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# West of Memphis

By Amy Berg

**REPORTER:**

in and the reporters are getting ready to cover this news conference. Many parents in the community will be breathing a sigh of relief if this indeed is the break that police have been waiting for. Chief Inspector Gary Gitchell is about to begin, and he's also bringing in some photographs. Obviously these will probably be photographs of the suspects. Of course, suspects unofficially at this point, although many believe in this triple murder of the three 8-year-old boys.

**Arrested at 2:**

June the 3rd, 1993.  
Jessie Lloyd Misskelley.  
Jessie Misskelley is 17 years of age.  
Charles Jason Baldwin.  
He is 16 years of age.  
Michael Wayne Echols.  
Mr. Echols is 18 years of age.  
He is charged with three counts of capital murder.

**REPORTER:**

when these guys were arrested?  
I was surprised about Jason because he's, like, the quiet one of them all.  
But I wasn't surprised about Jessie Misskelley and Damien Echols, because I just expected it out of them sooner or later.  
Killer!

**PAM:**

were asking for clothing so they could give it to the dogs

to pick up scent,  
the bandana here was the only thing  
that I had in my household  
that had Stevie's scent on it.  
I've never washed it.  
When I get the need to just want  
to feel him again, um,  
I'll grab it and I'll hug it,  
and I'm so thankful  
I feel an embrace back.  
I was walking the route  
to take Stevie to school,  
and I checked him out,

**I believe, at 2:**

Stevie told me a hundred times,  
probably a thousand, on the way home:  
"I love you, mama." "I love you too, son."  
And it was just constant.  
We got home, first thing I asked him,  
"Do you have any homework?"  
He said, "I did, but I did it in school."  
And he hung his homework  
on the refrigerator.  
And Michael Moore came up,  
and they started asking,  
could Stevie go to Michael's house?  
And I said, "No, I'm getting ready  
for work, I'm cooking supper."  
Both of them,  
you know, begging:  
"Please, please, please,  
we'll be back," and all that.  
I gave in and I said, "Okay." I said,  
"But, boy, you better be home by 4:30.  
If you're not, I'm gonna ground you  
for two weeks from that bike."  
I'm gonna say Christopher  
probably arrived at the house

**around 3:**

and he asked me if Stevie was there.  
I told him, I said, "I'm surprised you didn't run  
into him because him and Michael just left."

He left and he was gonna go  
searching for Stevie and Michael.  
Uh, well, around 4:45, Stevie had...  
Still hadn't arrived.  
Terry came in. I told Terry,  
"Well, let's go ahead and leave."  
We went ahead,  
and he took me to work.  
My night at work was a normal night.  
Terry walked in, to the phone,  
didn't say hi, bye, nothing.  
He just walked to the phone,  
and I took two pieces of candy  
to the car and Amanda was there,  
and I asked her, "Where's Bubba?"  
And she said, "Mama, we can't find him."  
And I thought the worst,  
that he was dead.  
I got out of the car, went through  
this door, got out of my uniform,  
put sweats on and put a T-shirt on.  
Because all I was trying to focus on  
is where's Stevie, where's he at,  
and I gotta get out there,  
and I gotta start searching.

**BYERS:**

**was about 6:**

What's...? Give me your name.  
My name is Mark Byers.  
Okay. Has your son...?  
Has this ever happened before?  
None of the boys have ever  
gone off anywhere.  
None of the three have ever been  
missing or taken off ever before.  
What's going through your mind  
as a parent?  
I'm scared to death.  
That's, you know, plain and simple.  
I'm scared for the safety  
and welfare of all three boys.

**JONES:**

called the West Memphis P.D.  
The dispatcher Lucy  
answered the phone.  
She said, "We've had three children  
missing since last night."  
I said, "Well, you know,  
I'm gonna go help too."  
I'm not seeing anything.  
Not seeing no kids running around  
on bicycles or nothing.  
And then I thought  
about Robin Hood Trails  
as I was driving down Goodwyn,

**and I said:**

"Well I'll... I'm gonna go over there,  
just get out and walk around."  
I was looking around, you know,  
just physically looking out and about.  
And then I looked  
into the small ditch.  
That's where I saw the tennis shoe at.  
I called  
West Memphis Police Department  
to have Mike Allen  
meet me out here.  
And so I showed him the area  
of the tennis shoe.  
And Mike had said  
he was going to take it out.  
Mike fell into the water.  
I was looking down on him like this.  
He looked up and I said, "What?"  
And he said, "it feels like my leg  
is caught on something."  
Like a log or something."  
And Mike fell backwards,  
and when he fell backwards,  
his leg came up...  
and one of the little bodies  
was on his leg.

**PAM:**

told me Stevie was dead,  
I really lost it,  
lost all touch with reality.

**NEWSCASTER:**

Steve, and two of his friends  
were found murdered  
Thursday before last.

**FOGLEMAN:**

life than I would like it to be.  
Because frankly I'd like to be able  
to not have those three 8-year-old boys'  
pictures in my mind.  
What you found, you found three boys  
that had been hog-tied  
and thrown in the water.  
It appeared  
that they had been sexually mutilated.  
That appears to be cult-related.  
The West Memphis Police Department  
a lot of times would ask me about  
occult things as though I were the guru.  
I probably was because there wasn't  
anybody else that was doing it.  
This program is designed to help  
law enforcement officers  
better understand Satanic cults.  
I got some books and I spoke to police  
organizations around the country  
that had some experience with it.  
Okay, we have a rope here.  
If you look at it closely...  
I don't know  
if the camera can pick this up.  
But there's blood on this noose.  
The police department asked me  
to put together a list of people  
that we had on probation that might  
be involved in that type of activity.  
Well, the guy that I knew  
that was involved the most in it  
was Damien Echols.  
The two guys he ran with,

Jessie and Jason...  
Jessie would fight.  
Jason was not very aggressive,  
in that respect,  
but I believe he would do anything  
that Damien asked him to do.

**REPORTER:**

since the three boys were killed.  
Cameras are in place  
and miles of cable laid  
in preparation for this  
highly publicized murder trial.

**DRIVER:**

were the most likely to have done it.  
Move back.

**DRIVER:**

had the confession from Jessie.

**REPORTER:**

yet was introduced in open court.  
Misskelley's taped confession  
made to police.

**JESSIE:**

this one... Hit this one boy real bad.  
Then he start screwing him and stuff.  
Jason turned around  
and hit Steve Branch  
and started doing the same thing.  
Michael Moore took off running,  
so I chased him  
and grabbed him and held him  
until they got there, and then I left.  
If he does not run  
through the woods  
and chase him down and bring  
him back, Michael Moore lives.

**FOGLEMAN:**

you to some meeting?  
He did. A cult, Satanic meeting.

**FOGLEMAN:**

**GITCHEL:**

the things y'all do, being in this cult.  
We go out, kill dogs and stuff.  
Some of my friends had said  
they saw a hog's head out here,  
and they saw the body  
in a plastic bag.

**REPORTER:**

to prove motive in this case,  
calling this a cult-related killing.  
Whether that will be enough  
to sway the women and men sitting  
on this jury remains to be seen.

**REPORTER 1:**

comment about the charges?  
Did you do it?

**FRENCH:**

me that I had summons to be on the jury.  
And I didn't want to be on there  
in the beginning.  
But I didn't know how to get out of it.  
Is it your opinion  
and do you want to tell this jury  
that these crimes were motivated  
by occult beliefs?  
Yes.  
Blood is the life force.  
They prefer to have a child  
that is young.  
There's evidence of genital mutilation,  
and the red is the shaft of the penis.

**CARSON:**

he dismembered the kid.  
He sucked the blood from the penis  
and the scrotum  
and put the balls in his mouth.  
You take this knife and drag it,



and it rips and tears.  
The knife is being twisted  
and the victim is moving.  
Just like in the picture.

**DRIVER:**

It was pretty dark.  
A lot of death, a lot of...  
He talked about dead children.

**FOGLEMAN:**

and the terror of mortal men."  
Look favorably on my sacrifice."  
I think they went out in the woods.  
They may not have been meaning  
to kill them.  
And then it just got out of control.  
And Damien,  
I think he was the mastermind  
over Jason and Misskelley.  
I do believe that. I do.  
You begin to see inside  
Damien Echols.  
And you look inside there  
and there's not a soul in there.  
I know he's guilty, you know.  
I can't imagine the fear going  
through them boys  
watching one another get killed.  
Knowing they was next.  
I can't believe the heinous crime.  
"We, the jury, find Damien Echols guilty  
of capital murder"  
in the death of Stevie Branch.  
Guilty of capital murder  
in the death of Chris Byers.  
"Guilty of capital murder  
in the death of Michael Moore."  
A message has to be sent.  
You can't be involved in murder  
and expect to get away with it.

**REPORTER:**

in prison for the murder of Michael Moore.

And 40 years for the murders  
of Steven Branch and Christopher Byers.  
"We have determined that  
Jason Baldwin shall be sentenced  
to life imprisonment without parole."  
If I'd been on the jury,  
I sure would have found them guilty.  
If there is ever an appropriate case  
for the death penalty in Arkansas,  
you've got it in your hands now.  
That they burn in hell.  
They wanna worship the devil,  
let them meet him. I hope they do soon.

**BURNETT:**

determined that Damien Echols"  
shall be sentenced to death  
by lethal injection."  
I was kind of, I guess, happy,  
if I could...  
Might say that word, that everybody else  
was as angry at them as I was.  
Now my boy can play  
and go on about his life in heaven  
the way it is,  
and I'll go on with mine  
the best I can.  
And I'm glad it's over.  
It's like the community felt  
like they were relieved  
that somebody was behind bars  
and that they didn't have to be quite  
as scared as they were. They were guilty.

**OPERATO:**

from an Arkansas correctional facility.  
I have a prepaid call from:

**DAMIEN:**

**OPERATOR:**

If you wish to accept... Thank you.

**LORRI:**

probably have 5000 letters  
that we've written to each other  
over the past 15... Fourteen, 15 years.  
You know, it's the way  
we got to know each other.  
I saw the film Paradise Lost,  
which is a documentary  
that was made about the original trial.  
I was living in New York City  
at the time  
and I saw it at probably  
the second time it was screened.  
We were just watching TV  
the night we were arrested.  
We were in the bedroom,  
turned the light off.

**LORRI:**

film, he reminds me so much of myself.

**DAMIEN:**

she awarded herself the first-place prize  
and rode in a parade?  
She had this sign on the side  
of a car that's saying "first place"  
and it's got a blue ribbon on it.  
And it was not even a contest!  
She just gave herself "first place."

**LORRI:**

writing, corresponding with him,  
and then I cared deeply about him.  
And the next thing I know,  
I'm in Arkansas.

**DAMIEN:**

uhh, a pet turtle for a while. A box turtle.  
Did you do any painting on its shell?  
I most certainly did not.  
We did.  
Seeing the film, you realize  
something has gone wrong.  
You don't get the full picture  
because there's so much to the story,

as we've learned,  
as it's unfolded over the years.  
I was struck by the fact that these people  
didn't commit these crimes.  
They don't have the right people  
in prison.

**REPORTER:**

whether justice was served  
have loomed in this case  
since the verdicts.  
The HBO documentary Paradise Lost  
gave the case worldwide attention.  
I am so glad to see so many people here,  
people who are interested in this case.  
When I started to write Devil's Knot,  
my friends said, "Mara, they did it."  
And I said, "Well, that may be,  
and if that's true I'm gonna find out."  
This was probably the first  
crowd-sourced criminal investigation  
in history,  
is about the only way to describe it.  
The case was supposedly solved.  
If it was an open case,  
the West Memphis Police wouldn't be  
required to make available documents.  
The West Memphis Police put together  
an incredibly large investigation.  
Even if a lot of it was nonsense  
and rumors.  
So we could take on the case,  
we could begin to ask the questions.  
We can look at Jessie's confession  
and we could say:  
"Wait a second,  
what did he really say  
compared to what he was claimed  
to have said?"

**LEVERITT:**

Misskelley made his statement to police,  
it was recorded, transcribed.  
And then it was immediately leaked

to The Commercial Appeal.

**STIDHAM:**

page of the Memphis Commercial Appeal  
just like everybody else did.  
And it seemed like it happened.  
When we were appointed  
by the court in 1993,  
we thought it wasn't gonna be  
a jury trial.  
We thought it was gonna be a plea.  
As I got deeper into the case  
and looked at things,  
they just didn't start making sense.  
Misskelley's versions  
of what happened changed wildly,  
and he couldn't get the story right  
every time or any time.

**JESSIE SR.:**

knew that Jessie didn't do it.  
He didn't like Damien,  
he was scared of him.  
He, uh, stayed away from him  
as much as possible.  
Well, he wasn't too good in school.  
Had to take him out of school  
and I got him started  
doing mechanic work.  
He caught on pretty good.

**JESSIE:**

taught me, you know... Tell the truth.  
Tell the police the truth. I thought  
the police was there to help you.  
That's when they, uhh,  
started questioning me.  
Gary Gitchell and Bryn Ridge was,  
you know, asking me some questions.  
You know, about the kids.  
And I tell them,  
"I didn't know nothing about it."  
The only thing I knew was what, you know...  
What I was told from another guy.

I kept telling them the whole time,  
"I wanna go home. I wanna go home."

**HILL:**

behind why he confessed is  
that he's borderline  
mentally retarded.

He was trying to compose a story  
as though he was there.

He just didn't have the details.

**JESSIE :**

uh, they beat up all three of them.

**RIDGE:**

then they took their clothes off?

JESSE". Mm..hmm. And then they...

FUDGE". Then they tied them?

JESSE'. Then they tied them up.

Tied their hands up.

**RIDGE:**

that all this was taking place?

I was there about 12.

About noon?

"Okay. Was it after school had let out?

JESSE". I didn't go to school.

It couldn't have happened at noon.

It couldn't have happened

before the kids were out of school.

So they kept leading him down the path

**from noon to 4:**

Was it getting dark?

**RIDGE:**

exactly right, what you're saying.

**STIDHAM:**

like the word "interrogation."

They like the word "interview."

So Mr. Misskelley wasn't interviewed,  
he was interrogated.

And he was interrogated from 9:00

in the morning until after dark.  
This is an entire day  
that he was being interrogated,  
yet we only had a few minutes  
of the audio tape.

Jessie, about what time was it  
when the boys  
came up to the woods?

JESSE'. I'd say it was about...  
It was about 5 or so. Five or 6.  
Ummmm.

All right, you told me earlier it was  
around 7 or 8 or... Which time is it?

**JESSIE:**

**GITCHELL:**

I remember it was starting to get dark.  
"GYICHELL".  
Okay, well, that clears it up.

**DRIZIN:**

think it's important that people realize  
that this is not just about a person  
with disabilities  
falsely confessing to a crime.  
This is about police misconduct.  
That's what this is about.  
Once police convince  
the person to make a statement  
against their interest, how does  
that person know what to say?

**GITCHELL:**

stick, and hit the boys with?

**JESSIE:**

stick when he hit that first one.  
It's because of this phenomenon  
known as contamination,  
the police will suggest facts  
about how the crime happened.

**RIDGE:**

little boys from running off?  
Were their hands tied in a fashion to where  
they couldn't have run? You tell me.

**NIRIDER:**

listening to the police.  
Listening to their interrogators  
ask those leading questions.  
"Weren't these boys sexually assaulted?"  
Then they know what story to tell back.

**RIDGE:**

Where was he cut at?  
"JESSE". At the bottom?  
FUDGE'. On his bottom?  
GYCHELL". Do you mean right here?  
In his groin area?  
FUDGE".  
Do you know what his penis is?  
Yeah, that's where he was cut at.  
Did it ever occur to you  
that what he was telling you was false?  
His entire story was false?  
Jessie simply got confused. That's all.

**DRIZIN:**

on the basis of his confession.  
And neither was Damien and Jason.  
They were convicted on the basis  
of Gary Gitchell's confession.  
That was his story.  
All they had to do  
was get Jessie to agree to it.

**STIDHAM:**

to get a confession from someone  
who's mentally handicapped.  
It's like interviewing a 3- or 4-,  
5-year-old child.

**BURNETT:**

to crimes that they didn't commit.  
You know, I'm sure  
there may be circumstances



where a person might  
have a low mentality.  
He's slow-minded, is what it is,  
you know what I mean?  
It took a while for him to, you know,  
get things straight in his mind.  
Kind of slow-minded, you know.  
Well, hell, everybody's a little bit  
slow-minded anyway.  
I just have better faith  
in our law enforcement  
than to force somebody  
to make a statement that's untrue.

**HILL:**

poisoned from the very beginning.  
The most basic things  
about the investigations,  
talking to the family members.  
Getting statements from police  
that evening.  
You know, whether they had these alibis  
or not, but it wasn't done.  
And it's why the case went bad.

**GAIL:**

investigating some of these people  
who've been arrested  
for child molestation.  
"FUDGE". Well, it's like this.  
We've got a story  
that is very, very believable.  
It is so close to perfect  
that we have to believe it.

GA;

I don't see how anyone could believe it.  
Jessie Misskelley said it happened  
that morning and everything.  
Jason was in school.  
And then Jason mowed  
his uncle's yard.  
He got some money,  
went to play video games.  
I called Jason's house,

and Jason and Damien  
and Jason's brother  
were playing video games.  
They weren't talking much.  
I got a little irritated at them.  
Damien asked me to call him  
later that night.  
There was never a night  
that we never spoke.  
I remember that we had talked  
that night.  
When I spoke to police and they came  
one afternoon and they spoke to me,  
and I talked to them once  
and that was it.  
"On 9-10-1993, I met Jennifer Bearden  
at her residence in Bartlett, Tennessee."  
The interview was a result  
of having obtained information  
that she'd been on the phone  
with Damien on the day of the homicide.  
She informed me of several times when she'd been  
on the phone with Damien and Jason after school.  
"And until about 9:30 p.m.  
on the evening of 5-5-'93."  
I was never given a chance  
to at least give them, you know,  
an alibi to the jury, I mean.  
And honestly, I don't think  
it would have changed their minds.  
I think they were pretty dead-set  
on what they were gonna decide.  
The evidence will show  
that not only was Mr. Misskelley  
not in Robin Hood Hills  
at the time of these homicides, he was in  
a different county almost 40 miles away  
the time these crimes occurred.  
There were a lot of alibi witnesses.  
When was the first time  
you remember seeing Jessie?

**At, uh, 2:**

Jessie came to the house. I asked if he could

watch the kids while I went to a conference.  
She got back about 4:00  
and we went walking.

**BOY:**

I met him on the corner.  
Talking about him fixing to leave  
to go to wrestling.

**STIDHAM:**

we went back and visited with them,  
they came to the conclusion,  
"Oh, yeah, that's the night  
that we went wrestling with Jessie."  
Do you remember if you went wrestling?  
Yes, sir, I did.  
Okay, do you remember who went?  
Jessie, Freddy.  
Me and Jessie and Freddy  
and James was at wrestling  
that night, you know.  
And that's the night that he got hurt.  
And that's the night  
that so-and-so only went with us.  
Once. One time.  
That was the same night that we signed  
this register at the wrestling hall.  
Do you remember seeing Misskelley?  
Yes, sir.  
Yes, sir. Yes, sir.  
You remember Jessie Misskelley?  
Yes, sir.  
Are you positive about that?  
Yes, sir.  
Looking through the juror's notes,  
they hardly seemed to pay attention  
during the alibi portion of it.

**PAM:**

myself because I shut out humanity,  
and I didn't like people,  
I was a hateful person,  
and before this happened  
I wasn't that type of person.

Words can't explain what the grief,  
and what you go through...  
We have found this to be  
a world of its own.

**PAM:**

stuff because I couldn't let go.  
He told me I had to let it go,  
I had to keep living,  
and I told him I was still in that ditch  
just as much as my son was,  
and I was clawing my way out of it  
the best way that I knew how.  
I left Terry in 2002  
and we were divorced in 2004.  
I do think that you can meet someone  
and know that there's something there.  
That there's some journey there  
for you.  
But I think it takes a long,  
it does take a long time,  
and I think it's a painful process,  
actually.  
I was talking about it and how really  
and truly stressed out you were that day.  
It was the first time you'd been touched  
by anybody, like, in seven years.  
And I'll never forget you were, like,  
so completely pale.  
And you were shaking,  
and I kind of thought  
you were gonna pass out  
at one point.  
It was a Buddhist ceremony,  
and we kind of wrote it ourselves and...

**DAMIEN:**

temple set up or a little altar set up,  
We did. Incense burning on it.  
You know, they had two guards  
up there watching the whole thing.  
And you could tell they had no idea,  
you know, what the hell was going on.  
So they just pretty much stayed

out of the way.  
We'd intersperse lots of, you know,  
bowing, then kissing and hugging.  
I think you're supposed to only kiss  
once or something in the ceremony.  
We just... We made it seem like  
it was a part of the ceremony.  
So that was nice,  
that was really nice.  
But, you know, back then  
it was nothing like it is now, you know,  
with the people who knew  
about the case.  
So it was kind of nice  
because it was real low-key.

**RIORDAN:**

had come out to talk about the case.  
My attitude at the time was,  
you know, we cannot do this.  
They were adamant that this should be  
and was a case about innocence.  
"We don't want you to focus on death  
versus life without parole.  
This is a case about innocence."  
My reaction was,  
if it is a case about innocence,  
what they said is that  
there's all of this investigation  
that has to be done on the ground  
in Arkansas.  
And we're, you know, a two-lawyer  
partnership in San Francisco.  
How are we possibly gonna get  
the resources to get on the ground  
and really investigate  
a case in Arkansas?  
Lorri Davis said,  
"I'll find a way to do it."  
I've quit my job, my other job,  
so I that can work full-time on the case.  
Attorneys for Damien Echols are  
appealing their client's conviction  
on Arkansas Rule 37,

ineffective counsel.  
Prosecutors disagree.  
It was effective, it was thorough.  
It was a 17-day trial.

**REPORTER:**

unveiled a banner of more than 2500 postcards,  
each pleading to free  
the West Memphis Three.

**VEDDER:**

free the West Memphis Three.  
We were raising funds and it wasn't  
even to raise money for their defense.  
It was to raise money  
so they had money when they got out.  
Because the day was coming soon.

**ROLLINS:**

should be Black Flag songs.  
I called Iggy Pop, he said sure.  
I called Lemmy, he said, "I'm in."  
Called Chuck D from Public Enemy,  
he said, "You got it."  
All to help these three guys  
who I'd never met.  
I went to your benefit show in '03  
for the West Memphis Three.  
It was like the best concert  
I've ever been to.  
See? I can't believe that  
this is still going on.  
Yeah, well. I saw a little bit of myself.  
Damien liked to hang out alone  
and wrote in his journals  
that he was depressed. Hello.  
He liked to listen to weird music.  
Check.  
He was a wise-ass  
in the face of law enforcement.  
I mean, are you kidding?  
It could have been me.  
Could have been me.  
Not everyone agreed

with Rollins' message.  
The parents of the murdered children  
showed displeasure with picket signs.  
My baby was murdered  
and butchered like an animal  
and his two friends were too.  
Whatever punishment they get,  
they deserve.

**REPORTER:**

telling us, "Make no mistake about it."  
These three you see convicted  
and sentenced did it."

**ROLLINS:**

passionate, very sincere hate mail.  
Because if you are seen to be  
sticking up for someone  
who someone else truly believes  
has murdered a child,  
there's no way you can reason  
with that person.

**VEDDER:**

that if we could get involved,  
we'd probably get them out  
in maybe one or two years.  
That's how naive I was.  
It's usually on average  
of like 15 to 20 years.  
If you would have told us that  
three or four years in,  
I think it would have been  
quite daunting.

**LORRI:**

from Fran and Peter, and it's 7-25-'05.  
"What a horror story, unbelievable."  
Something positive  
has to come from this.  
What can we do down here  
in New Zealand?  
Our names are Peter Jackson  
and Fran Walsh.

We would like to offer financial assistance to help facilitate, hopefully, "a positive outcome in Damien's appeal to the federal court."

When Fran and I first got involved, it felt like the case was in a holding pattern.

But it wasn't a holding pattern for Damien's chances of staying alive. That doesn't go into a holding pattern.

**LORRI:**

your e-mail was a welcome sight" on a very hot Monday morning here in Arkansas.

My name is Lorri Davis and I have been involved in working on the case for nine years.

There are many twists and turns to the story.

It's still incredibly frustrating.

"Appeal's taking forever and funds always needed."

**JACKSON:**

of bullying and people in power crapping on people who have no ability to defend themselves.

I believe in justice. I think there are good people and bad people.

People do horrible things and should be punished.

Justice should be fair, it should be honorable, it should be decent, it should speak to our values as human beings that right must prevail.

And all that I could see in the case of the West Memphis Three is wrong was prevailing and that wrong was being perpetrated by people who, I believe, knew they were doing wrong.



**DAMIEN:**

case is something extraordinary.  
It's spectacular in some sort of way,  
and it's not. Burnett and Fogleman  
thought they could make a name  
for themselves off of this case.  
Because, really,  
you're dealing with three kids  
who were bottom of the barrel,  
poor white trash  
that nobody's ever gonna  
ask another question about.  
He thought they would say, "Guilty."  
This whole thing would be swept  
under the rug.  
The state would kill me.  
Jason and Jessie would spend  
their lives in prison.  
He'd move up the political ladder.  
That's all he cared about.  
This case is nothing out of the ordinary.  
This happens all the time.  
How did I decide  
which trial would go first?  
And the reason I'm hesitating,  
I'm trying to think if that's a question  
that I should be answering.  
In general, a case with a confession,  
uh, would be your easier case  
as opposed to one  
without direct evidence.  
Ten feet, ma'am. Back up.

**REPORTER 1:**

Are you gonna testify  
against your co-defendants?

**REPORTER 2:**

forced to talk about this?  
The prosecutors had a problem.  
They could not play the tape  
of Misskelley's statement  
at the second trial.  
They needed Mr. Misskelley to testify.

They thought they were gonna lose  
the other two.  
Are you worried about his testimony?

**STIDHAM:**

Wells to interview Mr. Misskelley  
to make sure he didn't really,  
really, really want to testify  
against Baldwin and Echols.  
Here's a young 18-year-old,  
under a lot of stress,  
facing life plus 40 years in penitentiary.  
He has to make sure whatever options  
and offers are available to him  
are looked into or communicated.

**NIRIDER:**

you know, a much easier life in prison.

**DRIZIN:**

jumped on that deal. Jessie said no.

**NIRIDER:**

up with physical evidence.  
They've got to turn to witnesses  
who they can convince  
to give statements in court. That's  
the only evidence they come up with.

**REPORTER:**

the state had their back against a wall,  
Craighead County Courthouse  
came to an eerie silence  
as 16-year-old Michael Carson,  
a former juvenile inmate,  
who spent time with Baldwin,  
took the stand.

**CARSON:**

and, I mean, I was doing a lot of them.  
I got out there.  
I thought birds had cameras on them.  
Michael Carson, he was fixing  
to go to the penitentiary

for several counts  
of residential burglary,  
and that is when the prosecutor  
got a hold of him.  
Were you offered anything  
as far as a reward  
or anything of that nature?  
No, sir, and if I was,  
I would deny it.  
Jason was not very outspoken. He wasn't,  
you know, jumping around and stuff.  
He's a very quiet,  
to-himself type of person.  
What did he tell you?  
He told me  
how he dismembered the kid,  
he sucked the blood  
from the penis and scrotum  
and put the balls in his mouth.  
I remember not knowing  
why I was doing what I was doing.  
I remember it actually going  
through my head.  
I would have this massive illusion  
in my head and swear to God it was real.

**CURTON:**

I let them listen to the news,  
and they just went crazy.  
They said, "He's a lying son of a bitch.  
Jason didn't tell him nothing."

**CARSON:**

would never want to see me again  
or talk to me again, but I'm just  
telling him right now that I'm sorry.

**CURETON:**

to Larry, the sheriff.  
I said,  
"Larry, those kids are not guilty."  
He said, "Joyce."  
He said, "it's this simple.  
Crittenden County fucked up,

now we've got to clean up."  
I'm a drug addict.  
I was doing a lot of inhalants, LSD,  
I was huffing gas all the time.  
It's bad. It takes your whole perspective  
on life and makes it a dream.  
And they knew that.  
They knew the drugs that I was doing.

**LORRI:**

those woods in the winter?

**DAMIEN:**

the best time because during summer  
it's really marshy.  
During the winter it was froze,  
the ground would be froze solid.  
So you didn't have to worry about  
all the mud and all that business.  
I love the thought of being out there.

**DAMIEN:**

it's my absolute favorite time of year.  
Part of it was that whenever I was out,  
that was always the time of year  
whenever I felt the safest.  
Because most people, whenever  
it gets cold, you know, they're not out.  
So it's almost like at that time of year  
the entire world is almost yours.  
Nobody else wants it.  
Jason and I would talk about leaving  
that place, moving out of that place,  
but we were so young that it never was  
a definite plan, it was always just  
we've got to get the hell out of here.  
The thing that Jason always loved  
was art. You know, painting,  
drawing, things like that.  
He would do these paintings  
that were absolutely incredible  
when he had art class in school.  
The teacher would refuse  
to grade them.

She would say,  
"That's not what I told you to paint.  
That's not what I told you to draw,  
I don't want to see one more skull."  
She would say, you know, "You were  
assigned to do a still-life of flowers."  
Jason was like, "Fuck that, I'm not  
doing that, it's not what I want to do."  
I've jokingly said to Lorri before  
that I think that, in a lot of ways,  
I may have brought this on myself,  
this entire situation.  
Because when I was a child  
I knew what my passion was,  
I knew what my drive was, I knew  
what my desire was. I loved magic.  
I would say to myself, you know,  
these names that people think of.  
I would say, "One day my name  
is gonna eclipse all of them."  
I'm gonna be the greatest magician  
there's ever been."  
And I had no idea that that meant  
I would have 20 years  
to sit alone in a prison cell  
and practice and study.  
But that's a word  
that you don't even use here,  
because when people  
hear the word "magic,"  
anything even remotely  
connected to magic  
has to be evil in some kind of way.  
Uh, I noticed that Damien,  
he had on kind of a black  
duster-looking coat and carried a staff.  
And I... You know,  
that's kind of weird-looking.  
But that's one of the things  
that I testified to in the court hearing.  
Damien, Jason  
and Jessie had no motive  
whatsoever to kill these three boys.  
You know,

boys that they didn't even know.  
And so, therefore, the state went  
to the only motiveless theory  
that they could possibly go to.  
We thought that the best thing  
to do would be to  
actually get some expert analysis  
on the crime itself.  
As far as we could see the best person  
to get would be John Douglas,  
who was there at the creation  
of the FBI Behavioral Science Unit.  
From the evidence and the crime scene,  
they start to put a picture together  
of who committed the crime  
and why they committed the crime.

**DOUGLAS:**

case was primarily to analyze the case to see  
does it really fit the three people  
they have in prison?

I didn't wanna know anything  
about them.

I don't want to become prejudiced  
and be swayed in any way.

If I do an analysis like this, you may not  
like what I have to say. I'm not a hired gun.

When I work on a case like this,  
I work for the victims.

No matter who brings me in,  
I'm working for the victims.

This appeared to be  
what we call a lust murder.

There's blunt-force trauma inflicted  
on these children.

There was evidence of sexual mutilation  
to one of the victims.

Three victims were hog-tied  
with their shoelaces  
from their wrists to their ankles.

And on the surface, it appeared  
to be a sexually motivated crime.

The focus of the investigation  
is always on the families.

You start from there,  
and you work your way out.  
There were some police notes  
where they had looked  
into the possibility  
that a stepfather might be involved.

**BYERS:**

the police station and said:  
"We have information  
that you are involved in this crime  
and that you did it."

**RIDGE :**

information that you have something to do  
with the disappearance of the boys,  
and, ultimately, of the murder.  
"BYERS". It's almost more than I can  
believe, you know, what you just said to me.  
And it makes me so mad inside  
that I just kind of got to hold myself  
here in this chair.  
I had hair removed.  
I had to have over 30 pubic hairs  
pulled out, plus the roots.  
"FUDGE". We're gonna interview  
the other two fathers.  
We're gonna ask them  
the same questions.  
They said, "We're gonna do  
the other family members"  
just like we gonna do you."

**JACKSON:**

unusual, it was bizarre, it was grotesque.  
Even when  
Paradise Lost 2 comes out,  
and they are presenting  
an alternative scenario,  
they're going to an equally theatrical  
possible perpetrator in John Mark Byers.  
"Dearest Damien."  
There are many things we can do  
that can shed light on the truth

of what happened to those boys.  
It is impossible  
to do something this heinous  
and not leave a personal imprint.  
We need to do extensive  
investigative work on Byers,  
"investigative work  
that the police failed to do."

**DOUGLAS:**

Memphis area and conducted  
an interview with Mark Byers, or  
attempted to conduct an initial interview.  
I knocked on his door,  
he came out, his wife came out,  
and pretty much,  
he wanted to kick me off his porch.  
He didn't wanna talk to me.

**BYERS:**

Internet with people, being in a place  
and someone recognizing me  
and get up and go call their friends,  
then all of a sudden, I got a mob,  
and I got to sneak out the back door  
because I know  
a ass-kicking's coming.

**LORRI:**

living relatives. We need to find Ryan Clark."  
We need to figure out a strategy  
for getting him to talk.  
We need to know where  
and at what time  
they went looking for Christopher  
on May 5th.  
We need to locate all  
of Byers' vehicles  
that he owned at that time  
and Luminol-test them.  
We need to access  
Byers' ex-residence  
and Luminol-test every floor surface  
in the house.



Lots of questions,  
and not many answers.  
But right now  
we're still stumbling around in the dark  
"looking for a light switch."  
Mark Byers, he had a tough life.  
He has a criminal history,  
got busted for some prescription drugs.  
But he is not the type of personality  
that would perpetrate a crime  
like the crimes I was looking at  
here in West Memphis.  
When we learned the case,  
the timeline just  
didn't add up to us.

**JACKSON:**

nature of Mark Byers,  
he didn't have a motive,  
he didn't actually have the opportunity.  
It became clear to us that,  
you know,  
people were looking at Byers  
because they thought he was  
the sort of person who could do this.  
And our reaction to that was  
the reason Damien got convicted  
was that people thought he was  
the sort of person who could do this.  
When I was in the Bureau,  
we came up with a crime  
classification manual we designed.  
We considered Satanic  
because these cops were  
bringing back these cases to us.  
Satanic murders, Satanic murders.  
There were classes being offered  
all over the country.  
Oprah Winfrey had shows,  
Geraldo Rivera had shows,  
it was all over here.  
Another area that you might  
find Satanic ritual carving  
is in the stomach area.

This is not a Satanic...  
This is not a ritual. It's a murder.  
It's a murder  
maybe by one crazy guy.  
If you're calling this Satanic,  
we could have  
just as many murders  
where a Bible is left there.  
Does that make it a Christian murder?  
It's a Bible? I mean, no, it's nuts.  
It's just one, you know, crazy person.  
Police say Satanists in our area  
often conduct their rituals  
in remote, wooded areas.

**FOGLEMAN:**

invite you to some meeting?  
He did.

**STIDHAM:**

Police didn't seem interested  
in corroborating anything,  
they just took everything at face value.  
A cult, Satanic meeting.

**FOGLEMAN:**

I got a phone call from  
a lawyer in Fayetteville  
who had Vicki Hutcheson  
sitting at her desk.  
Would you raise your right hand?

**STIDHAM:**

trial testimony, how fast can you get here?"  
She obviously asked for immunity  
from the state,  
which they refused to grant.  
So here's the State of Arkansas at  
the Rule 37 hearings still stonewalling,  
still refusing to let the truth shine  
on this case.  
Damien and I stood back,  
and then these kids took  
their clothes off,

and I looked at Damien,  
and I said, "I want to leave."  
I testified to it, but I lied on the stand.

**STIDHAM:**

listen to her tell the truth,  
the truth that I knew had existed  
all these years.  
The truth that she wouldn't  
come out and say  
because she was afraid  
of what would happen to her.

**WOMAN:**

that you went and met.  
Jerry Driver  
at the Marion Police Department.  
I'm trying to remember.  
I do, I know who she is.  
It's just kind of back in my mind  
somewhere.  
What did they ask you to do?  
Do I think... They asked me,  
do I think I could get, um, Jessie  
to introduce me to Damien.

**DRIVER:**

in and see what she could find out.  
Now that was with police department's  
knowledge and consent.  
He's the one that suggested:  
"Well, if you're gonna have Damien over,  
you to need to have demon books  
on your coffee table."  
The only thing she was coached  
to do was to not get caught,  
because we were actually afraid  
that if she got caught, he'd kill her.

**HUTCHESON:**

at those demon book things.  
And I said, "Why are you so nervous?"  
And he said, "Well, you'd be nervous too  
if they thought you killed

three little kids."  
And I said, "Why would they think you,  
of all people?"  
And he goes, "I'm... Because I'm weird,  
I guess, you know." And I was like...  
I Was like, "Well, did you kill them?"  
He said, "Well, no! I wouldn't do  
something like that," like I was stupid.  
And he was just like any other kid  
his age, you know.  
He was just a normal kid.  
Any other contact with Damien?  
None at all. Okay.  
I was just a big liar,  
and I really was just a big liar.

**STIDHAM:**

the last 17 years looking back  
at what I should have done  
and what I could have done.  
You know, it would be easy for me  
to say I did the best I could.  
But I didn't.  
There's no substitute for experience,  
and it's hard to look back.

**JONES:**

Mr. Fogleman was leaving my office,  
I stopped him in the hallway, and I  
asked him, "Is this actually Satanic?"  
Is that what they're saying?"  
And he... His response was no,  
it's not Satanic.  
It's just murder.  
It's not something made up,  
it's not something dreamed up,  
it's not a figment  
of our imagination.  
The evidence was that this murder  
had the trappings of an occult murder,  
a Satanic murder.  
When you take the crime scene,  
the injuries to these kids,  
the testimony about sucking of blood,

and there's a transference of power  
from drinking of blood.  
Could you have any reason  
to understand  
why someone would do that  
to three 8-year-old boys?  
Well, you know, everyone can say,  
"Well, who did you tell?" Well, nobody.  
I think this case was never about justice  
because they knew we didn't do this.  
Fogleman knew we did not do this.

**FOGLEMAN:**

this knife is found in the lake,  
hidden behind  
Jason Baldwin's house?  
And the same person that this knife  
is found behind is the person  
that told Michael Carson  
that he did it,  
and he sucked the blood out  
of the kid's penis, is that a coincidence?

**RIORDAN:**

single greatest offense  
committed in this case  
is what was done by John Fogleman  
with the knife in the lake.

**LEVERITT:**

a small lake behind the trailer park  
where Baldwin lived.  
That search produced a knife.

**DOUGLAS:**

big pond, and to go right there,  
and in just less than 30 minutes  
and come up with this... This knife.  
I mean, you win the lottery.  
And then there's a reporter covering it.

**RIORDAN:**

the declaration of the diver.  
He said that he was given

a description of the knife  
and where it would be located.  
The press said they were told...  
And we have the reporter.  
"Come to the lake,  
we are about to make a discovery."  
The prosecution knew the knife  
was in the lake.  
Nothing wrong with that.  
You have an informant, they tell you:  
"Oh, the crime was committed and  
we know where the murder weapon is.  
They committed the crime  
and they threw it in the lake."  
The thing is that informant  
is of critical importance.  
They're the one  
who connects it to the crime.  
They're the one who allows you  
to say it was the murder weapon.  
Why don't you call  
that informant at trial?  
Why instead do you tell a lie,  
as John Fogleman did,  
and say, "I just had a hunch  
it was in the lake"?  
The reason is that John Fogleman  
had been told how it got in the lake.  
It was thrown in the lake  
by Jason's mother.  
All I know is my son is innocent,  
and he has been quiet.

**RIORDAN:**

Why not bring it forward?  
Because the same people  
who told them that it was in the lake  
let him know that it was thrown  
into the lake a year before the crime.  
He knew that knife in the lake  
had nothing to do with the crime  
because he had been told  
when it was thrown in the lake.  
This knife, state's exhibit 77,

caused those injuries right there.  
Dash, dash, dash.

**FRENCH:**

was in the courtroom was the one  
that was used on the Byers boy.  
I still think that.  
People that found the bodies  
and saw the wounds  
said that it appeared  
to be cult-related.  
Serrations are consistent with  
being inflicted with this type of knife.  
The only way you can tell  
if a serrated knife has been used  
is by looking for the serrations  
that rub across the skin.

**STIDHAM:**

the last remaining states  
that has a prosecutor-controlled  
crime lab.  
What that means is  
the medical examiner is not a witness  
for what actually happened, but he is  
an actual arm of the prosecution.  
At this time I would ask that Dr. Peretti  
be allowed to show  
the photographs and use...  
One of the key elements of the case that  
we wanted to get into was Frank Peretti.  
Dr. Frank Peretti was the assistant  
medical examiner at the time  
the autopsies were conducted.  
He's not actually board-certified.  
You get five chances to take  
the board exams in Arkansas  
and Frank Peretti has  
failed them twice.  
He's opted out of taking them again  
for personal reasons.  
His medical testimony at the trial  
created a picture in the jury's mind  
of a ritualistic, sexual murder.

These type of injuries we commonly see  
in the female rape victim.  
Trying to spread the legs  
for penetration.  
The anal orifice was dilated, it could be  
from putting an object in the anus.  
Those types of injuries  
we generally see in children  
who are forced to perform oral sex.  
There's evidence of genital mutilation.  
This is the cutting wound here  
and the red is the shaft of the penis.  
Cutting wounds, superficial cuts,  
gouging-type injuries.  
Multiple superficial, interrupted cuts,  
multiple cuts.  
Stab wounds and cutting wounds.  
The knife is being twisted  
and the victim is moving.  
Gouging where the skin  
has been pulled out.  
Gouging wounds, cutting wounds,  
stab wounds.  
Skin is going to tear,  
skin has just been pulled away, torn out.

**STIDHAM:**

photographs that anyone could imagine.  
Those jurors were scared to death.  
He is painting the picture in jury's minds  
of an absolutely horrific murder.  
Cruel and unusual.  
It's what the jury hears coming out  
of Frank Peretti's mouth  
more than anything that sentences  
Damien Echols to death.  
We took our lead from Peretti himself,  
because during the trial he holds up  
this textbook on forensic pathology.  
And it's written by Vincent DiMaio, who  
is a renowned medical examiner in Texas.

**BRENT:**

Dr. DiMaio and you are on a first-name basis.



Yes, I did.

And so we went to DiMaio himself.

**DIMAIO:**

in this case is that while the autopsies are done in exquisite detail, to me, the interpretation of the findings are completely wrong.

There is nothing here that I would say was due to a knife. Either the cutting edge, the tip or the back of a knife. If you think about how stupid it is, they're saying they're killing these kids. And, you know, dragging the back of a knife across them.

When I looked at the photographs, it's obvious that by the appearance of the wounds, they had occurred after death.

If you're gonna torture and mutilate someone, that's to cause pain to them. But these wounds are postmortem, so why are you torturing and mutilating dead bodies?

It doesn't make sense.

The irregular nature of the wounds, some scratches.

There's no bleeding, there's no pattern. To me, it's obvious animal activity.

**GARNER:**

back there we used to ride our bikes. Turtle City. That's just behind there, because there were so many turtles. Everywhere, hundreds of them. Painted turtles, snapping turtles, soft-shell turtles, all kinds of turtles.

**SEALS:**

called the alligator snapping turtle that could be found. I mean... Big turtles with humps in their back. That make them look

kind of like alligators.

**JAMIE:**

a ditch, so we would go back.  
There was a lot of them there,  
turtles, fish and mud.  
You'd see an armadillo that fell  
in the water or got hit by a car,  
and there'd be like four or five turtles  
just chewing on it.

**RICHARDS:**

a body is pulled from the water.  
Especially in the month of May.  
At that latitude,  
those reptiles are in high gear.  
They're feeding at their highest level,  
their most voracious appetites.  
Just keep going, keep going.  
This is the bite mark I'm looking for.  
You can already start to see  
the outline of the jaw.

**DIMAIO:**

start with soft tissue.  
And the scrotum and the skin around  
the penis is soft and they're coming off,  
so the animal doesn't have to  
go against the body mass itself,  
but goes at the things  
that are dangled in front of it.  
And then they'll go to things like lips  
and the tip of the nose and the ears.  
What you're dealing with  
is a horrendous crime.  
Three young boys  
murdered in cold blood.  
Just that alone upsets people.  
You look at the bodies and there's  
these savage injuries all over.  
It affects people emotionally  
and it warps their judgment.  
And then someone says,  
"Maybe it's Satanic!"

And they say, "Well, the only type of person who would do this" would be someone like that." We didn't want just one opinion. We thought the best thing to do was basically to get six or seven of the very best people, get a wide range of views. Every single one of the independent experts that we approached came out with the same findings.

**BADEN:**

injuries occurred while they were alive. There's no evidence that, as the medical examiner testified, they were sexually assaulted, pulled up by the ears, fellatio involved. The problem is bad science drives out good science. You don't have to be a rocket scientist or a forensic dentist to look at that serrations on the back of that knife and say that that knife made these marks. I mean, give me a break. That is the most ridiculous statement that I've ever heard. And to sell that to a jury is unconscionable.

**JACKSON:**

forensic pathologists down to Arkansas to meet with Dr. Peretti face-to-face. Dr. Peretti listened patiently and nodded his head. And said he would consider all this. But he'd concluded that this couldn't have been caused by a turtle, and that's kind of where he drew his line. Now here all this information comes in. I start seeing a totally

different kind of situation.  
This is not a lust murder  
where the killer is going after  
the genital areas of the victim.  
This is what's starting to develop to me  
as a personal-cause homicide  
directed at these children, but maybe  
one more than... More than others.  
In all probability this person  
would have been interviewed.  
Should have been by now,  
because he would be the logical person.  
There's a connection with the victims.

**DAMIEN:**

is still out there walking on the street.  
To me, that would seem like  
the highest priority. Not this case.  
Not me, Jason or Jessie.  
You know, don't get me wrong,  
we're thankful for the support  
that people give us.  
But the main thing  
I would be thinking about  
is there's someone who killed three kids  
still living in my neighborhood.

**JACKSON:**

state's Satanic ritual theory,  
the entire nature  
of the crime changes.  
It starts you thinking, "Well, maybe we're  
not looking for these extreme suspects."  
We're looking for someone  
who's kind of ordinary, invisible."  
So at that point we thought we should  
put more funding into the DNA testing.

**HORGAN:**

shipments of all sorts of DNA samples  
that we're then forwarding  
on to our DNA expert.

**RIORDAN:**

process that was going on  
that either would be the impetus  
for exoneration  
or would be the state's last chance  
to demonstrate in this highly controversial  
case that he was good for it.  
And Damien's reaction to that was  
that he was absolutely adamant  
about the DNA testing.

**JACKSON:**

various hairs and things that got tested,  
there was nothing,  
none of the DNA came back.  
Nothing matched Damien,  
Jason or Jessie.  
What was interesting, however,  
were some unknown hairs.  
There was one hair in particular  
that was in the binding  
of one of the ligatures.  
The boys had their hands  
tied with shoelaces,  
and right in the middle of a knot  
that had been tightened,  
there was a hair jammed  
in that knot.

**STIDHAM:**

other than inside a ligature binding,  
I would say, you know,  
it's not as significant as it could be.  
But given its location, I think  
it's particularly damning evidence.

**JACKSON:**

ligature had to come from somebody.  
So over Christmas, 2006,  
we studied John Douglas's report  
and started to think about  
who that foreign profile could belong to.

**LORRI:**

so convoluted nor as twisted"

as the public were led to believe.  
John Douglas said that this  
is most likely a personal-cause killing.  
That is to say, the perpetrator knew  
one or more of the victims  
and had good reason, at least  
in his own mind, to act out violently.  
We know the boys were bashed  
on the head, tied up,  
"and thrown into the drainage ditch."  
The children were submerged in water,  
which is an unnecessary act  
if you're a total...  
You know, total stranger.  
And an unnecessary act to throw  
the bicycles into the bayou.

**LORRI:**

happened in the space of just 20 minutes."  
It almost certainly happened  
before dark,  
which means the crime in all likelihood  
occurred between the hours

**of 6:**

Who knew these boys  
well enough to kill them?  
Who was out looking for them?  
From where I stand we are pretty much  
left with a list of three people.  
Mark Byers, Terry Hobbs,  
and Todd Moore.  
Mark Byers began looking  
for Chris from 6 p.m.  
Terry Hobbs was looking  
for Stevie Branch from 5 p.m.  
Todd Moore was out of town.  
We're left with two stepfathers.  
But only one of them has ever been  
scrutinized as a suspect.  
Byers once referred to himself  
as the giant red herring of this case,  
and I think  
he was speaking the truth.

That is why I am interested  
in Terry Hobbs.  
Hope this helps to explain  
where I'm coming from.  
"Sending much love to you, Fran."

**JACKSON:**

private investigator, Rachael Geiser,  
and we asked Rachael  
to start to investigate Terry.  
I'd come in to work daily,  
and I would have  
all of these e-mails from Fran about:  
"Here's what we need to do,  
thanks for what you sent."  
We really didn't know  
a whole lot about Stevie  
because Stevie's life  
was kind of confusing.

**PERETTI:**

photographs of Steven Branch.

**GEISER:**

Stevie, his biological father.  
Here we can see...  
You had Pam, and then you had Terry.  
Other than the fact that nothing's there,  
there's nothing that would raise any flags.

**JACKSON:**

DNA became a priority for us now,  
and the brief to Rachael was really  
get Terry's DNA without him knowing.

**GEISER:**

was raining out, I remember,  
and we showed up  
at his house early,  
and he opened the door,  
and we told him who we were.  
He said,  
"I've been expecting y'all."  
I'll never forget it, he was like,

"Come on in."

I remember we sat there with him  
for a while, and he, you know...

He was a likable-enough guy,  
he really was.

He talked about their life  
and how their life was.

He didn't talk a whole lot about Pam.  
I think they were fighting at the time.  
And he didn't talk, really,  
about Amanda at all.

He interviewed with us,  
told us where he was.

He said that was the first time  
he'd ever told anyone his whereabouts.  
So we waited in the living room  
while he was in the bathroom, I assume,  
and that's when I took the cigarette  
butts out of the ashtray. Yeah.

**RIORDAN:**

and I'm reading the fax,  
and I'm reading the fax,  
and at some point I said, "Holy fuck."  
We all were just kind of stunned to see  
this very dramatic DNA result.

**GEISER:**

and we tell him, you know...

**LAX:**

on the hair doesn't match.  
Damien or Jason or Jessie.  
So it's somebody else's DNA.  
They don't know whose?

**Tell me. LAX:**

**No. LAX:**

No, that's wrong.

**GEISER:**

knew that he didn't voluntarily give us this DNA.  
We wanted to get either a voluntary



sample or we need to see him  
do something, you know,  
that would have left his DNA.  
Terry Hobbs would not, at any point,  
give me his DNA voluntarily, no.

**REPORTER 1:**

of the new defense investigation  
is that an unexplained hair that could  
be from another victim's stepfather  
was found on shoelaces  
at the crime scene.

**REPORTER 2:**

Stevie Branch's stepfather, Terry Hobbs.  
Hobbs tells me tonight, quote,  
"I don't have anything to hide.  
I'll answer any questions."  
Mr. Hobbs, do you feel like the attorneys  
are accusing you of this crime?  
The answer to that would be no.  
Is it possible, Mr. Hobbs,  
that that was your hair?  
Sure, it was his son, Steven Branch,  
who was murdered, and he's had  
to deal with this for the last 15 years.

**AMANDA:**

got was my parents' name...  
because I love them  
more than anything in the world.  
I've abused drugs for many years  
and I'm only 21  
and I feel like it's because  
I'm trying to hide.  
I did it to suppress something,  
to cover something up.  
And where are your kids  
during this time, at your mom's?  
Mm-hm. They live with my mom.  
And so why don't you stay  
with your mom?  
She thinks I'm too wild.  
So she says, "You can't stay here

because you're too wild"?  
And I'm hung out on a limb.  
What's that mean,  
you're hung out on a limb?  
That I'm going crazy the way  
she did when Stevie died.

**HORGAN:**

it certainly advanced things.  
It helped shift the momentum.

**JACKSON:**

Police Department realized  
that they had never actually  
interviewed him,  
despite the fact that he was  
a stepfather of one of the victims.  
They quickly conducted an interview  
with Terry Hobbs in 2007.  
Anything unusual  
when you got home, at all?  
Nothing other than, uh,  
Stevie wasn't home.  
Terry Hobbs said to everyone  
that he was very concerned  
when Stevie Branch didn't

**come home at 4:**

If he was so worried at 4:30,  
why didn't he call Stevie's mom?  
When he does finally tell her,

**9:**

This person knows that he will be  
a logical suspect at some point,  
but what he needs,  
he needs time on his hands.  
He needs to establish an alibi.  
We studied his movements that night.  
He had spent some period of time  
on the evening of May the 5th  
in the house of David Jacoby,  
who was a friend of his.  
And I asked David, I said,

"Would you go help me?"  
He was with me probably

**2:**

May the 6th.  
Jacoby here is kind of a witness.  
He never had this window of opportunity  
to perpetrate a crime like that  
because he was with him  
for such a long period of time.

**JACKSON:**

Jacoby's DNA voluntarily...  
and the analysis came back to say  
that another hair  
that was found on a tree stump by  
the ditch where the bodies were found  
was consistent  
with David Jacoby's DNA.

**PAM:**

he went to David Jacoby's.  
According to Terry, he was walking the  
streets and searching the whole night.  
So that was news to me  
when I found out.  
Is there anything you can think  
of that we hadn't gone over?  
That we hadn't asked, something  
you remembered through the years?

**HORGAN:**

meaningful interview with Terry Hobbs.  
It was as if they were sitting out  
on the back porch just sharing a beer.  
"We know you didn't  
have much to do with this."  
Just, you know, for old time's sake,  
why don't you describe again  
"how you didn't have anything  
to do with this?"  
It didn't have the atmosphere  
of a serious interrogation at all.  
You know, I don't know what happened

out there in them woods that night.

**JACKSON:**

investigator at the time,  
and now the sheriff  
of Crittenden County,  
issued a statement saying  
Terry Hobbs was not a suspect then  
and he's not a suspect now.  
A question that has got to be asked  
is that why have they so staunchly  
refused to regard him  
as a person of interest?  
There.  
Terry, appreciate it, man.

**SCHECK:**

272 post-conviction DNA exonerations.  
DNA is the essential element  
to prove their innocence,  
and these people have done  
more than 3500 years in prison.  
On the other hand,  
there are many, many cases, urn,  
where there's been DNA that's helpful,  
as in the West Memphis Three case,  
because it does shed light  
on other suspects.  
And it does put particular significance  
on the absence of evidence.  
There's an old phrase  
in the forensic science business  
that absence of evidence  
is not evidence of absence.  
Yeah, that's true.  
On the other hand,  
when you have DNA testing,  
and you've gone through every piece  
of trace evidence at a crime scene,  
and you find nothing  
that links the defendants  
who have been convicted  
to the crime, that is significant.

**REPORTER:**

final appeal at the state level.  
If his arguments are denied,  
the case then jumps into federal court.  
A decision is expected  
in about a week.

**JACKSON:**

findings, the scientific results,  
including the DNA, all of that is going  
to be presented to Judge Burnett.  
Finally, Judge Burnett can consider  
this case with all this new information  
that wasn't available to him  
or the prosecution back in 1994.  
And so we were looking forward  
to having him reevaluate the case.  
We really had high hopes.

**RIORDAN:**

general some sense that it was coming.  
We told him that there'd be  
these DNA results  
and we got into a discussion.  
What would you have  
to show to get a new trial?  
And there was a point of laughter  
where one of them said:  
"We're gonna set this bar  
as high as we possibly can."  
Which is to say, we're gonna try  
and get a court to rule  
"that it is really impossible to ever win  
under the Arkansas DNA statute."  
People ask us what we're gonna do  
whenever I'm out, when we're together.  
And we do talk about that. Um...  
For Lorri and I, life isn't something that  
will happen one day down the road.  
You know, we're together now, here.  
We're not just in a state  
of suspended animation, waiting.  
He was 21, I guess, when I met him.  
He hadn't yet really started studying

at that point, so it was kind of funny.  
You know, I was in a different place  
in my life, and... But now,  
I mean, I would ask him for advice  
before I would ask anybody.  
I send him a lot of used books,  
and it is really fascinating to look at.  
Because when I'm reading a book  
or when he's reading,  
then we're going through...  
As everyone does in their life.  
You're going through  
specific things.  
You have 90 seconds left on this call.

**DAMIEN:**

I haven't for several years,  
but a couple of days ago,  
someone sent me  
the new Stephen King book.  
You know, I started reading his books  
when I was probably 10 or 11 years old.  
People have always  
undervalued him.  
You know,  
they look at him as this, um, hack.  
This hack writer who churns out  
horror novels.  
In all of his books at the end,  
he always addresses the reader.  
You know, he thanks you for going on  
this voyage with him,  
and so I wanted to read it to you.  
"All right, I think we've been down here  
in the dark long enough."  
There's a whole other world upstairs.  
Take my hand, constant reader,  
and I'll be happy to lead you  
back into the sunshine.  
I'm happy to go there because I believe  
most people are essentially good.  
I know that I am.  
"It's you I'm not entirely sure of."  
A judge says no to new trial.

**REPORTER 2:**

the DNA evidence isn't enough for a new trial  
or to overturn the conviction.  
David Burnett wouldn't hear  
the new evidence.  
He complete...  
He denied it without even hearing it.  
What can you do? I mean, in our minds,  
we started to entertain the idea  
that Damien might be executed.

**BURNETT:**

if I hadn't been involved in that case.  
I had to fiddle with it for 18 years  
and get beaten over the head by folks  
that were opposed to what happened.  
But I didn't pick and choose,  
I just took what came down the pipe.  
It's not unusual  
for post-conviction motions  
to be made in front of the judge  
that originally heard the trial.  
The theory behind that is the judge  
who originally heard the trial  
saw all the witnesses testify  
and is in the best position  
to evaluate the new evidence.  
But all of us are victims of bias that  
we don't even understand or know,  
and sometimes you have  
to abandon hypotheses  
that you've relied on in the past  
and try to freshly evaluate  
the evidence.  
All of this hoop-de-la about  
newly discovered evidence.  
There is no  
newly discovered evidence.  
All of the evidence that was found  
originally at the trial scene.

**JACKSON:**

decides to stand for Senate.

We hoped like hell  
that he would get elected.  
Because once he was elected  
to Senate,  
he was unable to have anything  
to do with this case anymore.

**ROLLINS:**

heard what he heard,  
and he and his jury  
made their decision.  
It was up to people from all over  
the world, and that would be you.  
And the people next to you  
right now,  
coming together to make  
some real justice happen.  
I would like to read something  
to you guys.  
"I can't remember what it's like to walk  
as a human being anymore."  
It's been well over 16 years since  
I've actually walked anywhere.  
There are times when I've thought,  
surely, someone is gonna put  
a stop to this.  
Oh, well, it does no good  
to dwell on it.  
Either I waste my energy by focusing  
on things I cannot change,  
"or I conserve my energy, and  
apply it to small things I can change."  
Each small thing connects  
to make a great, big thing.  
And that big thing is  
to bring those boys back home.  
This is something  
I came across today  
and it's just a small paragraph of one  
of Damien's letters from this February.  
"The thing I like most about time is that  
it's not real. It's all in the head."  
There's no such thing as the past,  
it exists only in the memory.



There's no such thing as the future,  
it exists only in our imagination.  
If our watches were truly accurate,  
the only thing they would ever say  
is 'now.''  
And that's what time it is. Now.  
Come gather 'round, people  
Wherever you roam  
And admit that the waters  
Around you have grown a'  
And accept that it soon  
You'll be drenched to the bone r  
If your time to you  
Is worth savin' I  
Then you better start swimmin'  
Or you'll sink like a stone a'  
r For the times  
They are a-changin' a'  
r Come senators, congressmen  
Please heed the call 4'  
Don't stand in the doorway  
Don't block up the hall a'  
For he who gets hurt  
Will be he who has stalled a'  
There's a battle outside  
And it's ragin' a'  
It'll soon shake your windows  
And rattle your walls a'  
Oh, the times  
They are a-changin' N  
One day, I get a phone call  
from my manager  
saying Terry Hobbs is suing me.

**LORRI:**

Dixie Chicks fighting this?"  
This is a great opportunity to give  
Terry Hobbs his day in court,  
"get all the facts out in the open  
and let a jury decide."  
You swear to tell nothing but the truth,  
so help you God? I do.  
State your name for the record, sir.  
Terry Hobbs.

"DAWSON".

You can put your hand down now.  
Could you tell the ladies and gentlemen  
why you sued my client?  
All of the emotions, distress,  
the anger.

"DAWSON".

That her statements caused you'?  
Correct.

I didn't say anything about him. I had no  
intentions of finger-pointing at Terry Hobbs.

I don't even know  
that Terry Hobbs did it.

I sort of asked my attorney,  
"Why would he be doing this?"

He was confident  
that he was gonna win  
and he was gonna get  
millions of dollars.

I think he's gutsy.  
He had to have been warned that if he  
did that, he would have to be deposed,  
which he was,  
and have to answer questions.

**JACKSON:**

attorney, D'Lesli Davis,  
access to our investigative files  
on Terry, his background,  
his relationship with Stevie.  
And it enabled them to basically  
sit him down  
and to finally question him  
in a way that he had never, ever been  
questioned about this murder before.  
Describe your reputation, other than just  
"a good man." What else would it be?  
A hard-working man, good dad,  
good husband in the past.

Uh...

Pretty good man.

Are you an honest fellow?

I try my best.

Law-abiding man?

I do pretty good at it.

**GEISER:**

background on Terry.

I went to Garland County because I knew he had lived there before, specifically to interview his ex-wife. And it raised some flags at that point. She told me he had gotten in trouble. I went to the court records in Garland County and was able to pull that incident involving Mildred French. Let me give you a minute to go through the declaration of Mildred French. All right.

**D'LESLI:**

No, I'm not going to. Why not? It don't mean nothing to me. Why doesn't it mean anything to you? It just don't. Mildred French was a neighbor of yours back in the '80s, wasn't she? I don't remember.

**D'LESLI:**

one occasion I heard a baby crying" and sounds that indicated to me that Terry Hobbs was beating his wife and/or his child." She kind of let out a cry, and then I heard the baby.

**D'LESLI:**

"I ran next door to Terry's unit and rang the bell to Terry Hobbs' residence." He said it was none of my business, and I said, "I'm making it my business, you do it again." I said, "Because I've heard you before."

**D'LESLI:**

Do you recall she was your neighbor?  
Some old woman was.  
"A few months later,  
I worked outside in my yard.  
I went inside my home to take a shower  
and get cleaned up."

**FRECH:**

I was reaching in to get the towel...

**D'LESLI:**

"Terry Hobbs, who had broken in  
and somehow gotten upstairs  
into my bathroom..."  
I didn't see him come into the bathroom.  
He just grabbed me on my breasts.

**D'LESLI:**

'What are you doing in my house?'.  
And screamed, 'Get out!''

**FRENCH:**

**D'LESLI:**

**FRENCH:**

**D'LESLI:**

my home and ran downstairs into his unit."  
What is your recollection  
of those events...?  
I don't have any.  
Let me finish.  
What is your recollection of the reason  
that the police were called  
and those events that Ms. French  
remembers so clearly?  
I don't have any.  
"I said to Terry,  
'Tell them what you did to me.'."  
Terry looked at me square in the eye  
and said calmly, 'It never happened.'  
I looked at Terry and told him,  
'You are a liar and you are sick..

And I say, "You know, you're sick."  
And he says, "Yeah, I'm sick."  
I never did like him, I mean...  
Even when Pam first married him,  
.there was just always something.  
He creeped me out.  
Do you lose your temper very often?  
No.  
Pretty even-keeled guy?  
Try to be.  
He's got a look that's plum evil,  
and when that look of evil comes  
over him, you know, I know he's mad.  
What... What's this?

**DAVISON:**

against one Terry W. Hobbs  
for aggravated assault in '94,  
in conjunction with the shooting  
of your brother-in-law.  
Is that your signature at the bottom  
of the first page, sir?  
It is.  
He can snap into a nice guy  
and a bad guy by a snap of a finger.

**D'LESLI:**

You did backhand Pam Hobbs  
the night you ended up  
shooting her brother,  
correct? Okay.  
Is that correct?  
Yeah. All right.  
Is that funny?  
Well, it's... You get tired of talking  
about it after a while.  
I need, for the record, for you  
to state under oath that you did  
I did. Backhand Pam Hobbs.  
It was over a jealousy of a woman.  
I was just trying to get away  
and calm down, cool off,  
and come back home,  
and he wouldn't let me have the keys.

So he punched me pretty hard  
that day.

**D'LESLI:**

attention that Pam gave to Stevie?  
No. Did you compete with Stevie  
for Pam's attention? No.  
He had made a comment to his mom  
that I paid more attention to my son  
than I did, you know,  
being a wife, so...

**JUDY:**

probably when he was about 6 years old,  
and he wanted to know  
if I could keep a secret.  
And I told him, yeah, because we were  
really... We were very, very close.  
Kind of like, you know,  
grew up together.  
Because I was 8 years old  
when he was born.  
Daddy Terry, as he called him,  
was mean to him.  
And that he... He treated him  
different than Amanda.  
The very first thing he ever told me  
is about how he would whup him.  
Make him hold his hands up  
in the air,  
and he would hold him  
by the hair of his head  
while he was whupping him.

**D'LESLI:**

in the air as he whipped them.  
Sometimes when he whipped Stevie,  
he would leave belt marks on him.  
Is that true? No.  
Is it true you whipped Stevie with a belt?  
Yes.  
Is it true that you whipped Stevie and  
made him hold his hands up in the air?  
I didn't want to hit him

on the hands.  
So that's true? Yes.  
The only thing that's not true  
about paragraph number 10  
is that you would leave  
belt marks on him?  
Not that I recall.

**MARIE:**

and I asked Pam who whipped him.  
I thought she had  
and she said Terry did.  
She didn't want to tell at first,  
but she finally told me.  
Stevie never would tell us because  
he's afraid he'd get beat to death  
or whatever when he got home.

**JUDY:**

closet if he didn't do what he was told  
right when he was told.  
I lived with them.  
I was around them off and on.  
It was a happy time.  
I've got pictures,  
everybody's smiling,  
everybody's happy.  
Everybody's swimming,  
everybody's having a good time.  
There was no fighting  
and screaming and hollering  
and beating the kids  
and stuff like that.  
I can't say, "I wish he wouldn't  
have married her." I can now.  
Back then I didn't know her  
enough to say, "Ew."  
But I do now, so, "Ew."  
Then he got into a little more detail about  
things that were happening about...  
Terry would come into his room  
while he was asleep or going to sleep...  
and he would make  
Stevie watch him masturbate.

It progressed so much that he started making Stevie mess with Amanda.

**D'LESLI:**

No, it's not true.

Can you think of any reason that Judy Sadler would say that about you if she had not heard that from Stevie?

You'd have to ask Judy.

Can you think of any reason?

No.

She's told me about that, but I really feel like, if that was true, why didn't you say that 16, 17, or 18 years ago?

Why do you wait this long to say it?

Because maybe if it would have been true and she said something, then my mom would've kept me, she would've fought for me.

**MEEKS:**

for y'all, this therapy stuff, so that's pretty stressful.

But you'll get comfortable with that.

"Guilt. I feel guilty practically all the time." Can you put a finger on the guilt? Where's that guilt coming from?

I don't know.

Just can't seem to pick it out, huh?

**D'LESLI:**

one, pages from Amanda Hobbs' journal in her handwriting.

"You know, I think I'm the only 19-year-old that can't remember" what happened in my life 10 years ago.

Was I traumatized as a child that I had to turn to drugs to forget about it? I used to tell my mom, 'My dad messed with me.'



I honestly don't remember.  
I used to dream about my dad having  
sex with me, but it was just a dream.  
As far as I remember,  
my dad never touched me sexually,  
"but he beat the hell out of me."  
He hit me one time with a belt,  
but he used the buckle.  
And it left a welt, probably that thick,  
across my whole back and it was purple.

**D'LESLI:**

you never hit your daughter?  
Correct.

**D'LESLI:**

You never sexually molested her?  
Never one time.

**D'LESLI:**

other problems your daughter has had,  
you do not feel you are  
responsible for any of those.  
Is that correct? Correct.

**PAM:**

two weeks before he was murdered  
to leave Terry,  
and I asked him why.  
And he said, "He loves Amanda,  
but he don't love me."  
I feel like I'm putting the pieces  
of a puzzle together and I'm so scared.  
Talking to Terry over things  
that's happened and all that,  
they did their job,  
they got the right ones, and all this.  
I just want the truth.  
I want the answers.  
Since the program aired,  
convictions were handed down  
to all three of the accused teenagers,  
and it became undeniable  
that the brutal murders

had been part of a Satanic ritual.  
Back with us today,  
Pam and Terry Hobbs.  
I mean, all murder is horrible.  
Is the manner of his,  
the specific manner in which he died,  
is that something  
that will always haunt you?  
Yeah, I'll go to my grave with it,  
thinking about it.  
I realize my son  
is in a better place.

**STIDHAM:**

in 2003 about the Hobbs knives  
that Pam discovered  
when their marriage went south.

**PAM:**

is Stevie's knife in there.

**STIDHAM:**

would have been in the boy's pocket  
the day that he was murdered,  
and so that was very interesting.

**MORIARTY:**

important, when did he get it?  
Pam says she knows Stevie Branch  
had it until he died. Terry Hobbs says...  
I was his dad,  
I was acting as a responsible parent.  
Not letting a 6-, 7-, 8-year-old little boy  
carry a pocket knife.

**DAVISON:**

that his mommy, his mother,  
said that he carried the knife with him  
up until the time that he disappeared?  
So?  
And she stated  
that she didn't trust  
the prosecution and she wanted  
to turn it over to the defense.

**DAVISON:**

given the fact that the West Memphis Police  
has spent so much time  
and so much money over the years  
saying they got it right, that when  
DNA attributed to someone else  
was found in the ligature  
of one of the victims  
that they attributed it  
to secondary transfer?  
What if it was secondary transfer?  
What if it wasn't?  
What are you saying?  
I'm saying there could be a question  
about whether or not you were  
somehow involved in these crimes.  
Well, who says that?  
How do you explain  
Mr. Jacoby's DNA?  
Which is the second...  
I have no explanation for that.

**ATTORNEY:**

We was in them woods all night.  
The first time I heard about DNA was  
the lack of DNA at the crime scene.  
The first time I heard about my DNA,  
it was just shock therapy, I think.  
Telling me that they found my DNA  
at the crime scene.  
Sleepless nights, you know,  
going over and over,  
trying to see if there was something  
you missed or something you heard or...

**DAVISON:**

was with you all night in the woods?  
We were together quite a bit that night.  
No, that's not my question.  
You testified earlier  
that you and Mr. Jacoby  
were together all night  
until it was time

for him to go to work. Exactly.  
Is that your story, or are you changing it?

**TERRY:**

**JACOBY:**

hear a knock on the door.  
And it's Terry and Amanda.  
I ask him what's he doing. He says:  
"Oh, looking for Stevie,  
he was supposed to be home."

**D'LESLI:**

came inside my house."  
Amanda played with toys and Terry  
and I sat down and played guitars  
"for up to one hour." You've  
already stated that it's possible  
you went to David's house  
and played guitars for one hour.  
I didn't say that.  
You said that in your last deposition.  
I don't recall playing the guitars.  
I went over to see if David would  
help me look for the three little boys.  
"Pretty Woman," Roy Orbison.  
I handed him my guitar and asked him  
to play that part of that song again,  
so I could get it down and he...  
We did that two or three times,  
you know, before I finally got it right.  
So, you know,  
a little time went by and he says:  
"Well, you know,  
I need to go look for Stevie."  
I said, "Terry, let me know.  
Let me know where you find him."

**DAVISON:**

at all that day, May the 5th?  
No, I did not.  
Did you see any  
of the three boys that day?  
No, I did not.

**JAMIE:**

pulled us in more than anything else,  
because I was like, "Wait a minute."  
We went to church every Wednesday  
at the same time.

**We left about 6:**

Wednesday, we never missed church.  
And we saw them out there.  
Terry Hobbs and Steven Branch  
lived three houses down from us  
on South McAuley.

**About 6:**

and Steven was in front on his bike.  
Christopher and Michael  
were running behind him,  
and they zoomed out real fast.  
I told Christopher,  
I yelled to him, "You need to go home."  
Your brother said to go home."  
He said, "I don't have to do  
what you tell me to do."  
And I saw Terry walking down  
the sidewalk, and he was saying:  
"Y'all come back down here,"  
and they all went in that direction  
toward him and we got in the car  
and went to church.  
The next day at school,  
Ryan came up to us and he said  
they couldn't find his brother,  
his brother didn't come home.  
I told him, "I saw your brother,  
I talked to him."  
I told him to come home.  
What are you talking about?"  
He was really devastated,  
he was crying.  
And he said that they found his brother,  
and he wasn't alive anymore.  
We knew we saw him,  
but we thought,

"There, his dad was out there with him.  
Surely, they told him  
that they were down there."  
So we thought all this time  
that they already knew.  
If deemed credible, it's more damning  
than even the DNA evidence, you know.  
I mean, the last person to be  
in the presence of these three victims.  
By denying that occurred, rather than  
offering any explanation of it,  
it's awfully powerful stuff.

**DOUGLAS:**

were never interviewed.  
They were just neighbors of Hobbs.  
Hobbs wasn't interviewed.  
Didn't do a neighborhood.  
They'll swear on a stack of Bibles  
that they saw Terry Hobbs  
with the three children around 6:30.  
I don't know how many years  
before anybody had asked me  
anything about it too.

**D'LESLI:**

You say you were not ever alone  
on the night of May 5th  
and the morning of May 6th,  
and yet David Jacoby  
says you left his house twice, alone.  
What Jacoby has told us so far  
is that it could be two hours where  
Terry Hobbs can't be accounted for.

**D'LESLIE:**

don't have an alibi witness  
for two to two and a half hours  
on the evening of the murders.  
From 6 p.m. to 8:30 p.m.  
I don't know.  
Does that concern you? No.  
"TERRY". Hello? Hey.  
Had me a visitor today.

John, what's...? John Douglas?

John's the FBI.

Ah... What'd he say?

There's a bunch of discrepancies  
on where I said where we're at  
and where you say we were at,  
and it just...

I don't give a shit what them people  
got to say

about where I was at  
and what time I was there.

We don't have to answer  
to them people.

David is his primary alibi,  
and what he has done in the past,  
he's fed information to David,  
putting them together.

**JACOBY:**

what I said and what you said  
and what they're telling me,

**6:**

**TERRY:**

I don't know what they're playing...  
We rode around  
looking for three little boys.  
We got out and we did a little walking,  
looking for three little boys.  
I went and picked my wife up

**at 9:**

"Where did you ride around,  
Mr. Hobbs?" West Memphis.  
What'? You was with me, David.  
You remember that?

**DOUGLAS:**

realize that he was being set up  
by Terry Hobbs as an alibi.

"TERRY".

Well, we know we didn't do it, okay?  
The police know who done it,

and they're sitting in prison.  
At the time, I wasn't looking  
for three murdered kids.  
I was helping my friend  
look for his kid  
and who happened to be  
with another kid  
who happened to be  
with another kid.  
So I mean, and what upsets me is...  
Yeah.  
I gotta stop with the camera,  
here it goes.  
It just gets me that he didn't  
come back, you know? Fuck.  
Why do you not come back  
to your friend's house to help you  
if you can't find your kid?  
Yeah.  
I stopped myself from saying  
that he did it,  
you know, in all these years.  
I've actually, you know,  
said he couldn't...  
It gets to the point, I'd give my  
life to know the fucking truth.  
Fucking Terry.  
But I've been that little kid,  
you know?  
You been that step...? That stepchild?  
That stepkid, yeah.  
That gets his ass whupped  
at the drop of a hat for...  
You know, for something  
somebody else's done.  
And you catch what's  
built up from everybody else.  
And that, I felt that with Stevie.  
I mean, like with the marbles.  
He's throwing marbles  
and bouncing them off the wall.  
Terry is telling him,  
"I'm gonna bust your ass. Quit."  
Stevie, I'm gonna bust your ass.



Stevie, quit.

"Stevie, quit. I'm gonna tell you one more time, Stevie."

And, you know, you just want...

You wanna get that last marble.

And Stevie's looking like that last marble's fixing to come again, and I said, you know, "Sit down, let me show you how we played marbles."

And it got Terry, you know, off of him, and...

Terry hated him.

What he did to him to make him hate him, I don't know.

Stevie was scared of Terry.

He was hid in the closet, and I asked him why he was hid in a closet.

You know, he had a mishap in his underwear and Daddy Terry would whip him. And one time he had thrown him against the wall.

**DOUGLAS:**

the homicide was planned. This person responsible for the murders lost control and had to kill them. They were already heading that way, and he said, "Get back down to the house." And they passed him, they were laughing and playing. We thought it was a normal day. It was things we saw them do all the time.

**D'LESLI:**

that you become physically abusive? Correct. These young boys were overpowered.

**D'LESLI:**

Correct. And you do not beat your children? Never.

If he was capable of doing this,  
and I can almost picture it,  
that he freaked out, and the other  
two boys being there, um...  
They've got skull fractures,  
they've got brain injuries.  
If it had been an accident,  
the Terry Hobbs that I know,  
no, I don't think that he would say  
that, "I accidentally did this."  
"I'm sorry," and turn himself in for it.

**BADEN:**

they inhaled water and drowned.  
To do what he did to the children,  
hide the clothing, hide the children,  
he got in water, got muddy.

**DAVISON:**

discussion about you doing laundry  
the evening of the 5th  
or the morning of the 6th.  
Recall that? It didn't happen.

**DAVISON:**

**TERRY:**

I saw him cleaning.  
I saw him washing clothes.  
I saw him in Stevie's room.  
I mean, he had bleach and everything  
and was cleaning.  
I had never seen Terry  
clean anything  
the whole time I had known him.  
When he took me to work, I believe  
Terry changed into a purple tank top,  
a pair of shorts  
and his LA Gear tennis shoes.  
He's muddy,  
he has to change his clothing.  
When he picked me up from work,  
he was in blue jeans  
and flannel top shirt on.

**DOUGLAS:**

and wait to be interviewed.

**D'LESLI:**

single one of your alibi witnesses.

If you put

all of these statements together,

and all the evidence together

that I've just run through,

and you're the police,

wouldn't you wanna look

at Terry Hobbs for this murder?

You'd have to look

at Terry Hobbs.

From an investigative perspective,

it solidifies Terry Hobbs

as the principal suspect.

It's gonna be tough

for someone like him to confess.

If he is in fact the guy,

it's extremely tough.

He's had 18 years to think about it.

He's got an answer for everything.

You throw him a pitch, he's got it.

You know, he knows how to hit it.

The attorney general's office

has taken the position

that not only should these

wrongly convicted young men

not have the opportunity

to prove their innocence,

but that no one ever in Arkansas

be given that opportunity

on the grounds that Arkansas

is incapable

of ever convicting anyone wrongly.

It's one thing to build perception

that there's something wrong.

It's another thing to get

a formal judgment overturning it.

There are still some formidable

legal obstacles to opening that door.

Tell us why you're here today.

I'm here for justice  
and the real killer to be found out.  
If I've had to be the spotlight  
of people thinking I was involved,  
if that kept the case alive  
to get where we are today,  
I'd turn around  
and do it all over again.  
Talk about what has been so impactful  
in this case that has changed your mind.  
Because that day,  
you believed he was the killer.  
That day I believed  
what the state told me.  
And it took quite a while  
of being blinded,  
and when I finally  
got my answers,  
none of the roads  
led to the three in prison.  
All the roads and all the evidence  
lead to Terry Wayne Hobbs.  
This case is outrageous.  
People need to get involved and help  
on this case. I am happy to get involved,  
donating my time,  
time from my law firm, pro bono,  
because these young men  
need a fair trial.  
If they're convicted again? Fine.  
But do it fair. Do it constitutionally.  
It's an endurance test  
to keep up with this.  
I think I was in my late 20s  
when I first heard about it.  
I am now 45.  
We'd buy Doritos and Skittles  
and M&M's.  
And we'd sit down, and I'll have napkins  
and then Damien would say:  
"All right, put out your napkin,  
okay, try this, all right."  
One Ruffle, two orange Skittles.  
All right, get the root beer ready.

"Now eat that, drink that  
at the same time, isn't that crazy?"  
It's a long, long process. We've all had  
to educate ourselves and learn patience.  
We'd make a small breakthrough  
or something and Lorri and I would  
have a long two-hour phone call.  
We'd get off the phone,  
think this is gonna be a happy ending.  
There's gotta be a happy ending to this.

**BRAGA:**

happen is they could say no.  
"Judge Burnett was right.  
You lose, no new hearing, Damien.  
Sorry, done."  
And then he literally is done  
in the Arkansas court.  
The oral argument today  
is Damien Wayne Echols  
v. The State of Arkansas.

**RIORDAN:**

here where the Arkansas legislature  
passed these statutes out of, quote,  
"In response to nationwide concerns"  
that innocent persons  
were being imprisoned  
"and even executed  
for crimes that they did not commit."  
However, the state takes the position  
that the only evidence other than DNA  
allowed in a DNA action in this state  
is evidence of guilt.  
The fact of the matter is  
that DNA evidence  
that couldn't have been obtained  
15 years ago  
begins to make things relevant.  
Connect to other evidence that did  
not appear relevant 15 years ago.  
So your interpretation is it's not  
really just new scientific evidence.  
It's new evidence

across the board that'll come?

Yes, Your Honor.

The animating purpose of this statute  
is not to do away  
with finality of judgments,  
but to test evidence of innocence.

Doesn't that include  
the last 17 years?

No, well, I'm sorry.

Does it include the last...?

The last 17 years, or are you limiting  
the evidence that can be presented?

**RAUPP:**

is just further reweighing of evidence  
that the state post-conviction processes  
permit you to make in other forums.

Now certainly he would like to have  
a much freer reign

to go back to court

and bring in 17 years' worth of claims  
that have been made  
and retry his case.

Counselor, what harm is there in  
allowing him to present the evidence  
from the last 17 years?

I'm sorry?

**JUDGE 2:**

allowing him to present all evidence?

**RAUPP:**

finality of a criminal judgment  
that is not demonstrated  
to have any constitutional  
or procedural defect  
and just to try it again. I mean...

**RIORDAN:**

is to consider the DNA evidence,  
along with all other evidence,  
whether or not admitted at the first trial.  
All simply means all.

**LORRI:**

right after the hearing.  
Guards came into his cell  
and took everything,  
everything he owns. All of his books.  
Fifty-one books, his journals, his shoes.  
When he asked  
why they were doing that,  
they said they were sick  
of seeing him on the news.  
It's terribly abusive.  
They were horribly abusive to him.  
They don't like the death-row thing.  
They're trying to get Damien Echols  
off of death row  
so they can put  
two new people in there,  
and you know  
who them two new people is?  
Don't even say it. Me and you.  
I ain't never felt the need to have to  
try to defend somebody  
in our family before,  
but now I feel like  
my brother's getting a bad rap.  
Somebody's got to say something.  
He, obviously, is just gonna  
keep letting it go and letting it go  
because he feels like he's had enough,  
you know, and it's...  
Somebody needs to say something.  
If they're trying to put the blame  
on someone,  
they need to dig deeper  
and find that someone.

**AUTOMATED VOICE:**

Received December 11th at 11:02 a.m.

**SISK:**

need to speak to somebody,  
so please have someone call me.

**MAN:**

**GEISER:**

Blake Sisk.

**GEISER:**

Twenty years old. Okay.  
The other day  
we got a call on the tipline.  
This young man had been a friend  
of Michael Hobbs Jr.,  
who is the nephew of Terry Hobbs.  
Michael Hobbs Jr. Lives in a town  
called Mountain Home, Arkansas.  
His dad, Michael Hobbs Sr.,  
runs a restaurant there,  
and they've lived there  
for a long time.  
First thing he told us was that  
when he was about 12 or 13,  
he and Michael Hobbs Jr.  
Had been playing football in the yard.  
And when they got done playing football,  
they came into the house,  
got a drink and were gonna  
go to the basement to play pool.

**SISK:**

that his uncle and dad  
were in their downstairs basement,  
and we were gonna go downstairs,  
but his dad hollered,  
you know, "Don't come down here,  
we're busy talking."  
So me and Michael  
decided to listen in.  
Michael Hobbs Jr. Told the witness  
that his dad was down there  
with his uncle,  
sounding like  
he might have been crying, saying:  
"I'm sorry for what happened  
and I regret it."  
Michael's dad was just consoling him  
about, you know, the situation



and everything would be all right.  
"You're not in any trouble."  
A number of years later,  
he and a friend  
were picked up by Michael Hobbs Jr.  
In Michael Hobbs Jr.'s truck.  
My name's Cody Gott. This is fine.  
You can use this for whatever you need  
to use it for. You have my permission.  
When he picked us up, it was like...  
It wasn't the same Michael that I...  
You know what I mean? He wasn't...  
Wasn't in the same mood  
that he usually is.  
He's usually outgoing,  
like, ready to go do something.  
Ready to talk, ready to...  
And he was just real quiet.  
He wasn't as talkative, and I asked him  
what was going on and he...  
"What's up, man?"  
And he said, he told me that:  
"My uncle Terry,  
he killed those kids  
in that case,  
in the West Memphis Three case."  
And then he was like, well, "My dad  
told me that my uncle's the one"  
who murdered those three kids and  
it's been, you know, on my mind all day.  
"It's been just running  
through my head."  
And I was just in shock,  
I didn't really know what to say.  
Then, according to Michael Hobbs Jr.,  
the second witness says  
that his dad called this, quote,  
"the Hobbs' family secret," close quote.  
He said, "Only me, my dad, my uncle"  
and I think maybe his mom  
and someone else in the family  
might have knew.  
It might have been the other brother.  
He called it the Hobbs' family secret,

**and he said:**

"If they knew I told you,  
I would be in deep crap."

**B RAGA:**

friend that they thought  
might also have some information.  
What this third witness told me:  
"Michael Hobbs Jr. And I and a third  
friend were playing pool in the basement."  
During the game,  
the third friend said something  
"about the West Memphis Three case."  
Then this young man,  
the third witness, asked:  
"What's the  
West Memphis Three case?"  
Might be the only teenager  
in Arkansas  
who didn't know what  
the West Memphis Three case was.  
He asked that question  
and Michael Hobbs Jr.  
Responded to him by saying, quote:  
"My uncle killed three kids  
in West Memphis," close quote.  
And according to this third witness,  
Michael Hobbs Jr.  
Was dead serious when he said this.  
He was not fooling around.  
In addition to getting them to sign the  
declarations under penalty of perjury,  
they all took polygraph examinations.  
The polygraph examiner concluded  
that these three young men  
were absolutely telling the truth about  
what they heard Michael Hobbs Jr. Say.  
I don't even think Michael knows  
why he did it.  
I just... You know, he knows  
it happened, he knows he did it.  
And it was his dad...  
His dad is... Probably would know,

you know, why he did it.  
We don't have any power  
as defense attorneys  
to call Michael Hobbs Sr. Into my office  
and to ask him to tell me  
whether he called this the  
Hobbs' family secret and why he did.  
The prosecutor can issue  
a grand jury subpoena  
and ask Michael Hobbs Sr.  
In the grand jury  
where he's under penalty of perjury  
if he lies, "Did you say this?"  
Why'd you say it?  
What did you mean?"  
And I think  
that's the kind of information  
that only the prosecutor can get  
that could really crack this wide open.

**TERRY:**

shit what happened 17 years ago.  
I know what didn't happen.  
Me and you didn't do nothing wrong.  
So fuck them motherfuckers.

**CINDY:**

have no reason to tuck our head.  
You hit a bump in the road, you wasn't  
expecting a speed bump being there,  
but you pick yourself up on other side  
of that speed bump  
and go, "Damn, I didn't see  
that one coming," and keep on going.  
Pam's a speed bump.  
I'll put her that way.  
Was Terry capable? Did Terry do it?  
Did I stay with a man  
that possibly murdered my child?  
And it does raise a lot of questions.  
The court rejected every single thing  
that the state argued.  
Basically saying Burnett was wrong in  
not allowing a hearing based on the DNA.

One, by one, by one.  
Just no, no, no. Wrong, wrong, wrong.  
Finally the Supreme Court  
has ruled in our favor.  
Uh, we could not be more excited.  
It was unanimous.  
This is huge for Arkansas.  
The Supreme Court is...  
Has ruled in our favor.  
The State Supreme Court  
is on our side.  
Finally. We won. We won.

**REPORTER:**

one of the three 8-year-olds killed  
in that murder,  
joins us now on the phone.  
What is your reaction to the ruling  
by the Arkansas Supreme Court  
that the killers  
can have a new hearing?

**PAM:**

now with the DNA evidence and things  
that doesn't point  
to the three men convicted,  
that lets me know for sure  
they didn't lay a hand on my son.

**DAMIEN:**

pushing the date of the hearing back.  
First they told us  
it was gonna be in June.  
Then they told us  
it was gonna be in October.  
Now they've pushed it  
all the way back to December.  
The wake of the victory was probably  
the most difficult  
and frustrating time for Lorri of all.

**LORRI:**

need to apologize for how you are feeling."  
I totally understand what you said,

and why you said it,  
and I'm glad you felt  
you could say it to me.  
This situation is so very hard.  
You and Damien  
have been treading water for years  
and the shore never seems  
to get any closer.  
"It's no wonder you feel like giving up."  
After years and years of filing  
and hear... You know, this and that  
and never-ending bureaucracy,  
it keeps going back and forth.

**RIORDAN:**

have what was a remarkable victory,  
and not simply for the three,  
but about the whole nature  
of DNA testing in Arkansas.  
And then say, "Well, when will this  
actually lead to Damien being released?"  
And the answer being,  
you know, who knows?

**LORRI:**

what you must have learned long ago."  
Nothing, and I mean nothing,  
comes easily with this case.  
The breakthroughs are small  
and the obstacles never seem  
to decrease in size.  
Any small piece of progress  
is clawed from unforgiving rock.  
All we can do is keep going.  
If we keep on pounding on the wall,  
it will break, because it must break.  
All things eventually break.  
I would love to see photos of the 1920s  
house in Garton when you have them.  
It sounds wonderful.  
"Sending much love to you always,  
Fran."  
You're so worn down,  
you know, you might get something

like say a common cold,  
and the next thing you know, you're  
laying in bed sick for next six months.  
Damien, you know, he's struggling  
because of the health issues  
he's facing in prison,  
just not having adequate nutrition,  
not being able to go into the sunlight.  
You know, lack of vitamin D.  
His eyesight is starting to dim.

**DAMIEN:**

body is just hurting and shut down.

**LORRI:**

wanna be nicer to you.

It did!

Sometimes it appears to me that  
the attitude of the players involved  
in this case are:

"Let's sweep this under the rug,  
let's hope it goes away."

No one wants to admit  
they made a mistake.

What about the lawsuits  
that are gonna follow?

And who cares about that issue?

Let's just do the right thing,  
it's simple to do the right thing.

**BRAGA:**

doing was to try to get the state to agree:

"Let's just go right to the new trial,  
because, of course,."

Damien and Jason and Jessie  
are sitting in the cooler

"each time there's a delay.

Let's get to it."

**JACKSON:**

to approach the state and say:

"Hey, let's skip the evidentiary hearing  
and just go straight to a new trial."

**BRAGA:**

sent Patrick Benca, our local counsel,  
in to have a lunch meeting with  
Dustin McDaniel, the attorney general.

**BENCA:**

and I knew he'd be approachable about it.  
I wasn't sure whether he would  
take it in consideration.  
Matter of fact, during the lunch  
he said to me, "That's a big ask."  
Um, but I felt that he was listening  
to everything that I had to say.

**BRAGA:**

discussions progressed sort of away  
from the  
"agree to the new trial" idea to  
is there a way to reach a practical  
resolution of this case for everybody?  
The attorney general brought in.  
Scott Ellington,  
a circuit county prosecutor.  
He came to Little Rock  
with a bunch of his lawyers.  
The defense attorneys have  
maintained complete innocence  
on behalf of the defendants  
all this time.  
I mean, I don't underestimate our ability  
to have obtained convictions  
in these cases.  
But I wasn't looking forward  
to having to go to trial in this case,  
because of the deterioration  
of evidence.  
Memories lost.  
You know, stories changed.  
Every time there was a filing,  
you know, there was a DNA...  
Came out in the paper  
that there's new DNA, new DNA.  
I was not looking forward to that.  
We didn't want to show weakness

in maintaining the judgment,  
so one of our positions was  
the state is not making an offer.

**BRAGA:**

Our guys said they're innocent.  
How do you bridge those two gaps?  
There's only a couple  
of options in between.  
We started making our pitches.  
We started making our pitch  
for the Alford plea,  
which we talked about  
before going in.

**BRAGA:**

It will be a guilty plea,  
but it's a very, very rare  
and unique kind of guilty plea  
where you get to  
maintain your innocence.  
Prosecutors hardly ever allow this,  
and judges have the right to say,  
"We're not gonna accept it  
because can't maintain your innocence  
and plead guilty at the same time."  
It kind of seems oxymoronic.

**ELLINGTON:**

"shoot from the hip" guy to start with.  
I kind of jumped on it real quick  
and then the attorney general and I  
visited just briefly and he was like:  
"Are you sure  
that you want to agree to this?  
Are you sure this is the right thing  
for you, politically?"  
Because he knows  
I'm elected as a prosecutor.  
And this could backfire.

**BRAGA:**

this deal, which is really only two points.  
We needed it to be a deal



where the West Memphis Three  
could maintain their innocence.  
And we needed it to be a deal where they  
got out of prison the day it was entered.  
Not two years from now.  
Not, "We'll consider you for parole."  
Not 10 years more.  
Enter the plea, maintain your innocence,  
get out of jail.  
This notice was released today out of  
the Craighead County Circuit Court.  
It's vague, saying that the court  
will take up certain matters  
pertaining to the West Memphis Three  
case tomorrow.  
It went to Damien first,  
and Damien readily accepted it.  
How you doing?

**BRAGA:**

Been a while.  
It has been a while.

**BRAGA:**

We're almost home.  
Which means by the time it got to Jason,  
Jason had the full veto power.  
If he said yes,  
the deal would work for everybody.  
If he said no, everybody was left  
right where they were, in prison.

**JESSIE SR.:**

the TV on, it's all over TV.  
Rumor mill got started this afternoon,  
and it's all over the place,  
but I think everything's gonna  
work out fine in the morning.

**BRAGA:**

Jason, would rather stay in jail",  
and fight this  
with my last dying breath  
"until somebody recognizes

I am 100 percent innocent."

**REPORTER:**

two of the infamous West Memphis Three  
could be released from prison.  
And I told him  
that I wanted three or nothing.  
I didn't sleep much.  
I think the last time I looked at the clock

**it was 4:**

Mixed emotions,  
all type of things, so...  
What do you think is going to happen?  
Are you pretty sure, are you not sure,  
you doubtful this would happen?  
I'm not sure, I'm doubtful,  
I don't know.  
I'm just a pawn in this,  
just like they are.  
They've been a pawn  
in this the whole time.  
Now, I have to say, because I've been in  
the Arkansas Department of Correction,  
I understand  
where they're coming from.  
If I had to roll the dice  
for my freedom  
or get out today  
by copping to a lesser plea,  
I would probably take the plea  
to get out of prison.  
But then I'm stuck the rest  
of my life with the stigma,  
while the real killer walks free.

**REPORTER:**

This is not justice! Is the real killer?  
No comment.

**REPORTER:**

Do you feel any relief? No.  
None?  
I gotta go.

What are you gonna do next, Terry?  
Hey, hey, Terry,  
just for a second...  
There's the baby-killer. Talk to him.  
This is a free world.  
I can say what I want.  
Freedom of speech,  
First Amendment right.  
I contacted the other attorneys,  
asking them what was up.  
If they knew anything  
that was going on.  
They really indicated  
that they didn't know.  
Jason was quite resolute  
and not agreeing  
to taking the Alford plea.  
And, I mean, really that's about  
the biggest illustration of his innocence  
that you could ever imagine.  
But this was really coming to a head,  
and we didn't know how long  
this offer was gonna be on the table.  
And it was there for the taking.

**LORRI:**

alternate ways to get in touch with him.  
Somebody who cares about him  
and loves him needs to be talking to him.  
We need to get Holly.  
It's busy.  
I'm just gonna keep dialing  
over and over.  
You know, over the years  
we've just grown to be...  
I mean, I'm closer to Jason Baldwin  
than I am to many people  
that I have known my entire life.  
Everybody just cannot believe  
that he would choose to stay in prison  
when he can walk out,  
no matter what the reasons are.  
I got a call from Lorri.  
She said, "I'm gonna ask

Eddie Vedder to call you."

**VEDDER:**

look, anyone's gonna have to understand  
locally and globally,  
State of Arkansas is not gonna let go  
of three convicted child murderers  
based on time served.  
It's implied that they don't have enough.  
They don't have enough to keep them in.  
They don't have enough to win a trial.

**HOLLY:**

prison to have Jason give me a call.  
He said, "This isn't fair."  
I don't wanna concede  
anything to the state."  
He did not wanna talk about it,  
and he didn't call back.  
And I was devastated.

**VEDDER:**

and I didn't wanna question it.  
I would never ask another man  
to compromise his ideals.  
But it was so close to freedom.  
It was unbearable.  
Not hearing from him  
and not knowing what he was thinking  
was unbearable.  
Jason Baldwin is 16 years old.  
He's been in jail for months.  
And he's about to enter a trial  
where prosecutors are going to ask  
for the death sentence.  
He's offered two deals in secret  
if he would testify  
that Echols had done the killing.  
He tells the prosecutors,  
"No, that would be a lie.  
My mother raised me  
better than that."  
The 16-year-old refused,  
not once, but twice.

**HOLLY:**

never even crossed his mind  
to throw somebody  
under the bus to save his own skin.  
So Monday night,  
I get this call from him.  
He says, "Neither option is really fair."  
I said to him, "if you wanted to do  
something you didn't feel right about",  
you could have done that  
18 years ago and gone free."  
And he said,  
"Yeah, but the difference is, this time  
I can set Damien free  
by my decision."  
I mean, that was his best friend,  
you know.  
This deal sucks,  
but we want their freedom.  
All rise.  
Good morning, ladies and gentlemen.  
Be seated, those of you who can.  
We are still waiting  
to find out...  
I am David Laser, Circuit Judge of  
Division 9, the Second Judicial District.  
Continue today for this 11:00 hearing  
on the West Memphis Three.  
Will they be set free today?  
Answer still unknown but,  
of course, we will continue...

**LASER:**

Mr. Baldwin, Mr. Misskelley,  
if you would stand, please,  
and face the court.  
Spend a lot of time trying to explain it.  
They had a private, closed-door hearing...

**LASER:**

wish to plead in this case?  
Your Honor,  
I am innocent of these charges,

but I'm entering an Alford guilty plea today based on advice of my council. And my understanding that it's in my best interest to do so given the entire record of the case.

**LASER:**

How do you wish to plead?  
I am pleading guilty under North Carolina v. Alford in the Arkansas rules. Although I am innocent. This is...  
And this plea is in my best interest. Everybody just be patient. We're waiting too, like everyone else. Just gotta stay in place.

**LASER:**

choose to plead in this case?  
Your Honor, first of all I am innocent of murdering. Christopher Byers, Michael Moore and Steven Branch. However, after serving 18 years in the penitentiary for such, I agree that it's in the state's best interest, as well as my own, that based upon North Carolina v. Alford that I plead guilty for first-degree murder for those crimes. All right.  
The court finds that there is a factual basis for the plea, that the pleas are voluntary and will be accepted and received by the court. I'm aware of the controversy that's existed. I'm aware of the involvement of the people in this case. I don't think it'll make the pain go away to the victims' families. I don't think it will take away a minute of the 18 years

that these three young men served  
in the Arkansas Department  
of Corrections.

What I've just described  
is tragedy on all sides.

And I commend people in the case  
that have assisted towards the end  
of seeing that justice is served  
to the best that we can do.

The tremendous judge.

Um... He didn't have to say the things  
that he did at the end.

Sometimes outside help  
is in fact a big help,  
and for those of you who have been  
a participant in that regard  
that are here, I commend you  
personally and publicly  
for having done that.

**VEDDER:**

of people outside of the courthouse,  
you know, 18 years ago  
were screaming for blood.

**VEDDER:**

walked outwith their hands held high  
and the crowd is cheering  
and supporting them.  
Some are happy, some are angry  
and some are perplexed,  
and that's the case at the end of  
every trial, and this one is no different.  
First of all, I understand  
that nobody in that room  
wanted to hear from me, particularly.  
I needed to be heard by my voters,  
and I needed to offer  
some explanation.  
I'll tell you, let me tell you this.  
This judge was most likely  
going to grant a new trial.  
As far as gathering up evidence,  
I hadn't gotten there yet.

I've not reviewed reams and reams  
and volumes and boxes and boxes,  
but the evidence I've seen,  
I believe these guys are guilty.  
I know they pled guilty.  
With their entry of a plea of guilty,  
we have removed the question  
of them filing a civil law suit  
against the state  
that could result  
in many millions of dollars.  
I mean,  
because you have three individuals  
times 18 years is 54,  
I mean, so, 60ish?  
I have spoken with members  
of victims' families  
and I can tell you that they are still  
suffering the loss of the little boys.  
We put to rest a question  
for these families  
of the little boys that were killed.  
These three individuals  
pled guilty to the murder  
of those three little boys that day.  
That put that matter to rest.  
Period. End of sentence.  
Heh. I don't even know where to begin.  
I guess we eat, right?  
I was dead-set against this, like a mule.  
And I am not moving an inch.  
I was just trapped up in it,  
just by myself.  
You reminded me that I'm not by myself  
and I gotta think of everybody.  
I have absolutely no idea  
what I'm doing.  
I'm just enjoying  
the moment, right?  
I think that's cheese.  
You think it's what?  
There's cheese in there.  
Yeah. Cheese. Have you had cheese?  
Yeah, but not in a salad.



All right, I'm done with the salad.  
Okay, let's move on.  
And it's not just this war  
between one person and the state.  
It is everybody involved, you know,  
and it was, like, how could I forget?  
Mom! Ha-ha-ha!  
I still feel like it's a dream.  
I just talked to you Monday  
and you didn't tell me nothing.  
I wanted to. Free man.  
It's my suitcase. Check it out, pretty cool.

**GAIL:**

I called him yesterday and said, "I got  
a little suitcase and it's all packed."  
And he said,  
"I've never had a suitcase before."  
It's these things.  
Gosh, I love you so much.  
I love you too.  
Every time I turn around,  
you wanna talk to me.  
Look, every time I turn around.  
It's great. It's a great feeling.  
I'm used to the guards  
being around me all the time.  
Every now and then,  
I turn around, make sure,  
you know, damn, is this really real?  
Hey, man. How you doing, man?

**JESSIE:**

be here with my family and friends.  
Last time I seen them,  
we was all kids and everything.  
And here we are, grown up now.  
That's really what  
kept me going over the years.  
When are you gonna  
come to the house and say hi?  
Prison is really hard.  
You know, if I could stay out of prison,  
I could go anywhere I want to, free man.

All I just got to do is, you know,  
just stay out of trouble.  
That's why I'm trying  
to do things different in my life.  
So I know I can do it.

**LORRI:**

of what this was gonna be at the end.  
Which was three of these guys  
walking out of the courtroom exonerated.

**DAMIEN:**

I carried out in one small envelope.  
Everything else,  
when they told me I was leaving,  
they said, "Pack up  
whatever you wanna take."  
I just threw it all in the garbage  
and left it.

**LORRI:**

courthouse, he looked at me and said:  
"It already feels like it's been such  
a long time ago since I was in prison."

**DAMIEN:**

were out, it already felt that way.  
And I think, in some ways,  
maybe it's a little harder for Lorri  
than it is for me because I've never had  
a really solid foundation in my life.  
When I was young, we were constantly  
on the move, constantly on the go.  
We never had a place that  
we called home for long periods of time.  
"Time to vamp up your wardrobe.  
Fall is coming."  
Yeah, we're gonna have  
a early Halloween party  
since we're gonna be gone  
for October.  
We're gonna do it  
at the end of September.  
Our time together now

is more gentle in a way.  
What do you think about that stuff?  
That fake spiderweb stuff?  
I love it.  
Think we should get it? Yeah.

**DAMIEN:**

you get three hours a week,  
so you feel very desperate  
and rushed.  
Like you're trying to wring  
every second out of it that you can.  
And it's like being out here  
and being together 24 hours a day,  
you just feel like you're able to relax  
into each other a little more.

**LORRI:**

You leave people you love.  
You don't know when  
you're gonna see them again.  
If you can ever go back  
to that place.  
Because we don't plan  
on going back to Arkansas.  
I don't look at the political aspirations,  
the greed, the evil,  
the cruelty or anything else.  
Because for me, it's over.  
For me, I'm ready to move on.

**LORRI:**

letters, I got them out of storage,  
and it felt so foreign to me.  
Thank you. You too.

**LORRI:**

about burning them all.  
We thought the best thing to do  
is take all the letters.  
Just burn them, so they never...  
No one will ever read them.  
There's so many things,  
it's so personal.

I happened to pull one out  
that was about six months  
into when we were writing to each other  
and I thought, "That's not so bad."  
And there are elements of it that  
remind me of how we talk today, so...  
"My dearest Lorri,  
I love the letter I got from you today,"  
the one about us changing.  
You were right,  
we should be looking forward, not back.  
You give me the strength  
to face anything,  
but I also know  
that not everyone is like you.  
"If they were... If they were,  
then everyone would be in love."  
Right, well. "I love the way  
Master and Margarita ends."  
The way they get to spend  
eternity together, alone.  
"That they are granted peace."

**DAMIEN:**

what adventures they'll have next."  
And don't you worry a'  
I believe your story a'  
You were put away  
For something you didn't do U'

**DAMIEN:**

and I, just saying goodbye to everyone"  
and beginning our own journey  
"to places that neither of us  
have ever known before."  
When I come to see you a'  
What will I bring? a'  
The wisdom of a poet r  
The color of a dream r  
And I leave with three roses 4'  
Made from a magazine  
More beautiful to me  
Than any flower in the spring a'  
And the feel of summer a'

Turn into fall a'  
Anything made of paper  
That's all S  
That's all a'  
That's all a'  
In the shadows of religion 4'  
Some think we find the truth a'  
But innocence is stricken 4'  
Without an ounce of proof I  
While the wheels of injustice a'  
Can turn mighty fast a'  
Another blood moon of October a'  
Will silently pass f  
With words of love a'  
r In a telephone call a'  
And anything made of paper  
That's all S  
What's all I  
That's all a'  
Anything made of paper  
That's all S  
In the inside world  
Where bitterness grows a'  
Your heart has found the passion  
To see what's in your soul a'  
And late at night  
On an angel's wing f  
You hold on till tomorrow  
To see what it brings I  
Any news  
No matter how small a'  
And anything made of paper  
That's all S  
That's all a'  
That's all a'  
Anything made of paper  
That's all S  
In the inside world  
Where bitterness grows a'  
Your heart has found the passion  
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Any news  
No matter how small a'  
And anything made of paper  
That's all S  
That's all a'  
That's all N'