
The Ballad of David Wayne Lee

Karl Williams and Robert Perske

What follows is the actual lyric from a song about a young man with mental retardation who signed a confession for murder. It stems from collaboration between a songwriter and an advocate/author. The first author, who works in the Nashville music community, is also known nationwide for the way he provides musical wings to the words of persons with disabilities. Perske spends his time looking for cases in which persons with mental disabilities were coerced into confessing to murders that they probably did not commit.

The collaboration began when Williams listened quietly and at length as Perske shared what he knew about the cases of Jerome Bowden

(executed), Walter Correll (executed), Barry Fairchild (executed), Alejandro Hernandez (acquitted), Richard Lapointe (still on appeal), Anthony Porter (acquitted), Robert Wayne Sawyer (executed), Delbert Ward (acquitted), Earl Washington (a half-hearted reduction to life without parole), Johnny Lee Wilson (pardoned), and David Vasquez (pardoned).

Williams took this information and crafted the lyric and music to the ballad that follows, which now appears on a Canny Lark Music label. Recognizing the crucial need for fresh policies, programs, and laws that will solve this perplexing human situation, the lyric is offered here to help move things along.

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THE BALLAD OF DAVID WAYNE LEE

Washing dishes down at the diner since 1983,
He had a smile for everyone he met walking down the street.
There was a woman raped and murdered—Officer Moore ran out of leads.
So he stopped in to talk to David Wayne Lee.

He said, "David Wayne, I consider you a friend of mine.
You heard about that Jones girl killed last year about this time.
Well, I've been working on the case and I'm really in a bind.
Will you come down to the station and help us solve this crime?"

I didn't do it.
I didn't do it.
I didn't do it.
thought David Wayne.
If I didn't do it, there's nothing to it.
I'll go down to the station, then I'll come back again.

Hidden in that station was a room few people saw—
A bare light bulb, a table, and a chair and nothing on the walls.
Officer Moore said he'd be right back—he gave no reason at all.
David Wayne sat for 45 long minutes, alone with his thoughts.

I didn't do it.
I didn't do it.
I didn't do it.
thought David Wayne.
I didn't do it, but there's something to it.
Here I am at the station, when will I go home again?

The door opens, Moore reads from a paper he calls *Miranda Rights*:
“David Wayne Lee, you can keep silent; you can have a lawyer on your side.”
David Wayne can’t understand it, no matter how hard he tries.
Why would he keep silent, why would he need a lawyer, when he’s got nothing to hide?

“I didn’t do it.
I didn’t do it.
I didn’t do it.”
says David Wayne.
“You didn’t do it—that’s a new twist!”
Officer Moore locks the door when he goes out again.

When Officer Moore comes back, he’s with another man this time.
He says “David Wayne, we have evidence you’re the one who did this crime.”
David Wayne’s head is spinning, and then he starts to cry . . .
He learned in school a policeman is your friend, so how could Officer Moore be telling a lie?

Hour after hour, Officer Moore and the other man . . .
One says, “You remind me of my son—I hate to see you in this jam.”
The other says, “We know you did it, now tell us why and when!”
Hour after hour after hour, first Moore then the other man.

“I didn’t do it.
I didn’t do it.
I didn’t do it.”
says David Wayne.
“I didn’t do it, I was in St Louis
On weekends I visit my sister—I go to see her on the train.”

“Maybe I do need a lawyer,” says David Wayne finally
“If that’s what you want,” says Officer Moore, “you’ll get no more help from me.
We’re really close to the end of this—I think I’m what you need,
But if you decide to have a lawyer, then I’m gonna have to leave!”

“You didn’t do it,
You didn’t do it,
You didn’t do it,”
that’s what you say.
You didn’t do it, you’re sticking to it.
But the fingerprints and the witness say you were there that day!”

“Maybe you can’t remember. Maybe you blacked out.
You got the knife from the kitchen—right? It was already in the house.”
Officer Moore keeps talking till David Wayne begins to doubt.
“If you sign this paper,” they say, “you can go home now.”

“I didn’t do it.
I didn’t do it.
I didn’t do it.”
says David Wayne.
“I didn’t do it, but I can’t go through this any more!”
So he signs their paper, and his whole life is changed.

“He’s a jackal,” says the prosecutor, “and he deserves to die.”
David Wayne in a WalMart suit, with the receipts pinned inside.
The public defender’s got 400 cases and precious little time.
There’s not a witness or any evidence but the jury must decide.

“He didn’t do it.
He says he didn’t do it.
But here’s his confession!”
the prosecutor shouts,
“David Lee *did* do it—he put his signature to it.
Now you go and do your duty, and find him Guilty when you come out!”

Now David Wayne sits in a cell, sentenced to the electric chair,
His friends and family have turned away, but still somebody cares.
A psychologist, a lawyer, and a literacy volunteer
A detective, a nurse, and a businessman working to get him out of there.

He didn’t do it.
He didn’t do it.
they believe what David Wayne says.
He didn’t do it, but they can’t prove it,
There’s no one to testify now that his sister’s dead.

All across this country, there are people on death row.
Convicted with no evidence of crimes they didn’t do.
Tricked to sign confessions by policemen who should know
Better than to take advantage of defenseless folks.

They didn’t do it!
They didn’t do it!
They hear Miranda,
but they wave their rights.
Here in the U.S., is this what we call justice?
And the way the laws are written, it’s impossible to fight!

They’ve shaved his head and body, put shackles to his hands and feet.
Hot dogs, applesauce, and mashed potatoes—that’s what he asked to eat.
David Wayne stumbling down the row of cells, held up by two guards and a priest
And Moore promoted to Captain just last week.

“I didn’t do it!
I didn’t do it!
I didn’t do it!”
hear David Wayne cry.
“I didn’t do it!
I didn’t do it!
I didn’t do it!
I didn’t do it!
I didn’t do it . . .”

Reference

Williams, K., & Perske, R. (1997). *The Ballad of David Wayne Lee. On Respect: Songs of the Self Advocacy Movement by Karl Williams & Self-Advocates Becoming Empowered* [CD/cassette]. Harrisburg, PA: Canny Lark Music. (This CD/cassette is available from SABE at www.sabeuse.org or from Karl Williams at www.karlwilliams.com.)

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