know you were married when he
4 followed you home?

5 A. Yes.

6 Q. And did he know you were married when he
7 tried to attack you and rape you?

8 A. Yes.

9 MR. FISHER: Nothing further, Your
10 Honor.

11 THE COURT: All right. You can step
12 down, Ms. Arnold. Who is your next, state?

13 MR. SCHMIDT: Your Honor, the state
14 would rest in the sentencing phase in the
15 case in chief.

16 (DEFENSE WITNESSES)

17 THE COURT: Ms. Steiner, call your first
18 witness.

19 MS. STEINER: Sergeant Louis husband.

20 LOUIS HUSBAND

21 was thereupon called as a witness for and on behalf of
22 the Defense, and, having been duly sworn, testified as
23 follows:

24 DIRECT EXAMINATION BY MS. STEINER:

25 Q. Sergeant Husband, good morning.

1 A. Morning.

2 Q. Thank you for taking your holiday and
3 coming here today. Would you state your name and your
4 employment?

5 A. Louis Husband. I'm employed with the Stone
6 County Sheriff's Department.

7 Q. What rank do you hold with the Stone County
8 Sheriff's Department?

9 A. I'm a sergeant.

10 Q. Is that a sworn law enforcement officer
11 position?

12 A. Yes, ma'am.

13 Q. And how long have you served as a sworn law
14 enforcement deputy sheriff in Stone County?

15 A. My original hire date was October 18, 1999.

16 Q. And prior to that, did you work in law
17 enforcement anywhere else?

18 A. Yes, ma'am. I had been with the Moss Point
19 Police Department.

20 Q. And how long did you serve in Moss Point?

21 A. Eight years.

22 Q. Eight years?

23 A. Yes, ma'am.

24 Q. And prior to that, were you in law
25 enforcement or what was --

1 A. I was in the military.

2 Q. In the military. And what branch and what
3 rank did you leave the military in?

4 A. Air force. I was discharged as E5.

5 Q. And that was an honorable discharge, was it
6 not?

7 A. Yes, ma'am.

8 Q. Did you do law enforcement in the air force
9 as well?

10 A. Yes, ma'am, I did.

11 Q. And so all told, how many years have you
12 worked as a law enforcement officer?

13 A. Close to 20 years.

14 Q. And do you -- are you related by blood or
15 marriage to Mr. Husband who stands here convicted today
16 of capital murder?

17 A. Yes, ma'am, I am.

18 Q. And what is the nature of that
19 relationship?

20 A. First cousin.

21 Q. Now, did you have any participation in any
22 of the events relating to Mr. Husband's being charged
23 with the killing of the Officers Brandon Breland and
24 Odell Fite?

25 A. Yes, ma'am, I did.

1 Q. And what was your role in that?

2 A. I went to his home and arrested him for the
3 alleged -- the offense.

4 Q. All right. And did he, in the course of
5 that arrest, offer any resistance or attempt to
6 interfere with your executing your lawful power to
7 arrest him?

8 A. No, ma'am, he didn't.

9 Q. Do you know approximately how long of a
10 cooling down period he'd had between when the events
11 happened and when you reached him?

12 A. I'm not sure. I don't know.

13 Q. would you think it would have been less
14 than an hour?

15 A. I would say somewhere around an hour. I'm
16 not sure.

17 Q. And where was he when you made that arrest?

18 A. He was at his residence.

19 Q. And who was standing with him when you made
20 that arrest?

21 A. His wife and children.

22 Q. what is his wife's name?

23 A. I'm not sure of her first name.

24 Q. All right. You haven't -- you haven't been
25 part of their social circle?

1 A. No, ma'am.

2 Q. Do you know what his boy's names are?

3 A. I know one is named Byron. I'm not sure of
4 the youngest one.

5 Q. Now, you have been a law enforcement
6 officer in Stone County since 1999?

7 A. Yes, ma'am.

8 Q. During that period in your official
9 capacity as a law enforcement officer, had you ever had
10 any information that would lead you as a law
11 enforcement officer to suspect that Ronald Husband
12 would be a danger to law enforcement officers or defy
13 or refuse to cooperate with them?

14 Do you know anything that you learned in
15 your official capacity that would lead you to have to
16 consider him dangerous should an arrest call regarding
17 him have been made?

18 A. No, ma'am.

19 Q. Obviously other than the charges for which
20 you arrested him.

21 A. Correct.

22 Q. In your capacity -- why don't you tell the
23 jury a little bit about whether -- I may not be right
24 about this. Is it not true that the heightened
25 emotions in a domestic disturbance make it one of the

1 most dangerous kinds of interventions police have to
2 make?

3 A. That is a very dangerous call. That's
4 correct.

5 Q. And would you say that the emotionality of
6 the situation contributes to that?

7 A. Well, each situation is different.

8 Q. All right. Now, you have 20 years of
9 experience. When you had two years of experience, do
10 you feel you were as good or as bad or about the -- or
11 good or better or worse at judging what each situation
12 called for?

13 MR. SCHMIDT: Objection to the
14 relevancy.

15 THE COURT: I don't know what the
16 question is yet. So I overrule it.

17 BY MS. STEINER:

18 Q. Does experience help an officer judge
19 specific situations from time to time?

20 A. Yes, ma'am.

21 Q. And what the -- what is likely to be
22 dangerous, what it -- how best to handle a volatile
23 situation?

24 A. That's correct. Experience is a good
25 teacher.

1 Q. Is it safe to say the less experienced
2 officer may, even with tragic consequences, not handle
3 the situation as best a more experienced officer might?

4 MR. SCHMIDT: Objection to the relevancy
5 of that, Your Honor.

6 THE COURT: I'm sorry. I was looking at
7 something. State the question again.

8 BY MS. STEINER:

9 Q. would you agree that a less experienced
10 officer might possibly, with tragic consequences, not
11 handle a volatile situation as effectively as a more
12 experienced officer?

13 MR. SCHMIDT: And I object to it based
14 on the relevancy attempting to impute to the
15 jury that Officer Breland has somewhat
16 contributed to his death which is wholly
17 irrelevant.

18 THE COURT: Sustained.

19 BY MS. STEINER:

20 Q. My next question would be, are you aware of
21 any circumstances under which assistance had to be
22 rendered to either of these officers in the course of
23 dealing with a volatile situation?

24 MR. SCHMIDT: Again, judge, this is a
25 mitigation phase, not related to the facts of

1 the case of this officer's performance in law
2 enforcement. That's wholly irrelevant.

3 THE COURT: Sustained.

4 BY MS. STEINER:

5 Q. Have you, in the course of growing up in
6 the -- did you grow up in the Maxie and northern Stone
7 County community?

8 A. Yes, ma'am.

9 Q. And you left there to join the service; is
10 that correct?

11 A. Yes, ma'am.

12 Q. At any time that you have either been in
13 law enforcement or living in the Maxie community or any
14 community in which your cousin Ronald Husband lives,
15 have you ever known of any incident other than this one
16 in which he generated a confrontation with law
17 enforcement officers in any nature whatsoever?

18 A. No, ma'am. I'm not aware of any.

19 Q. Thank you.

20 MS. STEINER: That's all I have, Your
21 Honor.

22 THE COURT: All right.

23 Cross-examination.

24 CROSS-EXAMINATION BY MR. SCHMIDT:

25 Q. Sergeant, good morning.

1 A. Good morning.

2 Q. When you went to arrest the defendant, you
3 were with Trooper Jamison?

4 A. Yes, sir.

5 Q. Okay. And if I understand correctly, what
6 transpired was not that you and Trooper Jamison took it
7 upon yourselves to go and get him; is that correct?

8 A. That's correct.

9 Q. Your presence at the defendant's home was
10 part of a planned surrender; is that correct?

11 A. That's correct.

12 Q. Now, and at that time the defendant came
13 out of the house to be taken into custody, there was
14 communication with him to effect that, correct?

15 A. Yes, sir, that's correct.

16 Q. And your presence there was part, was it
17 not, of that plan?

18 A. Yes, sir, it was.

19 Q. Inasmuch as y'all are cousins.

20 A. Yes, sir.

21 Q. Given what you had known at that time that
22 the two police officers, Odell and Brandon, had been
23 murdered, did that make it any less tense of a
24 situation for you to go arrest him?

25 A. No, sir.

1 Q. Were you prepared to use whatever force
2 necessary to effect his arrest?

3 A. Yes, sir, I was.

4 Q. Sergeant Husband, when did you join the air
5 force?

6 A. 1972.

7 Q. Seventy-two, and you -- it's safe to say
8 that you left your home in '72 and returned when then?

9 A. Well, I was -- I returned briefly in 1978,
10 and then I left again. So I've pretty much been gone
11 away from home since 1972. I did have a eight-year
12 stint with the Moss Point Police Department where I did
13 live in that area.

14 Q. You weren't living at home when the
15 defendant was convicted of sexual battery?

16 A. No, sir.

17 Q. You weren't living in the community when he
18 was convicted of aggravated assault?

19 A. No, sir.

20 Q. Did you have any knowledge or did you ever
21 come to know about that while you were gone?

22 A. I did find out through family conversation,
23 you know, just general communication with family
24 members.

25 Q. So at the time you -- let's go back again

1 to the night in which you arrested your cousin, the
2 defendant. Did you ever recall having remembered that
3 information as to criminal history?

4 A. No, sir.

5 Q. But at the time you arrested him for the
6 murders of Brandon and Odell, he was convicted of two
7 previously violent felony cases?

8 A. Yes, sir.

9 MR. SCHMIDT: Nothing further.

10 THE COURT: Redirect.

11 MS. STEINER: Very briefly, Your Honor.

12 REDIRECT EXAMINATION BY MS. STEINER:

13 Q. Was -- there was -- was there anything in
14 the information you had with respect to his conduct in
15 connection with those prior arrests concerning
16 resistance or interfere with the officers performing
17 the arrest?

18 A. I'm sorry. I didn't understand the
19 question.

20 Q. Did you have any information about his
21 conduct while being arrested, charged with two prior
22 violent felonies that led you -- that he had resisted
23 or interfered in any way with the arrest on those
24 occasions?

25 A. No, I have on knowledge of that.

1 Q. Thank you.

2 MS. STEINER: I have nothing further.

3 THE COURT: All right. You can step
4 down, sir. Thank you, sir. Who will be your
5 next witness?

6 MR. SCHMIDT: Ms. Mellonese Husband.

7 MELLONESE HUSBAND

8 was thereupon called as a witness for and on behalf of
9 the Defense, and, having been duly sworn, testified as
10 follows:

11 DIRECT EXAMINATION BY MS. STEINER:

12 Q. Good morning, Ms. Husband.

13 A. Good morning.

14 Q. How are you feeling this morning?

15 A. I'm feeling fine. Thank you.

16 Q. Is it an easy time for you now?

17 A. No, it's not.

18 Q. Why don't you tell the jury your name and
19 where you live?

20 A. My name is Mellonese Husband, and I live in
21 Brooklyn, 73CL Slade Road.

22 Q. And what is your relationship to Ronald
23 Husband?

24 A. He is my son. My oldest son.

25 Q. How many children do you have altogether,

1 Ms. Husband?

2 A. I have four children.

3 Q. What are their names?

4 A. Ronald Husband, Jacqueline Dejernet,
5 Kenneth Husband, and Regenia Husband.

6 Q. Why don't you tell the jury the order in
7 the family. Who is oldest child?

8 A. The oldest child is Jacqueline.

9 Q. And how much older than Ron is she?

10 A. Three years older.

11 Q. All right. And then how old -- what year
12 was Ron born?

13 A. July 18, 1959.

14 Q. And who is your next child after Ron?

15 A. Kenneth Husband.

16 Q. And when was he born?

17 A. June 2, 1961.

18 Q. So you had two boys under two running
19 around at one point in your life?

20 A. Yes.

21 Q. And who is your baby?

22 A. My baby is Regenia Husband. She was born
23 January 6, 1964.

24 Q. Okay. Now, tell me this. You say you live
25 on CL Slade Road.

1 A. Right.

2 Q. Does anybody else live in that area
3 besides -- well, who do you live with in the home?

4 A. My husband.

5 Q. And what's your husband's name?

6 A. George Husband.

7 Q. And how long have you been married to
8 Mr. George Husband?

9 A. Forty-nine years.

10 Q. And have you always lived at that address?

11 A. No. No.

12 Q. When did you move to the CL Slade Road?

13 A. We moved to CL Slade Road, it was -- I
14 couldn't tell you the month. But the year was probably
15 1966.

16 Q. And before that, where did you live?

17 A. We lived directly in Maxie. That's --

18 Q. What caused you to move to CL Slade Road?

19 A. We built a home.

20 Q. Whose land -- whose land was that home?

21 A. It was my father's.

22 Q. All right.

23 A. My father's land.

24 Q. And which of your children grew up at the
25 CL Slade Road home?

1 A. Let's see. Regenia was six years old, and
2 Ronnie was five years older than Regenia.

3 Q. Okay. Now, have you and your husband --
4 well, what was your husband's profession when Ron was
5 born?

6 A. My husband was a logger. And he's been a
7 logger ever since I've known him.

8 Q. And did you have a job also?

9 A. Yes, I did.

10 Q. What did you do?

11 A. I worked at Map Head Start for seven years
12 and US Forest Ash Nursery for 35 years.

13 Q. Now, where are these located in relation to
14 the Maxie or Brooklyn community in which you reside?

15 A. Where did the jobs?

16 Q. Yeah.

17 A. Where was the jobs? The head start was in
18 Janice, Mississippi. And the Ash Nursery is located at
19 Brooklyn, Mississippi.

20 Q. Is it like about halfway between where you
21 live and Wiggins?

22 A. No. It's not quite that far.

23 Q. All right. Now, have you lived in Forrest
24 County Mississippi all your life?

25 A. Not my entire life.

1 Q. All your adult life.

2 A. Yes.

3 Q. Is this a -- tell the jury a little bit
4 about this community.

5 A. Maxie?

6 Q. Yes.

7 A. It's a small community. Everybody knows
8 everybody. And it's just mostly family.

9 Q. All right. Is this a community where
10 either Officer Fite or Officer Breland's family is part
11 of this same community?

12 A. They are. I didn't know. I know the
13 Slades our are neighbors.

14 Q. And are they kin to the Brelands and the
15 Fites?

16 A. I couldn't tell you. I don't know.

17 Q. Do you know whether or not either of these
18 officers had connections in the same community?

19 A. No, I don't. I couldn't tell you that.

20 Q. Do you have anything you want this jury to
21 know about your feelings for these officer's families
22 at this time?

23 A. I want them to know, and I also want the
24 family to know that I'm a christian lady. And I
25 believe that we should love one another. And my heart

1 goes out to the families sincerely. I am really sorry.
2 I just want them to know that I am sorry.

3 Q. By talking to this jury to know your son,
4 do you in any way want to add to their grief?

5 A. No. I don't want to add to anyone's grief.

6 Q. But have you asked -- well, let me ask you
7 this. When Ms. Regina Curry from my office came to
8 talk to you, did you tell her about a scrapbook?

9 A. Yes, I did.

10 Q. would you tell the jury about this
11 scrapbook?

12 A. well, when this all happened, my two
13 grandsons, they was very upset, and I had all my
14 children families pictures. So I bought an album, and
15 I put all of my son Ronald's pictures in there from the
16 time he was a baby until he growed up. And I wanted
17 them to have that album of their father.

18 Q. Now, I didn't ask you to take that whole
19 album away from them, but did you let us take some
20 pages from that?

21 A. Yes, I did. Yes, I did.

22 Q. And that I had marked here as D-6. And I
23 believe you have a photocopy of that?

24 A. Yes, I do.

25 Q. And I'm going to ask you to look at this

1 and tell me, is this pictures that you pulled out of
2 this album for us to show to the jury today?

3 A. Yes, it is.

4 Q. All right. Now, I don't need to go through
5 it page by page, but maybe tell me, what did you start
6 this with?

7 A. I started it with the time he was born. He
8 was born at Stone County Hospital in Wiggins,
9 Mississippi. And it tells the date he was born, the
10 time. The next one was the footprints that they took
11 of him when he was born. He was a big baby. He
12 weighed 10 pounds and 9-ounces.

13 Q. So he's been a big --

14 A. Yes.

15 Q. Was he ever -- was there ever a time when
16 he wasn't the biggest person in his age there?

17 A. He was always tall, but he was skinny.

18 Q. All right. Now, did you pull out for us to
19 make copies some pictures that you took of him when he
20 was a very little boy?

21 A. Yes, I have pictures of Ronald when he was
22 I'd say about two years old. And he loved to play
23 outside. And I have pictures of that where he was
24 playing outside, and he was a very active little boy.

25 Q. Okay. Did you keep his school pictures

1 when he started going to school?

2 A. Yes, I did. Yes, I did. I have his
3 pictures from the first grade when he started school.
4 He started school at Earl Travillion.

5 Q. Tell the jury what the Earl Travillion
6 school is.

7 A. Earl Travillion was not integrated then.
8 He was -- that was his first year. He went two years
9 there.

10 Q. He went two years?

11 A. It was a black school.

12 Q. That was the black school.

13 A. Yes, it was.

14 Q. Is that the school all the black
15 children --

16 A. Yes.

17 Q. In south Forrest County went to?

18 A. Yes, it was.

19 Q. So what grade was he -- did he stay at that
20 school?

21 A. No. They integrated the school about two
22 years afterward, and all my kids started at south
23 Forrest in Brooklyn.

24 Q. All right. And was that any kind of a
25 challenge for any of your kids?

1 A. well, we did not teach our children white
2 and black. So they seemed to, you know, get involved
3 with going to school pretty good because I remember my
4 daughter coming home and she said something about they
5 was passing a drink around and because she went -- she
6 was the only little black girl in that class, and they
7 was passing a drink around, and when it got to her,
8 they stopped, and they said don't give it to her. And
9 she said, mama, she said, that was the first time I
10 knew it was a difference.

11 Q. Okay. Now, was Ron when -- he was a little
12 boy five years older than her, was he the kind to come
13 home and complain about things like that to you?

14 A. No. Ronald always seemed to be well-liked
15 by all the boys. And if he ever got into anything, any
16 fights or anything, he wasn't -- didn't really get in a
17 fight. But if he had an agreement with someone, he
18 felt like that he had to get them back if they did
19 something to him because he was always like that.

20 Even at home when the kids would be doing
21 something, he would do something if he just slide hand
22 over there and touch them. But he was one to always
23 forgive. He was the first one to forgive.

24 Q. But even when he was a child, sometimes if
25 he thought someone hadn't treated him right, he might

1 act against it?

2 A. That's right. That's right.

3 Q. Was there anything else he was particularly
4 sensitive to when he was growing up as a little boy
5 that used to --

6 A. He was sensitive to pain. He couldn't --
7 seem like he couldn't handle it too good. And I was
8 always afraid for him. You know, when they started
9 talking about war, everybody start worry about their
10 boys, and I always thought, well, I'd rather for Kenny
11 to go to war than Ronnie because Ronnie couldn't stand
12 the pain. That's what I always, you know, would say.
13 He never knew I felt that way, though. That's the way
14 I felt.

15 Q. Now, you've got pictures. Do you have in
16 this notebook before we move on, a couple of pictures
17 of him standing with his classmates in the elementary
18 school?

19 A. Yes.

20 Q. And at the South Forrest Attendance Center?

21 A. That's right.

22 Q. And is he -- in each of these pictures,
23 where is he standing?

24 A. He's standing in the middle or sitting in
25 the middle.

1 Q. In what row?

2 A. On the -- let's see. Let me see which one
3 is the first one. Just a second. Okay. The first one
4 he's on the second row right in the middle.

5 Q. Which one is that? What grade does that
6 say?

7 A. This is sixth grade.

8 Q. All right. So he's the first row -- second
9 row of people standing.

10 A. Second row.

11 Q. Is it the back row?

12 A. He's kneeling on the second row.

13 Q. Excuse me. Let me approach. I want to
14 make sure we're looking at the right --

15 A. Okay. This is the first class picture.

16 Q. All right. And he's kneeling on the second
17 row. I see, in the center there. And he's even
18 kneeling down, he's pretty much taller than everybody
19 else.

20 A. That's right. That's right.

21 Q. And the seventh grade picture, do you have
22 that?

23 A. Yes. The seventh. He's standing directly
24 in the back in the middle.

25 Q. All right. And he's --

1 A. Still the tallest.

2 Q. Now, when he got to high school, what high
3 school did he go to?

4 A. He went to South Agricultural High School.

5 Q. South Forrest Agricultural High School.

6 A. Yes, he did.

7 Q. And is that the same high school
8 everybody --

9 A. Yes.

10 Q. And that's part --

11 A. Everybody go to that one.

12 Q. What did he get involved in at that high
13 school?

14 A. Basketball.

15 Q. And --

16 A. He loved basketball.

17 Q. How many years did he play basketball?

18 A. Ronnie played from grammar school on up to
19 high school, and he was very good at it. I have -- I
20 saved all his clippings. I see only one in here. But
21 I have a whole scrapbook of clippings where he was --
22 how many points he made. And he made 13. Here it says
23 13 out of 18 points.

24 Q. And how -- was he a starter?

25 A. Yes.

1 Q. And did how did he feel about --

2 A. He loved basketball. He loved it.

3 Q. What else did he love doing as a boy
4 besides going to school and playing ball?

5 A. Ronnie loved to fish, and he was very good
6 at fishing, and he loved to hunt, and he would catch
7 fish, and that would be our dinner sometimes.

8 Q. When he hunted, did you -- was this -- did
9 your family -- well, was hunting part of just a sport
10 or was there other reasons people in your family
11 hunted?

12 A. No, we loved to eat it too.

13 Q. All right. And do you have pictures in
14 here of Ron in his teens?

15 A. Right.

16 Q. With some of his fish?

17 A. Yes.

18 Q. Do y'all have a lake nearby?

19 A. They would go to -- out to their
20 grandparents. It was a big -- sometimes they would go
21 to the lake. But most of the time they would be at the
22 creek.

23 Q. Okay.

24 MS. STEINER: Your Honor, I have just
25 realized I had the wrong exhibit marked for

1 identification. She is working from one and
2 I'm working from another. May I step back
3 and get -- I guess I'll just get what she's
4 working from marked for identification and
5 withdraw D-6 for identification or we can
6 leave it marked for identification but --
7 okay. Give the lady what you're looking at.

8 THE COURT: Mr. Schmidt, is there going
9 to be any objection from the state as to this
10 exhibit?

11 (DEFENDANT'S EXHIBIT 7 FOR
12 IDENTIFICATION)

13 MR. SCHMIDT: No, sir.

14 THE COURT: All right let it be marked
15 into evidence at this time.

16 (DEFENDANT'S EXHIBIT 7 IN EVIDENCE)

17 BY MS. STEINER:

18 Q. I'm going to look over your shoulder. I'm
19 going to say, you've got -- do you know whether or not
20 your son continued being a fisherman into his
21 adulthood?

22 A. Yes, he did.

23 Q. Is that what he did with his friends?

24 A. Yes, and also with his sons. He learned
25 them how to fish.

1 Q. Okay.

2 A. His father learned him, and he learned his
3 sons.

4 Q. All right. Do you have some pictures in
5 here for the jury to look at of him and his boys?

6 A. Yes.

7 Q. Is there a picture about a particularly
8 special fish he helped one of his sons catch?

9 A. Yes, the one his baby son caught.

10 Q. Okay. Tell me about that.

11 A. It was a big, big fish, almost as all as he
12 was. He was so proud of it. So they took his picture.

13 Q. How did Ron react when his son caught that
14 big fish?

15 A. He was very happy about it and proud of
16 him.

17 Q. And what about Cody?

18 A. That's Cody.

19 Q. That's his son. How old is Cody now?

20 A. Code is 12.

21 Q. Has Cody been able to go fishing with his
22 dad since the arrest?

23 A. No, no. His uncle carries him now.

24 Q. Do you understand that because of the
25 verdict, his dad is never going to be fishing with him?

1 A. Yes, ma'am, I know it.

2 Q. Did he -- you said he hunted. Have either
3 of his boys learned to hunt?

4 A. His oldest boy loves to hunt.

5 Q. That's Byron.

6 A. He loves the wild. He's always -- he's
7 either killing deer or getting coons. He loves to, you
8 know, get coons and shut them up and he'll feed them,
9 and they'll eat them. He loves outdoors.

10 Q. Again, is this just because of -- is this
11 just for sport or is this --

12 A. No, they eats them.

13 Q. Okay.

14 A. They eat them.

15 Q. Your son, was there any other kind of wage
16 earner in your son and his children's household than
17 your son?

18 A. I beg your pardon?

19 Q. Was there anybody else able to work in that
20 household?

21 A. Oh, no. Because Teresa, his wife, she used
22 to work. But she's down with rheumatoid arthritis, and
23 sometimes she can't even crank her car up. So she had
24 to get off on disability.

25 Q. And where do Teresa and her boys live in

1 relation to where you live?

2 A. They live just behind me in a trailer.

3 Q. And she gets a disability check?

4 A. Yes, she do.

5 Q. Do ends always meet? Is there all enough
6 money?

7 A. No, it's not because the church helps with
8 everything. It help them.

9 Q. And so when Byron goes out and shoots a
10 buck?

11 A. That's food.

12 Q. Now, did you put any pictures in here for
13 Byron and Cody about things that have happened since
14 their father was arrested?

15 A. Yes. There's one in particular we have in
16 there is when his younger son was baptized.

17 Q. And when did that happen?

18 A. It's been about two years ago now.

19 Q. Who came to that? Who performed that
20 baptism?

21 A. Our pastor Reverend Enright Chandler.

22 Q. Do you have some pictures of that baptism?

23 A. Yes.

24 Q. Do you have some picture of who's there for
25 them?

1 A. Yes, yes.

2 Q. Was your son able to be there?

3 A. No, he wasn't. He wasn't there. He wasn't
4 there for Byron. He was a real good ball player. He
5 missed all of that.

6 Q. So he wasn't there for Cody's baptism. Has
7 he been -- well, you said Byron plays football?

8 A. Right.

9 Q. What high school does he go to?

10 A. He goes to South Forrest.

11 Q. Do you know whether anybody from the
12 families of any of these victims go to South Forrest
13 High School?

14 A. I think I heard Byron say --

15 MR. SCHMIDT: Judge, I just object on
16 the basis of hearsay.

17 A. I'm sorry. Did I say something wrong?

18 THE COURT: Overruled.

19 BY MS. STEINER:

20 Q. Okay. Do you know whether or not anybody
21 from this family --

22 A. I couldn't say. I couldn't say. I don't
23 know.

24 Q. We can ask Byron.

25 A. Yes.

1 Q. Has this been an easy time for your
2 grandsons?

3 A. No. No.

4 Q. Has this been an easy time for you,
5 Ms. Mellonese?

6 A. No. And I know it ain't an easy time for
7 the family. I know that. No.

8 Q. Ms. Mellonese, this jury has heard about
9 the worst, the worst, worst thing that your son ever
10 did. Can you give them a picture maybe of about the
11 little boy whose dog died and leave them with that
12 story so they know the other side of Ron?

13 A. Ronald had a -- we had a little dog we
14 found. His name was lucky. And we kept the dog for
15 many years, and the dog got killed. Someone killed
16 him. So Ronnie picked the dog up and brought him home,
17 and him and his sisters, they was going to bury the
18 dog. They wrapped him up in a blanket, and they put
19 him in the ground. They -- Ronnie was digging the
20 grave for the dog, and he just kept digging like he
21 didn't know how far he had dug it. And he was crying
22 the whole time he was digging it.

23 Q. Was he a little boy when this happened?

24 A. He was -- he was about like his younger
25 son.

1 Q. How old is that?

2 A. Cody is 12. He might have been about 13,
3 and he dug the hole and he was crying the whole time he
4 was digging the hole. Then he -- they put the dog in
5 there and the buried him. They called theyself having
6 a dog's funeral. So he was very sensitive.

7 Q. When your son was in high school at South
8 Forrest, when Ron was there, did he have a friend named
9 Allen Humphrey?

10 A. Yes, he did.

11 Q. And what happened to Allen Humphrey while
12 they were in school together or to his family? what
13 kind -- was there a tragedy in that family?

14 A. I think Allen Humphrey's father died. But
15 Allen and Ron went to school from the time he was in
16 grammar school. They was very close when they
17 graduated. They went to National Guard together. They
18 went in together.

19 Q. And when Allen Humphrey's father died, do
20 you know what Allen Humphrey's father did?

21 A. I can't really --

22 Q. Do you know if he had any law enforcement
23 connection?

24 A. Oh, yes, and Allen was a bails bondman.

25 Q. Okay. But did --

1 A. But his father was --

2 Q. Did your family morn with the Humphrey
3 family?

4 A. Yes.

5 Q. Do you morn here today?

6 A. Yes, I do.

7 Q. With the Fites?

8 A. Yes, I do. I'm very sorry.

9 Q. Ms. Husband, is there anything else you
10 want this jury to know about who your son Ronald was
11 not at the times that they've heard about, but with his
12 wife, with his parents, with his son?

13 A. Ronald, he was brought up in church. He
14 sung in the choir. He was a janitor at the church.
15 And then when he grew up and got married and he was
16 attending to his boys and his wife. I mean, he was a
17 good provider because he wasn't a lazy person. He
18 worked the all the time. Both my sons was workers.

19 Q. Now, are you saying he was perfect? Do you
20 know about the troubles he had been in before?

21 A. Yes, I do. I've been heartbroken a lot of
22 times with Ronald. But I'm a mother. As any mother
23 know, we're not going to turn our backs on our
24 children. But he has really broken my heart before.

25 Q. Are you in good health now, Ms. Husband?

1 A. No, I'm not.

2 Q. If he is locked up for the rest of his life
3 in Parchman, Mississippi are you going to be able to
4 drive to see him?

5 A. I'm not going to be able to do it this
6 time. I'm not going to be able to do it this time.
7 Sorry.

8 MS. STEINER: Your Honor, I have nothing
9 further from Ms. Husband.

10 THE COURT: All right.

11 MS. STEINER: May I publish the book to
12 the jury at this time?

13 THE COURT: Yes, ma'am. Mr. Schmidt,
14 cross-examination.

15 CROSS-EXAMINATION BY MR. SCHMIDT:

16 Q. Ms. Husband, I won't ask but a few
17 question, okay?

18 A. Yes, sir.

19 Q. Have you been present during the trial?

20 A. Most of the time.

21 Q. Do you accept the verdict of jury in this
22 case?

23 A. Accept what they have said?

24 Q. Yes, ma'am.

25 A. Yes, I did.

1 Q. Okay. And you told -- you've told us this
2 morning that your son was brought up in the church.

3 A. Yes.

4 Q. And he's had some problems in the past.

5 A. Yes.

6 Q. He lived with you and your husband for his
7 entire childhood.

8 A. Yes.

9 Q. And it would probably be fair to say that
10 you and your husband instilled or tried to instill the
11 values in your children that you believe were right?

12 A. Yes.

13 Q. And one of those is making right decisions
14 and making wrong decisions, right?

15 A. Yes.

16 Q. And do you believe that when you sent your
17 son on his way as an adult, y'all had done a good job
18 so that when time came for your son to make decisions
19 in life, he was the best equipped he could be to make
20 those kind of decisions?

21 A. Yes.

22 Q. Would be it fair to say that over the
23 course of some of his lifetime, he's made some very bad
24 decisions?

25 A. Right.

1 Q. I think you told us he's broken your heart
2 before.

3 A. Yes.

4 Q. And we're talking about what he did back
5 several years ago.

6 A. Yes.

7 Q. Has he broken your heart again for what he
8 did to the policemen?

9 A. Yes.

10 Q. You said he liked to hunt and fish.

11 A. Yes.

12 Q. When is the last time that you recall him
13 hunting?

14 A. I couldn't -- it was before he got
15 arrested.

16 Q. A few years or was he hunting up until he
17 got arrested?

18 A. Yes, some.

19 Q. Okay.

20 A. He fished more than he hunted.

21 Q. Do you know him to have guns at his home,
22 hunting guns?

23 A. They had rifles like they father had.

24 Q. Do you know whether or not he was going to
25 be allowed to have any guns after he had been convicted

1 in the past, whether it was okay for him --

2 A. He -- he --

3 MS. STEINER: I'm going to object to
4 this whole line of questioning. This is
5 certainly not proper 609.

6 THE COURT: Sustained. I think he's
7 asking her a legal question. So I sustain
8 that objection.

9 MR. SCHMIDT: Okay. I don't have
10 anything else, judge.

11 THE COURT: Any redirect?

12 MS. STEINER: No, Your Honor. She can
13 leave.

14 THE COURT: Thank you, Ms. Husband. You
15 can step down. At this time the court's
16 going to take the noon recess. Take the jury
17 back, please.

18 (PAUSE IN THE PROCEEDINGS)

19 THE COURT: All right. Ms. Steiner, who
20 would you your next witness?

21 MS. STEINER: Your Honor, we would have
22 Ms. Teresa husband.

23 (DEFENDANT'S EXHIBIT 8, 9, 10, 11 IN
24 EVIDENCE).

25 (OATH ADMINISTERED)

1 TERESA HUSBAND

2 was thereupon called as a witness for and on behalf of
3 the Defense, and, having been duly sworn, testified as
4 follows:

5 DIRECT EXAMINATION BY MS. STEINER:

6 Q. Ms. Husband, I'm handing you something for
7 the moment, and then I'm going to ask you a few
8 questions. But I'm going to leave these here.

9 Ms. Husband, would you tell the jury your name and
10 where you live?

11 A. My name is Teresa Husband. And I live in
12 Maxie, Mississippi.

13 Q. And what is your street address?

14 A. 75 CL Slade Road Brooklyn, Mississippi
15 39425.

16 Q. And who lives with you now at that address?

17 A. My two sons Byron Husband and Cody husband.

18 Q. How old is Byron?

19 A. Byron is 18.

20 Q. And what year in school is he in?

21 A. He's in the 12th grade.

22 Q. What school does he go to?

23 A. Forrest County Agricultural.

24 Q. And do you know whether or not any -- does
25 he have any classmates -- not classmates, schoolmates

1 who are related to either of the officers attending
2 with him?

3 A. Yes, he do.

4 Q. Who is that?

5 A. The Fite boys.

6 Q. Tony Fite?

7 A. Yes, ma'am.

8 Q. All right. And your younger son is how
9 old?

10 A. Twelve.

11 Q. And that's Cody?

12 A. Cody.

13 Q. And what school does he attend?

14 A. South Forrest.

15 Q. Is that the only -- are -- that high school
16 South Forrest Elementary, South Forrest Middle School
17 Attendance Center and Forrest County Agricultural High
18 School, are those the only three schools that children
19 from the southern half of your county go to?

20 A. Yes, ma'am.

21 Q. Tell the jury, if you would, about where
22 you grew up.

23 A. I grew up in Collins, Mississippi.

24 Q. And how old were you when you met -- have
25 you ever been married to anybody other than Ronald

1 Husband?

2 A. No, I haven't.

3 Q. And when were you married to Ronald

4 Husband?

5 A. 1987, June 20th.

6 Q. And how old were you when you met

7 Mr. Husband?

8 A. I was 26.

9 Q. And were you -- what kind of family
10 celebration in your own family was going on when you
11 first met your husband?

12 A. A big family celebration.

13 Q. What was it? What -- was there someone in
14 your family getting married?

15 A. My brother. My brother Lenny.

16 Q. Now, after you met Ronald Husband, where
17 was he living at that time?

18 A. In Maxie.

19 Q. All right. Is that down in the same area
20 where you were living?

21 A. With his mother and father.

22 Q. And what did he do during the courtship?
23 How did he court you?

24 A. Well, I met him after my brother's wedding.
25 And I after he got married, my nephew and my friend

1 wanted to go out, and we went out that night.

2 Q. All right. And he came along with you that
3 night?

4 A. Talking about my husband?

5 Q. Ronald.

6 A. No, he didn't. That's when I met him.

7 Q. But he started coming calling after that?

8 A. Yes, ma'am.

9 Q. Do you know what he was doing for a living?

10 A. Logging.

11 Q. And he was -- was he logging in --

12 A. Then.

13 Q. -- Collins or was he logging --

14 A. Down where we stay at.

15 Q. All right. Did he come to your house on
16 days when he worked?

17 A. All the time. All through the week.

18 Q. All right. Did there come a time when you
19 and he got engaged?

20 A. Yes, ma'am.

21 Q. Tell this jury what he did to get engaged
22 to you.

23 A. He asked my father could he marry me.

24 Q. And what did your father say?

25 A. Yes, he can.

1 Q. And I assume that was -- had he asked you
2 already or did he wait even to ask you?

3 A. He asked me and then he decided better go
4 ask my dad.

5 Q. So you consented first. Was that something
6 that made you happy?

7 A. Yes, it did.

8 Q. You've heard a lot of things here in this
9 courtroom about a terrible thing this jury has
10 convicted him of doing. Does that affect your love for
11 him in anyway?

12 A. I still love my husband very much.

13 Q. So -- but what you tell this jury is
14 knowing the bad things that this jury knows about your
15 husband; is that right?

16 A. Yeah.

17 Q. You have to speak up.

18 A. Could you ask me the question again?

19 Q. You know the same bad things this jury
20 knows about your husband.

21 A. Yes, I do.

22 Q. And do you accept and understand that this
23 jury has reached this verdict?

24 A. Yes, I do.

25 Q. Before I go further about you, do you have

1 anything you want to tell this jury about what you want
2 to say to the family of your son's schoolmate or to the
3 family of the Brelands?

4 A. All I want to say to the Brelands and the
5 Fites that I'm very -- I'm very sorry about y'all's
6 loss, and I wish that y'all please spare my husband
7 life.

8 Q. would you like a glass of water,
9 Ms. Husband?

10 A. No.

11 Q. I think the bailiff is going to get you one
12 anyway in case you need it. You can just take a
13 moment. Tell me when you feel like talking again.

14 A. Okay.

15 Q. Can you go? May I approach? I'm going
16 to -- I know this is embarrassing. I'm handing you
17 four photographs, and they have been marked into
18 evidence as D Exhibit 8, 9, 10 and 11. And can you
19 tell me what these are?

20 A. These are my wedding pictures.

21 Q. Are they all of your wedding pictures?

22 A. Not all of them. Just some of them.

23 Q. Did you pick the ones you wanted the jury
24 to see?

25 A. Yes, I did.

1 Q. The first thing I'm going to do is, this is
2 one of a beautiful lady standing alone in a white
3 wedding gown. Who is that lady?

4 A. That's me.

5 Q. Was that a happy day for you?

6 A. Yes, it was.

7 Q. Is there any happier days for you other
8 than your wedding day to Ronald Husband?

9 A. Yes, it was.

10 Q. Okay. Anything that made you just as
11 happy, anything that happened? Your babies?

12 A. Yeah, just as happy.

13 Q. All right. So that's D-11. Tell me, I'm
14 handing you D-10, and it's a couple. Where is this
15 taking place?

16 A. At Providence Baptist Church in Collins.

17 Q. That's your home church?

18 A. Yes, it is.

19 Q. That's the one your dad and you were
20 brought up in?

21 A. Yes, it was.

22 Q. Tell the jury what D-10 is.

23 A. That's me and Ronald exchanging our rings.

24 Q. And pledging your vows.

25 A. Pledging our vows.

1 Q. If you'll tell the jury what D-8 is.

2 A. We're at the prayer bench.

3 Q. Is that praying to God to also bless your
4 vows?

5 A. Yes, it is.

6 Q. And then D-9?

7 A. D-9 we're getting ready to cut the cake. I
8 got him a log cake.

9 Q. Is that the groom cake? And you had it
10 decorated like it was a log.

11 A. Uh-huh.

12 Q. Is that what he was working at?

13 A. That's what he was doing. So I decided I'd
14 get him a log cake.

15 Q. How did that make him feel?

16 A. Happy.

17 Q. After this wedding, you mentioned you have
18 two boys.

19 A. Yes, I do.

20 Q. Who was your first born?

21 A. Byron.

22 Q. And how long after your wedding did Byron
23 come along?

24 A. A year and a half.

25 Q. All right. And what was Ron's reaction

1 when he had his son?

2 A. He was happy. He was happy that we was
3 going to have a baby.

4 Q. Did you go to the hospital or did you have
5 the baby at home?

6 A. went to the hospital.

7 Q. Did he come with you when you were at the
8 hospital?

9 A. He was working at the time, but he came
10 later on.

11 Q. As soon as -- he went to work. Let me ask
12 you, as a husband, father, and provider, did you ever
13 have anything to complain about?

14 A. No, I didn't.

15 Q. How often did he get a paycheck?

16 A. Every week.

17 Q. And what did he do with the money from that
18 paycheck?

19 A. Give it to me, and then I gave it to him
20 whatever I want him to have.

21 Q. All right. But he -- did he take some out
22 ahead of time?

23 A. No. He gave it all to me, and plus the
24 paycheck stub too so I could see what it was.

25 Q. Okay. Now, you have Byron, and how much

1 younger than Byron is your son Cody.

2 A. Five. Five years apart.

3 Q. So he's 12. Did you have anything -- did
4 you ever -- did you have any other children or other
5 hope for children?

6 A. I had a miscarriage in '91.

7 Q. How did your husband react to that?

8 A. He was sad.

9 Q. Did it --

10 A. It hurt him just like it hurt me.

11 Q. Did he cry over the loss?

12 A. Yes, he cried.

13 Q. What do you and your husband call this baby
14 that you lost?

15 A. I said this must have been our girl.

16 Q. So you prayed to God, but God still brought
17 suffering?

18 A. Yes, I did.

19 Q. But then two years later you had Cody?

20 A. I had Cody.

21 Q. So he had two boys. What kind of things
22 did he teach his boys? What do your boys like to do
23 now?

24 A. They like to fish. Both of them like to
25 fish.

1 Q. Are they good fishers?

2 A. Good fishers.

3 Q. And you've seen your grandmother that --
4 your mother-in-law's scrapbooks.

5 A. Yes, I have.

6 Q. There's one -- there's a fish there almost
7 as big as Cody.

8 A. Yes. That's the first one he caught.

9 Q. The first one he caught. Did his daddy
10 help him do that?

11 A. He reeled him in himself. He was helping
12 him, you know, when he was catching him, but he got
13 him.

14 Q. And your son Byron, we know he likes to
15 hunt. Does he do -- does he play a sport at school?

16 A. Football.

17 Q. Tell me about this year's football season.
18 Where did South Forrest finish in its division?

19 A. Where did it finish at?

20 Q. In the division, where did South Forrest
21 finish?

22 A. The last game they had?

23 Q. Right. How did they do?

24 A. I think it was -- what was the score? I'm
25 trying to remember. I don't exactly remember the

1 score, but I know I was there.

2 Q. Did they win or lose?

3 A. They lost.

4 Q. They did. Before that, how was their
5 season?

6 A. It was good.

7 Q. And who -- did Byron play on that team?

8 A. Yes, he did.

9 Q. What did he play?

10 A. I think tackle.

11 Q. And was he a starter?

12 A. I think he was a starter, uh-huh.

13 Q. Did -- so his school right up until the
14 end, it might have been its division champ; is that
15 right?

16 A. Yes, it was.

17 Q. They lost in the finals?

18 A. Lost in the finals.

19 Q. Did Byron have his dad there to cheer him
20 on as he played these games?

21 A. Yes, he was there. No -- are you talking
22 about --

23 Q. I'm talking about this last season.

24 A. No, he didn't.

25 Q. That's because he was in jail.

1 A. That's right.

2 Q. And year before he didn't have him either,
3 did he?

4 A. No, he didn't.

5 Q. Now, before that, who went to his football
6 games?

7 A. I went, and his dad did.

8 Q. All right. Have -- have you talked to your
9 boys and explained to them that really no matter what
10 happens here today, your husband is never coming home
11 to them again?

12 A. Yes, I have.

13 Q. Tell the jury what that was like and what
14 happened.

15 A. I talked to my boys, and I prayed that
16 they -- that the jury gave him life.

17 Q. And what did your boys -- how did they --
18 well, one thing. Would you prefer to tell the jury how
19 your boys are reacting than have them have to come up
20 and talk to the jury?

21 A. Yes, I would.

22 Q. If you would tell -- have there been tears?

23 A. Yes, it have, and a lot of them.

24 Q. Now, your oldest boy is over 18. Are you
25 telling me a young man of over 18 has cried in front of

1 his mom?

2 A. Yes, he have. And he's still crying.

3 Q. And your younger is boy 12?

4 A. Uh-huh.

5 Q. Did he tell about whether he would be
6 embarrassed to come and cry here in public?

7 A. Yes, he did.

8 Q. Are you going to make him do that?

9 A. I'm -- I don't want him to.

10 Q. But did you and he pray for and your boys
11 and you? And let me ask you this. This is your
12 mother-in-law's scrapbook here. On the third to last
13 page the bottom picture, who is that?

14 A. That's me myself, Cody and Byron.

15 Q. Is this the group that sat down and bowed
16 its head and prayed?

17 A. Yes, it is.

18 Q. Do you know what they want to tell their
19 schoolmate and the family of the schoolmate? Can you
20 tell the jury and the Fite family that?

21 MR. SCHMIDT: Judge, I would object to
22 that.

23 THE COURT: I'm sorry?

24 MR. SCHMIDT: I would object as to what
25 counsel proposes to elicit from this witness

1 as to what the children would say to the
2 families of the victims. I think that's
3 outside the scope of what --

4 THE COURT: Sustained.

5 BY MS. STEINER:

6 Q. In your prayer, are the Fite and Breland
7 families in your prayers, you and your boys?

8 A. Yes, they are.

9 Q. Do you have something -- I have another
10 question. You were in the courtroom and you heard
11 about a friend of your husband's named Ms. Frances
12 Arnold. You know this lady?

13 A. Yes, I do.

14 Q. That Sunday afternoon he went off with her,
15 is that someone you felt easy about his friendship
16 with?

17 A. No, I didn't.

18 Q. Did you still love your husband even if he
19 had a friendship with a lady you didn't think he
20 should?

21 A. Yes, I did.

22 Q. And what -- what are you asking this jury?
23 Please tell them what you can tell me about your
24 husband to tell them so your and your boys' prayers
25 will be answered.

1 A. I'm asking you to -- if y'all could please
2 spare my husband life.

3 Q. Thank you, Ms. Husband. I have nothing
4 further.

5 THE COURT: All right.

6 Cross-examination.

7 CROSS-EXAMINATION BY MR. SCHMIDT:

8 Q. Ms. Husband, you do want the jury to follow
9 the law and the evidence, don't you?

10 A. Yes, I do.

11 Q. And if that means not following your
12 wishes, do you accept that?

13 MS. STEINER: I'm going to object. The
14 court will instruct the jury on what the law
15 is. I don't think he can elicit from a woman
16 who's testified nothing about any legal
17 expertise any questions.

18 THE COURT: Sustained.

19 BY MR. SCHMIDT:

20 Q. You don't want the jury to violate their
21 oath, do you? You don't want the jury to do something
22 that they're not -- you don't want them to violate
23 their oaths as jurors.

24 MS. STEINER: If the court please,
25 again, the court will instruct the jury that

1 their oath requires them and permits them to
2 return to save Ronald Husband's life on the
3 basis of anything in fairness or mercy,
4 not -- it's an outrageous question for the
5 lawyer to put when he knows that the jurors
6 oath permits what she has asked them to do.

7 THE COURT: Sustained.

8 BY MR. SCHMIDT:

9 Q. Do you accept the jury's guilty verdicts in
10 this case?

11 A. will you repeat the question?

12 Q. Do you accept the jury's guilty verdicts in
13 this case?

14 A. No, I don't.

15 Q. You don't.

16 MS. STEINER: Your Honor, I believe that
17 was asked and answered on direct, and she
18 said she -- I don't think she understood the
19 question.

20 THE COURT: I thought she earlier said
21 she did.

22 MR. SCHMIDT: She did on direct, and she
23 doesn't on cross.

24 THE COURT: All right.

25 BY MR. SCHMIDT:

1 Q. Ms. Husband, I believe you told the jury
2 that during the time of your marriage, you didn't have
3 anything to complain about about your marriage with
4 your husband.

5 A. well, I had my ups and downs just like any
6 other married couple.

7 Q. with any married couple.

8 A. Yes.

9 Q. Raising kids.

10 A. Yep.

11 Q. Money, family members agitating it, things
12 like that?

13 A. Yep.

14 Q. All the things that we all get through in
15 life. Did there come a time when he wasn't with you in
16 your marriage because of his criminal behavior?

17 A. what was that now?

18 Q. Did there come a time during the course of
19 your marriage with him that he wasn't in the home
20 because of his some criminal behavior he had done?

21 MS. STEINER: I'm going to object to his
22 question here. They have -- the jury has
23 before them the dates of convictions for
24 which he received sentences. I object to
25 pursuing this line with this witness.

1 THE COURT: Overruled.

2 BY MR. SCHMIDT:

3 Q. You may answer.

4 A. I don't understand what you're talking --

5 Q. Okay. Was there a time early on in your
6 marriage that your husband went to jail for something
7 he did?

8 A. Yes, he did.

9 Q. Okay. And is that something to complain
10 about in your marriage?

11 A. Is it something to complain about?

12 Q. Do you include that in those things we
13 talked about? Family, money, children.

14 A. Yes.

15 Q. It is. You told the jury that you have --
16 you and your family have a lot of tears because of your
17 husband won't be coming home.

18 A. Yes.

19 Q. Do you likewise understand you can go visit
20 your husband in prison?

21 A. Yes.

22 Q. Your children can?

23 A. Yes.

24 Q. And you understand that there's nothing but
25 a grave marker to go visit for the Fites and the

1 Brelands?

2 A. Yes.

3 Q. You have something at this point. You have
4 to answer. Finally, Ms. Husband, you've raised two
5 sons.

6 A. Yes.

7 Q. And you were married in the church?

8 A. Yes.

9 Q. Raised in the church?

10 A. Yes.

11 Q. And as a parent, when children misbehave,
12 you have to do something about their behavior, right?

13 A. Yes.

14 Q. would you agree with me that you punish
15 their behavior is what you punish?

16 A. Yes.

17 Q. You're not punishing the person, you're
18 punishing their behavior. Do you agree with that?

19 A. I agree with that.

20 Q. Thank you.

21 THE COURT: Redirect.

22 MS. STEINER: I have nothing further
23 from Ms. Husband.

24 THE COURT: All right. Ms. Husband, you
25 can step down. Ms. Steiner, call your next

1 witness.

2 MS. STEINER: We would have Reverend
3 Enright Chandler.

4 ENRIGHT CHANDLER

5 was thereupon called as a witness for and on behalf of
6 the Defense, and, having been duly sworn, testified as
7 follows:

8 DIRECT EXAMINATION BY MR. MEDLEY:

9 Q. Sir, would you state your name to the jury,
10 please.

11 A. Enright Chandler, III.

12 Q. And what is your occupation?

13 A. I'm a park manager with Pat Harrison
14 Waterway District out of Hattiesburg, Mississippi. I
15 manage a water park in Lumberton, Mississippi, Little
16 Black Creek Water Park.

17 Q. And do you have any other jobs that you do?

18 A. Yes. I'm a pastor in St. Paul Missionary
19 Church out of Maxie, Mississippi.

20 Q. And is the Husband family members of that
21 church?

22 A. Yes, sir, they are.

23 Q. How long have you been there?

24 A. A little bit over two years, sir.

25 Q. And do you recall about when you went to

1 work there?

2 A. Approximately mid-September.

3 Q. And I call that going to work there. It
4 may -- that may be an inappropriate term. But you
5 started pastoring that church in September of '05?

6 A. Yes, sir, that's correct.

7 Q. And so during that time, have you had an
8 opportunity to work to the Husband family?

9 A. Yes, sir, I have.

10 Q. Did you know Ronald Husband prior to the
11 time that he was incarcerated?

12 A. I didn't know him personally. I knew he
13 was a member of the church. But I hadn't had a lot of
14 communication with Brother Husband at that time.

15 Q. But you had met with him there in the
16 congregation?

17 A. Yes, sir, on a couple of occasions.

18 Q. And but you're familiar with the
19 circumstances that have brought us here today?

20 A. Yes, sir, I am.

21 Q. Have you had an opportunity to visit with
22 Mr. Husband since he's been incarcerated?

23 A. Yes, sir.

24 Q. And what about with the rest of his family,
25 what contact have you had with them?

1 A. Through the church and through visiting of
2 the home and through activities at the church we
3 fellowship quite a bit together.

4 Q. So do you know his wife and children as
5 well?

6 A. Yes, sir.

7 Q. How do you know the children?

8 A. Through the church and through Brother
9 Ronnie and Sister Teresa and just befriending different
10 family members when I first come to the church.

11 Q. And did you have an opportunity to be
12 involved with his younger son being brought into the
13 membership of the church?

14 A. Yes, sir. We brought him in under baptism.
15 We lead him in the salvation. We baptized him in a
16 creek several miles north of the church.

17 Q. And have you talked with his father about
18 that?

19 A. Yes, sir. I showed -- I've told him we had
20 some pictures of the baptism as well.

21 Q. When did you first start meeting with
22 Ronald Husband?

23 A. Probably shortly after this incident took
24 place, a few weeks later.

25 Q. Can you tell the jury what you found in

1 your dealings with him?

2 MR. SCHMIDT: Judge, I would object on
3 the basis that it's self-serving. It would
4 require --

5 THE COURT: What was the question,
6 Mr. Medley?

7 MR. MEDLEY: What he learned from the
8 dealings with Mr. Husband, how he found --
9 Reverend Chandler found Mr. Husband in his
10 dealings with him there at the police
11 department.

12 THE COURT: His condition and demeanor
13 you mean?

14 MR. MEDLEY: Yes, sir.

15 THE COURT: All right. Overruled.

16 A. Well, shortly after this incident took
17 place, I went and met with Brother Ronnie. Saw a very
18 confused individual. A very disturbed individual, one
19 that I personally believe in my spiritual connection
20 with the lord that didn't really understand what had
21 took place in his life.

22 Conversation was very brief. Most of the
23 words that was being said, I was saying there.
24 Certainly words of spiritual comfort and spiritual
25 guidance. Didn't go to question him about what had

1 took place, what didn't take place. That wasn't --
2 that's not my job to do. Just went for spiritual
3 guidance.

4 Found a young -- or I say young man. Found
5 a gentlemen that, again, I feel was very confused. I'm
6 a believer that a tried spirit, body spirit. And I
7 found one to be lost. Met with him on the second
8 occasion. I found an individual that had a repenting
9 spirit. His words were to me, and again his words were
10 very brief as we always met, I did most of the talking.

11 And I was talking -- our conversations were
12 never about anything of the world. It was all
13 spiritual his words were that if he's -- if he's hurt
14 anybody, he's sorry. I took that to be that somewhere
15 along this journey that brother Ronnie has met the
16 maker somewhere. I can't say he -- he have to answer
17 that for himself. But along that journey, I found him
18 to have a lot of remorse about the past, a lot of
19 remorse about things that he's done.

20 He didn't deliberate with me what things
21 they were, and I didn't ask him. I shared with Brother
22 Ronnie that if he repented to God first, you'll have
23 that chance to repent to those you hurt. That's was
24 the gist of that conversation. Several conversations,
25 several meetings later I began to see a new person. I

1 began to see one that was more compassionate about
2 salvation, people lives, the love for people, that we
3 will all be together. That happiness.

4 I saw these things starting to develop in
5 young man, and I say a young man, but I saw them
6 starting to develop in an individual that when I first
7 met, I felt was very disturbed, but afterwards, after
8 much prayer, after him, somewhere this walk meeting the
9 lord wanting to do what's right in life.

10 Q. Now, I'm sorry. I didn't mean to interrupt
11 you, but now you're familiar with the situation with
12 the fallen officers. Do you know their families as
13 well?

14 A. No, I don't know their families personally.
15 But I just -- I believe this, that through this
16 transition, through this course of actions that I found
17 the family through these two families. Again, my job
18 is not to come here and do one -- to defend or anything
19 with Brother Ronnie. My job is to come here and try to
20 keep unity between families. I didn't know the Breland
21 family and the Fite family. My job is to try to love
22 them and try to let them know we love them. We're a
23 small community.

24 Q. Where is the church located?

25 A. In Maxie, Mississippi off Highway 49.

1 Q. So it's in the same community where the
2 victim's families live as well?

3 A. I would think so. I don't know. You know,
4 I know -- I assume that one family member lived in
5 Perkinston and another one lived in Maxie. But when
6 you say Maxie and Wiggins, you're talking about two
7 communities, two little towns right there together. So
8 we're really one family.

9 Q. So why did you come here today, Brother
10 Chandler?

11 A. I came because I had the passion and desire
12 to let the families know that in spite of the tragedy
13 that has taken place in our community, we're one body
14 with many members. We love the Breland family. We
15 love the Fite family. We love the Husband family.

16 My desire is that though we came
17 separately, we'll leave together, and I pray that
18 through this whole tragedy that we will begin to work
19 as families and then work as a community and then work
20 as a city and work as a county and work as a state and
21 work as a nation.

22 That's my desire, that the families
23 understand that nobody here -- we're all going through.
24 We're all grieving and that we don't want anybody ever
25 in our community, in the state, no where to ever have

1 to deal with what these families have had to deal with.

2 I'm just a young pastor just starting out.

3 I asked my own self how did I get where I'm at. But

4 we're put here in positions to help each other, to

5 reach out for one another. I'm a firm believer that

6 the Brelands and the Fites families are broken as well

7 as the Husbands.

8 MR. SCHMIDT: Judge, I object. He's

9 beyond the scope --

10 THE COURT: Sustained.

11 BY MR. MEDLEY:

12 Q. The jury that you're speaking to here today
13 has -- is the same jury that has made the decision that
14 he's is guilty of the crimes that he was charged.

15 A. Yes, sir.

16 Q. And they're now looking to make a decision
17 as to what the punishment to be.

18 A. Yes, sir.

19 Q. Do you believe God can still use the life
20 of this man?

21 A. He put it in him. He was just -- we were
22 formed from dust. We came -- he breathed in us, and we
23 became living souls. There's a possibility God can use
24 anybody, and no one -- God, he gave life. He didn't
25 come to take life. But he came to save life, and I

1 understand an eye for an eye and a tooth for a tooth,
2 but also I understand that that took place 2,000 years
3 ago with the shedding of Jesus's blood. We don't want
4 no more bloodshed. We don't want no more deaths in our
5 community. We don't want that.

6 Q. Can God use the life of this man even if he
7 spends the rest of his life in prison?

8 A. Yes, he can. There's hope for him.

9 Q. And as you continue to consult with Ronnie
10 Husband, I believe you said that he has expressed to
11 you his concern for the families of the victims?

12 MR. SCHMIDT: Judge, I object to the
13 form of that question. It calls for a
14 hearsay response because it's purely
15 self-serving. If counsel wants to elicit
16 that testimony, there's a witness to produce
17 it.

18 MS. STEINER: If the court please, that
19 is a totally objectionable statement by the
20 state.

21 THE COURT: I sustain the objection.

22 A. What was the question, sir?

23 BY MR. MEDLEY:

24 Q. You've had the opportunity to meet with
25 Mr. Husband on many occasions since he's been

1 incarcerated.

2 A. Yes, sir.

3 Q. Is it your belief that he is remorseful
4 about the actions that brought us here?

5 MR. SCHMIDT: Again, Your Honor, it's
6 the same objection. It draws conclusions
7 based upon the hearsay basis.

8 THE COURT: Overruled.

9 BY MR. MEDLEY:

10 Q. You may answer.

11 A. Yes, sir. I believe that we're looking at
12 a different individual. I am mindful of there's two
13 natures in all of us. Preferably we don't ever let
14 that nature rise up in us. But there are certainly two
15 natures in all of us.

16 Again, my first approach with Mr. Husband,
17 I didn't know what nature I was going to run into.
18 So -- but after constant prayer with Mr. Husband,
19 constant prayer through God for guidance and constant
20 prayer through God that we would be able to say
21 something to help this whole community, I believe that
22 there's been a lot of remorse through everybody, not
23 just Mr. Husband. I believe there's remorse through
24 the whole family of this tragedy.

25 And all we're trying to offer now is peace

1 to the community and trying to be fellow citizens and
2 work together with our law enforcement officers and do
3 the best we can be and be the best we can be that we
4 never let this happen again in our community by being
5 good role models and good citizens and fellow brothers
6 and sisters in the community.

7 MR. MEDLEY: That's all I have, Your
8 Honor.

9 THE COURT: Cross-examination.

10 CROSS-EXAMINATION BY MR. SCHMIDT:

11 Q. Reverend Chandler.

12 A. Yes, sir.

13 Q. Good afternoon.

14 A. Good afternoon, sir.

15 Q. You've told the jury that you believe that
16 the defendant is remorseful now.

17 A. Yes, sir.

18 Q. He's remorseful now for the acts committed
19 over two years ago. You have to just say audibly so
20 she can take it down. Is that yes? You just can't nod
21 your head is what I'm saying. She has to be able to
22 write down your response.

23 A. I believe so, yes, sir.

24 Q. Okay. I believe you testified it took him
25 a while to come to that emotion of remorsefulness?

1 A. At the second visit, I felt like he was
2 very remorseful.

3 Q. Okay. Obviously you weren't out on South
4 First Street November of '05 when Officers Breland and
5 Fite were murdered, were you?

6 A. No, sir, I wasn't.

7 Q. You don't know whether or not he showed any
8 emotion or remorsefulness that night?

9 A. I wasn't there, sir.

10 Q. I believe you also said that you're here
11 present today to try to bring unity between families
12 and citizens and cities, county on up?

13 A. Correct, sir.

14 Q. You likewise understand that a jury is here
15 today to deliberate a sentencing in this case?

16 A. Yes, sir.

17 Q. And you can separate out the duty of a jury
18 versus what you understand to be important to yourself?

19 MS. STEINER: If the court please, he's
20 questioning a man who is trained in the bible
21 and pastoring and water purity on a question
22 of law, and I object to his asking that
23 question.

24 And it's outside the scope of any legal
25 knowledge, any knowledge this individual

1 would have. The court will instruct the jury
2 as to what they may consider.

3 THE COURT: Mr. Schmidt.

4 MR. SCHMIDT: It was elicited on
5 cross-examination --

6 THE COURT: On direct.

7 MR. SCHMIDT: I'm sorry. On direct. I
8 want to clarify that he understands what his
9 purpose is is not the process of this --

10 THE COURT: Yeah, that testimony was
11 brought out on direct. So I'll overrule the
12 objection.

13 BY MR. SCHMIDT:

14 Q. Do you want me to reask?

15 A. Yes, sir.

16 Q. Do you understand why -- the reason you
17 told the jury you're here?

18 A. Yes, sir.

19 Q. What you'd like to see as to unity, et
20 cetera?

21 A. Yes.

22 Q. Is a different reason than why we are here
23 today?

24 A. Well, I feel like me personally that's why
25 I'm here so the jury could understand that the decision

1 that is being made, a decision is going to be made, it
2 certainly need to have some spiritual involvement with
3 that decision.

4 Q. Yes, sir.

5 A. Realizing that there are laws that the
6 State of Mississippi as well as the whole world is
7 governed by. But there are laws, biblical laws that I
8 stand on and principles, and that principle doesn't
9 allow me to encourage the taking of a life when it
10 wasn't given by man.

11 Q. Yes, sir. I understand exactly what you're
12 saying. But you also understand and appreciate,
13 we're -- I guess we're here to answer for the laws of
14 the State of Mississippi inside this courtroom.

15 A. I understand, sir.

16 Q. So long as you understand that's why we're
17 here.

18 A. Yes, sir.

19 Q. And that's why this jury is here.

20 A. Yes, sir.

21 Q. Okay. And you also understand that Ronald
22 Husband was without authority of law to take the lives
23 of Brandon Breland and Odell Fite.

24 A. Yes, sir.

25 Q. Reverend Chandler, do you have children?

1 A. Two sons.

2 Q. Two sons?

3 A. Yes, sir.

4 Q. And you've been trained in theology to
5 prepare you for your ministry.

6 A. Yes, sir.

7 Q. Okay. And you also are a parent.

8 A. Yes, sir.

9 Q. And you know as a parent and through your
10 teaching and your own raising --

11 A. Yes, sir --

12 Q. -- that as parents and as leaders, as
13 ministers --

14 A. Yes, sir.

15 Q. -- when somebody does something wrong --

16 A. Yes, sir.

17 Q. -- you punish that behavior.

18 A. Yes, sir. I understand that totally.

19 Q. Do you understand --

20 A. I understand that totally.

21 Q. Okay.

22 A. With the spirit of love.

23 Q. Thank you.

24 THE COURT: All right. Redirect.

25 MR. MEDLEY: Yes, Your Honor.

1 REDIRECT EXAMINATION BY MR. MEDLEY:

2 Q. He asked you, if you have children, you
3 understand you're punishing that behavior.

4 A. Yes, sir.

5 Q. You understand that this jury is being
6 asked to make a choice about punishment, don't you?

7 A. Yes, sir.

8 Q. So you know that they have a choice between
9 choosing life imprisonment without parole or to choose
10 death.

11 A. I understand, sir.

12 Q. And it's your belief that God can use this
13 life even in prison?

14 A. I really do. I think so. I have no doubt
15 in my mind about that.

16 MR. MEDLEY: We don't have anything
17 further.

18 THE COURT: Thank you, reverend. You
19 can step down.

20 All right. Ms. Steiner, what do you
21 have next?

22 MS. STEINER: Your Honor, the defense
23 would finally rest its penalty phase
24 evidence.

25 (CLOSING ARGUMENTS)

1 MR. FISHER: Thank you. Ronald Husband,
2 the defendant, murdered Officer Brandon
3 Breland. The defendant murdered Officer
4 Odell Fite. There's no need to discuss that
5 anymore. Don't need to deliberate on it.
6 This jury has already spoken on that issue.

7 What it is time for you to consider now
8 is the sentence to apply to the man who
9 stands convicted of these crimes. And,
10 again, as the judge spoke earlier, we are
11 dealing with the sentence of death. And that
12 is the most serious sentence that any court
13 or any jury can impose. But it is a sentence
14 that is recognized and authorized by the laws
15 of the states which we live in. And it is a
16 sentence that is contemplated for the most
17 serious crimes.

18 I ask you, ladies and gentlemen, does it
19 get any more serious than this? Two police
20 officers in the line of duty struck down.
21 Does it get any more serious than that?
22 Where the facts permit it and the law allows,
23 then you can return a sentence of death.

24 And it is clear that the laws of our
25 legislature allow for that very sentence in

1 this crime. So what you have to consider is
2 do the facts permit it. And as the judge
3 told you, the conviction alone is not enough.
4 You have to find certain other aggravating
5 facts. We submit to you that those factors
6 are present. You've heard testimony about
7 them. But let's recount them.

8 First of all, you have to be able to
9 establish, the state does, that the defendant
10 was previously convicted of a felony, of a
11 felony involving the threat of violence or
12 the use of violence to the person.

13 You'll be able to take back with you in
14 the exhibits, the orders, the sentencing
15 orders. And you will see that the defendant
16 was convicted of not only a felony involving
17 the use of threats and violence, but most of
18 the felonies. Aggravated assault, sexual
19 battery. Those are crime of violence.
20 That's an aggravating factor which is present
21 in this case.

22 The state also has to show that the
23 offense here was committed while the
24 defendant was engaged in the commission of an
25 attempted or an attempt to commit a sexual

1 battery. That's against Frances Arnold. She
2 described for you this morning the details of
3 that very encounter, how she was dragged back
4 to the back -- hit, struck in the head,
5 dragged back in the back room by her neck.

6 As the defendant told her, he was going
7 to have his way with her. That is an
8 aggravating factor also. Furthermore, the
9 offense was committed in the attempt to avoid
10 a lawful arrest. When these two police
11 officers arrived, they clearly were
12 identified as police officers. The blue
13 lights, the uniform. There was no doubt
14 about that.

15 And remember what Frances told you this
16 morning. He said, I'm not going back to
17 prison. He wasn't going back. He wasn't
18 about to be arrested. He wasn't about to be
19 taken in. And he was fighting tooth and nail
20 to prevent going there. That is when the
21 murder occurred.

22 The law requires that you find certain
23 aggravating factors. Those factors are here.
24 Those factors are present. You heard
25 testimony to that fact today. Where the law

1 permits it and the facts allow for it, the
2 state will ask that you return a sentence of
3 death to Ronald Husband for the murder of
4 Officer Odell Fite and the murder of Officer
5 Brandon Breland. Thank you.

6 THE COURT: Defense.

7 MS. STEINER: Thank you, Your Honor.
8 It's been a long day. It's been a day when
9 the rest of the world, the state, the rest of
10 the country has been honoring a man, Martin
11 Luther King who stood for justice.

12 He did not stand for vengeance. Like
13 Reverend Chandler, he stood for justice to
14 punish wrongdoing but save and hope for the
15 redemption of the wrongdoers. And you
16 remember, he's a man who fought against great
17 wrongdoing, hundreds of years of wrongdoing
18 existing till now.

19 He never once preached vengeance against
20 the racists he was fighting. He never once
21 preached vengeance against the people who had
22 kept -- who had been unfair to others. He
23 preached that all people in the next
24 generation would equally be redeemed. And
25 that's what we need here.

1 The state -- you are here now, and up
2 till now Ronald Husband's life has been in my
3 hands. I have done my best to talk to you,
4 to give you the reasons to deliberate
5 carefully, and I know you have come to a
6 careful and sober and well-considered
7 decision that was hard to get to, that he is
8 guilty of these crimes.

9 You can consider any doubts you may have
10 about the wisdom or the correctness of that
11 verdict if you want in considering the
12 sentence. As his honor instructed you, this
13 is irrevocable. And it's not that what will
14 happen if you do not sentence him to death is
15 not punishment for his behavior.

16 This is the most serious punishment that
17 the state can impose on the man. The
18 judge -- the state has talked to you about
19 punishing the behavior. well, we have the
20 man who you have convicted of doing this. we
21 have the man who has a record. we have the
22 man who did the things you have convicted him
23 of, and this man is going to be punished.

24 He will spend the rest of his life
25 behind bars in a cage environment maintained

1 by the Department of Corrections of the State
2 of Mississippi. He will never walk free
3 again.

4 He will never -- he will never fish with
5 his little boys again. His little boys will
6 never have their father proud of that bass
7 that's bigger than he is that you will see in
8 that book. He won't go to their weddings.
9 He won't go to their graduations. He already
10 missed the baptism into Christ of his younger
11 son.

12 He is being punished. He is being
13 punished. He is being punished by being
14 locked up. He is not, however, so
15 irredeemable or so evil that he should not --

16 THE COURT: Mr. Deputy, to go out there
17 and tell those people to stay calm or leave
18 the building.

19 MS. STEINER: I'm sorry. It is an
20 emotional time, and you -- but you know the
21 man who did the evil things is being punished
22 for the evil behavior. But you promised me
23 and promised the judge that you would
24 understand both the circumstances of how that
25 bad behavior happened and who this man was

1 other than that bad behavior.

2 what you have been hearing about all day
3 until the family came to explain to you who
4 he was besides that was the worst thing he
5 had ever done. We all have things that we
6 wish we hadn't done.

7 Now, fortunately thank God for most of
8 us they are not things as irrevocable as
9 having taken someone's life and ruined the
10 happiness of the family. But Ronald Husband
11 is more than that, and you heard that today.

12 He is a father. I mean, he has two
13 sons. There was the man who is convicted of
14 these crimes. There is the man who, while I
15 think it should go without saying, was very
16 upset in a domestic situation, committed the
17 crime you have found him guilty of. But
18 there is the other man. There is the
19 husband.

20 And this man -- it wasn't just the
21 crimes. You saw his wife. They not only had
22 their ups and downs, there was something
23 wrong in his association with Ms. Arnold.
24 She's very controlled. I think it
25 embarrassed her a little bit to cry in front

1 of you.

2 I don't think she wanted you to see -- I
3 mean, but she has the love, and if she can
4 have the love to forgive and love her husband
5 until death, you should not consider that he
6 was hanging out with some other woman even if
7 it hurt her. It doesn't -- the good Ronald
8 Husband who took care of his wife, who
9 brought that paycheck home and laid it down,
10 the money cash and the paycheck stub every
11 week, the man who took his boys fishing, the
12 man at their wedding who placed a ring on her
13 loving finger and prayed with her.

14 Some of their prayers were answered.
15 They have two fine boys, and those two fine
16 boys who dignity they wanted to respect. I
17 could have put them up here. It would have
18 embarrassed them. I don't think they could
19 have stayed composed. And I'm glad -- and
20 don't hold it against me that I didn't do
21 that.

22 You heard their grandmother. You heard
23 their mother. You know what this has already
24 done to them. You know what locking their
25 father up for the rest of his natural life

1 without possibility of parole is going to
2 mean to them and to him.

3 You heard from his mother. She's an
4 elderly woman. She's been married 48 years.
5 She's walking on a stick. She, like most
6 parents, is going to go before her children.
7 Ronald Husband will be punished. He will not
8 be permitted to join his family in grieving
9 her loss or his father's loss. He will do it
10 alone in a cage with people would do not know
11 his family, who do not know his family and
12 who cannot give him the comfort that we all
13 get by gathering with our loves one when we
14 lose a family member. He will be punished.
15 Locking him up for the rest of his life will
16 punish him that way too.

17 Now, the state, as it is required to
18 prove, is required to prove something that
19 aggravates this crime, that makes you feel
20 that some greater punishment is needed, in
21 fact some punishment so great that the man
22 who is loved, the man who Reverend Enright
23 Chandler has told you has progressed finally
24 after doing the worst thing he's ever done to
25 coming to know God, to coming to let go of

1 the terrible anger and the violence that
2 brought him here and all of us here today and
3 has torn apart three families.

4 These are not people insensitive to the
5 fact that their husband, their son, their
6 father has wounded another family. None of
7 us is. And this is a small community as
8 Reverend Chandler told you. Two deaths are
9 deaths that everyone in the community mourns.
10 A third death would just be another blow.

11 Punish the behavior. Punish the man who
12 did it. But let the man whose children love
13 him despite what he did -- he did good in the
14 world before. He brought two fine boys. He
15 has a loving beautiful wife. He has been a
16 joy to his parents. Let the man that they
17 love stay in prison. He will be punished.
18 But don't punish them too. His behavior is
19 punished.

20 The state, as I said, has talked about
21 aggravation. And we've got to talk about
22 Frances Arnold. I don't think any one of us
23 in this room was at all surprised at what she
24 said was going on when they got into a fight.
25 You have to weigh her credibility about what

1 that was. And I'm not -- again, I told you
2 before. I'm not suggesting that any woman is
3 deserving of being hit or beaten or of
4 having when she says no, that no respected.

5 I mean, any -- a woman who changes her
6 mind, even if you've been leading someone to
7 expect something, that woman has as much
8 right to change her mind and say no as any
9 other. I'm not asking you to condone if you
10 think that he was involved sexually and
11 against Ms. Arnold's will, that that's where
12 it was, that's what they were disputing. I'm
13 not saying you have to dismiss her right to
14 say no.

15 But you do have to understand two
16 things. First of all, the only reason you're
17 considering that is to determine whether or
18 not an aggravating factor exists. Your
19 sentence today is not to punish for that.
20 That crime is not before you. And the
21 sentence for that crime isn't in any event
22 not even permitted to be the death penalty.

23 So now we turn to what is mitigation.
24 And that's that word again. But I think what
25 we know his honor has instructed you, it's

1 not an excuse. It's not a justification.
2 But it's an explanation for how he got to
3 where he is.

4 And as the court has instructed you,
5 mitigation by law, by statute is the offense
6 was committed while the defendant was under
7 the influence of extreme mental or emotional
8 disturbance.

9 I think the very evidence they tried to
10 put on to show that it was aggravated by his
11 committing another crime, that is the same
12 evidence that shows the extreme disturbance.

13 Now, when I talked to you today, I said
14 I was going to put a doctor on to talk about
15 some of these things. But, you know, I heard
16 Ms. Arnold's testimony, and I listened to
17 Sergeant Louis Husband, the experienced
18 20-year police officer, and he said, these
19 domestic disputes are always emotional.

20 You heard the 911 tape. It was high
21 emotions, and I think whatever else caused
22 the emotionalism, I think we can believe Ms.
23 Arnold when she says he was not like he had
24 ever been. He was acting crazy. He was
25 highly emotional.

1 He went out with those officers in a
2 highly emotional state, and whatever happened
3 out there was the product not of deliberately
4 deciding to kill. He may have intended to
5 kill at the moment he did it. But it was not
6 something he planned to do. It was not
7 something he would otherwise do.

8 You heard again from Sergeant Husband
9 that he -- whatever other crimes he had been
10 convicted of, there was no signs that he had
11 ever before reacted resistantly to law
12 enforcement. When they came to take him an
13 hour later, he knew he was going back to
14 jail. The fact of going back to jail when
15 things calmed down and he wasn't in emotional
16 disturbance, he didn't fight it. He went.

17 He went back to jail. He has been in
18 jail ever since. He will spend the rest of
19 his natural life in jail being punished for,
20 in that moment of extreme disturbance,
21 letting the bad side, letting the violent
22 side, letting the side that made bad choices
23 out with the tragic results that it did.

24 And you can consider other -- anything
25 else you want as his honor has instructed

1 you. As mitigation, you can consider the
2 good Ronald Husband, the Ronald Husband who
3 brought two fine boys into the world, the
4 Ronald Husband who may -- whose existence in
5 the world may do some good even in prison.

6 Even if the only thing Ronald Husband
7 does in prison is find another bad man who
8 has done a bad and violent thing and tells
9 him about Reverend Chandler's ability to
10 comfort and bring them to contrition and
11 bring them to God, if he does even --
12 introduces him to one other prisoner, that
13 would be a reason of a good to live on. And
14 also the fact that he is not so irredeemable
15 that the punishment that takes away the
16 chance of his being the agent for anything
17 any such good to live on.

18 You have a choice here. Ronald Husband
19 will die in prison. He will die alone. If
20 he becomes ill, he will be in a prison
21 hospital. His family will not come sit next
22 to him, take shifts overnight as Ms. Arnold
23 was allowed to do when her husband was ill.
24 He will be in a prison hospital. He will die
25 alone in prison.

1 Your choice is, does that come when God
2 wants it to or will you tell the State of
3 Mississippi that they can decide when to do
4 it. Will you tell the State of Mississippi
5 kill him before God would take him? That's
6 an awesome responsibility, and it's an
7 awesome choice. And as Mr. Fisher has
8 pointed out to you, that is a choice you may
9 make, the law permits you to make. There
10 would be no punishment or trial of you for
11 making that choice here. But it is not the
12 choice you must make or that you should make.

13 Ronald Husband, in the heat of emotions,
14 in the heat of a woman screaming obscenities
15 at him calling the police on him, an
16 immediate fear of going back to prison,
17 killed. He made the worst possible choice.
18 And whether it's a choice -- and that was an
19 illegal choice. Even though your case isn't
20 illegal, you're being asked to make the
21 choice to kill, to take a life.

22 Ronald Husband was in the throws of the
23 worst anger, the worst hatred, the worst sin
24 within him. He didn't have the chance you
25 have to spend seven days hearing the worst

1 about him and to deliberate, to rational, to
2 bring his, the good morals you talked about.
3 The state asked her mother and his wife about
4 he probably knew what would have been right.
5 He killed in hot, sad, wrong passion.

6 You have the power to deliberate. You
7 have the power to show the mercy to the
8 people who love him and to his good side
9 while still punishing terribly the act and
10 behavior he did. And you have the power in
11 your mercy and your understanding to say, I
12 understand that it happened, I will let the
13 killing, the death in this community stop.

14 Monday morning these boys have to go
15 back to school with each other. Do we want
16 another death in that community weighing
17 down, festering, making people think of
18 vengeance and not of justice tempered with
19 mercy. No. No.

20 And I don't think even -- even there you
21 have -- if you choose to kill here, you will
22 be relying and doing so on the testimony of
23 Frances Arnold. She is the only person who's
24 told you about the sexual assault which would
25 let you do it. The only person who has told

1 you that he knowingly was worried about
2 escaping as opposed to just being so upset
3 that he couldn't stop tussling and worrying.

4 She's one who said, and I don't like
5 saying this word, but I'm saying it, fuck
6 your family. How can you say this was a calm
7 and rational act? How can you say that the
8 most important thing that was going on that
9 prompted this was an extreme disturbance?
10 Just because he hadn't respected his marriage
11 vows doesn't mean that he isn't upset when
12 those nice people, his wife, his family, his
13 boys, when this woman who had lied to him and
14 her own husband uses that word in the same
15 phrase.

16 sticks and stones may break my bones,
17 but words will never hurt me. You don't say
18 that kind of language to a man about these
19 good people without him losing it. And she
20 described him crazy, not like there was
21 something wrong, not like she'd ever seen him
22 before.

23 what he did was wrong. It was unlawful,
24 and you will punish him by locking him in a
25 cage for the rest of his life, and that is

1 punishment for that behavior. You wouldn't
2 hang a dog on testimony I wasn't certain of,
3 and I do not think we will ever know anything
4 except that he -- I'm not saying it was
5 justification for killing anybody, but he
6 went and did this terrible crime because of
7 what happened there and that kind of
8 language. I'm not saying it again, but just
9 remember, emotional disturbance she said
10 that. Use your common sense.

11 You should not take a life on that. Nor
12 give -- it's been -- these last convictions
13 that you will see, the last one was rendered
14 in October of 1991. You remember what
15 happened in the year 1991? He had his first
16 boy. He and his wife were looking forward to
17 their second baby. They both believed it
18 would be their little girl. They lost that
19 baby. His mother told you he took things to
20 heart. He wept. He dug and dug and dug
21 burying a dog.

22 How do you imagine? What was he
23 thinking? How was he distressed when it was
24 his baby that they were so looking forward
25 to? Understand that even these past crimes,

1 yes, you can find they exist. Technically
2 they're aggravation, but they don't say
3 anything about this crime or this man that
4 warrants killing him, that warrants being --
5 telling the state they can kill him, that
6 warrants taking him from this earth by the
7 will of an executioner with a needle full of
8 poison instead of when God calls him.

9 His honor has told you the death penalty
10 is never what you must impose. You may
11 punish severely, and you may, for any reason,
12 and this is each of you, unlike at our first
13 phase when you were told you have to reach a
14 verdict or else we have to go back to square
15 one. At the end of today's process, whether
16 you all agree or you can't all agree, we go
17 home with this man being punished. Each of
18 you must look in your heart.

19 You promised me and you promised his
20 honor that each of you would understand that
21 this was your oath to follow your morals on
22 voting on this and that you will vote even if
23 you believe something warrants not doing it
24 that's sense, if you believe -- you can --
25 any residual doubt you have about the

1 verdict, maybe only one of you or two of you
2 has those doubts, but that's enough. You
3 say, the killing stops, I'm voting to punish
4 this man by locking him up in a cage for the
5 rest of his life and throwing away the key,
6 but I can't be the one to kill. And you can
7 stick by that.

8 And you also promised me that even if
9 you don't agree with that stand, you will not
10 try and disrespect your colleagues' moral
11 judgment in that respect. I believe each of
12 the 12 of you here today has a reason in your
13 heart you can find in what you heard today a
14 reason to punish by locking him up but
15 letting God decide how and when he dies.

16 You have already said where he will die.
17 He will die in prison. He will die away from
18 his family. He will die alone, and he will
19 die in -- with only such comfort as his inner
20 spirit can have. He will die in remorse for
21 what he did, not just for how it ended up.

22 And his whole family, his whole
23 community still -- and he will die knowing,
24 not only did he hurt his family but taking
25 himself from them and doing something that is

1 shameful. He has hurt his family because, as
2 you have heard them say, the fact of the loss
3 of life he made in the community, the fact
4 that he has fractured two other families who
5 had no reason to have this pain on them, his
6 family too carries that pain and grief, and
7 he will die knowing that.

8 Your sentence in this instance where we
9 have an explanation that the state itself and
10 the court itself has said is reason enough as
11 a matter of law to punish by life in prison
12 without parole, ultimately the sentence comes
13 down to you. Are you, each of you, you and
14 each of you can understand mercy, can
15 understand sympathy, can understand
16 compassion, can understand hope of redemption
17 in this world. And you and each of you know
18 that to kill Ronald Husband instead of just
19 making his life in prison alone, you know
20 that that is not the appropriate thing to do.

21 Don't take two more boys' father to the
22 graveyard by your act. Return each of you
23 individually and all of you together, if you
24 can, a verdict that he should spend the rest
25 of his life in prison without parole and die

1 alone there in prison but when God takes him
2 not when the State of Mississippi chooses to
3 do it.

4 MR. MEDLEY: You folks have been here
5 for a week. And I know you're getting tired,
6 and you have this one more job to do.

7 Certainly I know it's probably been a painful
8 experience for you to have to sit through all
9 this. And there's a lot of pain to go around
10 in this situation.

11 I don't want you to think that anything
12 my co-counsel says or that I say diminishes
13 the pain of the families of these victims. I
14 don't mean to do that at all. I know they
15 are hurting tremendously. You've heard the
16 prosecution talk about these families. You
17 know they've lost a loved one. Two different
18 families have each lost in this situation
19 where the officers were slain.

20 So there's enough pain to go around
21 here. But the job that we talked about
22 before that you have to do is to make a
23 decision in this situation, and we've said
24 over and over, you have to use your common
25 sense to do that.

1 where do you get that common sense from?
2 Each of you I noticed on your information
3 that we received put down that you're a
4 christian. So you draw on that to be a part
5 of who you are and to help you make choices
6 in each stage of your life. I'd like to
7 think that as I go through my life I use that
8 little thing that was on the bracelet a while
9 back that everybody wore, what would Jesus
10 do. In all the choices that I make, I want
11 to be more like that.

12 So we try to draw on that to help us
13 make the choices we do. And in here, as
14 you're making the choice on what decision to
15 make, I want you to draw on that. You know
16 we've heard over and over, every one of us
17 have in this society that we live in, things
18 have gotten bad. I mean, two policemen are
19 dead. That's what we've gone through is bad
20 stuff happening. It's just gotten bad in
21 this world.

22 It ain't just gotten bad. It's been
23 bad. In the first family, Cain killed Abel,
24 his own brother. But God used the -- and
25 bring forth the whole chosen people. As

1 you've grown up in Sunday school or in
2 catechism or what church training you've had,
3 you've learned those stories from the bible.

4 King David. King David had a man killed
5 so he could have sex with his wife. That he
6 was called a man after God's own life because
7 God stepped into that life and did something.

8 And God can step into this life. I
9 believe he already has. But whether he has
10 before or whether he will in the future,
11 that's the opportunity God needs to work in
12 this life, to touch another life, not
13 diminishing the pain. I'm hoping that God
14 steps into the hearts of these families and
15 helps them with their life.

16 Each one of us sitting here in this room
17 have had pain to deal with. There's
18 situations that happen in our lives that
19 cause us pain. It's just part of what
20 happens. Thank goodness that we have that
21 faith that we've grown up on to help us learn
22 how to deal with that pain, to learn about
23 forgiveness.

24 I've always thought forgiveness doesn't
25 help the wrongs. Forgiveness helps the

1 heart, the one that's been hurt by it. And
2 the bible is over and over giving stories of
3 examples of that. The Apostle Paul called
4 himself the greatest of sinners. He had been
5 going around persecuting Christians, standing
6 there stoning Stephen. He called himself the
7 greatest of sinners yet look what God did to
8 that life.

9 The greatest portion of the new
10 testament, which is what we base our
11 Christianity on, is the life of Paul after he
12 killed Stephen, after he killed countless
13 others. So I want each of one you to reach
14 in your heart and to see in this situation
15 and you are, as God, the opportunity to work
16 in this life.

17 There's enough pain to go around. God
18 needs to work in the hearts of all of these
19 families, on the side of victims, and on the
20 families of the Husbands to move them to a
21 place of peace. So we're asking you today if
22 you will put a stop to the pain and suffering
23 right now. No more pain and suffering.
24 Don't let another man die. Let's move this
25 thing to a conclusion and allow all these

1 people to start with healing.

2 THE COURT: State.

3 MR. SCHMIDT: For the second time in
4 three days I come before you on behalf of the
5 State of Mississippi and ask you for you to
6 come back to remember why we're here. It's
7 the second half of closing Saturday night.
8 Let's take a breath. Let's think about some
9 things we know and what you said by your
10 verdict.

11 And that is, two good policemen have
12 been assassinated, shot down on the job
13 leaving behind everything they had that
14 November night. When this man sitting at
15 this table put that gun to the chest of Odell
16 and squeezed that round, there were no
17 aggravating circumstances, no mitigation, no
18 weighing process, no seven days in a jury
19 box.

20 When he shot Brandon in the back, there
21 was no weighing process, there was no cry for
22 help to plead for mercy. There was no
23 reference to Martin Luther King or the Old
24 Testament. It was a calculated, coldblooded,
25 merciless killing. That is why y'all sit

1 here today.

2 The defendant again and again and again
3 and again put himself at that table. It is
4 his actions, his lifetime of taking advantage
5 of people of committing assault, sexual
6 battery, and the phonecall felony, and the
7 merciless killing of Brandon and Odell that
8 give him the death penalty. Not this jury,
9 but him. He gives himself the death penalty.

10 It's very hard as a prosecutor, as a
11 representative of the state we all live in to
12 try to come behind someone quoting the bible,
13 to try to refute that, and I always, always
14 try not to fall into that. But I do want to
15 say one thing.

16 In this courtroom, in this jury box, in
17 that jury room, is the place for him to be
18 accountable to the State of Mississippi. A
19 later date, a later time, he can be
20 accountable to his maker. And the gospel
21 says give or render to Caesar that which is
22 Caesar's. We're Caesar here today. Render
23 to the lord that which is the lord's.

24 He'll receive his perfect trial one day
25 in the further. But today, Saturday, all the

1 way back to last Monday, it is time for this
2 court or for the state to ask you to finally
3 fulfill your oath as jurors. And now that
4 you know that the facts support it and the
5 law allows it, to impose the ultimate
6 penalty.

7 The defense wants to make you mindful of
8 the defendant's family and what he has done.
9 And that's not disputed. That coin has two
10 sides. And I ask you to please be mindful of
11 the other side of that coin.

12 We're here today again not because
13 Brandon and Odell are two strangers on the
14 street, not because they worked for a
15 company, but they were policemen doing their
16 jobs.

17 When we way back years back decided to
18 form societies and get together as groups,
19 one of the first thing that a group has to do
20 when they're building a town or a city or a
21 state is they got to make sure there's people
22 there to protect them. Going back way back
23 hundreds of years. And we have to afford
24 those people who take on those risks every
25 day to protect the greater good, greater

1 protection than everyone else.

2 Today we call them policemen, and they
3 receive special status when they put on that
4 gun and that belt and leave home, leave
5 behind their loved ones praying to the good
6 lord that they come home. And when they
7 don't because, and only because, when they
8 are carrying out the duty they swore to
9 uphold to protect the greater good, to obey
10 the law, and when they receive their ultimate
11 punishment doing their jobs is when we, as a
12 society, as a state, say that is capital
13 murder, and we will not tolerate it.

14 That is what, ladies and gentlemen, I
15 call upon you to remember. Sure. He's got
16 plenty of priors. Violence is nothing new in
17 his life. This thing's been going on since
18 Monday morning. Y'all got here before I did.
19 Take your time back there. That jury
20 instruction is long. I ask you to take your
21 time and read over it. It's a very
22 systematic process you have to go through.
23 You have to write down your verdict on a big
24 piece of paper. If you want to impose the
25 death penalty, write out all those things.

1 Not many times in the course of a career
2 as a prosecutor does one rise before a jury
3 and ask to impose the death penalty. Ladies
4 and gentlemen, I'm rising before you now
5 asking you to do it. And, again, it's his
6 actions which call for it. No one else's.

7 (END OF CLOSINGS)

1 STATE OF MISSISSIPPI

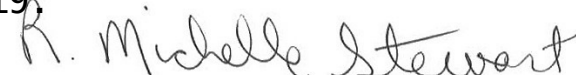
2 COUNTY OF STONE

3
4 CERTIFICATE OF COURT REPORTER

5 I, R. Michelle Stewart, CCR 1305, Official Court
6 Reporter for the Second Circuit Court District of the
7 State of Mississippi, do hereby certify that the
8 foregoing 130 pages constitute, to the best of my skill
9 and ability, a true and correct transcript of the
10 SENTENCING had on the 21ST day of January, 2008, before
11 the Honorable ROGER T. CLARK, Circuit Court Judge of
12 the Second Circuit Court District of the State of
13 Mississippi, being a regular day in the January Term of
14 Stone County Circuit Court held in Meridian,
15 Mississippi.

16 I do further certify that my certificate annexed
17 hereto applies only to the original and certified
18 transcript and electronic disks. The undersigned
19 assumes no responsibility for the accuracy of any
20 reproduced copies not made under my control and
21 direction.

22 WITNESS MY SIGNATURE on this, the 27TH day of
23 August, A.D., 2019,

24 

25 R. MICHELLE STEWART, CCR 1305
Official Court Reporter

R. Michelle Stewart, CCR, Official Court Reporter