

# **EXHIBIT 13**

# Damien Echols Legal Defense Team Press Conference - November 1, 2007

[SLIDE: Echols v. Norris and Case No. displayed]

DENNIS RIORDAN, Lead Counsel:

...Gerald Skahan of Memphis, Tennessee, and our local counsel here in Little Rock, Deborah Sallings. We represent petitioner Damien Echols in the case of Echols versus Norris. Echols versus Norris is a federal habeas corpus petition proceeding in the Eastern District of Arkansas, here in Little Rock, arising out of the 1994 trial -- trials, really -- of three teenagers -- Damien Echols, Jason Baldwin and Jessie Misskelley, who were tried and convicted for the murders of three eight-year-old boys, Steve Branch, Chris Byers and James Michael Moore in 1993.

A federal habeas corpus petition is a proceeding sanctioned by the laws of the United States and the Constitution of the United States which gives a state prisoner, someone deprived of their liberty, and especially a state prisoner who has been sentenced to death -- as Damien Echols has -- the opportunity, after state proceedings are completed, to go into federal court and file the petition complaining that their state trial did not accord with the Bill of Rights, the federal Bill of Rights of the United States Constitution, which guarantees things like the right to counsel, the right to confront witnesses against you, the right to present a defense and the right to twelve impartial jurors.

To some people, these sound like technicalities. But since 1789, the founders of this country recognized that the only way to tell the difference between a guilty person and an innocent person with any reliability is to give them a fair trial. The case in front of the District Court, therefore, is primarily not about guilt or innocence. It's about whether the proceeding in Mr. Echols' case was fair. But due to a quirk perhaps we call it, an exception in federal habeas corpus law, there are cases in which the threshold question for the court is: Is there evidence, sufficient evidence, to establish that someone is actually innocent of a crime? If that evidence exists, it means the court can proceed in a different kind of way to consider all of the fair trial claims that the petitioner brings. This is a case, filed on Monday, in which Mr. Echols presented evidence of actual innocence.

Actual innocence, in a legal sense, in the federal court means the following: Is new

evidence that was not available at the time of the offense -- when you view it with all of the evidence concerning the case -- would a federal judge then be able to say, with confidence, that any reasonable juror would have a reasonable doubt about the defendant's guilt. To state it differently, is it the case that no reasonable juror would find the defendant guilty beyond a reasonable doubt. And a third way, can the judge be confident that with this new evidence, if that defendant were tried today, he would be acquitted. And we are here today to discuss the evidence that establishes that no reasonable juror would convict Damien Echols, essentially knowing what we know today.

The heart of this presentation is four experts who we will be calling today who are among the experts who provided the core of the new evidence before the District Court. They are Werner Spitz, probably the country's leading forensic pathologist, certainly the author of the bible of forensic pathology in this country. Richard Souviron, a renowned forensic odontologist, who was the key witness to the prosecution in convicting Ted Bundy, some years ago. Tom Fedor, who is a DNA expert, to discuss the new DNA evidence. And John Douglas, who headed the Criminal Analysis Unit of the FBI for twenty-five years. And we will move to them as quickly as we can.

But I think in order for anyone to have a full sense of the impact of this evidence, they have to have some context about what happened, what led to the arrest and conviction of Damien Echols. And once the experts have concluded, we're going to try and move through this in a systematic fashion. There's a lot of information to get out to you, we will throw it open for questions and answers, but we will ask that we complete all of the experts' presentations before that begins.

But let me begin in 1993 with the arrest of Damien Echols.

[CLIP BEGINS PLAYING] KAIT8 News, June 7, 1993: Good evening, I'm Diana Davis. And I'm Tom Brooks. In a statement given to police and obtained by a Memphis newspaper, seventeen-year-old Jessie Misskelley allegedly confesses to watching two other suspects choke, rape and sexually mutilate three West Memphis second graders. [garbled name] reports. According to the published report, Misskelley told police he watched eighteen-year-old Damien Echols and sixteen-year-old Jason Baldwin brutalize the children with a club and a knife. The report says Misskelley told police Echols and Baldwin raped one of the boys and sexually mutilated another as part of a cult ritual. Misskelley is quoted as saying he did not take part in the rape and mutilation, but that he helped subdue one victim who tried to escape. At a press conference, Inspector Gary Gitchell said the case

against the accused teens is very strong. [SHOWS GITCHELL, UNKNOWN PERSON ASKS QUESTION] "On a scale of one to ten, how solid would your case be?" [GITCHELL RESPONDS] "Eleven." [UNSEEN CROWD LAUGHS AND CLAPS] It appears satanic worship may have played a role in the murders. Since the very beginning of the investigation, people all around West Memphis have come forward with stories of satanic cults. [END OF CLIP]

[SLIDE:

Misskelley Confession

- Choked, Sexually Violated and Mutilated the BOys
- Beat the Boys With Knife and Club
- Satanic Cult Ritual]

So everyone in the State of Arkansas had been informed, beyond any reasonable doubt, eleven on a scale of ten, that Damien Echols choked, sexually violated and mutilated the victims, beat the boys with a knife and a club, as part of a satanic cult ritual. The only problem is that the statement of Gary Gitchell that convinced the citizens of this state that it was true was absolutely false. He knew, he had to know, that then, as now, there was not a single piece of credible evidence that tied Damien Echols to these crimes.

The two pieces of evidence that existed at that time were a statement by a woman who was facing embezzlement charges, that she would play detective, find out what went on in this case, she knew Misskelley and she told the police that as a detective Misskelley had taken her, with Damien Echols, to a satanic esbat. Her name was Vicki Hutcheson. What do we know today about Vicki Hutcheson? Every word was a lie. A complete fabrication, a product of police pressure to get results in the deaths of three children. [SLIDE: Arkansas Times article from Oct. 2004] That's one piece of evidence.

The second piece of evidence of course, was the statement taken from Jessie Misskelley, which any objective observer at the time would know could not possibly be true. Misskelley was borderline retarded. He was told to cooperate, he could cooperate, he knew there was a reward. He was told when he said he wasn't involved in satanic activity that he had failed the polygraph on that question. He didn't fail the polygraph. He said that he met with Echols and Misskelley and marched them off, uh, marched the boys off, he took them off their bikes while they were on their way to school at nine o'clock in the morning. At nine o'clock in the morning, those boys were in school, as they were all of that day.

[SLIDE:

A Dozen Reasons

1. Borderline Retarded
2. Knew of Reward
3. Was Falsely Told He Failed Polygraph
4. Murders Were in Morning
5. Boys Could Have Run Away
6. Boys Tied with Brown Rope]

He said that, and this is just so telling. We debated whether we were going to show you the proof of this. It's a picture of these three little boys bound with their shoelaces, feet to hands in a tortured position. The police tried desperately to get Misskelley to describe this. And finally they said, "Well, why didn't the boys run away? If they were tied up in a way that he could run away." He said, "Oh, they could have run away, we hit them." No human being, no human being who has ever seen a photograph of those three boys, could say that they were tied in a way that allowed them to run away. And Misskelley said they were tied with brown rope, no one could not know they were tied with their own shoelaces from their sneakers. He said one victim was choked to death. Absolutely false. None of the victims were choked. The victims were sodomized. Even in 1994, the State's pathologist said you cannot rape an eight-year-old boy if you're an adult and not leave overwhelming physical evidence of it. There was not one bit of evidence that any of these boys were sodomized.

(Part 2)

The boys, he said, were beaten with their clothes on. Badly beaten with their clothes on. All of their clothes were recovered, there was no blood on them. He said that Baldwin called him at noon to say that the murders were completed. Jason Baldwin, like all of these victims, was in school at noon. And finally, they take this statement to a judge who refuses to give a warrant, he says "You've given me a statement that doesn't describe these crimes. They occurred in the evening, not in the morning." They go back to Misskelley in the interrogation and tell him that he had said that it was eight o'clock at night, which he never had. They supplied the time. And even though we now know it was the evening and Baldwin, uh Misskelley has described this as in the morning, there's never an explanation given of how he ever could have run into Echols or Baldwin, whose movements during that day were accounted for.

So when Gary Gitchell says "Eleven out of ten," he's talking about zero on a scale

of ten. So, where do we go from there. The authentic assessment of the evidence as Echols' trial began came from the prosecutors.

[CLIP FROM 'PARADISE LOST'] Brent Davis: Unfortunately, we need his testimony real bad. If it was a perfect world, we would take what we have on Jessie and leave it and we'd go and get the other two. And get them and be happy. But it's not. We need his testimony to be sure and get convictions on the other two. [END OF CLIP]

What happens then, is that my friend Davis is saying that the statement of Misskelley is not only false and unreliable, it's inadmissible against either Echols or Baldwin. In this country, you can't put in a statement like that. You have to put a witness on the stand to be cross-examined. He is saying that unless we get Jessie Misskelley on the stand to give a credible version of this, we don't think we can win the case. And John Fogleman, the other prosecutor, at that point summarizes what they have without Misskelley.

[CLIP FROM PL] John Fogleman: So that's what we've got, but that's all, basically, that we've got. Davis: You asked what the odds were of convicting without Jessie, and it's, you know, fifty-fifty might be good. [END OF CLIP]

What they're talking about is there's a statement by the Hollingsworth clan, that two members of the Hollingsworth family who said they saw Damien Echols and his girlfriend who was related to them, Domini Teer, on that evening out on the road not far from the crime scene. There's fibers from little children's clothing that were recovered on the, at the crime scene that -- the theory being that somehow a little shirt in Echols' home had a fiber transferred to him, and it got to the crime scene. There were two girls at a softball game who said they heard Echols say he killed the boys and he would kill two more. They mentioned Michael Carson, and you'll be seeing from him, a jailhouse informant who said that Jason Baldwin made an incriminary statement. And he said, and this is absolutely critical to what you're hearing today, he said, Fogleman says, "We found a knife in a lake behind the home of Jason Baldwin." The knife in the lake. So. But did Jessie Misskelley testify at the trial? No, he did not. He never, he had maintained his innocence after this statement, he never testified for the State. Well if that's the case, given what you saw, how did they get the conviction against Damien Echols? We'll be discussing each of these things again later, but one thing was absolutely critical to that conviction and to our presentation today. In the closing arguments --

[CLIP FROM PL] Fogleman: Is it a coincidence, this knife is found behind, in the

lake, hidden behind Jason Baldwin's house? There are marks on Christopher Byers where you've got like a dash, where it's a cut, a cut and open space, a cut and an open space. And if you take this knife and do that, you can see it leaves a cut and an open space, a cut and an open space. Now if you take this knife, Exhibit -- Defense Exhibit 6, and even with the slightest pressure, it makes a straight line. [END OF CLIP]

So what have you, what have you just seen. The prosecutor has said that if you take a grapefruit and cut it with that big knife that you saw, you will get a -- that is a fair representation of what a knife does to human flesh. He has said that there is a certain pattern that would be made on the grapefruit same as made on human flesh by that knife, and he concludes by saying, "So therefore, you know this knife found in the lake was what was responsible, remember, for the sexual mutilation, the sexual mutilation of Chris Byers." None of that was supported by any evidence in the record. The State's pathologist said nothing more than this. That he could identify of hundreds of marks on these bodies. He said hundreds. He picked out two spots -- three spots -- that could have been made by a serrated knife, but any serrated knife. He could not say, could not attribute to anything. But you watch the prosecutor conduct an experiment which he represented to the jury proved conclusively that the same marks on that grapefruit had been made by that same knife on the body of Chris Byers.

Now, what do we know about what convinced the jury to convict. Remember, Jessie Misskelley did not testify. Jessie Misskelley's statement could never serve as any evidence in the case against Echols and Baldwin because in this country, evidence comes from the witness stand. Every jury is told you will decide this case on the evidence from the witness stand. But in the last couple of years, quite fortuitously, and this is the sort of fortune that can save a man's life, we have found the following.

We have found that there was -- even at the time, it was known that the jury put up big sheets of factors that they considered in convicting Echols and Baldwin. And they've been kept in evidence. And here the Echols one is, and people have examined this for years. But no one had really asked what that might be [SLIDE: Jury notes with blacked out line]. What was that? Why was it crossed out and who crossed it out? Years later an investigator for Jason Baldwin named Tom Quinn found one of the jurors who had not only taken compendious notes, but had copied a facsimile of that list into her notebook. The crossed out item is the Jessie Misskelley testimony.

The same is true of the Jason Baldwin list [SLIDE: Other list with two blacked out lines]. You will also see something crossed out on the Baldwin list. The woman's facsimile -- the juror's facsimile -- reveals it is the Jessie Misskelley statement. Jessie Misskelley -- uh, Jason Baldwin and Damien Echols were convicted illegally in violation of every basic principle of a fair trial because they were convicted by jurors on evidence that not only the jurors had never heard, but they couldn't have heard. And most importantly, had that statement been admitted, those jurors would have heard the eleven reasons why it was false. Because it was not admitted, because it was not admitted, because the defense was under the impression the jury didn't know about it or wouldn't rely on it. They didn't hear any of that evidence about how false it was. All they knew was the reports in newspapers that said consistently Misskelley identified these two defendants as murdering and raping these three victims. So that is the trial, that is the central claim, that unfairness, reliance on Misskelley's statement, in Echols versus Norris. But with that, I would like to reach the question of an addition to that, the unfairness of the trial. What is the new evidence that proves not merely that this was an unfair trial, but innocent men were convicted. And in particular Damien Echols. And with that, I'll turn to Don Horgan, who's going to introduce our experts.

DONALD HORGAN, counsel:

Good Morning. I'm going to take a minute or two here just to review some of the DNA evidence that has recently surfaced in the case. First, with a little background. In 2001, Arkansas, like a lot of other states, passed a statute that allows convicted criminal defendants to challenge their convictions with new DNA evidence that shows them to be actually innocent. Under that state statute and under an agreement the defendants reached with the prosecution, relevant items from the crime scene in this case were tested at the laboratory chosen by the prosecution, and that's Bode Laboratories in Virginia.

(Part 3)

In late 2005, Bode issued its first report, showing DNA profiles of genetic material found on the victims and on other pieces of evidence from the crime scene. The lab was later given DNA samples both from the victims and the defendants and analyzed those. In the end, none of the Bode reports could link any of the DNA provided by the defendants to the victims or to the crime scene. And in fact -- and this is of great importance -- one report showed a piece of genetic material on the penis of Steven Branch that could not be linked to any victim or to any defendant.



In the meantime, our investigators were obtaining DNA samples in the form of hair, cigarette butts, oral swabs, from people who had some connection to the events. These included samples from several people, including Steven Branch's step-father, Terry Hobbs. And later we received a sample voluntarily given by David Jacoby, a friend of Terry Hobbs, who was with Terry Hobbs on the day Steven disappeared.

We gave all these samples to Thomas Fedor, who's here today. He's an independent forensic serologist at the Serological Research Institute in California. Tom analyzed the samples and compared them to the testing results Bode had already given us. The result of that analysis, in May 2007, showed that a hair from a ligature used to tie up Michael Moore could be associated with Terry Hobbs. We provided that result to the prosecution right after learning of it. A much more recent analysis by Mr. Fedor showed that a hair found on a tree root, or a tree stump, at the crime scene could be associated with the DNA samples provided by David Jacoby. We also disclosed that result to the prosecution right after learning it. Mr. Fedor is now going to talk a little more about the meaning of those DNA results in a little more detail. Tom.

THOMAS FEDOR, forensic serologist:

Good morning, everyone. My name is Tom Fedor. I work for the Serological Research Institute in Richmond, California. The Serological Research Institute is often abbreviated, for convenience, S-E-R-I. SERI. I'll refer to my laboratory as SERI.

[SLIDE:

Cigarette Thought To Have Been Smoked By Terry Hobbs:

- Do not exclude the cigarette smoker as the source of a ligature hair on Moore.
- About 0.12% of the population could be the source of the cigarette butt DNA.
- About 1.5% of the population could be the source of the ligature hair]

What I did -- after Bode found very important things, firstly that none of the DNA from any of the crime scene evidence could be associated with Mr. Echols or Mr. Baldwin or Mr. Misskelley -- Was prepare the samples Mr. Horgan indicated he sent to me to the results that the Bode Laboratory actually got from hairs at the crime scene. What I learned from the cigarette butt that was thought to have been smoked by Terry Hobbs -- and I'll say thought to have been because one of them was recovered from the front yard of his residence. Another cigarette was recovered from an ashtray in his house. The DNA that I recovered from those cigarette butts

does not exclude the person who smoked them from being the source of a particular hair found at the crime scene. That hair was associated with a ligature that bound the victim Moore.

Approximately 0.12% of the population could also be the source of that cigarette butt DNA, in case there is any doubt about whether it is Hobbs' DNA on that cigarette butt or not. Very few other people could have provided that particular DNA sample. In respect to the hair that was associated with the ligature, approximately 1.5% of the population at large could be the source of that hair. So, what we know now are two things. Terry Hobbs could be the source of that hair on the ligature. None of the defendants could be the source of that hair on the ligature.

In respect to items that Mr. Horgan indicated I tested from David Jacoby, the same sort of result is found. That is, what I have are a cigarette butt thought to have been smoked by him because someone visited his house and collected that cigarette butt. And as Mr. Horgan indicated, Mr. Jacoby generously provided a sample of his cheek swab, that I could test.

[SLIDE:

Results from SERI Test of Cheek Swabs from David Jacoby and Cigarette Butt Thought to Have Been Smoked by Him:

- DNA test results from these two samples are the same and do not exclude the cigarette smoker as the source of the tree stump hair
- About 3% of the population could be the source of the cigarette butt DNA
- About 7% of the population could be the source of the tree stump hair]

The results from those two samples from Mr. Jacoby were the same as each other, confirming that Jacoby smoked the cigarette butt, if there was any question about that. But more importantly, the DNA results from Mr. Jacoby do not exclude him as the source of a hair found on a tree stump or a tree root at the scene of the crime. About 3% of the population could also be the source of the cigarette butt DNA, in case there was any question as to whether Mr. Jacoby was in fact the smoker of that cigarette. And about 7% of the general population could be responsible for that particular tree stump hair. None of the defendants could have been the source of that hair. None of the victims could have been the source of either hair, because -- as Mr. Horgan mentioned -- Bode has found none of the DNA evidence from the crime scene connects any of the defendants to the scene of the crime. That's my work. Thank you.

DONALD HORGAN:

In addition to the DNA, there have been other defense discoveries that bear on the question of actual innocence. As some of you know, a critical prosecution theory at the 1994 trials, and Mr. Riordan mentioned this, was that the defendants used a survival knife to inflict most of the injuries on these victims. And that they used the knife before the children died. In late 2005, the defense hired a pediatric pathologist to review the autopsy reports, the photographs and other evidence, to get her opinion about the cause of the injuries. Her name is Janice Ophoven. A few months later we learned Dr. Ophoven's preliminary conclusion and that was that animals had actually caused most of these wounds and that they had happened after the time that the victims died. And of course if that were true, it was a very dramatic development, because it would expose key elements of the prosecution's case as utter nonsense.

So we then consulted with four other renowned experts. They included forensic pathologist Dr. Werner Spitz, who is here today, Michael Baden, Dr. Vincent Di Maio. In addition, forensic odontologists, Richard Souviron from Miami-Dade Medical's Office -- Medical Examiner's Office, here's here today, and Dr. Wood from Canada, Robert Wood.

The consensus reached by all of those experts was again, that most of the injuries to the skin of the victims, including the severe genital injury to Christopher Byers, were not caused by the use of a knife but by animal predation that occurred after death. The experts were also unanimous that none of the children had any injuries consistent with any form of sexual abuse. And as this view was emerging in May of this year, our experts presented those views at a meeting with the prosecution and with Dr. Peretti, who had done the original autopsies. And we all regarded that as a joint search for the truth.

Finally, in September of this year, we retained another forensic pathologist, Dr. Terry Haddix from Stanford University, to check on the validity of the animal predation theory and our other experts' views. We gave her all of the relevant background material. We said nothing to her about animal predation whatsoever. And Dr. Haddix concluded that animal predation had explained many of these injuries, that there was no evidence of any sexual abuse, and again most importantly, that there was no evidence on the childrens' bodies consistent with the use of a serrated knife.

Dr. Spitz and Dr. Souviron are now going to speak for a few minutes about their findings as to the nature and causes of these injuries. One other note before they do begin. We think it's appropriate in this setting to present only very limited

photographic views of the injuries in order to illustrate the expert findings. But keep in mind that Dr. Spitz's findings, Dr. Souviron's findings, the finding of every other expert we have, is based on review of hundreds of autopsy and crime scene photographs. And the most relevant of those photographs and other materials are included in the federal filing that we submitted this past Monday. And with that, I will turn it over to Dr. Spitz to be followed then immediately by Dr. Souviron.

DR. WERNER SPITZ, forensic pathologist:

Good morning. I analyzed a lot of pictures. I analyzed a lot of written material. It is my opinion, or following on my opinions, injuries on the body surface of all the three victims, three boys, including the emasculation of Chris Byers, were produced by animals, after death.

(Part 4)

None of the injuries were caused during life, and none were caused by a serrated knife, or any knife for that matter. These are not sharp injuries that have characteristics, and those characteristics are not identifiable or synonymous with a knife or any other sharp force type injury.

The type of animals, there are small animals and large animals. The spacing of the wounds that -- two of the pictures I have brought here -- are not consistent with the serrations on the skin. [SLIDE: Photos] When a dog or other carnivorous animal attacks a body after death, or before death sometimes, they scrape the body. They move their claws on the body and try to bring the body closer to them and they do this several times. And you have here two of the victims that have the same identical injury and they, the spacing and the configuration of those injuries is not compatible with a serrated knife such as this or, for that matter, any knife.

I might say to you, in a, in a, just a couple of words, when these pictures first came to me, I couldn't understand what this issue was all about because it was so obvious that these are animal product. And I thought by the attorneys, it took maybe seconds to make that observation. Of course, it took a lot longer to read the material and to identify detail, but as far as satanic, cult-type injuries, I fail to see those in any of these victims.

There were obvious claw marks. There were, on all the victims, there was no evidence of sexual abuse, there was no evidence anywhere of anal penetration or mutilation or any way you want to call that. The, there was no other abnormalities

on the bodies that would in any way conform with that which was alleged to have occurred.

I asked just a few minutes before this meeting started, I asked Dennis Riordan if he would allow you to view other pictures if you, he said, if you so wish, then he will be glad to show them to you.

Thank you very much.

DR. RICHARD SOUVIRON, forensic odontologist:

Good morning. My name is Richard Souviron. I am the Chief Forensic Dentist for Miami-Dade County, Florida, and have been in that capacity since 1967. I have published in Dr. Spitz's book, also in a handbook on bite mark identification, the degradation that occurs to humans by animals. Obviously, in my area, we see quite a bit of degradation from sharks, barracudas, alligators, which are not involved obviously in this case. However, we see degradation from other animals such as dogs, number one cause, deaths that have resulted from dog bites as recently as this year. In Naples, Florida, a jogger was attacked and killed by pit bulls. So I've had some experience in that regard. Additionally, the bite mark evidence that I've dealt with, obviously, particularly in cases like Ted Bundy, was human bites on other humans. In this case, we're dealing with animal bites on humans. My opinion that these bitemarks, and I concur with Dr. Spitz, that you don't have to be a rocket scientist to look at these things and know that these are bite marks and that they occurred post-mortem -- after death.

The area that I'm going to be involved with is to -- I think all of you saw the experiment with the grapefruit, where the knife was hit into the grapefruit and he said, "See these spaces? They match this knife." Which was quote, hidden, in a lake. That's their job, is to be as inflammatory as possible. That knife was hidden in the lake. Well, they found a knife in the lake that's a Rambo knife, that's what I call it. That's the knife [SLIDE: Photo of knife] And you don't have to be a rocket scientist, or a forensic dentist, or anything else to look at that, serrations on the back of that knife, and see these marks on this, these two human beings, and saying that that back end of that knife made these marks. I mean, give me a break. That is the most ridiculous statement that I've ever heard anybody make. And to sell that to a jury is unconscionable, in my opinion. These are scratch marks from claws from some type of an animal, a carnivore, as Dr. Spitz says. The genital injuries, which we cannot show you because they are so graphic and so disgusting that it's not for television.

[SLIDE: Forensic Conclusions

- Injuries on the body surface, including the emasculation, were produced by animals after death
- Wounds attributed to a knife or knives are in fact claw and/or bite marks caused by animals. None were caused by a serrated knife, or any knife.
- Byers' genital injuries were the result of ripping not of cutting with a knife. These injuries are post-mortem animal predation.]

I have a case in which that same type of injury is documented and occurred on an individual, and is reported in a textbook, and animals will go for the genital areas, animals will go for areas where there's blood. So, in this particular case, in my area of expertise, number one, there are no knife wounds on the body. Dr. Spitz didn't say this, but he pointed out yesterday, there are no stab wounds. If somebody's going to use a knife, what do you do with a knife, you run around and scrape with it like this? I mean, come on. You stab with a knife. There are no stab wounds on these bodies, any one of the three, have no stab wounds. So, this knife didn't cause any injuries. No knife caused any injuries. And the injuries to the body were post-mortem, done by animals. Thanks.

DENNIS RIORDAN:

With that, let's return to this case. Remember, there were twelve obvious problems, obvious factors, that indicated Jessie Misskelley never saw these crimes occur. But given what we know now, how was it that Jessie Misskelley said anything about the genital mutilation of Chris Byers? Do we have a slide, oh, I'm sorry, why don't we go ahead with this.

[CLIP FROM PL] Scene with Gitchell on the stand. Tape playing.

Ridge: This is Det. Bryn Ridge of the West Memphis Police Department conducting an investigation of the triple homicide case file number 93-05-0666. Currently in the office with Jessie Lloyd Misskelley, Jr. .. What occurred while you were there?

Jessie: When I was there, I saw Damien hit this one, hit this one boy real bad and then, uh, and he started screwing them and stuff. [END OF CLIP]

That is the only statement that Jessie Misskelley volunteered. I saw him hit somebody real bad and start screwing them. We know, we know -- we knew then, and we know even more now, that the screwing thing never happened. That it was a fiction. But, he had made no reference to any knife. And it is Detective Ridge,

who at one point earlier in the statement said, "Who had a knife?" And Misskelley then says, "Well, Baldwin did." And then he says, "Well, where was he cut?" Misskelley says, "He's cut on the face." That isn't what they're after. And it is at that point that Ridge says, "You know another boy was cut." Ridge says, "Another boy was cut." And he asks, "Where was he cut?" And Misskelley says, "Uh, at the bottom." Ridge says, "Is that the groin area?" Misskelley says nothing, I don't think he knows what a groin is. But then finally Ridge says, "if he knows where his penis is." And then Misskelley says, "Oh, that's where he was cut at." And it's Detective Gitchell, not Misskelley, who supplied the name of Byers as the boy who had been cut.

[SLIDE: Misskelley Confession

Misskelley made no reference to a knife in his statement prior to being asked by Detective Ridge: "Who had a knife?" Misskelley then responded that Baldwin did. After Misskelley said one boy was cut on the face, Ridge told Misskelley that another boy was cut and asked where. After Misskelley stated "at the bottom," Ridge suggested the "groin area," to which Misskelley made no reply. Finally, Ridge asked Misskelley if he "knows where his penis is," and Misskelley agreed "that's he was cut at." It was Detective Gitchell, not Misskelley, who then supplied the name of Byers as the boy who had been cut.]

In other words, Jessie Misskelley never saw any genital mutilation, because there was no genital mutilation by the perpetrator of these crimes. To the extent that his statement includes a reference to it, it's completely supplied by his interrogators.

(Part 5)

The knife in the lake. The knife in the lake. Now let's turn back to the knife in the lake. We had a representative of the State hold up a grapefruit as an analog to human flesh. Our filing in federal court says that, that, that the analog of a grapefruit to human flesh being cut is like comparing cutting chalk to comparing cheese. It's a fraud. It can't be done. He makes the marks himself. And he describes to the jury how they're measured, and he says, "I'm telling you. You can superimpose them, they're exactly there." It's a classic -- there is no testimony in the record to that. It's a classic instance of prosecutorial misconduct, in attempting to inform a jury of facts that are unbased in the evidence. It is a federal Sixth Amendment right violation, it is a critical claim in front of the federal court right now.

In rebuttal argument, Prosecutor Brent Davis says, "Well take this knife" -- and

you saw it, there's a sharp edge on the front and the serration is actually on the back side of the knife. And he says, "If you're cutting the penis with the sharp edge, then the serrated edge will be making marks on the thigh of Chris Byers." No foundation for that in the record, it's simply not true. And I assure you, that if you can stomach looking at these autopsy photos, when you see, when you see the thighs of Chris Byers with hundreds of marks on them -- you'd still be there with a knife trying to make that number of marks. You will see, it is truly obvious where this predation came from. A phenomenon -- and this is attested to in the federal writ, that, if you can bear this -- called degloving. There was a big scene in the trial, it's in the DVD about the trial, in which the State's pathologist is asked, "Well, how could you do that surgical operation on the penis? Wouldn't you need a scalpel, wouldn't you have to do it in an operating room, could you do it on a bank, could you do it in the water?" And he says, "I don't know how you could remove the skin that way." It is well established in the medical literature that if something like an animal pulls on the testes, the skin of the penis comes off like a glove, leaving the corpus of the penis on the body, which is exactly what happened in this case.

Go then to another critical piece of evidence against Echols. Bryn Ridge says, "You know, when I talked to Echols three days after the crime, he knew that one of the boys was cut worse than the others." Well, we've supplied the court with any number of newspapers that reported the fact that Byers was cut worse than the others. But the inference that Echols knew this because he was there to see the emasculation of Byers is, as so much in this case, simply false.

And then, and then, and this is truly -- there is a study recently on wrongful convictions, including death convictions, they list the factors that are most common in the last two hundred cases. One is false confessions by teenagers, mentally deficient people, or both -- Jessie Misskelley. Another one is the production of jailhouse informants who say, "Oh! The defendant confessed to me." Now you can have a tape recording of that, it's credible. He says he can confess that the murder weapon is buried under his house, they find it, it's credible. There is no form -- no prosecutor can put an uncorroborated jailhouse informant on the stand, uncorroborated, and know that he is, that that is not perjury. There is no one who can possibly know if it is perjury.

Let's look at Michael Carson.

[CLIP FROM PL] Davis: Did you have an occasion again while you were in the detention facility to ask him, was he involved in the murder of the three eight-year-



olds?

Carson: Yes. I think it was like the next day. I believe it was the next day.

Davis: And, can you tell us what the scenar -- what was going on, what was happening at the time that occurred?

Carson: Well me and Jason Baldwin were scraping up the cards, going ourselves for lunch, I said, "Just between me and you, I won't say a word, did you do it?" He said, "Yes" and he went into detail about it.

Davis: You say he went in more detail. What did he tell you?

Carson: He told me how he dismembered the kid, or I don't know exactly how many kids, he just said he dismembered 'em. He sucked the blood from the penis and the scrotum, and put the balls in his mouth. [END OF CLIP]

So, this supposedly happened within twenty-four hours of Carson -- who's in jail for about three burglaries, including at sixteen years old, breaking into a house to steal guns. Comes in and says Jason Baldwin, who has made a statement to no one, within twenty-four hours confessed that to him. Did he, does Carson go to the police, does he mention it to the jailers, no. Eight, nine months later when Jessie Misskelley is finally on trial, Carson comes forward for the first time to say that Jessie, uh, Jason Baldwin told him that he put Chris Byers' balls in his mouth. You have just seen, you have just seen someone lie under oath to send a man to the death chamber. Lie under oath. And I won't go into detail here, but it won't be that long before the story of Michael Carson and his years since then are told by attorneys for Jason Baldwin. And when that story is told, if there were ever any doubt, you will see that this is the classic form of jailhouse uncorroborated perjury. And, of course, the forensics make that clear. That was an animal that caused that wound to Chris Byers.

However, however, it was that testimony that led Dale Griffis to say, "Well, this is a satanic killing. Damien Echols was involved in it, he's a satanist and I'll tell you that it's a satanic killing." On what basis does Mister, does "Doctor" Griffis say this. First, let's deal with "Doctor" Griffis. Do we have a graphic...

[CLIP FROM PL]

Ford: This is a mail order college, isn't it? What classes did you take between 1980 and 1982 to obtain your Master's degree?

Griffis: (no response)

Ford: What classes?

Griffis: (no response at first) I testified --

Ford: I'm asking what classes, what classes did you take?

Griffis: I told you, I answered that before, none.

Ford: You did not take any classes. Between 1982 and 1984, when you became a Ph.D., what classes did you take?

Griffis: None.

Ford: None. Okay. [END OF CLIP]

[SLIDE: Prosecution Expert: Dale Griffis

- Claimed Wounds on Left Side of Face Indicated Satanic Murder
- Satanic Opinion Relies on Carson Perjury
- Fraudulent Credentials]

Doctor, Doctor Griffis attended Columbia Pacific University by mail, he said. A Ph.D., a Ph.D. in cult studies from Columbia Pacific University, which was shut down by the State of California in 1997 as a fraudulent diploma mill. Dr. Griffis says that he knows that this is a satanic crime because there is a wound on the left side of Steve Branch, and left side facial wounds are satanic, as opposed to right side facial wounds, which I assume are Christian. [laughter] And he says the other reason that he knows, oh well he says that it's a satanic killing because it happened, it happened in between two -- May fifth is in between May first, which is a satanic holiday, in the Catholic school I was raised in it was the date of the beginning of Month of Our Mary, and Walpurgisnacht and ?vane. I called Ken Lanning, who is the FBI -- and John Douglas will talk about this more -- the FBI expert on satanic activities then, because they were coming in from all around the country. He said they all had calendars of the satanic holidays. He said it was over for him when he saw a calendar of 120 satanic holidays and murders, they said, were committed within two days of each of them, okay, multiply 120 by two or three.

He relies on Carson. Okay, Carson, he's asked, assume that Jason Baldwin put the balls of Chris Byers in his mouth, is this a satanic killing. Yes. As Ken Lanning said, "If they had killed these kids with a whoopee cushion, Dale Griffis would have come in to testify that a whoopee cushion is a satanic instrument of murder." Here is his new book (holds up a copy of "Secret Weapons"). Here is his new book, 2001, in which he details how he discovered that two thirteen-year-old girls were taken over by the CIA, given electroshock treatment, and at the age of fourteen became military pilots and committed assassinations for the CIA and then were brainwashed to forget it. And it was only with his assistance that he was able to recover the memories of this abuse of these thirteen-year-old girls by the CIA.

(Part 6)

This is a man who stands on the same level as those who claim that the World

Trade Center bombing was a result of explosives in the basement. And that all of the Jews in the building were given notice so they could out before the bombing was committed. There is probably no greater disgrace in the history of death penalty litigation in this country, that Dale Griffis was placed on the stand in a death penalty case to testify and offer testimony as the basis for killing Damien Echols. And with that, I would like to turn to someone who actually does know something about analyzing crime, John Douglas, twenty-five years with the FBI Criminal Analysis Unit.

JOHN DOUGLAS, profiler:

Thank you. Good morning.

We in fact were contacted in 1993. Two of my colleagues were contacted. We primarily provided advice relative to neighborhood investigations, what types of questions they should be asking when they went around the neighborhood knocking on doors. We then were contacted, later during the trial, and Ken Lanning was contacted by one of the prosecutors about utilizing satanism as a defense. And Lanning, who's a good friend of mine and colleague, laughed at him and said, "You better not use it. You better not use satanism as a defense, because the defense team is going to chew you up and spit you out. Just go with your forensic evidence, just have your, lead with your forensic evidence for the solution of the crime." Well, as you know, there were no forensic evidence to go on, so they fell back on satanism as a motive in this case.

The early 1970s and '80s, we began to see at the FBI Academy, police officers coming in from around the world, the media was playing up that there were 50,000 children abductions in the United States. One out of three children were being sexually assaulted. As a result of this type of information, I went to the National Institute of Justice and I received two grants to conduct research. First research was sexual homicide patterns and motives, the second research was to conduct a violent crime study, a Crime Classification Manual (holds up copy of book), which we're now in the second edition. The first edition, we addressed every possible homicide we considered using satanism as a possible, you know, as a possible category. But then we decided to go out and conduct interviews -- like David Berkowitz, the Son of Sam, and Richard Ramirez, the Nightstalker -- which we did. And hundreds of other cases. And the cops were kind of throwing around words like ritual in their cases, and using it interchangeably with satanic, with satanic crimes. We did a close evaluation, we looked at these cases. Ken Lanning and I, and my other colleagues, we didn't see one. We didn't see one case. And

that, the first publication was in 1992. This was just published, the second edition was just published last year, in September of 2006.

And those 50,000 kids who were being abducted in the United States, we worked through the Office of Juvenile Justice and Delinquency Protection, there's about 100 every year that are abducted. True abductions of children, stranger types of homicides, that's all we see. All the other abductions are pretty much parental types of abductions and we usually recover those children. So being tasked with this, I was interested, was this going to be the first case. I knew a little bit about it, not much about it. I didn't want to interview the subjects in the case that were convicted. I wanted to rely just on the facts, the information. I did get to interview some of the now suspects in this particular case.

And the Crime Classification Manual is broken down into: Group Cause, meaning is there multiple offenders involved in this case; is it a Sexual Homicide, is that the motive; is it a Criminal Enterprise, meaning that is there an angle where there's a financial connection to the subject and the children; and the fourth one is whether or not it's a Personal Cause Homicide. I looked at all the different categories, I looked and reviewed the information relative to the case and pretty clearly, it was pretty easy to me, to define this case as a Personal Cause Homicide. This is not a homicide, either, perpetrated by a stranger. The person responsible for this crime knew these victims, and knew these victims relatively well. The question I'd ask myself is, if the motivation is murder, if the initial intent is murder, go ahead and kill. Why did the subject decide to tie up the victims after stripping them down naked. I believe the initial intent, in my analysis, was not to kill but was to taunt and to punish. Punish these individuals. I saw criminal sophistication at the crime scene. The tying of the wrists to the ankles. I searched cases all over the world, I couldn't come up with a similiar types of cases.

What I saw the offender, we call him the unsub, decide to get into the water to secrete the clothing by pushing down with the sticks in the clothing, hiding the clothing, along with the three victims. Using that kind of concerted effort, we're not looking at teenagers committing crimes like this. You're looking at somebody who's relatively criminally sophisticated. We're looking at somebody who's been violent in the past, who's violent now, at the time this crime was perpetrated, and would also be violent in the future. So I did this detailed analysis, went to the Inquisitor investigative, private investigators in Memphis. And what they said was is Douglas is describing some people here that we ought to take a look at.

And lo and behold, David Jacoby was never interviewed by law enforcement. He

waited for the cops to come knocking on his door. Terry Hobbs was never interviewed by the police, until we conducted interviews of Terry Hobbs. Then, by, I interviewed him two times. I had one interview where he was very, very credible because I didn't have any background information on him. But then five days later, when we get this more detailed information, specific information, I talked to a total liar on a Monday night. He's a total liar, the guy I'm talking to now is being confronted with his lies, and it's a totally different type of bird. The person responsible for this crime can look at you right in the eye, can look at a camera and say "I didn't do it" because he's a psychopathic personality. There is no remorse. Anyone who perpetrates a crime like this and leaves the victims like this, in this condition, is only concerned about himself. You can put him on the polygraph, he'll pass the polygraph, particularly fourteen years later.

So looking at this case, to me, besides being a travesty of justice, this is not a satanic murder. There's no ritual. There's no ritualistic crime going on here. I talked to Mark Byers the other night, we talked with the families here, I told all the families, I said, "Mark Byers' son was not targeted." Everyone thought he was targeted. In fact, even Mark Byers would be the person responsible for the triple homicide. The child who was targeted, was targeted by a predatory animal. That was exposed the greatest, and where the animal could get to that child. It's equal. There was no preferential victim at all. All three children would be attacked by predatory animals. Yes, we do have a killer. And again, the killer went through this concerted effort because he lives nearby. He tried to delay his identification because he lived in the neighborhood. And he did his best to delay that by hiding the bicycles, secreting the clothing, and also hiding the victims in the bayou. So later on if you have any more specific questions, I'll be glad to address them. Thank you.

DENNIS RIORDAN:

We're going to bring the experts here in a panel in just a, two minutes. But let me conclude with a couple of other items. I mentioned before, and it was one of the things that John Fogleman mentioned in talking to the families before the trial, that the Hollingsworth Clan saw, said they saw Damien Echols with Domini Teer, who they were related to, out on the road.

[SLIDE: Hollingsworth Clan

- Prosecution Said ID Mistaken

- Anthony - Ten Year Felony Probation for Sexual Abuse of Minor Sister

- Narlene - Pending Case for May 5th Accident]

And that testimony was offered at trial. A problem with that is that the prosecution's theory that these two people couldn't identify the person they were related to. They were wrong when they said it was Domini Teer. And they were, because the police verified that she was home at the time. They said you should believe they correctly identified Echols, even though they couldn't identify their own relative. What didn't come out at trial is that both Narlene and Anthony, Anthony Hollingsworth, had a very strong motive to be as friendly and cooperative with the prosecution as they could. Anthony, because in a case involving -- prosecuted by John Fogleman the year before, 1991 -- he had received a ten year felony probation for the sexual abuse of his eight-year-old sister. Narlene had actually gotten into, and she said this at trial, that she had gotten in a car accident on May fifth, the day the boys disappeared. What she didn't say was it resulted in a pending vehicular case against her, which was resolved favorably after she came forward and said that she had seen Damien Echols and Domini Teer out on the road.

(Part 7)

I mention also that at the time, the police interviewed Damien Echols and his mother. They said he was on the phone with Domini Teer. They interviewed Domini Teer, she confirmed that was true. They interviewed Jennifer Bearden, who confirmed that was true. Jennifer Bearden has filed an affidavit in the federal case, now ten years later saying that she's never forgotten this case. She's now twenty-three, she's a Criminology major, she would have no reason in the world to continue to offer support to someone who was involved in these crimes. She said, "At 9:30 that night, Damien Echols was on the phone with me."

So let me just conclude with -- go back to our actual innocence test. The federal court will have to decide whether, whether today, tried today with this information, Damien Echols would be acquitted. Well let's look at the conclusion of the argument that convicted him back in 1993. (reads from slide) They, the defense, makes a big deal, there's no evidence at the scene. But think about it a minute. It's not that there's no evidence connecting their client, because what evidence was found out there connects to one of these two, for the most part.

[SLIDE: Closing Statement

They make a big deal about there's no evidence at the scene. But think about it a minute. It's not that there's no evidence connection their client because what evidence was found out there connects to one of these two, for the most part. What

they want you to do is say there's no evidence. But there's no evidence out there that points to anybody else...if someone else had committed the crime then...you'd see evidence that didn't connect. And you don't have that.]

What they want you to do is say there's no evidence. But there's no evidence out there that points to anybody else. If someone else had committed the crime then you'd see evidence that didn't connect. And you don't have that. (finishes reading)

There is no evidence at the crime that connects to them. There is evidence at the crime scene that points in another direction. If this case were tried today, Damien Echols would be acquitted. He is actually innocent, and he has a meritorious claim for all of the reasons we have stated that his first trial was unfair. We're going to ask our experts to come up and take seats here. In the interest of time, at least initially, we're going to limit questions to the members of the media. We ask you to just state your name and identify your media ...

**Question:** In your investigation, have you found a motive for why Terry Hobbs might have committed the crime? (???)

**John Douglas:** We have specific details, yes, but (screeching microphones)... We did find specific details – I don't know if this is the forum that we should be presenting some of the... What I look for in a case is precipitating factors and events leading up to the crime. The person responsible for the crime on May 5th, 1993 just didn't wake up one morning and decide today I'm going to go out and kill. So what you do is you look at suspects, and if you do background checks on any people you look for a series of events leading up – precipitating factors, interpersonal relationships, failings in a marriage, financial problems. You'll see this with a lot of different types of violent offenders. And you look at that. So without being specific here, I did see these factors very obvious to me. From the first interview that I did, because I didn't have the background information, I was pretty much blindsided, I should have had more information going in, but I just didn't have the opportunity. But five days later when it came up to all this other information. Had the police back in 1993 – had they done a background check it would have come to me or one of my colleagues and say ok what do you think of this guy? I would say put him on the front burner – put him on the front burner. Let's see if he has the motive. Let's see if he has the means and the opportunity. The opportunity is critical in a case like this cause what you need to have for this – you don't need a lot of time, but is there a window of opportunity – about an hour, an hour and a half which we saw with him – he has an hour or an hour and a half

window of opportunity. That's plenty of time to perpetrate a crime. Then we saw other statements, conflicts in statements that he gave to the police over the years and to us. So you put him on the front burner; now it's up to the police or whomever to come up with evidence to link him to the crime. I'm just really directing them to a suspect, and he looked good.

**Dennis Riordan:** Let me say this... Certainly as a defense attorney... One of the horrors of this case is that within hours of the Misskelley statement, as flawed as it was, the State had been told that the crime had been solved beyond all question. It was a rush to judgment, the worst kind of rush to judgment. No one is saying that we have developed in this case evidence that establishes the guilt much less the guilt beyond reasonable doubt of anyone else. What we are saying is that there's no credible evidence that links any of these defendants to the crime. There is, unlike the statement in closing argument, strong evidence which at least points strongly away. And that is the question that we'll be addressing in federal court.

**Question:** Mr. Riordan, Mara Leveritt, Arkansas Times. You mentioned that the forensic evidence that you presented to...?... our State Crime Lab...? When you had discussions with them have they agreed, have they (corroborated/cooperated?) or have you reached a certain... ? ...

**Dennis Riordan:** We met at the Arkansas Crime Lab – I think that there was a good deal of coverage of the meeting in May with the assumption that it involved DNA, but in fact it was forensic pathologist Michael Baden who is one of our experts, Richard Souviron was there, Dr. Wood from Toronto, Vincent DeMaio one of the country's leading forensic pathologists. We met with Brent Davis; we met with Dr. Peretti; we met with members of the crime lab. We presented information to them. There was a discussion about them making available all cases for the last number of years that might involve bodies in water to see if there were comparisons and so forth. We have not heard from them, as our writ details. In early this month we sent them a renewed letter with specific interrogatory saying, Dr. Peretti – do you agree or disagree with the finding of animal predation and on what basis? As of yet there has not been a response to that letter.

**Question:** ? from KATV here in Little Rock. My question is if you're ruling out satanic cult as the motive, what would be your speculation... (?)

**Dennis Riordan:** Well, I think I will refer to John that we will – he has referred to information that has been looked at. The exposition of a motive certainly isn't part



of the writ that we have filed. We've limited it to the hard evidence. All we have said, by the forensic staff for instance, that there is a hair that is not inconsistent with Terry Hobbs; it's in a ligature. We've said and as David Jacoby was completely forthcoming in giving us a buccal swab – hardly the action of someone with a guilty conscience. But it is also true, and the DNA experts will tell you this, that there are many ways that a hair could get to a particular location and the fact that Mr. Hobbs was in the presence of Mr. Jacoby playing the guitar the hour before the boys disappeared can provide an explanation of transference there. But again what we are interested in doing is establishing the actual innocence in the legal sense of Damien Echols. And I have said this before, I've said it from my entry into the case – the worst thing that we can do is either – because at that time the focus was in a different direction – is get a tunnel vision about that or suggest, or suggest – I think the greatest obstacle to our winning this case is people saying, But if we don't stick with these three guys, who do we have? That would mean that someone else is out there. And we don't want to lose them without replacing them with somebody, and we have to say if we can demonstrate the actual innocence of Damien Echols, it is not our legal burden to solve this crime. And we don't have the resources to do it.

**Question:** ??... Why would you choose to lay out your case in a format like this? (microphone cuts off)

**Dennis Riordan:** Well let me be clear on two things. Everything that you have heard today we laid out before we ever went to court in meetings with the Prosecutor. And let me make it clear that I think Brent Davis, certainly since my entry into this case, has been – that his attitude has been we do not oppose testing, we agree with testing, in this case we want to make sure we have the right person. And in that spirit, each time that we have come up with something that we think is relevant, we have met with him and presented it to him – both in the forensics and in the DNA. We deliberately have made no public statement beyond court recordings until the time that this writ was filed. Quite frankly the reason we're doing it in this forum is that, when we filed that writ we got perhaps 300 requests, as we knew we would, from media outlets around the world. And the reason we chose to do it in this form as opposed to quick, on the sidewalk interviews is that we thought we owed it to people to do it in a serious presentation with the substance of this evidence presented as opposed to simply making conclusionary statements without giving people a chance to evaluate what it is that we're talking about.

**Question:** (mic off)... to taunt and/or to punish. Could you elaborate a little bit

more on that – the intent?

**John Douglas:** If the motivation was to kill then do it – go ahead and do it. But to strip the children down naked for a period of time like this and then at some point it is my opinion that the subject begins to lose control. It could very well be comments made by one of the children. Again I stated earlier I do not believe this is a stranger type of a murder. And that the subject then at that point went beyond just the taunting, the teaching these kids a lesson – he had to kill them. He had to destroy the evidence. [*End of part I*] And then the way, as I stated earlier, the way they were hidden, the way the clothing was hidden, the bicycles thrown into the bayou. I believe the subject came from that particular neighborhood and that's where if this was back in 1993 I'd be steering them in that direction. And of course parents are always considered suspects – first suspects you look at in cases like these.

**Question:** Mr. Douglas, have you ever seen a case similar to this?

**John Douglas:** No, I've never seen a case – I've done thousand of cases and my colleague when we were with the bureau we'd do a thousand a year. I didn't see any case like it and particularly with teenagers. It just showed a higher level of criminal sophistication for teenagers to do something like that. Certainly we've had teenagers involved in killings, a lot of school shootings, but never like this at all. And on a side note too – when I've seen cases, when I've dealt with multiple subjects and you're offering multiple subjects in cases deals to testify against somebody else and then they're not even going to do it, I thought that was quite surprising too relative to their innocence. They wouldn't even testify against their fellow colleagues – they took the time. Which was really unusual.

**Question:** What likelihood of hairs being transferred from a body – maybe I go into the woods and I have a hair on my body and it's transferred to a ligature like that? What's the possibility of that? That's what Mr. Hobbs says to us possibly happened and the reason that his hair appeared at the crime scene.

**Thomas Fedor:** It's possible that someone other than delivered his hair, if it is his hair, to the scene. In the same way that it must be possible that Mr. Hobbs, if it was him, transferred David Jacoby's hair to the scene. Hairs that are acquired from somebody else – that we don't grow ourselves – simply adhere by static electricity to our clothing and they fall off from time to time. Things can speed up the transfer of hairs; things can slow down the transfer of hairs. Activity speeds it up; inactivity slows it down. That sort of thing.

**Question:** So would it be unusual (?) a hair in that...

**Thomas Fedor:** Well, it's possible that his stepson legitimately carried Terry Hobbs' hair to that scene – that's certainly possible. It need not require Mr. Hobbs to be present. Although on the other hand it is possible that Mr. Hobbs and not his stepson brought that hair to the scene. There really isn't any way to be sure.

**Dennis Riordan:** Again in terms of our case, anyone who posits a theory – innocent ways that innocent people could have left evidence at the crime scene – has to deal with the fact that if that's the case, if things are left that easily and are there, how could three unsophisticated teenagers brutally murder three boys and not leave evidence? And remember we're talking a foreign allele – which is a genetic element – on the penis of Steven Branch.

**Question:** ?... I understand that in 1993 the medical examiner said Byers bled to death – how do you explain that? Are you saying the medical examiner was wrong?

**Werner Spitz:** Yes, I think the medical examiner was wrong. I think they all drowned. The injury in the groin area was almost bloodless or was bloodless for all intents and purposes. And showed ripping, chewing by a predator animal, a carnivorous animal, a large animal with evidence that this did not occur during the life of the boy. So there could not have been bleeding from that source.

**Question:** ...?... Just curious why it's taken fifteen years to get to the point where you guys are at right now and why it took so long to draw these conclusions as to – and to be able to file ...?... in a federal court. Why did it take fifteen years to get to this point?

**Dennis Riordan:** The simplest answer to that is that there was very, very little interest in providing to three indigent kids who lived in trailer parks the resources to defend themselves in this case. It is alleged in our petition in federal court, for instance, that trial counsel was ineffective in the constitutional sense, enough to overturn a conviction, for not retaining a pathologist – no pathologist. The police arrived at that scene, declared this to be a genital mutilation – they're not pathologists. And there was going to be no questioning of that from that point on by the state's pathologist and there was no defense pathologist who had been retained to combat these results. Now DNA, of course the reason that we can do the DNA is because it did not exist at the time and Arkansas has authorized this

because the technology has come into existence since then. But this is a case in which the defense investigator was eventually paid \$1 an hour by the state of Arkansas for his efforts on behalf of Damien Echols. This is what happens when you don't need pathologists because everybody knows, as Gary Gitchell did, exactly what happens in this crime from day one.

**Question:** Do you believe the State has been working against what the Defense has been trying to do by exonerating these three men of these charges. Do you feel like as you try to proceed in the court case that they've been working against you as much as you think they did during the trial proceedings?

**Dennis Riordan:** Well, Don and I came into this in 2004 and the reason for that was the state proceedings ended then and people associated with Damien Echols' defense said we need someone who knows the ins and outs of federal habeas corpus, which is an incredibly arcane area. When we talked to Brent Davis with members of the attorney general's office on Monday, Brent of course is very, very familiar with the evidence but when you get into talking about AEDPA and time limits and successive petitions and procedural bars very few criminal lawyers deal with that. So it's at that point that we came into it and all I can say is that since our entry into this case Brent Davis has maintained and continues to maintain – perhaps someday we'll persuade him – that these convictions are valid, but he certainly has engaged in a cooperative effort around things like DNA testing, certainly has made available the state's forensic pathologist for the meetings we've talked about. So we absolutely feel that he certainly has his viewpoint on it but has proceeded in a completely professional way in terms of the proceedings that we're now involved in in State and Federal Court.

**Question:** Can you tell me about the Defense Fund? (or something to that effect ?)

**Dennis Riordan:** Well, I'll tell you what I know about that. What I know about that is that Lorri Davis, the wife of Damien Echols contacted us in 2003 and said, you know, we've been told you guys know federal habeas corpus, will you get involved in this case? And we said we're lawyers in San Francisco, it requires – you're unhappy with the level investigation and factual investigation, so you need that on the ground in Arkansas. How can we possibly do this? And she has said work on the case and I will find a way to raise funds. And all we know is that every now and then we contact her and say, Lorri we haven't heard from you in awhile, and she says I'll get to work on this. I think you're aware that there's an enormous amount of interest in this on the Internet and so forth – I think she makes pleas there. I don't think it's a secret that when we got into the case... well the

DNA testing... The reason we got the DNA testing here – there’s a statutory right to it, but generally the state will often fight a defendant because it costs a lot of money. And the agreement was reached - the defense has funded all of this. The DNA testing has cost the state nothing which it’s usually the state that provides this to indigent defendants. Now I don’t think it’s a secret that people like Eddie Vedder have done concerts and raised a lot of money to pay for that DNA testing and [*End of part 2*] the Bode lab doesn’t know the words “pro bono” – it’s very expensive stuff. So all I know is we’ve been able to keep going because Lorri Davis has continually reached out to people like that, and people like Eddie Vedder to raise money. You know, we hired these experts. These experts testify for the Prosecution; they testify for the Defense. If they did this pro-bono they’d be accused of having favoritism. All we can say is they quoted us the same rate that they would quote a prosecutor. And Lorri and others have raised the money to bring them into the case.

**Question:** The attorney general’s office has made a comment in the past couple of days that this could take anywhere from months to several years just to come to some kind of resolution. Are you guys ready to deal with that volume (?) and what kind of battle do you have ahead of you?

**Dennis Riordan:** The way that this works is that we’re now in – this is a little complicated. There is a DNA action going on in state court – the DNA statute that was passed to allow DNA testing and that is pending before Judge Burnett. What we did, and the federal court was willing to say because that’s pending you can keep going there until it’s over and then come over to federal court. We believed that we had sufficient evidence of actual innocence that we wanted to get going on the federal side because that’s where most of our claims are. They’ve been rejected by the state courts; they’re pending in front of the federal judge. So we are dealing with a state DNA action, we are dealing with a federal action. The judge in that case will order the State to respond. Generally when you get a 200-page petition with expert reports like this you’re going to get at least several months to respond to it and what you’re then looking at is the possibility that in district court in Little Rock – and of course it’s the Judge who decides this and not any of the lawyers – he will come and say I think we’ve got factual issues about DNA that we need to resolve, get your experts in front of me. I think this question of animal predation is key to whether a fair trial was received or whether there is actual innocence. Let’s get these experts in front of me. Let’s put Dr. Peretti on the stand under cross-examination. Let me hear from Dr. Spitz and Dr. Souviron, and I want to see their credentials; I want to see their credibility; I want to see how convincing their testimony is. And very possible he’s going to say you’ve made allegations about

these charts, what went on in the jury room. This is very rare. But it is allowed both under State and Federal rules. If the allegation is that that jury room was contaminated by newspaper reports, by information that came in from the window as opposed to from the witness stand, he can call those jurors in and say I want to know what went on in the jury room. And so we're talking about conceivably a possible - and he could say I want to hear one of those issues and not the other two. But you're talking about a potentially complex evidentiary hearing which is almost like a trial except a different set of players testifying and offering evidence in federal court. So what is fair about the attorney general's report is that if he said I've seen ten death cases and they take several years to resolve in federal court, he'd be accurate. We certainly want to press forward. We don't think this is the end of it. We have done DNA testing and we mentioned the foreign allele on Steve Branch's penis. It's one allele - you can exclude people from being the contributor, and all the defendants have been excluded by Bode. But on one allele you can't say who it is. But that's what they call STR testing, and Tom can tell you it's something Tandem, etc. But there's now a form of mini-STR testing that's been used in the World Trade Center and they have from incredibly small - and Tom can address this - amounts of DNA material been able to get fuller profiles than anyone ever imagined before was possible. And maybe if you just want to take a second to comment...

**Thomas Fedor:** If I may. DNA technology is about to change again quite significantly in that techniques have been developed to work with samples that are even smaller and more degraded than the samples that we can work on today successfully. And given the small amounts of DNA that could not have come from the victims that was recovered from the scene, this new technology I think holds up promise of developing further characteristics of this DNA that clearly doesn't belong there. With the hope that perhaps we can develop more than one allele, more than several alleles and perhaps get enough information with this new technology on these very, very small samples of DNA to actually name an individual as the source. At the moment that is still a promise more than a reality. My own laboratory has not yet instituted or implemented this new mini-filer technology it's called because it is more miniaturized than the current technology. And my understanding is that the Bode DNA laboratory is getting ready to implement this new technology, so I think we're going to see some startling developments...

**Question:** ...?... Bode ...?

**Thomas Fedor:** Yes, actually because in my own view I think that that particular

substance, whatever it is, has much greater potential for identifying a person than the hairs that I've been looking at so far.

**Donald Horgan:** But there are additional materials at Bode that cannot be analyzed with their present testing protocol, but that would be subject to further analysis with this type...

**Question:** ...?

**Donald Horgan:** Well for instance the ligatures themselves have been looked at and, unfortunately, it looks like there's a lot of mixed profiles on the ligatures, so it's not necessarily clear that if you were to do a more sophisticated testing approach on those it would ever disclose anything. But a number of other items that are listed on the Bode report – and that's included in the federal filing you can look at – and in the STR section of that report we would likely go back to Bode and ask if there's anything more to be drawn from many of those other materials.

**Dennis Riordan:** Let me clarify one thing which is that the hairs that Tom referred to and the statistics that he used are probabilities – they can sometimes be startling probabilities – but they can only be probabilities because it's the maternal DNA that they call mitochondrial DNA it's common to a maternal line and therefore people in that maternal line will share it. You can never say it is a single individual. The STR technique that we've referred to here – when I referred to an allele, a single allele was under the STR method, but the STR method if you get sufficient information can point to one individual in the world or one in a billion. So the development of – I think it's fair to say Tom that no matter how sophisticated mitochondrial techniques get, they may get better in terms of the probabilities you'll never be able to list an individual. But the STR and greater accuracy there could conceivably take a very small amount of material and allow you to pinpoint an individual.

**Thomas Fedor:** Dennis has obviously been doing his homework because he's exactly right. The particular genetics of the DNA that's contained in hairs like that was recovered from the ligature are such that the DNA testing of those hairs does not distinguish between, for example, Terry Hobbs and all of Terry Hobbs' siblings, and Terry Hobbs' mother and all of her siblings, and all of Terry Hobbs' children and their cousins, etc. It's inherited through the maternal line strictly and that means that any one member of that maternal line could also be the source of say the ligature hairs as say Mr. Hobbs is. So there's no way from that particular evidence to ever individualize for example whether it was Mr. Hobbs' or Mr.

Hobbs' brother if he has one, for example.

**Question:** You're saying that (...?... ) becomes available, more testing could be done in this case. If this writ fails it's not over yet (?) and is there a point where you say we've done all we can do here or how many years are...?

**Dennis Riordan:** Well, the best we can answer that question in one sense – Don and I are going to be on this case until Damien Echols is executed, God forbid, or Damien Echols walks out of prison. [*End of part 3*] You are right that under procedural rules were this writ in front of the district court to fail it gets increasingly difficult to mount another legal challenge to it, but on the other hand if we had a mini-STR finding that allows us to pinpoint a particular individual who contributed that allele then you may be getting up to the kind of evidence that ... The whole actual innocence thing that I talked about is a way of overcoming the procedural of objection (?) – it's too late – like the question there it's now thirteen years down the line – it's too late now to find out we're wrong about Damien Echols. Actual innocence gets you past that and the more actual innocence that you can prove, then the more willing a court is to forgive things like procedural delays.

**Question:** I spoke with Terry Hobbs' attorney and he implied that this filing, this timing this forum is a publicity stunt to maybe get press for a movie in the works? What's your reaction to that?

**Dennis Riordan:** Damien Echols is sentenced to death. If Don and I didn't exist there would absolutely be an effort by someone in capital cases to represent him in that context. Actually I'll give you a better answer, ok. There has been an attempt to make a movie about this case, and we have written the people who are involved in it and said we'll kill you – with evidence - with evidence. Let me clarify what I meant to say. We will kill your project and you are foolish to attempt this because you have no idea what's going on in this case and thus, to this stage, we've been successful. And the last thing we want in this case is a movie. And I can assure you – I will be glad to assure you – that if we can win this case we will never be involved in a movie. Our concern is here – we're death penalty lawyers, we've litigated serious issues like this in many cases and I have never in a death penalty case been able to mount anything like the showing of actual innocence that we think has been shown and we believe will continue to grow in this writ(?).

**Question:** What does your client Mr. Echols, what does he think about (...?...)?

**Dennis Riordan:** Don and I met with him on Monday. He knew that we were very,



very close to filing this and he said I haven't been able to sleep all week and I said, I assure you, neither Don nor I have slept all week either. We were up to 3:30 on Sunday morning preparing the final arguments for the filing on Monday. You know he's – when I first met Damien and all of this DNA stuff was under way, and I find out I'm representing a client who is immersed in DNA testing, which for all I know – he wants me to come in and say he's innocent and for all I know, after I say that, we're going to get a DNA test that points right at him. And I tried to feel him out about that. And Damien Echols has from day one said forensics, DNA, everything – don't avoid anything, don't worry about turning over a rock. I want it. I want it. I want it. And has never ever conveyed any uncertainty. There are DNA cases and we've had them where people talk about they want DNA and they want DNA and they want DNA and then you have a private meeting with your client and you know you say this stuff actually works. It really works. And you've been telling your mother and your sister that you're innocent and they believe it and they support you. Do you really want this DNA test? And they say no, no – I'd rather just go on maintaining my innocence with my mother and my sister. He has been unequivocal that the more investigation that is done the more – the absence of evidence against him will become apparent.

**Donald Horgan:** And he does believe that now things are moving forward after so many delays.

**Question:** How many times have you prevailed in cases with like evidence for someone on death row?

**Dennis Riordan:** I alluded to the fact before that federal courts usual talk about actual innocence – I mean not about actual innocence, but about unfair trials. And I have prevailed in a fair number of cases – both death cases and murder cases which are non-death cases over a 30-year career. I have never made an actual innocence claim, because an actual innocence claim is relatively new. It was in 2006 that the United States Supreme Court decided a case called House vs. Bell and said that Mr. House had come up with enough new evidence to constitute actual innocence and, therefore, he could bring all of his claims even though the state was saying, no, no there's problems, they're untimely and so on. I will tell you this – we argued this in the writ – this showing is stronger – is considerable stronger than the showing, we believe, in House vs. Bell that was declared by the United States Supreme Court by a 5-4 decision to be sufficient to constitute actual innocence.

**Question:**... ?... habeas corpus?

**Dennis Riordan:** ... certain claims that we've made that the state will have to admit are valid in federal court. There are other claims, for instance the unfair jury – and they will say no, no, no it came too late and they didn't get a hold of that in 2004 so you the federal court can't hear it. But if the court finds actual innocence and says, no if I find actual innocence I can hear anything. I can hear anything. And that's the significance of the actual innocence claim. In death penalty litigation, removing all procedural defaults, eliminating all state arguments that it took too long is an enormous, enormous step and an enormous advantage for a litigate.

**Question:** ...? Over the course of time it seems like ...?... family members have popped up as suspects in this case, so I have to ask if you guys are simply trying to prove that Damien and these other boys did not do this why is there so much focus on Terry Hobbs. Is there really significant enough DNA evidence that can point to Terry Hobbs, especially when the fact that the hair in the shoe string could have come from inside the house. I'm just stressing some of the things that I've heard from folks in the region who are familiar with the story. Is this evidence enough to say Terry Hobbs could have really done this?

**Thomas Fedor:** The two hairs that I know about – the one that could have in fact come from Mr. Hobbs and the one that could have in fact come from David Jacoby – constitute what I call weak evidence. Because there are other people it could have come from and there isn't any way to really prove our selection of possible sources for that hair. I don't think – my personal opinion – I don't think that that hair evidence would be enough to convict Mr. Hobbs or Mr. Jacoby or anyone that would be in a similar situation because it's simply not strong enough. The percentages I gave of people who could be the source of those hairs are 1.5% of the population in the respect to one hair and 7% in respect to the other hair. That's not particularly strong evidence and especially in the context of what most people are accustomed to with DNA testing. These odds are considerably weaker than what we would call an STR DNA test that virtually provides a (? source?).

**Dennis Riordan:** I agree with Tom – and here's the significance of that. If Terry Hobbs or someone was tried on this evidence, a lawyer would be up there saying how many people are there in West Memphis or in Memphis? 1.5% of them that's thousands of people - that's a reasonable doubt. But the significance of this for, because the judge is going to say would Damien Echols be acquitted? Would a reasonable juror find Damien Echols guilty beyond a reasonable doubt? A defense lawyer gets up there and says there is not one piece of evidence that points to Echols in nearly as strong a way as the others that might point to Hobbs. So that is

the – from that point of view, from that point of view [*End of part 4*], if the Prosecution's saying that we found that fiber at the crime scene that could have come from a shirt that Echols' little brother had or it could have come from any other shirt in Wal-Mart. And you compare that on the one hand to a scientific percentage that limits down to a relatively small number of people, one of whom had the opportunity as John said and was in the area – without indicting Terry Hobbs, a reasonable jury is not going to say that's proof beyond a reasonable doubt as far as Damien Echols is concerned. And you add it to the grapefruit experiment – a Prosecutor saying that I have demonstrated to you that these marks are the marks on the body of Chris Byers – was just rubbish. It was absolute, unmitigated rubbish that experiment.

**Question:** So is the evidence in connection to Terry Hobbs in and of itself or is that mention to show the innocence of Damien Echols?

**Dennis Riordan:** Unlike other theories – may be so-and-so, may be a family member – they're a bad guy, they've got a drug history – all we know is that a report arrives from a scientific lab that says your client has no evidence at the crime scene. We have located someone who is consistent. By the way, that someone who is consistent is someone who certainly was in the area. I mean do we not present that? Is that not a compelling argument for a judge trying to decide if Echols would be convicted? I'm just telling you that absent the kind of prejudice that was generated in 1993, a competent trial lawyer could not lose Damien Echols' case today, because there's not a single piece of credible evidence that connects him to the scene and anything that they say is credible is far outweighed by things that could point in other directions. No reasonable juror would find guilt beyond a reasonable doubt. Conversely, any reasonable juror were this case tried today would have a reasonable doubt. The jury would acquit.

**Question:** So the DNA evidence indicates that not necessarily that it's likely that Hobbs did it, but just that it is evidence that it's more likely that Hobbs could have done it given that hair then perhaps that Damien could have done it. So the point of bringing it up isn't to say that Hobbs did it but is to say that there's more evidence – or one could think it could be more likely that Hobbs did it versus Damien because there's no evidence there are all.

**Dennis Riordan:** You know if you were to have a crime and an eye witness was able to identify the model of the car seen leaving the crime, and it was a very rare model – very, very few people have it – 1% of the population has it. And it so happens that a potential suspect is one of the relatively few people who have that

car, same model, same type, very rare. What Prosecutor wouldn't stand up in front of a jury and say that's a powerful piece of circumstantial evidence? A defense attorney would say it's not conclusive. But it certainly as part of a mosaic would be a powerful piece of evidence. And if you accuse someone else of the crime what defense lawyer wouldn't say they don't have anything that links my guy to the scene – what about the guy who owns that very rare car. And that's what we're talking about here. And as I said before the last thing as defense lawyers we would intend to do is indict and convict someone beyond a reasonable doubt of this case. The evidence as to Hobbs, even less so to Jacoby, I don't think should be viewed that way, but is it evidence that would lead any reasonable juror to acquit Damien Echols? Yes, I it would.

I think we're about at the end of the day. You've been very patient. It's an extraordinary, extraordinary case, and we thank you for the opportunity to bring this information to you today. [*End of part 5*]

# **EXHIBIT 14**

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
9th DIVISION

TERRY HOBBS

PLAINTIFF

VS.

CASE NO. CV-08-13038

FILE25/11/25/08 16:35:42  
Pat O'Brien Pulaski Circuit Clerk  
CR7 By gaw

NATALIE PASDAR, Individually;  
NATALIE PASDAR, EMILY ROBINSON  
MARTHA SEIDEL d/b/a DIXIE CHICKS

DEFENDANTS

**COMPLAINT**

COMES NOW the Plaintiff, Terry Hobbs, by and through his attorney, J. Cody Hiland, and for his cause of action against the Defendants, states as follows:

**I.**

**JURISDICTION**

1. Plaintiff is a private citizen and resident of Memphis, Tennessee.
2. Defendant, Emily Robinson is a citizen and resident of San Antonio located in Bexar County Texas.
3. Defendant, Natalie Pasdar is a citizen and resident of Austin located in Travis County Texas.
4. Defendant, Martha Seidel is a citizen and resident of Austin located in Travis County Texas.
5. Each of the above referenced Defendants, d/b/a Dixie Chicks, have systematically and continuously done business in Arkansas by promoting and selling music in Arkansas at retail, over the internet and by performance in Arkansas.
6. The Court has jurisdiction over the parties and over the subject matter of this Complaint, and venue is proper in this Court.

II.

**FACTUAL ALLEGATIONS**

7. That the Plaintiff was the stepfather of Steve Branch, now deceased.
8. That on or about May 5, 1993, the bodies of Steve Branch, Christopher Byers and Michael Moore were discovered in Robin Hood Hills located in Crittenden County Arkansas.
9. That Steve Branch, Christopher Byers and Michael Moore were severely beaten about their heads and faces and brutally murdered.
10. That Damien Echols, Jessie Misskelley and Jason Baldwin were charged and convicted of the murders of Steve Branch, Christopher Byers and Michael Moore.
11. That the convictions of Damien Echols, Jessie Misskelley and Jason Baldwin have not been reversed on direct appeal.
12. That Damien Echols has been unsuccessful in seeking a retrial based on what he has characterized as "new" DNA evidence believed to be sufficient to cast doubt on his conviction.
13. That the case involving Damien Echols, Jessie Misskelley and Jason Baldwin (hereinafter referred to as the "West Memphis Three") has attracted national attention focused on the sufficiency of the evidence used in achieving the convictions.
14. That on or about November 26, 2007, Defendant, Natalie Pashar recklessly published or caused to be published malicious, libelous, slanderous, and false statements concerning Plaintiff over the world-wide internet via an open letter on the Defendant Dixie Chick's website.

15. That Defendant's letter, when taken as a whole, accused Plaintiff of committing the murder of Steve Branch, Christopher Byers and Michael Moore. A copy of the letter is attached hereto as Exhibit "A".

16. That the aforementioned libelous, slanderous, and false statements by the Defendant were republished by numerous media outlets and prominently viewed websites including, but not limited to, *Fox News*, *The Commercial Appeal* in Memphis Tennessee, *People*, *Huffington Post*, *Free Republic* and *ABC News*.

17. That on or about December 19, 2007, Defendant, Natalie Pasdar was a featured speaker at a "Free the West Memphis Three" rally on the steps of the Arkansas State Capitol in Little Rock Arkansas in which she reiterated her position that the recent DNA and forensic results had "given this case wings" and made other statements that amounted to a false and reckless claim that Plaintiff committed the murders of Steve Branch, Christopher Byers and Michael Moore.

18. That the Defendant's Little Rock Arkansas appearance and statements attracted significant media attention and were widely printed, disseminated and broadcast to an expansive audience.

19. That Defendant's repeated libelous publications concerning the involvement of the Plaintiff in the murders of Steve Branch, Christopher Byers and Michael Moore were not based on fact and, in fact, were false and reckless at the time of publication.

### III.

#### CAUSES OF ACTION

##### A.



## DEFAMATION/LIBEL

20. Plaintiffs re-allege paragraphs one through nineteen as if fully set out herein.

21. The acts of the Defendants as set forth hereinabove are libelous and libelous *per se* and defamed Plaintiff, causing him to suffer personal injuries, injury to his reputation and professional and business damages for which he is entitled to recover compensatory and punitive damages as determined by a jury.

### B.

## INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS/OUTRAGEOUS CONDUCT

22. Plaintiffs re-allege paragraphs one through twenty-one as if fully set out herein.

23. Plaintiff alleges that the aforementioned wrongs constitute intentional, reckless and/or negligent infliction of emotional distress and are actions that are so outrageous in character, and so extreme in degree, as to be beyond the pale of decency and to be regarded as atrocious and utterly intolerable in civilized society, thereby resulting in severe emotional, mental, and physical injuries entitling Plaintiff to recover compensatory and punitive damages to be determined by the jury.

### C.

## FALSE LIGHT INVASION OF PRIVACY

24. Plaintiffs re-allege paragraphs one through twenty-three as if fully set out herein.

25. The acts of the Defendants placed the Plaintiff in a false light and were a false light invasion of Plaintiff's privacy as recognized in Arkansas.

26. Defendants gave publicity to matters concerning the Plaintiff which were false and/or which placed the Plaintiff before the public in a false light, which were and are highly offensive to any reasonable person, and the Defendants had knowledge or should have known that the publicized matters were false or each and all acted recklessly and with reckless disregard as to the falsity of the matter they were publicizing and the false light in which the Plaintiff would be and was placed.

27. As a direct and proximate result of the wrongful acts of the Defendants herein, acting in a manner specifically designed to harm and damage the Plaintiff and his person, did, by invading his privacy and casting him in a false light commit the tort of false light invasion of privacy causing the Plaintiff to suffer mental and emotional distress and other special damages which he is entitled to recover.

#### IV.

#### DAMAGES

28. Plaintiff's re-allege paragraphs one through twenty-seven as if fully set out herein.

29. As a direct and proximate result of the wrongful acts set forth hereinabove by the Defendants, the Plaintiff, Terry Hobbs, a respected, private citizen, was injured in his person and business and in his personal and business reputation.

30. As the direct and proximate result of the false, malicious and libelous information published by the Defendants about him, Plaintiff has suffered embarrassment, humiliation, and severe psychological, emotional, mental trauma, loss of income and other compensatory damages in an amount to be determined by a jury.

31. Plaintiff is entitled to recover punitive damages.

WHEREFORE, Plaintiff sues the Defendants for compensatory and punitive damages and demands a jury to try this case when the issues are joined and for all other just and proper relief to which he may be entitled.

RESPECTFULLY SUBMITTED this the 25<sup>th</sup> day of November, 2008.

**TERRY HOBBS**

BY: 

**J. CODY HILAND, Bar No. 2002041**

**Attorney for Plaintiff**

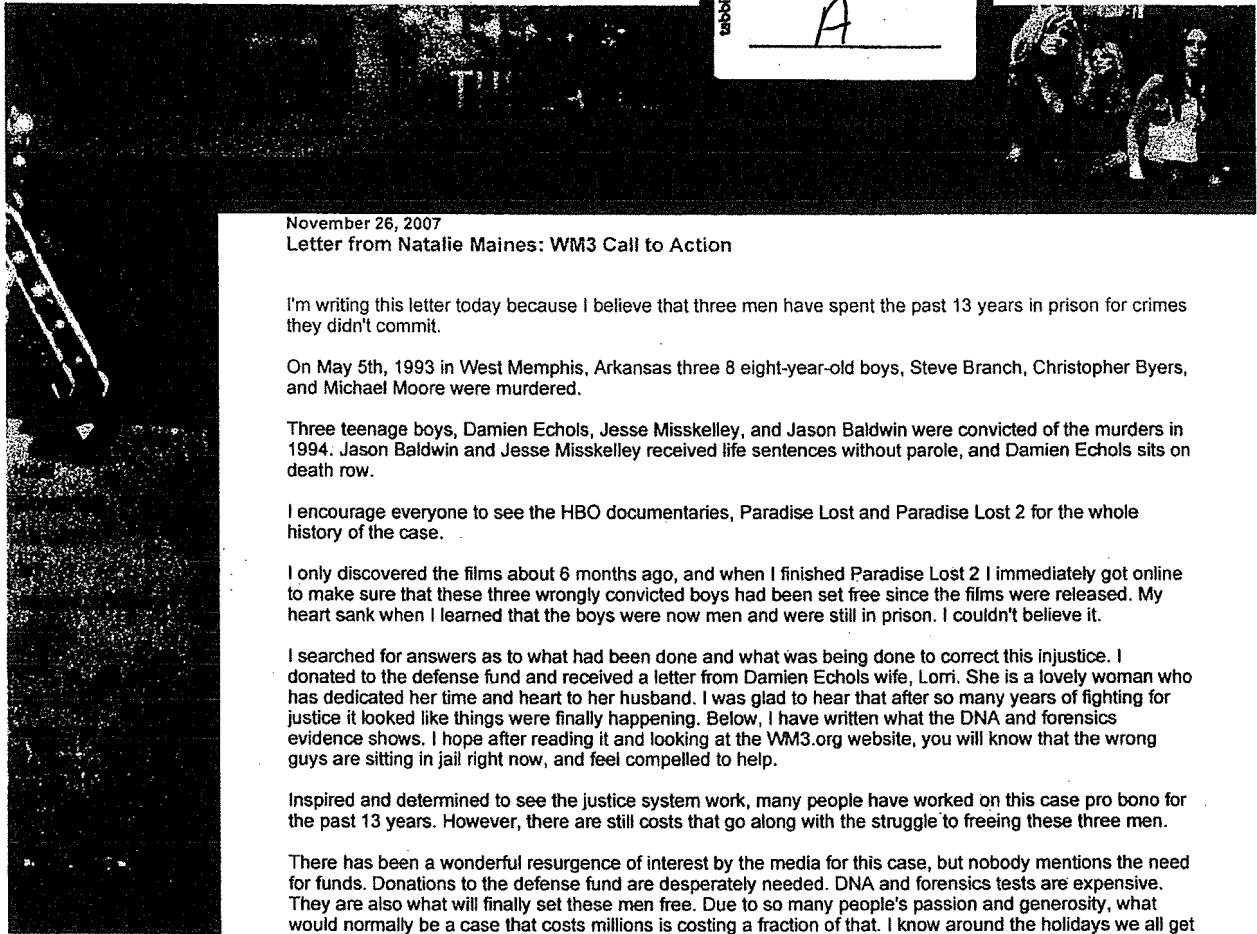
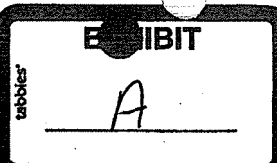
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November 26, 2007

Letter from Natalie Maines: WM3 Call to Action

I'm writing this letter today because I believe that three men have spent the past 13 years in prison for crimes they didn't commit.

On May 5th, 1993 in West Memphis, Arkansas three 8 eight-year-old boys, Steve Branch, Christopher Byers, and Michael Moore were murdered.

Three teenage boys, Damien Echols, Jesse Misskelley, and Jason Baldwin were convicted of the murders in 1994. Jason Baldwin and Jesse Misskelley received life sentences without parole, and Damien Echols sits on death row.

I encourage everyone to see the HBO documentaries, Paradise Lost and Paradise Lost 2 for the whole history of the case.

I only discovered the films about 6 months ago, and when I finished Paradise Lost 2 I immediately got online to make sure that these three wrongly convicted boys had been set free since the films were released. My heart sank when I learned that the boys were now men and were still in prison. I couldn't believe it.

I searched for answers as to what had been done and what was being done to correct this injustice. I donated to the defense fund and received a letter from Damien Echols wife, Lori. She is a lovely woman who has dedicated her time and heart to her husband. I was glad to hear that after so many years of fighting for justice it looked like things were finally happening. Below, I have written what the DNA and forensics evidence shows. I hope after reading it and looking at the WM3.org website, you will know that the wrong guys are sitting in jail right now, and feel compelled to help.

Inspired and determined to see the justice system work, many people have worked on this case pro bono for the past 13 years. However, there are still costs that go along with the struggle to freeing these three men.

There has been a wonderful resurgence of interest by the media for this case, but nobody mentions the need for funds. Donations to the defense fund are desperately needed. DNA and forensics tests are expensive. They are also what will finally set these men free. Due to so many people's passion and generosity, what would normally be a case that costs millions is costing a fraction of that. I know around the holidays we all get inundated with deserving causes and charities that are in need of donations, but this can't wait!

With all of the new evidence things are finally moving, and fast!

Any money that you can donate is desperately needed to pay for the experts and the federal court hearing that is just weeks away. There is also a letter campaign that has been started by a new and energized group of people in Arkansas. [Click here](#) to download the sample letter. Signing and sending this letter makes it very difficult for this case to be ignored. Please mail the letters to the following address:

Arkansas Take Action  
Capi Peck, Coordinator  
P.O. Box 17788  
Little Rock, AR 72222-7788

After so many years it literally all comes down to this hearing.

The evidence is so strong that at the very least the judge will grant a new trial, but hopefully he will overturn the verdict and these guys will finally be sent home to their lives and families. I know that this is a hard thing to just take my word on, so please look at the case and the evidence for yourself. I am confident that you will see the DNA evidence is irrefutable and that these three men did not get the kind of trial that is promised to us - as Americans.

The system hasn't only failed Damien, Jesse, and Jason, but it has failed the three little boys that were murdered. Their killer(s) is still out there, and justice has yet to be served. Please know that your generosity will make a difference.

Please know that your generosity will make a difference.

Sincerely,  
Natalie Maines Paskar

The following is just some of the DNA and forensic evidence that will be presented in the federal court hearing.

In late October, legal papers were filed in federal court in Arkansas showing that Damien Echols was wrongfully convicted. The 200-page court filing includes DNA evidence that fail to link any of the three boys

to the crime scene. This is very important because the prosecution claimed that Echols had sodomized the victims.

-DNA tests also show that a hair belonging to Terry Hobbs, the step-father of one of the victims, was found in the ligature of one of the victims.

-DNA tests also match a hair at the crime scene to a friend of Hobbs that was with him that day.

-DNA test results show foreign DNA-from someone other than Echols, Misskelly, or Baldwin-on the penises of two of the victims.

-Scientific analysis from some of the nation's leading forensics experts, stating that wounds on the victims' bodies were caused by animals at the crime scene-not by knives used by the perpetrators, as the prosecution claimed. These wounds were the centerpiece of the prosecution's case, and evidence was presented that a knife recovered from a lake near one defendant's home caused the wounds.

-Sworn affidavits outlining new evidence uncovered by Pam Hobbs (the ex-wife of Terry Hobbs) who found a knife in Terry Hobbs' drawer that her son (one of the victims) had carried with him at all times. After her son was killed, the knife was not among his personal effects that police gave to the Hobbs family, and Pam Hobbs always assumed that her son's murderer had taken it during the crime.

-New information implicating Terry Hobbs-including his own statements made to police in recent interviews where he acknowledged that several of his relatives suspect him in the crime. The filing also includes a chronology of Hobbs' activities on the night of the crimes, when he washed his clothes and sheets at odd hours for no reason other than to hide evidence from the crimes.

- A sworn affidavit that refutes hearsay evidence from Echols' trial. The mother of one of two girls who testified that they overheard Echols admit to the crime at a softball game now says that Echols' statement was not serious and that neither she nor her daughter believes he committed the crime.

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# **EXHIBIT 15**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

TERRY HOBBS

Plaintiff,

v.

Case No. 4:09CV00008 BSM

NATALIE PASDAR, Individually, and  
NATALIE PASDAR,  
EMILY ROBISON, and  
MARTHA MAGUIRE (formerly SEIDEL) d/b/a DIXIE  
CHICKS,

Defendants.

**OBJECTIONS AND SUPPLEMENTAL  
RESPONSES TO DEFENDANT NATALIE  
PASDAR'S FIRST SET OF INTERROGATORIES**

**I.**

**GENERAL OBJECTION TO INSTRUCTIONS AND DEFINITIONS**

Plaintiff Terry Hobbs ("Hobbs") restates his general objects to the Instructions and Definitions submitted by Plaintiff Natalie Pasdar as stated in his previous responses to interrogatories.

**II.**

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify each and every statement made by Pasdar which form the basis of your lawsuit and claims against Pasdar.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney

work product. Without waiving his objection, Hobbs states that Pasdar's statement that "It's not a debate about opinion. It's science and it's overwhelming," made at a rally in Little Rock, AR, Pasdar's statements made in a letter and on a my space page, and Pasdar's publication by delivering defamatory letters to the office of Governor Mike Beebe form the basis of his claim against Pasdar.

**INTERROGATORY NO. 2:** Specify in detail what is false in each of the statements identified in response to Interrogatory No. 1. Your answer should include the exact sentences and/or phrases in the November 26, 2007 letter attached as an exhibit to your Complaint that you contend are false. Your answer should further include the exact sentences and/or phrases from the December 19, 2007 rally referenced in paragraph 17 of your Complaint that you contend are false.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Without waiving his objection, Hobbs states that with respect to the December 19, 2007 rally, see supplemental answer to Interrogatory No. 1. With respect to the November 26, 2007 letter, the following statements are false, defamatory, and to the extent that they are correct in a limited technical sense, they portray Terry Hobbs in a false light in that they suggest that Terry Hobbs is a killer:

Below, I have written what the DNA and forensics evidence shows. I hope after reading it and looking at the WM3.org website, you will know that the wrong guys are sitting in jail right now, and feel compelled to help.

DNA and forensics tests are expensive. They are also what will finally set these men free.



The evidence is so strong that at the very least the judge will grant a new trial, but hopefully he will overturn the verdict and these guys will finally be sent home to their lives and families. I know that this is a hard thing to just take my word on, so please look at the case and the evidence for yourself. I am confident that you will see the DNA evidence is irrefutable and that these three men did not get the kind of trial that is promised to us - as Americans.

Their killer(s) is still out there, and justice has yet to be served. Please know that your generosity will make a difference.

-DNA tests also show that a hair belonging to Terry Hobbs, the step-father of one of the victims, was found in the ligature of one of the victims.

-DNA tests also match a hair at the crime scene to a friend of Hobbs that was with him that day.

-Sworn affidavits outlining new evidence uncovered by Pam Hobbs (the ex-wife of Terry Hobbs) who found a knife in Terry Hobbs' drawer that her son (one of the victims) had carried with him at all times. After her son was killed, the knife was not among his personal effects that police gave to the Hobbs family, and Pam Hobbs always assumed that her son's murderer had taken it during the crime.

-New information implicating Terry Hobbs-including his own statements made to police in recent interviews where he acknowledged that several of his relatives suspect him in the crime. The filing also includes a chronology of Hobbs' activities on the night of the crimes, when he washed his clothes and sheets at odd hours for no reason other than to hide evidence from the crimes.

**INTERROGATORY NO. 3:** Describe all facts and identify all documents upon which you base your assertion that the statements set forth in response to Interrogatory No. 1 and/or 2 are false.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Without waiving his objection, Hobbs states that the statements listed in the supplemental response to Interrogatory No. 2 are false in that Hobbs is not a killer, in

that the DNA was not a "match" as to Hobbs or his friend, in that there was no chronology stated in the Echols filing and in that Hobbs statements to the police did not incriminate himself, in that Hobbs did not wash his clothes for no reason other than to hide evidence from the murders and what is identified as Hobbs "opportunity" to commit the crime is inconsistent with the time of death suggested in the Echols filing. In addition to those specifics, the gist of Pasdar's statement is that the so called West Memphis Three did not commit the crimes and that Terry Hobbs did. This is a false allegation. The documents in support of the position that statements regarding Hobbs include the DNA reports attached to the Echols petitions, the Echols defense team's own characterization of the DNA evidence, statements in the Echols petition regarding fingerprint evidence, the time of death, the contention that the killer acted alone, the state crime laboratory documents that show the fingerprints of Hobbs do not match the prints which, according to the Echols defense team, belong to the killer, among other documents which have been provided to Pasdar.

**INTERROGATORY NO. 4:** Describe all facts and identify all documents upon which you base your assertion that the specific statements set forth in response to Interrogatory No. 1 and/or 2 are defamatory.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Without waiving his objection, see supplemental answers to Interrogatory Nos. 2 and 3.

**INTERROGATORY NO. 5:** Describe all facts and identify all documents upon which you base your assertion that the specific statements set forth in response to Interrogatory No. 1 and/or 2 cast you in a false light.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Without waiving his objection, see supplemental answers to Interrogatory Nos. 2 and 3.

**INTERROGATORY NO. 6:** Describe all facts and identify all documents upon which you base your assertion that the specific statements set forth in response to Interrogatory No. 1 and/or 2 inflicted emotional distress upon you.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Without waiving his objection, Hobbs states that being falsely accused of triple homicide has resulted in the mental anguish, anxiety and humiliation expected of one falsely accused of one of the most infamous crimes in the history of the State of Arkansas.

**INTERROGATORY NO. 7:** Describe all facts and identify all documents upon which you base your assertion that the specific statements set forth in response to Interrogatory No. 1 and/or 2 injured and/or damaged you in any way.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Hobbs, members of his family and acquaintances have had interactions with people who believe the false allegations of murder.

**INTERROGATORY NO. 10:** Describe all facts and identify all documents upon which you base your assertion that any alleged harm and/or injury to you was caused by statements set forth in response to Interrogatory No. 1, rather than by any statement by other individuals, publications and/or media.

**SUPPLEMENTAL ANSWER:** Hobbs objects to this Interrogatory because it calls for a legal conclusion in that it asked Hobbs to apply rules of proof and evidence and the law of defamation to statements made by Pasdar. Hobbs objects to this Interrogatory because it invades the attorney client privilege because it seeks to compel disclosure of attorney work product. Arkansas law requires that defamatory statements be a proximate cause, not the proximate cause, of injury to reputation.

**INTERROGATORY NO. 15:** Describe in detail and identify all documents which support your whereabouts and/or alibi in the 24 hours before, during, and in the 24 hours after the Robin Hood Hills Murders.

**SUPPLEMENTAL ANSWER:** Plaintiff objects to this request in that it does not provide what Counsel for Defendants contends is the time of death of the three victims.

Without waiving his objection, Hobbs states the following:

As I sit here trying to remember the day of May the 4<sup>th</sup> 1993. For us it was a normal day, living in Wst Mphs, Ar. Working in Mphs, TN. Just across the Mississippi River, I

would arise early a.m. head to work, work as an ice cream salesman, until I finished my work, head home after work. As warm as it was it is possible we would get in the pool. We did have a 33 thousand gallon in ground pool with a diving board and a big spiral slide, and yes we lived in it. Pam would be cooking supper for everyone, we would eat and sometimes we, myself & the kids would take Pam to work, at the time she worked in Wst. Mphs, AR.

If we did not pick Pam up at work, we would have been at the house watching TV and or playing with the kids or both or even working out with weighs, which me and Stevie like to do, or even playing guitars which I like to do, at the end of the day after Pam would come in from work providing she had worked on May the 4<sup>th</sup> 1993, we would all go to bed get up the next day and do it all over again, except May the 5<sup>th</sup> starts out like everyday get up early a.m. head to work, work until I am finished, head back home where Pam is once again cooking supper for everyone except today Stevie is not there when I get home from work, as I ask Pam, where is Stevie? She says he is riding his new bike he just got. He is riding his new bike with Michael Moore his running buddy they were to ride to Moore's home. She tells me He is to be home at 4:30p.m.

Our daughter at the time was 4 yrs. Old and she was playing video games in Stevie's room. As it is getting close to 4:30 I walk out side to see if I could see Stevie riding on the sidewalk. I did not see him. Pam has to be at work by 5pm as 4:30 rolls around there was no sign of Stevie. Supper was ready, we also thought he might be a few minutes late so we wai on him. No Stevie, time was approaching 5pm had to take Pam to work we decided to take her to work and me and Amanda would go by and tell Stevie its past time to be home. We stopped by the Moore's home in route to Pams work. No sign of Stevie. Spoke with Dawn, the Moores daughter.

Took Pam 2 work, on the way back to the house we being me and Amanda our daughter drove around looking for Stevie and Michael Moore. No sign of them. Roughly between 5:30 & 6 pm we stopped at our house, while we were there Dana Moore pulls into our driveway and asks if Michael her son was at our home. I told her no that they we suppose to be at their home so we decide to go to their home to see if they were there when we get there the boys were not there. While we are at the Moores home, their neighbor came over and asked if his son was there and asked if we had seen Christopher his son. This is when we thought they all might be together. The Moores neighbor was John Mark Byers. I get in our car with Amanda and we ride around looking some more. At 1 point we even walk around the neighbor hood looking for the boys. Dana said she would call some of the boys friends to see if they were at their homes at one point we went by a friend of mine's home. I left Amanda at their home and my friend David Jacoby went with me looking for the boys we drove around looking the boys.

It was starting to get close to dark. Went back to Davids home picked up Amanda & we went to pick up Pam when she got off work. When we got there Pam comes out to the car like she had done before with two pieces of candy for the kids she asked when she did not see Stevie where is Stevie. I told her we haven't found him, we call the police and an officer comes to where Pam works and we file a police report. We spent the rest of the

night in and out of an wooded area everyone calls Robin Hood Hills a 3 acre area with a 10 mile bayou running through it, driving all over West Mphs, in and out of the police station, looking for help. Making phone calls to different people. Some of Pams family comes down from Blytheville, AR. Top help us look for the boys. After all night of looking for Stevie, Michael, & Chris we had no luck of finding them.

We decided to go to school where the boys attend. Sadly to say they did not show up at school, early a.m. the media shows up, for someone called them. A little while search & rescue show up, along with several law enforcement we watch them start dragging the bayou and we kept driving around & walking around going door to door. Me and Pam are driving around while Pam's Dad takes his wife back to Blytheville when we stop at the school again there someone says the police finds something in Robin Hood as we rush over to Robin Hood we see cars & people everywhere we also see the crime scene tape. I am met by Gary Gitchell this is when I find out there has been a homicide. As I almost faint I sit down for Pam fainted while we were funning up to the crime scene tape. We had to get her back to the car. When I go back to the car Pam & myself go back to the house while people and police come by to pay their respects. This was a very sad day for us.

RESPECTFULLY SUBMITTED this the 27<sup>th</sup> day of April, 2009.

TERRY HOBBS

BY:

  
J. CODY HILAND, Bar No. 2002041  
Attorney for Plaintiff  
557 Locust Ave.  
Conway, AR 72034  
Phone: (501) 932-1007  
Fax: (501) 336-8688  
Email: chilandlaw@alltel.net

#### CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing to be served in compliance with the Federal Rules of Civil Procedure on the following persons on this 27<sup>th</sup> day of April 2009:

Mr. John E. Moore  
Huckabay, Munson, Rowlett and Moore  
Regions Center  
400 W. Capitol , Suite 1900

Mr. Dan D. Davison  
Ms. D'Lesli M. Davis  
Fulbright & Jaworski L.L.P.  
2200 Ross Avenue, Suite 2800

Little Rock, AR 72201

Dallas, TX 75201-2784

Robert B. Wellenberger  
Thompson, Coe, Cousins & Irons, L.L.P.  
700 North Pearl Street, Twenty-fifth Floor  
Dallas, Texas 75201-2825



J. CODY HILAND

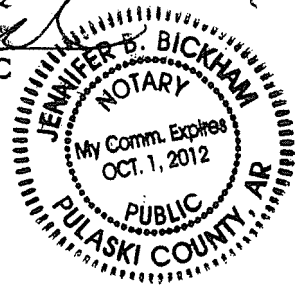
**VERIFICATION**

Plaintiff, Terry Hobbs, states upon oath that the statements contained in the above and foregoing Objections and Supplemental Responses to Defendant Natalie Pasdar's First Set of Interrogatories are true and correct to the best of his knowledge and belief.

Terry Hobbs  
TERRY HOBBS

Subscribed and sworn to before me this 28<sup>th</sup> day of May, 2006.

Jennifer Bickham  
NOTARY PUBLIC





# **EXHIBIT 16**

Dimension Films  
375 Greenwich Street  
New York, NY 10013

Dated as of July 18, 2006

Pam and Terry Hobbs  
3750 Macon Road  
Memphis, TN 38122

Re: Life Story Rights / Pam Hobbs and Terry Hobbs

Ladies and Gentlemen:

This letter will confirm the terms of the agreement (the "**Agreement**") reached as of the effective date set forth above, by and among, on the one hand, Dimension Films, a division of The Weinstein Company, LLC (and/or a development or production entity to be designated by Dimension Films) ("**Company**"), and on the other hand, Pam Hobbs and Terry Hobbs (collectively, "**Owner**"), with respect to the purchase by Company of all rights in and to the life stories of Owner and Steven Branch, the deceased son of Pam Hobbs and Terry Hobbs ("**Branch**") and any other family members (individually and/or collectively, Owner and Branch may hereinafter be referred to as "**Artist**"), in connection with a motion picture project currently referred to as "Devil's Knot" (the "**Picture**"). The parties hereby agree as follows:

1. Purchase Price: The purchase price for the "Rights" (as defined below) shall be Fifteen Thousand United States Dollars (\$15,000 USD), payable promptly following Company's receipt of this fully executed Agreement and all documents which may be required by any government agency or otherwise to enable Company to effect payment to Owner as set forth hereunder.

2. Rights:

A. For the purposes of this letter agreement, the "**Rights**" shall mean the irrevocable, unconditional right, throughout the universe, in perpetuity in any and all media now or hereafter known (including, without limitation, all motion picture, television, television series, prequel, sequel, remake, and other subsequent productions, merchandising, music, music publishing, soundtrack, screenplay publishing, multi-media/interactive, DVD, on-line, digital media and digital transmission, novelization, live stage, and all allied and ancillary rights or otherwise):

(i) to use, fictionalize, dramatize, adapt, transpose, change, simulate and portray Artist's name, likeness (whether photographic or otherwise), voice, personality, personal experiences, incidents, situations and events of Artist's life (which portrayal may be in whole or in part);

(ii) to use, fictionalize, dramatize, adapt, transpose, change, simulate and portray the name, likeness (photographic or otherwise), voice, personality, personal experiences, incidents, situations and events of each of the individual Artist's lives which occurred on or before the effective date of this letter agreement (which portrayal may be in whole or in part);

(iii) to use, fictionalize, dramatize, adapt and exploit any and all other rights of whatsoever nature owned or controlled by Owners relating to Artist, including, without limitation, photography, memoranda, letters, diaries and other personal effects.

B. Owner agrees Owner shall not transfer, exploit or authorize any other party to exploit any of Owner's life story rights in any media now or hereafter (including, without limitation any motion picture, television, television series, or other audio-visual production, and print publication rights) earlier than five (5) years after the first general commercial release in the United States of the Picture (the "**Hold-back Period**"). Upon the expiration of the Hold-Back Period, with respect to any print publication rights not otherwise exploited by Company during the Hold-Back Period ("**Print Publication Rights**"), Company shall have its customary exclusive right of first negotiation/last refusal with regard to any disposition of the Print Publication Rights by Owner. It is expressly agreed that the Print Publication Rights under this subparagraph 2.B. relate only to material written and/or created by or for or authorized by Owner and not to any

screenplay, characters, teleplay, music, lyrics, sequels or other material written and/or created by or for or authorized by Company, even though the same may contain similar characters or other elements. Owner's exploitation of the Print Publication Rights in accordance with the terms herein shall limit or shall not be exercised in any manner which may infringe upon Company's Rights, as set forth more fully in Subparagraph 2.A. above.

3. Representations/Warranties/Indemnification: Owner hereby represents, warrants and undertakes that: (i) Owner is the sole owner or controller of all Rights granted herein; (ii) Owner has all rights, power and authority necessary to enter into this agreement and fully perform its obligations hereunder (including, without limitation, the full power and authority to grant the Rights); (iii) there is no claim or litigation pending with respect to the Rights; (iv) in conveying the Rights to Company, Owner will present Artist's life story in a true, complete and factual manner; (v) other than those individuals who are a party to this letter agreement, there are no other family members or other individuals who own or control any of the Rights. Owner shall defend, indemnify and otherwise hold the Company Parties (hereinafter defined) free and harmless from and against any and all liabilities, claims, demands, damages and costs (including reasonable attorneys' fees and costs) arising out of or resulting from any breach or alleged breach by Owner of its representations, warranties or covenants hereunder or any other agreement made herein.

4. Credit: Provided that Owner is not in breach of its obligations hereunder, Company shall accord Owner a technical consultant credit on screen in the end credits of the Picture. All other aspects of such credit shall be at Company's sole discretion.

5. Release/Waiver: Owner hereby waives, releases and discharges Company, Company's employees, agents, representatives, licensees, successors and assigns, (collectively, the "Company Parties") from any and all claims, demands or causes of action that Owner may now have or may hereafter have for libel, defamation, infliction of emotional distress, invasion of privacy (pursuant to Sections 50-51 of the New York State Civil Rights Law or any similar statute in any other jurisdiction), or right of publicity, infringement of copyright or violation of any other right arising out of or relating to the Company Parties' utilization of the Rights or based upon any failure or omission to make use thereof.

6. Consulting Services: Owner shall meet with Company and provide Company with reasonable assistance/consultation in connection with the Picture and Rights whenever reasonably requested for no additional consideration. Such services shall include, without limitation, identifying and obtaining for Company at Company's request, with respect to any actual individual, whether living or dead, or any "real-life" incident or place, the source of all factual material which concerns any actual individual, whether living or dead, or any "real life" incident or place, and such other information as may be reasonably required by Company. Owner shall not authorize others to circulate, publish or otherwise disseminate any news stories or articles, books or other publicity of any kind relating directly or indirectly to the subject matter of this agreement or a motion picture or other production based upon the Rights prior to the earlier of the initial release date of the Picture or the expiration of the Term.

7. Use of Owner Documents: Owner acknowledges that it is the author of an approximately one hundred eighty (180) page memoranda or letter and other documents and memoranda (collectively, the "Owner Documents") concerning the life stories and personal experiences of Artist. Owner hereby grants Company the right to use all or any part of the Owner Documents in connection with the Picture. Owner represents and warrants that it is the exclusive owner of all rights of every kind and nature in and to the Owner Documents, and the grant of use to Company hereunder shall not be in violation of any law or statute or violate the rights of any third parties.

8. Miscellaneous: At Company's request, Owner shall execute any and all additional documents and instruments consistent herewith, reasonably deemed by Company to be necessary or desirable to effectuate the purposes of this Agreement (including, without limitation, releases from other family members). Owner hereby waives any right to seek or obtain equitable or injunctive relief in connection with this agreement. All sums payable to Owner hereunder shall be payable to Owner collectively, whose receipt thereof shall constitute a valid discharge of Company's payment obligations hereunder. This Agreement shall be governed by New York law and shall be subject to the exclusive jurisdiction of the Federal and State Courts of New York County. Nothing contained herein shall require the commission of any act or the payment of

any compensation which is contrary to any law, rule or regulation. If there shall exist any conflict between this Agreement and any such law, rule or regulation, the latter shall prevail, and the provision(s) hereof affected shall be curtailed, limited or eliminated only to the extent necessary to remove such conflict and, as so modified, this Agreement shall continue in full force and effect. This Agreement may be executed in one or more counterparts, and when executed by each of the parties signatory hereto, said counterparts shall constitute a valid, binding agreement. An executed counterpart returned by facsimile shall be deemed an original. All of the principal deal terms which close this Agreement are those terms stated herein.

If the foregoing represents our understanding, please so signify by signing in the place provided below.

Sincerely,

Dimension Films, a division of  
The Weinstein Company, LLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

Accepted and Agreed To:

\_\_\_\_\_  
Pam Hobbs  
SS#:

\_\_\_\_\_  
Terry Hobbs  
SS#:

EXHIBIT A

SHORT FORM ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, for value received, hereby sells, assigns, transfers and grants unto Dimension Films, a division of the Weinstein Company, LLC, and its successors and assigns (herein called "Assignee"), all right, title and interest, including, without limitation, throughout the universe, in perpetuity, in any and all media, known or unknown, in any and all languages, all right, title and interest in the life story rights of Pam Hobbs, Terry Hobbs, Amanda Hobbs and Steven Branch, including without limitation, all motion picture, television, television series, prequel, sequel, remake, merchandising, music, music publishing, soundtrack, screenplay publishing, multi-media/interactive, DVD, on-line, novelization, live stage and all allied and incidental rights of every kind and nature whatsoever, under copyright and otherwise, and any and all underlying rights thereto (the "Rights"), all as more specifically set forth in the agreement (the "Agreement") between the undersigned and Assignee dated as of June 27, 2006.

The undersigned hereby irrevocably appoints Assignee as its attorney-in-fact, with full and irrevocable power and authority to do all such acts and things, and to execute, acknowledge, deliver, file, register and record all such documents, in the name and on behalf of the undersigned, as Assignee may reasonably deem necessary or proper in the premises to accomplish the same, consistent with the Agreement.

Dated: As of June 27, 2006

Agreed and Accepted:

Dimension Films, a division of The Weinstein Company, LLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Pam Hobbs  
SS#:

\_\_\_\_\_  
Terry Hobbs  
SS#:

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS  
\_\_\_\_\_ }

On \_\_\_\_\_ before me, \_\_\_\_\_, a notary public, personally appeared Pam Hobbs, personally known to me (or provided to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person executed the instrument.

\_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS  
\_\_\_\_\_ }

On \_\_\_\_\_ before me, \_\_\_\_\_, a notary public, personally appeared Terry Hobbs, personally known to me (or provided to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person executed the instrument.

\_\_\_\_\_

# **EXHIBIT 17**

**Pam and Terry Hobbs Interview (1 of 2)**



**Tigerfish®**  
Transcribing•Editing

203 Columbus Avenue · San Francisco 94133  
toll-free 877-TIGERFISH

[www.tigerfish.com](http://www.tigerfish.com)

**Pam and Terry Hobbs Interview (1 of 2)**

[Beginning of recorded material]

Interviewer: [Unintelligible] recording?

Interviewer: Yeah. I just got to do this. [Unintelligible] right this way. [Where's] the mic? I'll leave [unintelligible].

Interviewer: I was thinking this might be a good thing. Maybe even if you don't mind just starting over, just --

Interviewer: Starting over this --

Interviewer: Yeah. Just because I want --

Interviewer: [Crosstalk] afternoon [crosstalk] --

Interviewer: -- because one of the things -- because again, one of the things I want to make sure that we do, what we are intending to do is the-the whole thing you and I talked about as far as showing-showing -- making Stevie a person. I want to see him at school. I want to see him come home. I want to see him with his mom. You know, I want this person to be a person. And so --

Interviewer: And what's great about this --

Interviewer: -- specific details of-of that are really-really good. I love the Elvis story. I think there's a good chance that's going in the movie.



Interviewer: And what's great about this is --

Interviewer: And-and the conversation about Mike buying the Elvis lamp.

Interviewer: This has -- this has all -- this has the three kids in it. This is just [crosstalk].

Interviewer: And this is all three of them. This might be a useful way for partly to frame all that.

Interviewer: I love that. I love that. Okay. So, pick him up the 2:45.

Pam Hobbs: Yeah, at school.

Terry Hobbs: At school.

Pam Hobbs: And then we walk home. And of course on the way home, Stevie told me -- probably a million times; I didn't count them -- "They love me." I'd say around 3:00 or 5:00 is when Michael arrived, because school got out around 3:00 or so, and we lived so close. Michael came over, and Stevie would get into the [car fort] [unintelligible] by the time Michael got there, and Michael asked if Stevie could come over to his house. And I told him, "No, not today. I'm getting ready for work. I'm cooking supper and all that." And Stevie and Mike were both begging, "Please, please! I'll be back!" And I said, "Boy, if you're not back home by 4:30, you're grounded two weeks [unintelligible]."

And so, Stevie and Michael left just as happy as they could be. I thought Michael had a watch on, because he told me as they rolled off, he said, "My mom's not home yet, but she'll be home in five minutes, I promise." Well, I wouldn't think five minutes had passed by the time Christopher was knocking on the door. And he asked about Stevie a lot, and I told him, "Well, you just missed him. They just left to go to Michael's house." And he said, "Well, can I come in and see Amanda for a little bit?" And I said, "Yeah, that'd be fine." So, they sat in the den and watched the Muppet Babies, and when the Muppet Babies went off he left. So. . .

Interviewer: How much older -- or Amanda was a little younger, right?

Pam Hobbs: She was 4.

Interviewer: Four. So, he had a little crush on-on Amanda?

Pam Hobbs: Yeah.

Terry Hobbs: Four years older.

Pam Hobbs: Melissa had told me that after they were murdered, that, um, Christopher came home one day and said, "[I'm going to have a] girlfriend." And she said, "Uh, who?" And he said, "Yeah, but she's younger than me." And she said, "Well, how old is she?" And he told her, "She's 4, and she's [who is she?] Stevie's sister [Amanda]."

[Laughter]

Interviewer: Dat-dating a woman half his age already.

Pam Hobbs: Mm-hmm.

Interviewer: It's-it's like in Hollywood or something.

Pam Hobbs: And Stevie was, uh -- [always hitching up a date] with Michael Moore's sister, Dawn.

Terry Hobbs: And she was older.

Interviewer: I think I remember-remember hearing that, because Stevie was -- he was ambitious in the older women.

Pam Hobbs: Yep.

Interviewer: And, uh -- and Chris had the younger -- that's [crosstalk].

Terry Hobbs: [Crosstalk] hung out with Mike, or Chris come over and I got him [not wanting to] kiss Amanda.

Pam Hobbs: And he was just [over-abused] in that day. And, uh, he'd come in, and I asked Terry if he could tell Amanda, "Bye." And Terry said, "Well, tell her bye," and Christopher shyly put his hands in his pocket and told her, "Bye," which Stevie was out on the car fort laughing, because he knew Christopher wanted her to come out there so he could give her a kiss bye. And Terry [got him], "Tell her bye now."

Terry Hobbs: I said, "You tell her in here, boy."

[Laughter]

Interviewer: Who was -- who was Stevie better friends with, Christopher or Michael?

Pam Hobbs: Michael.

Interviewer: Yeah. They were -- were they like best friends, the two of them?

Pam Hobbs: Yeah.

Interviewer: They were -- they did everything together. But they hung out with Chris quite a bit?

Pam Hobbs: Uh, Chris and Stevie were in the same [group]. So, I would say probably, uh, about a month before the murder was when Chris really started hanging around them both.

Interviewer: Okay. What would you think of -- I mean, uh, of Mike and-and Chris, particularly -- just-just in your encounters with them, with the boys?

Pam Hobbs: [As the boys]?

Interviewer: Yeah, just [unintelligible].

Pam Hobbs: [Unintelligible]. Uh, Michael was over one day, and he had a little play badge, and he told me he as an undercover drug agent. And I said, "Boy, you going to get them" --

Interviewer: A little -- a little sheriff's badge [unintelligible].

Pam Hobbs: I said, "Boy, you going to go get them bad boys, ain't you?" He said, "Yeah."

Interviewer: Yeah. What about Chris?

Pam Hobbs: Michael spent more time -- Chris, uh, he was just a little shy little boy then. Started coming over right before they died.

Interviewer: Yeah.

Pam Hobbs: He didn't spend as much time there as Michael did.

Interviewer: He was more quiet and --

Pam Hobbs: Yeah, quiet.

Interviewer: Had you guys -- had you all known the Moores before that, or did you kind of just get to know them when their kids started hanging out?

Terry Hobbs: [Unintelligible].

Interviewer: Uh, really? So, you hadn't even met them, [unintelligible] parents?

Terry Hobbs: [Unintelligible] Todd --

Pam Hobbs: We knew the Moores.

Terry Hobbs: -- Todd was [crosstalk].

[Crosstalk]

Interviewer: Right, right, right, right.

Terry Hobbs: We met Mark Byers [unintelligible].

Interviewer: Right.

Interviewer: So, all you -- the only way you -- you didn't know them directly at all, but their boy, because of being in the neighborhood, would just come over -- he had just started kind of coming over as sort of hanging out with your son, and with -- and with Mike?

Pam Hobbs: Yeah.

Interviewer: And you knew they were in the troop, or you knew they knew each other from school.

Interviewer: And so, let's talk -- let's talk about what-what-what you remember from the night, from the time you went to tell Pam that he was still missing.

Interviewer: Or do you want to start from where we stopped her, and just kind of take it on through?

Interviewer: Yeah, sure. That's fine. You said around 3:05, or what was it, that they took off, right?

Interviewer: Well, they were left here.

Interviewer: Steve -- uh, Chris left.

Terry Hobbs: Yeah, but they were --

Pam Hobbs: Chris left --

Terry Hobbs: [Unintelligible] --

Pam Hobbs: -- almost around 4:00.

Terry Hobbs: -- [about] 4:00, because after the show ended.

Pam Hobbs: The Muppet Babies come on at 3:30, and [they're off] at 4:00.

Terry Hobbs: Right.

Interviewer: And you had -- then they weren't back by 4:30?

Pam Hobbs: Yeah. Terry had come home, uh, a little bit after 4:00, and the first thing he asked was, "Where's Frog Leg?" That was Stevie's nickname. And I said, "He went [unintelligible] -- or rode bikes with, uh, Mike boy. He'll be --

Interviewer: I guess that's -- is that because of the way he looked, or [crosstalk]?

Terry Hobbs: [Crosstalk].

Interviewer: Frog-Frog Leg? Tell, tell.

Terry Hobbs: Yeah. We was living up in Indiana. My dad had a re -- a chain of restaurants -- we had 32 restaurants. Okay, one -- had [some up in] Indiana. The one I refer to has a big lake to have a swim, and have a good time. Right in the middle of this lake was a -- something like this out there floating around, where you could climb up on it and dive off. Uh, 80-foot -- there's signs posted out there, 80-foot beach [unintelligible]. We all get out there to that, and climb up on there. Pam's still on her way, swimming out there to it.

Interviewer: Right.

Terry Hobbs: And me and Stevie's already up there on top of it. And he bails off in there, not knowing how to swim.

Interviewer: Oh man.



Terry Hobbs: And boy, immediately I go in to get him. But when I go down to get him, he just looking like a frog.

Interviewer: [Laughs]

Terry Hobbs: [Crosstalk] kicking his legs and arms, trying to go up. He wasn't going down.

Interviewer: That's [unintelligible]. I used to teach [unintelligible] by throwing them in the water, because they'll-they'll do it naturally.

Terry Hobbs: I put my hand on his butt, just, you know, brought him up.

Interviewer: Brought him up, yeah. I love that. They call him "Frog Leg" ever since then.

Terry Hobbs: Yeah.

Interviewer: That's fantastic.

Interviewer: So, so you came home. She was getting ready for work, right, I guess?

Terry Hobbs: Yeah.

Interviewer: And you came home, and you guys were like worried?

Terry Hobbs: I asked her, "Where's Stevie at?" Because Amanda was there, and she said, "He's off riding his bicycle. He'll be home at 4:30." I walk out the

driveway and look, you know, closer it gets to 4:30, to see if I can see him coming down the road, because I had to take her to work by 5:00.

Pam Hobbs: Yeah.

Interviewer: And then -- and then [crosstalk]?

Pam Hobbs: We left about 4:45, so we could go by the Moores to see if Stevie was there, and tell him he was grounded. But, you know, they wasn't there. And I went [crosstalk] --

Interviewer: So, is that [while] you were -- as-as soon as it was 4:30, you were upset --

Pam Hobbs: Yeah.

Interviewer: -- you were mad that he wasn't there?

Pam Hobbs: [Crosstalk] wasn't home.

Terry Hobbs: [Not] mad.

Interviewer: Well, I mean [unintelligible].

Pam Hobbs: Not really thinking that anybody [unintelligible].

Interviewer: That's valid. Just thinking he just missed his --

Pam Hobbs: [Crosstalk].

Interviewer: So at that point, you're going on to work, and you just feel like, "Okay, he-he stayed out too long. I told him."

Interviewer: So, from 4:45 -- what time did you have to start work?

Pam Hobbs: At 5:00.

Interviewer: At 5:00, okay.

Interviewer: So, you took her on to work after you guys checked with the Moores. There had been -- nobody had heard anything from him, and the Moores weren't worried either, right? They just knew that these boys were staying out [crosstalk].

Terry Hobbs: Todd was out of town. He's a truck driver.

Interviewer: Hm.

Terry Hobbs: And Dana's not home.

Interviewer: Okay.

Interviewer: And she's thinking [crosstalk] --

Terry Hobbs: [Unintelligible]. I took her to work. I go back to my house. You know, me and Amanda ride through the neighborhood to see if we could see

her. Then Dana comes over to our house and says, "You seen Michael?" I say, "No, he was supposed to be at your house." She went back to her house, and kind of patrolled the neighborhood, and that's where I met Mark Byers, when I went to her house. He came across the street and asking if we'd seen Christopher. And we said, "No" --

Interviewer: Is it -- is it 4:00 -- about 4:00 -- about 5:00 [crosstalk], so 5:30, 5:15?

Terry Hobbs: Something in there.

Interviewer: Okay. And that's the first time you've laid eyes on him actually, right?

Terry Hobbs: In my life.

Interviewer: Yeah. He's like, "I'm Mark Byers" --

Terry Hobbs: Big old boy.

Interviewer: -- Chris' dad. I live up the street. Have you seen --

Terry Hobbs: He lived right across the street from the Moores.

Interviewer: Right .

Terry Hobbs: Mm-hmm. [Unintelligible].

Interviewer: And so, you guys had actually just driven by the Moores just to see if they were there, and you took her on to work. You went back to the Moores -- or Dana Moore came over.

Terry Hobbs: Well, I went back to the neighborhood, looking around [crosstalk].

Interviewer: Yeah. By yourself?

[Crosstalk]

Interviewer: Yeah.

Interviewer: So, this would've been at 5:15 or so.

Terry Hobbs: Right?

Interviewer: Yeah.

Terry Hobbs: And we end up back at our house. Then Dana shows up at our house --

Interviewer: Okay.

Terry Hobbs: -- and asks about Mike.

Interviewer: And then while you guys are kind of walking and looking around, you run into Mark Byers? Had you guys started [crosstalk]?

Terry Hobbs: Well, we hadn't heard from them. They leave our house to go to her house.

Interviewer: Yeah. And then Mark Byers walked over.

Terry Hobbs: That's when Mark came walking across, asking about Chris.

Interviewer: So, what happened then?

Terry Hobbs: We figured out they might be together.

Interviewer: He -- so, Mark Byers came to your house?

Interviewer: No, he came across the street to --

Interviewer: Came to Dana's house, [because they were out] at 6:00.

Pam Hobbs: [Unintelligible].

Terry Hobbs: That was between 5:00 and 6:00.

Interviewer: All right, I missed something. So, how did you end up at Dana's house?

Interviewer: They went over there after driving around.

Interviewer: Uh, you drove around, then went back to Dana's house, and then Mark came over and it was about 6:00?

Terry Hobbs: Somewhere in there.

Interviewer: Somewhere in there, [unintelligible]. Okay. And then -- and then Dana said -- Didn't Dana -- didn't Dana testify that she saw him around 6:00?

Pam Hobbs: I think [someone did].

Terry Hobbs: Yeah.

Pam Hobbs: [Crosstalk].

Terry Hobbs: [Crosstalk]. That's right.

Pam Hobbs: [Crosstalk].

Terry Hobbs: [Crosstalk] that's right. [Crosstalk] -- yeah.

Pam Hobbs: [Crosstalk] go into a wooded area.

Interviewer: So, why do you think, um -- why do you think at that point that Stevie didn't come home? Like -- I mean, if they were out, [unintelligible] obviously [unintelligible] the neighborhood around 5:30.

Terry Hobbs: I called the police to make a report about 5:30.

Pam Hobbs: I thought you made the report at [9:00] [unintelligible]?

Terry Hobbs: No. We were -- there's paperwork over there saying that I called them between 5:00 and 5:30, I believe, and -- to report kids missing -- our kid's missing.

Interviewer: After Chris had -- after Mark Byers had walked over, do you think, or- or before?

Terry Hobbs: I think before.

Interviewer: But it was right in that timeframe. You know, basically once Dana Moore came over, said, "Have you seen" -- you know, "I'm concerned," and you guys went back to the Moores' house, and you were kind of together thinking, "Okay, both of our kids are gone. They're both late. We're a little worried now." Then Mark Byers walks over, says, "I'm Mark Byers. I'm Chris' dad. Have you seen him?" Then the three of you guys figure these -- the kids may be all together. So, somewhere in that time you were getting concerned enough that you called the police and said, "Hey, we've been looking for our boys. We can't find them. Can you guys start [unintelligible]?"

Terry Hobbs: And the answer the police told me -- "Don't worry about it. They're over at someone's house playing. They'll be home."

Interviewer: Because it was so soon after they --

Terry Hobbs: Right.



Interviewer: So, you were starting to just get that slight sense of, "I'm a little worried."

Interviewer: Because [unintelligible].

Terry Hobbs: [Crosstalk] [or not].

Interviewer: No?

Terry Hobbs: He did want to help, kind of, like [crosstalk].

Interviewer: And had-had Stevie ever done that before, just not come home on-on time?

Terry Hobbs: It was unusual enough that you felt like --

Interviewer: Right.

Terry Hobbs: -- something needs to be done.

Interviewer: And what happened from that point [unintelligible]?

Terry Hobbs: We was told, "Don't worry about it. They'll be home." Well, as parents, you know, we -- the Byers, Mark and Melissa, go out and ride around [unintelligible]. And me and Amanda go ride around [unintelligible]. And Dana stays at her house, in case they come home --

Interviewer: Right.

Terry Hobbs: -- to her house. Well, we never did run across nobody. I mean nothing, no boys. That's what we was looking for. I take Amanda over to a friend of ours that lived over by us, and pick her husband up, and leave Amanda there, and tell him, I said, "I can't find Steve." He knew Stevie [unintelligible]. So, me and him spent the rest of the evening -- he-he stayed with me.

Interviewer: Who's he?

Terry Hobbs: David [Unintelligible]. He was just a friend who had a daughter [crosstalk].

Interviewer: [Crosstalk].

Interviewer: And his daughter, you said, was a friend of [the family]?

Terry Hobbs: Right. But me and him worked together [over in Memphis]. Uh, we rolled around, and I got him with me. And we went everywhere we could think of to look. You know? And didn't know where to look.

Interviewer: [Did you go] near or into the woods at that point [unintelligible]?

Terry Hobbs: No, not then.

Interviewer: Was that a place that they played in a lot, or did you not [unintelligible]?

Terry Hobbs: It was a place where kids had played and did things, like there's a [unintelligible] --

Interviewer: [Unintelligible] kids would get up in there somehow and just run around and play?

Terry Hobbs: [But they-they] didn't know where he was at. [Unintelligible].

Interviewer: [Crosstalk] definitely didn't know it as a place where he'd go play.

Terry Hobbs: That's right, yeah.

Pam Hobbs: The first time [crosstalk] --

Terry Hobbs: [Crosstalk].

Pam Hobbs: -- Stevie, you're not in here.

Interviewer: That's -- so, you had just heard about it, and you go there and -- you didn't know kids go in there personally, they would go in.

Terry Hobbs: Right.

Interviewer: You just heard that maybe kids -- Did you -- had you also heard anything about it being like a place not to be after dark, like maybe transients being there, anything else about it?

Terry Hobbs: Not at that time.

Interviewer: Okay.

Terry Hobbs: But we did later.

Interviewer: Yeah. So, at the time [unintelligible].

Terry Hobbs: [Unintelligible] we would go up and ask, "Have you seen three boys?" And every -- a lot of the kids were saying, "Yeah, we seen three boys go into Robin Hood Hills." I didn't know where Robin Hood Hills was, as far as they called it. But yeah, the more the people we asked, you know, some of them kept saying, "Yeah, they [went there]."

Interviewer: You were -- so, you ran into a couple of people who said they actually -- they saw them go in there?

Terry Hobbs: Right.

Interviewer: So, at what point did you -- so, so you're still riding around at this point, haven't seen them -- separately -- it's you riding around with your friend --

Terry Hobbs: David.

Interviewer: -- in your car. And, uh, assume the Byers -- you're not in touch with them, but you assume they're out looking, because [crosstalk] --

Terry Hobbs: Well, we had seen them.

Interviewer: -- around. Are they walking or driving?

Terry Hobbs: Driving.

Interviewer: And then, uh -- and Dana Moore's still at home?

Terry Hobbs: Right.

Interviewer: And then what happened?

Interviewer: And were any of the people that told you that they saw -- they saw them go into the woods, were they people you knew?

Terry Hobbs: No.

Interviewer: Yeah. You just -- you were just asking people [unintelligible].

Terry Hobbs: Right. Door-to-door, [unintelligible].

Interviewer: Uh, really? So, it was -- you were getting that --

Terry Hobbs: Starting to --

Interviewer: Starting to get --

Terry Hobbs: Starting to want to know something.

Interviewer: Yeah, yeah.

Interviewer: And you were getting away from your little group of the few people you knew right around there. You're just starting to ask strangers, but you just [unintelligible].

Terry Hobbs: The police -- the police had at one point told us, "Go door-to-door and ask." So, a lot of us was doing that. You know, people we didn't even know, there was starting to get -- be a gathering.

Interviewer: So, people were starting to get the word that some-some of our neighbors we don't even know, three of the boys are gone. And some people are starting to come out, and then they're asking their neighbors, and it's becoming a --

Pam Hobbs: That actually --

Terry Hobbs: Neighbors [crosstalk].

Pam Hobbs: -- didn't happen until the next day.

Interviewer: Okay.

Pam Hobbs: People going door-to-door and stuff. Um, a police officer came to [Catfish Island] where I worked, and took a report, went out to the wooded area [with us] -- and I think [Gina Baker] was there. And

those were the last two police officers I seen all night. They might be it.

Interviewer: Okay.

Terry Hobbs: And we-we was going down to the police station. [Crosstalk].

Pam Hobbs: [Crosstalk], and all that. And they told us, "We have every available man on the force out there looking." Well, Terry was riding around with David, and my daddy came down to help join the search too. But at one point I found myself -- and I was speeding through Broadway in West Memphis, and there wasn't a cop to stop me. I didn't see a cop nowhere.

Interviewer: And this was all, though, much later that [night]?

Interviewer: This is after [crosstalk].

Pam Hobbs: Yeah, later on.

Terry Hobbs: [Crosstalk] after 9:00.

Pam Hobbs: Mm-hmm.

Interviewer: So, leading up to 9:00 then still, just to get that sense of your first experience of it, you were still driving around? People actually [unintelligible], but you were going door-to-door --

Terry Hobbs: Before dark. And right at dark before Pam came, I picked her up from work. There was a -- there was, uh, boys on four-wheelers, three-wheelers, riding. And everybody kept pointing to Robin Hood, and there was people actually going out in Robin Hood looking to see if they was out there.

Interviewer: Okay. So, it had started -- some local -- some people in the -- in the neighborhood had started thinking they could be there, and [crosstalk].

Interviewer: What time were you -- what time were you -- were you supposed to work until? Until 9:00?

Terry Hobbs: Until 9:00.

Pam Hobbs: Until 9:00.

Interviewer: Yeah, okay. And then -- and that's why you went there at 9:00, because you knew it was time for her to get off.

Terry Hobbs: Right.

Interviewer: And when you picked her up, nobody had talked to you yet, right?

Terry Hobbs: [Crosstalk].

Interviewer: You were at work. So, basically you had gone to work knowing that Stevie was late in coming home.



Pam Hobbs: Yes.

Interviewer: And then he came and picked you up, and that's where it's like -- you said, "Did Stevie ever come home?" or whatever, and you said you had the pieces of candy --

Pam Hobbs: [Crosstalk] went to the car and --

Interviewer: -- you said you-you had two pieces of candy in your hand for them, for-for your kids.

Pam Hobbs: -- [crosstalk] for Amanda --

Interviewer: And so, you went -- you headed out to the car expecting to see both of them.

Pam Hobbs: Mm-hmm.

Interviewer: Because they usually come all to pick you up together.

Pam Hobbs: Mm-hmm.

Interviewer: And then what exactly did you say, if you remember?

Terry Hobbs: She asked me where Steve was. I said, "We haven't found him yet."

Interviewer: And that's when you said, "He's dead"?

Terry Hobbs: She said it [first thing].

Interviewer: Is that -- that was the first thing? You just -- your first response was --

Pam Hobbs: [Crosstalk].

Interviewer: -- "He's dead"?

Pam Hobbs: When I called my sister at work to tell her Stevie was missing, that's the first thing I said to her too. I said, "He's dead." I said, "I'll never see him alive again." And she's, "Oh God, Pam, don't say that. He's going to be okay. We're going to find him," but [crosstalk] Stevie [unintelligible]. I knew --

Interviewer: Did you start [to get] frantic [unintelligible] inside?

Pam Hobbs: And when I didn't see him -- when I didn't see him in the car, I [unintelligible], because Stevie wasn't that type of child.

Interviewer: You just knew?

Pam Hobbs: [Unintelligible].

Interviewer: And so from that point, for you, the night was--was just sort of this in--inside, frantic fear, [unintelligible] --

Pam Hobbs: [Crosstalk].

Interviewer: -- stress, driving fast, trying to --

Terry Hobbs: Praying to God that you're wrong.

Pam Hobbs: "God, please don't let this be so," but kind of knowing in my heart that [that's] really what happened.

Interviewer: And meanwhile, you had [set off to] keep looking [or whatever]?

Terry Hobbs: [Crosstalk] around dark.

Interviewer: And just trying to be calm, trying to keep her calm as you're feeling scared yourself inside?

Terry Hobbs: Yeah. [Unintelligible] the closer to dark it got, I mean, they were -- they -- he's scared of dark.

Interviewer: You knew that was bad.

Interviewer: At that point, at least you're thinking -- are you thinking maybe he's had an accident, something like that? Or are you thinking maybe, even that early, that someone had done something to him?

Terry Hobbs: Whatever we-we-we hear -- we heard so many things. You know, we heard that they was over there at the laundromat, so we ran over there to the laundromat to see if they were in there. We heard somebody put them in a van. You remember that? We heard somebody put them in an ice cream van.

Interviewer: That's all that night.

Terry Hobbs: Yeah.

Interviewer: So, different people are saying -- they literally are saying, "I saw three kids, uh, getting in that ice cream van."

Terry Hobbs: Yeah.

Interviewer: Somebody else says, "I saw three boys over at the laundromat."

Interviewer: Somebody says -- what-what-what -- somebody said they were put in an ice cream van?

Terry Hobbs: A van.

Interviewer: Was it -- okay. Well, it could've been any van, not necessarily an ice cream van.

Terry Hobbs: And that lawyer that they brought from California -- what was his name?

Pam Hobbs: Chris [Unintelligible].

Terry Hobbs: He lived here in West Memphis, and somehow he ended up in California. They brought him back to West Memphis to question him, because, uh -- because he drove an ice cream van.

Interviewer: So that night, all you heard was a white van, white or yellow?  
[Unintelligible] found out it was an ice cream van.

Terry Hobbs: Yeah. And I worked for an ice cream company at the time.

Interviewer: [Unintelligible], yeah.

Terry Hobbs: So, I had some of my customers tell me, "You did it!"

Interviewer: Yeah. Who was it -- do you remember who it was that said that they saw them get in the van?

Terry Hobbs: Just neighborhood people.

Interviewer: Just neighborhood people? And was it -- did they say "van," or did they say "ice cream van?"

Terry Hobbs: Van.

Interviewer: Just van?

Terry Hobbs: A white van.

Interviewer: A white van.

Interviewer: And then somebody else said -- I think how -- I mean, did they sound certain when they were telling you this stuff, or would they be like, "I think maybe I saw some boys over at the laundromat"? I mean --

Terry Hobbs: We did -- we went over to the laundromat and checked.

Pam Hobbs: Mm-hmm.

Interviewer: The official statements are pretty solid that people saw them go into the woods. That's the last time they were seen.

Terry Hobbs: There was somebody watching a show that was on about 6:00  
[crosstalk] --

Pam Hobbs: [Crosstalk] the news.

Terry Hobbs: Yeah. And they-they said, "Yeah, we live here in the woods over -- and see them going in there."

Interviewer: All right.

Interviewer: Was that -- do you happen to know if those folks that said that -- and they're watching the news, so that's how they knew the time?

Interviewer: Roughly it would've been -- was it 5:30 evening news, between 5:30 and 6:00? Or was it the 6:00?

Pam Hobbs: [Unintelligible] 6:00.

Terry Hobbs: [Unintelligible].

Interviewer: Was that over by the pipe, that place? Or was that over at a different part? Do you remember the people that you're talking -- that you talked to, where they said -- and they said they saw them going in. Like going on into the woods, three-three boys.

Terry Hobbs: Wouldn't it be by the apartments?

Pam Hobbs: Mm-hmm.

Interviewer: By the Mayfair Apartments?

Terry Hobbs: By Mayfair.

Interviewer: Yeah.

Terry Hobbs: It's over on the end where the pipe is.

Interviewer: Mm-hmm.

Interviewer: Yeah.

Interviewer: That's where they found the bicycles too.

Interviewer: That's right. Okay. So, anyway, um, so --

Interviewer: The rest of the night.

Interviewer: -- you keep on -- you keep looking-looking then. What do you remember about that period of just the search? You searched all night.

Interviewer: Yeah. Like it was like, and what-what was happening. I've heard that there were tons of people.

Interviewer: I-I -- yeah, it's one of those things I haven't heard very much. There's not much to-to find in terms of documentation about --

Interviewer: Right.

Interviewer: -- what actually went on that night.

Terry Hobbs: Because there was no police.

Interviewer: And-and were you -- how angry were you about that?

Terry Hobbs: Very! We had made --

Interviewer: I mean --

Terry Hobbs: -- two or three trips down to the police station that night.

Interviewer: Where were the cops? Where were they? Still don't know?



Terry Hobbs: They told us to go home, don't worry about it; they'll be home [to sleep].

Interviewer: Okay.

Pam Hobbs: I told them one time, I said, "He's 8 years old. He sleeps with a nightlight in his room. He did not run away from home." So.

Interviewer: And they just -- they just were not --

Interviewer: They didn't give you any reason why they thought these boys might -- they might have run away, like maybe they thought one of the kids had done that, or anything, or? Because you're saying -- Stevie's-Stevie's not a runaway. You said, you know, "We know he's" --

Terry Hobbs: We didn't know if the other two had done it at the time, but we found out some things about them after the fact.

Interviewer: Mm-hmm. Like what?

Terry Hobbs: Well, didn't someone tell us that they broke into school?

Pam Hobbs: Mm-hmm.

Interviewer: Who broke into school?

Terry Hobbs: Michael Moore.

Pam Hobbs: Michael Moore.

Terry Hobbs: And Chris.

Interviewer: I've never heard that.

Terry Hobbs: And we-we heard it. We don't know if it's true.

Interviewer: Right.

Interviewer: And we'd heard some things about, you know, Chris [may have] some problems. So, so I wonder -- did you get any sense that the police acted like they knew something about some of these other boys that made them more inclined to believe that they might have run off or something like that, or they --

Terry Hobbs: The police made you believe like they didn't care.

Interviewer: That's when [crosstalk]?

Interviewer: [Crosstalk] show up.

Terry Hobbs: Mark Byers had called Search and Rescue in Crittenden County.

Interviewer: Yeah.

Terry Hobbs: Crittenden County told Mark that, "We can't come to West Memphis until the police invite us." And they wouldn't [do].

Interviewer: And as far as you knew -- like you said, you're-you're like -- maybe going looking -- well, first you're driving around town, just like going crazy, "Where could they be in town?" holding all this nervous energy, I guess. And at that point, you had been in the woods, right, yourself? Or you --

Pam Hobbs: I was -- we went [crosstalk].

Terry Hobbs: We went to the woods [crosstalk].

Interviewer: So, you'd been -- you got a little bit into the woods. You call out. Nobody sees anything. Then you go back. You-you're driving around. And meanwhile you're seeing no police, no police in the woods. Neighborhood people are in the woods, kids on four-wheelers are in the woods.

Terry Hobbs: Closer [on into] to the darkness, people start going home. It was just us.

Interviewer: Yeah. Because I've read some things, and, you know, [unintelligible] people talking about that night, kind of the chaos in the woods, that some people were riding around on-on ATVs and stuff. And then a lot of them did leave, but a handful of people --

Terry Hobbs: [They came] back.

Interviewer: A couple of boys said they went back a little later for a splash or whatever, and they were --

Terry Hobbs: Yeah. We was together at one point during that night when we heard some splashing.

Pam Hobbs: [Crosstalk] about 9:00.

Terry Hobbs: And [crosstalk] like animals. It was more like -- they've never [done it before].

Interviewer: You'd never been in there, so you wouldn't had anything to relate to in the wilderness. It was all new to you. You're like going in these woods, [crosstalk].

Terry Hobbs: We didn't know where we were going.

Interviewer: And all you had was little flashlights.

Pam Hobbs: Yeah.

Interviewer: That's what you had.

Terry Hobbs: We were all sticking together and just kind of looking around.

Interviewer: You said the first time you went in there, you're like, "Oh God, Stevie, you're not -- you're not" --

Pam Hobbs: Just by the way it was grown up and everything, I was thinking, "Lord have mercy, son, you're not out here." And I started, uh, yelling out his name, saying, "Stevie, son! You're not in trouble! Come home!" We didn't find him.

Interviewer: And-and your feeling was, "This is not the kind of place Stevie would go play anyway," or you-you're hoping not?

Terry Hobbs: Right.

Interviewer: Because it's just so overgrown and-and --

Pam Hobbs: Mm-hmm.

Interviewer: Yeah.

[Crosstalk]

Interviewer: What's left of it, yeah. It felt like it was pretty swift. Did you get down to the water too, and [crosstalk]?

Terry Hobbs: [Well], we crossed the pipe.

Interviewer: And you saw it, and the water's moving [unintelligible]?

Terry Hobbs: It was deep.

Interviewer: Yeah.

Terry Hobbs: And [unintelligible] no [unintelligible] that time.

Interviewer: So all that night, you guys -- by then you're sort of together, you've done your driving around. And most -- off and on you're together or you're with [your friends].

Pam Hobbs: He's with David, and I'm with my dad.

Interviewer: Your -- because you dad had come down pretty quick. You called him after you got off work.

Pam Hobbs: As soon as Terry got there, yeah. And, uh, from [Blywood] it takes about an hour and 15 minutes, and daddy was there in probably 30.

Interviewer: And that's when he kind of hurt his back or leg or something, because he was out messing around --

Pam Hobbs: He did that when he went to the woods by himself with nobody out there with [crosstalk] --

Interviewer: Was that your dad?

Pam Hobbs: -- went through there, and he had a flashlight. And he had told us the he tried two sets of, uh, bicycle trails, and it looked like that two boys was on one bike, and down there close to the pipe was [unintelligible] lost his balance.

Interviewer: Yeah. So, he had gotten to that pipe, and that's where he -- where you guys had heard somebody say they had gone in. And sure enough, that's where he said he saw some tracks --

Terry Hobbs: Right.

Interviewer: -- on that mini-gutter. So, he was one of the first ones -- he was the first one to really start looking around in the woods. And then these kids -- or had others been in the woods?

Terry Hobbs: They-they [unintelligible] the woods before dark.

Interviewer: Okay.

Terry Hobbs: [And riding] --

Interviewer: But there was nobody in there, you're saying, when he went at that time?

Pam Hobbs: No, not when daddy --

Terry Hobbs: Right.

Pam Hobbs: -- went in there. And I thought daddy was in there a little bit too long, and so I was going to go in and find him. And there was a full moon out that night, so I could see as I walked in there without a flashlight. And there was a certain point that I got to that a fear had come over me like I ain't never felt. It's like the hair is standing up on my arms. And I

turned around to walk back to the truck. I wanted to run. And my daddy was getting ready to go back in, because he thought [unintelligible].

Interviewer: So, he had [crosstalk] most everybody had gone home, like you said, the people who had been in the woods. And then your dad said, "I'm going to go look again," and he went by himself. You know, can you switch with me? Because I -- my back's killing me. I think this seat might be better [crosstalk].

Interviewer: Yeah.

Interviewer: [Crosstalk]. I got to change my angle for my lower back. We're both having back trouble today. My neck is kinked up, and his [crosstalk].

Interviewer: We're-we're a mess. Uh, what do you think -- when you think about it now, do you think -- what do you think that fear was? Do you think -- do you have an -- do you have an idea of what it was, or do you know now?

Pam Hobbs: Um, thinking back to when it happened and all that, I think maybe [who] might have done it [wasn't completely] out of the woods --

Interviewer: And then you --

Pam Hobbs: -- and was watching me.



Interviewer: And it was -- God was watching? That's why I-I -- that's why I asked, is it just keeping you safe?

Pam Hobbs: Mm-hmm.

Interviewer: Yeah.

Interviewer: Yeah. So, I-I just [unintelligible] about getting up through the night to that point. So then, at this point, your dad comes back, right? Or did he go on -- did you go on home, and did he keep [crosstalk]?

Terry Hobbs: He stayed.

Interviewer: So, he stayed. And you're still --

Terry Hobbs: At one point, me, David, and her dad -- my father-in-law -- hooked up, and we came into the woods from the service road side. And walking straight back to the pipe, there's a trail -- there was a trail that cut off to the left, and David and her dad kept walking back that way, and I took off down that trail.

Interviewer: Yeah.

Terry Hobbs: And it seemed like the further I went down that trail, the scarier -- the more scared I got.

Interviewer: Yeah.

Terry Hobbs: And I ain't scared of nobody.

Interviewer: Yeah.

Terry Hobbs: And my hair starts standing --

Interviewer: You had the same experience.

Terry Hobbs: I did.

Interviewer: Wow. Well, that night -- yeah, and people have -- you know, people talk about a sixth sense you have, like [if] [unintelligible] in perception [unintelligible] --

Terry Hobbs: Just a few feet from where I stopped was that ditch that they were found in.

Interviewer: [Crosstalk].

Interviewer: Well, if you -- if you were -- you were on the service road, the-the-the path you're talking about isn't -- it's -- it doesn't run right along that ditch, because the -- uh, I know what you're talking -- I know what you're talking about.

Terry Hobbs: I think there was a blue beacon [truck wash] --

Interviewer: Yeah, I know the geography of it pretty well.

Terry Hobbs: -- where you could walk straight past the blue beacon all the way back to the pipe.

Interviewer: I know where you're talking about. I know what path you're talking about.

Terry Hobbs: But then there's a path, as I was saying, that cut off to the left --

Interviewer: Yeah.

Terry Hobbs: -- toward the ditch where they really found [crosstalk].

Interviewer: It's kind of what we were talking about yesterday, when he said that there was a way through there that's now [off the road].

Interviewer: You're not -- you're not talking about -- you-you're not talking about -- you didn't walk through that [blue] beacon area to get to the path, right? You're talking about -- uh, you -- okay. So, you --

Terry Hobbs: [Where-where] [unintelligible] came back to the pipe --

Interviewer: Okay. And then there's a path that's from [unintelligible] --

Terry Hobbs: [Crosstalk] --

Interviewer: I know where it is, yeah.

Terry Hobbs: -- to go left.

Interviewer: Basically from the pipe, there's a path that goes in [unintelligible] what you were going down, right? Did you cross the [pipe]?

[Crosstalk]

Terry Hobbs: She [unintelligible] the pipe.

Interviewer: And your path ultimately merges with that pipe, with that same path that comes from the pipe bridge and goes right to the ditch. Because [unintelligible] --

Terry Hobbs: [Crosstalk] in the service road, it cut off to the [east].

Interviewer: Uh-huh.

Terry Hobbs: And went straight to that ditch.

Interviewer: And you had the same fear.

Terry Hobbs: I got so scared I couldn't walk.

Interviewer: That's that area that's [gone].

[Crosstalk]

Interviewer: Yeah, yeah, yeah.

Terry Hobbs: But that's where the-the --

Interviewer: Right, where the -- where the bodies were, yeah.

Interviewer: So, so the night goes on. No luck. Some of you guys are still kind of going back and looking [crosstalk].

Interviewer: What time was that that you got -- had that scare?

Terry Hobbs: Uh, I'd say around -- after midnight, around 2:00. Between midnight and 2:00.

Interviewer: And what time was it for you, Pam? Do you remember roughly? Earlier?

Pam Hobbs: Probably about 10:30 or so.

Interviewer: Yeah. And that was about -- uh, it was when your dad had gone in by himself, and she went looking for him [unintelligible] and was approaching the pipe, and under the full moon.

Pam Hobbs: I didn't get in that far.

Interviewer: Not even that far.

Pam Hobbs: [Crosstalk].

Interviewer: Right at the edge and then some.

Pam Hobbs: There's just a certain point of as you go in, and you could go up like a hill, and then you go the other way to go to the pipe. As I come up on - - where the hill was, that's when [that fear] [crosstalk] --

Interviewer: Now, did your dad come back then, or did he stay out and send you on home? Your-your-your dad, did he stay out there at that point searching?

Pam Hobbs: He was with his truck --

Interviewer: Yeah.

Pam Hobbs: -- and he was thinking to come and get me.

Interviewer: Okay.

Pam Hobbs: And I was [on the road] back to the truck.

Interviewer: Yeah.

Pam Hobbs: When I was walking, I seen daddy coming back [crosstalk].

Interviewer: [Crosstalk].

Interviewer: So, things had gotten a lot quieter by this time, like when you're looking.

[Crosstalk]

Interviewer: Yeah.

Terry Hobbs: They ended their search.

Interviewer: About what time?

Terry Hobbs: Well, it was around 2:00 or 3:00.

Interviewer: Yeah.

Interviewer: When you were aware of like Mark? Did you run into him searching off and on maybe like during the night?

Terry Hobbs: Well, during the night, we would cross paths somewhat.

Interviewer: Like either in the woods or [unintelligible] groves?

Terry Hobbs: Yeah, driving around.

Interviewer: And then at a certain point after midnight, Mark and Melissa had gone home. You know that. You had seen them leave, or --

Terry Hobbs: Right. Well, they told us they was going to go home.

Interviewer: And-and it was just you, Jacob --

Terry Hobbs: And David.

Interviewer: -- David, Jacob, [crosstalk].

Terry Hobbs: And her family.

Interviewer: Did -- and you never saw any police officers out that night after midnight searching? [Never one]?

Terry Hobbs: That's probably [crosstalk].

Interviewer: That's insane. That's just crazy.

Terry Hobbs: And I probably made two or three trips down there. [Unintelligible].

Interviewer: So, the whole time as you were going around searching, you're going back to the police --

Interviewer: Going back to the police.

Interviewer: -- police station, and you're telling them, "We've been everywhere. We've looked everywhere, and nobody's seen anything. But people saw these boys go into" -- did -- were you telling them then that people had seen the boys go in the woods, "and we can't find them?" That's --

Interviewer: Did you get -- did you get testy at times? I mean, were you getting loud and getting, you know --



Terry Hobbs: They made us leave one time.

Interviewer: They made you leave? I'm sorry. That's the kind of thing that just ma --  
upsets me. It just makes me mad. It just makes me really mad.

Terry Hobbs: [Crosstalk]. We went down there [unintelligible], you know, and we  
[unintelligible].

Interviewer: I know. And your [crosstalk] --

[Crosstalk]

Interviewer: And everybody in the neighborhood's doing it, and if they won't come  
--

Interviewer: He's-he's not coming home.

Interviewer: Is it [unintelligible]? Did you get a sense the cops were all off  
somewhere else just on patrol, wouldn't be bothered?

Terry Hobbs: I didn't see them, so I don't know what [crosstalk].

Interviewer: And she said she drove through town and didn't see any police.

Interviewer: You don't remember who it was that sent you away, do you?

Terry Hobbs: He was a black officer. Uh, I don't remember his name.

Interviewer: He-he was working the desk? Was it -- what was it -- what -- was it one guy who was like continually the guy shoving you away?

Terry Hobbs: [Crosstalk] the same one. We kept going down there.

Interviewer: Usually-usually there's like -- in a big police station, there's like a desk sergeant or somebody just kind of out in front who talks to people.

Terry Hobbs: Well, somebody was trying -- didn't somebody come up there to tell us to go home?

Pam Hobbs: No, I think, uh, that black officer come out there and told you all that Dave was at the police station, and he wanted to come to our house, and you all said, "No, we'll go to the police station."

Interviewer: Told you he was -- he was there?

Terry Hobbs: [Unintelligible] heard [unintelligible].

Interviewer: Uh, uh, uh. Right, right, right.

Pam Hobbs: [Crosstalk].

Interviewer: So, he had showed up at a certain point.

Terry Hobbs: Yeah, because [unintelligible] thought he might [unintelligible].

Interviewer: So, they -- then somebody called him, and then when he heard they were missing you came [down] with him. Had you seen -- had he been seeing little Stevie much lately -- at that time? Because he didn't -- I had heard that he was kind of not really in touch with you guys much -

Pam Hobbs: [He wasn't].

Interviewer: -- until all this happened.

Terry Hobbs: Right.

Pam Hobbs: Yeah.

Terry Hobbs: Then he started coming to the trial and getting all [unintelligible].

Pam Hobbs: But not [unintelligible]. Sort of like [unintelligible]. And, uh, I told her if she knew how to get a hold of Steve -- which I didn't know how to get a hold of him -- I said, "Let him know that Stevie's missing, and keep his eye out for him." And then I guess within the hour, Steve was in West Memphis too, to get on the search and see if he could [unintelligible].

Interviewer: During that first night, do you guys remember if you talked to any of the policemen that ended up being the ones that were involved in finding them, like Brian Ridge, Mike Allen, Gitchell?

Interviewer: They were probably all asleep [unintelligible].

Terry Hobbs: Not until the next day.

Interviewer: So, they weren't on shift, and they were just [unintelligible] --

Terry Hobbs: Not [unintelligible].

Interviewer: -- detectives [unintelligible].

Terry Hobbs: Wasn't it around 6:00 -- 5:00 or 6:00 in the morning Channel 13 showed up?

Pam Hobbs: No, it was during school when it started, because, uh, all of us gathered and go to the school to see maybe if they would show up at school.

Interviewer: So, then it kind of ended after the night -- after the search petered out that night, you guys even gave up. Like, I mean, you searched pretty much all night.

Terry Hobbs: We searched all night.

Interviewer: And then you came back -- you never slept?

Terry Hobbs: No.

Pam Hobbs: Nuh-uh.

Interviewer: And you didn't sleep? You'd been in and out. So, you guys then got together again with what, the Moores and the Byers, is it at that point?

Terry Hobbs: The next morning, yeah.

Interviewer: Yeah.

Terry Hobbs: The Byers came back out. Todd -- when Todd [unintelligible].

Pam Hobbs: He got in about 6:00 that morning.

Interviewer: Okay. Freaking out, I'm sure. Did he -- did he come home because he was missing, or was he [crosstalk]?

Pam Hobbs: [Crosstalk] he had got home early.

Terry Hobbs: I think they called him and told him.

Interviewer: Would you know -- you guys weren't around when he found out. You just knew that he found out, and he had to come home. So at that point, it's-it's like the start of school time or whatever, and you guys gathered -- and did other people from the neighborhood gather with you, or was it --

Terry Hobbs: [Right]. And the media was there.

Interviewer: And the media? So, somebody had called --

Terry Hobbs: Right.

Interviewer: Do you know how they got the word, got involved [in it]?

Terry Hobbs: I mean, somebody called -- uh, [was it Barbara that] called the media?

Pam Hobbs: Mark did [then].

Interviewer: He did -- someone he knew, or he just started -- like after he had called for Search and Rescue and nobody showed up, then he's -- did he tell you that he was doing it just to try to get attention, to get somebody to [unintelligible]?

Terry Hobbs: I didn't know he had done it until we ran across the media out there. [Crosstalk].

Interviewer: Why would he -- why did he call the media? Did he ever tell you why?

Terry Hobbs: Because we couldn't get no [unintelligible].

Interviewer: Because no one would act; no one was acting. So, he called. [Crosstalk] TV station or [something].

Interviewer: [Crosstalk] probably a smart move.

Terry Hobbs: I'm not saying for sure, but it seemed like I heard that he did that.

Interviewer: Okay. So, he never necessarily told you. You're not -- you don't remember. But about that morning, you guys gathered up at your -- in front of your houses, or did you --

Terry Hobbs: At the school.

Interviewer: So, you all kind of converge at the school. Had you planned it, or you just kind of all turned up there?

Terry Hobbs: Well, we knew that if we hadn't found them by the -- uh, that night, that maybe they'd show up at the school.

Interviewer: But [unintelligible] independently came up with that? Mike showed up, and [unintelligible] the Moores had showed up. Because that's where you all had gone -- the kids all went.

Pam Hobbs: [Crosstalk], and all of them said, "Well, [crosstalk] school, and see if [unintelligible] come to school."

Interviewer: And so, you all get there, and there's the media who also heard that these kids have been missing all night. And then what happened at that point?

Terry Hobbs: They didn't show up.

Interviewer: Your -- did you have -- after both of you had that experience of fear going into the woods --

Terry Hobbs: It was like an evil presence.

Interviewer: -- did that stick with you in feeling like you needed to go back, like that was the place?

Terry Hobbs: To me, it felt like I didn't want to go back.

Interviewer: You just didn't want anything to do with it.

Terry Hobbs: There's a fear out there like you've never run across. And I didn't want -- I told her dad and David about it. They didn't know what to think about it, and we didn't go back.

Interviewer: Was it sort of a fear of -- do you think now, looking back, it's partly maybe a fear of what you might find, or just a fear of the whole -- the terror of what can happen?

Terry Hobbs: You know, I [crosstalk] a preacher [unintelligible] people [they called] [unintelligible].

Pam Hobbs: Mm-hmm.

Terry Hobbs: And you see people praying, casting evil spirits out. I've seen that done.

Interviewer: Yeah.

Terry Hobbs: It's-it's like that presence of evil.



Interviewer: Yeah.

Interviewer: And that's what you felt?

Terry Hobbs: Yeah.

Interviewer: And you -- and you didn't share that with [unintelligible] --

Terry Hobbs: [Crosstalk].

Interviewer: You felt it, and-and --

Interviewer: Did your dad feel it?

Terry Hobbs: Well, I don't know if [unintelligible].

Interviewer: Did your dad -- you know, did that happen -- I mean, the same experience?

Pam Hobbs: [Unintelligible].

Interviewer: Yeah.

Terry Hobbs: [Unintelligible] when only I cut down the path. I just seen a path there, and I just started walking it.

Interviewer: So, you guys are all at the school at this point. The kids don't show up. Can you sort of remember like the ne -- the next day, and-and into that night?

Terry Hobbs: Search and Rescue started after the media got involved.

Interviewer: Yeah.

Terry Hobbs: Search and Rescue and police officers --

Pam Hobbs: [Crosstalk].

Terry Hobbs: Everybody started showing up.

Interviewer: At the school or at your houses? I mean, where [crosstalk] --

Terry Hobbs: Just in the neighborhood.

Interviewer: So, [unintelligible] -- so, [unintelligible] is like knocking on all the doors --

Interviewer: [I got to hand it] to Mark, [man]. That was the thing to do, you know? "[I] just couldn't get a reaction [out of -- and I'll do it]," you know?

Terry Hobbs: Maybe it will.

Interviewer: Yeah.

Terry Hobbs: That got some --

Interviewer: That got some -- got some response quick.

Terry Hobbs: Mm-hmm.

Interviewer: Mm-hmm.

Interviewer: And [Abby] --

Interviewer: [Unintelligible].

Interviewer: And so, then that morning while they were all out searching, what were you two doing?

Terry Hobbs: [Unintelligible].

Interviewer: Just-just looking around for evidence?

Terry Hobbs: [Crosstalk], looking, [unintelligible].

Interviewer: Asking everybody about it.

Terry Hobbs: Then we -- you know, there was one point -- didn't we say, "You know, the [unintelligible] Robin Hood from Memphis."

Pam Hobbs: Mm-hmm.

Terry Hobbs: [Or] they had them head detectors on.

Interviewer: So that was Search and Rescue from-from Memphis.

Terry Hobbs: Memphis came over.

Interviewer: And Crittenden County also.

Terry Hobbs: And boats.

Pam Hobbs: Yeah.

Terry Hobbs: [Unintelligible].

Interviewer: And that's what Crittenden County was doing? So, you think it was Memphis PD and their helicopters? And that went on all day, sort of just searching.

Terry Hobbs: Up until [crosstalk]. Didn't they find them around 2:00?

Pam Hobbs: [Unintelligible] what time they found them. I don't know exactly when.

Interviewer: So, you --

Pam Hobbs: But they called the search off I guess about 2:00.

Interviewer: So, you --

Pam Hobbs: [Crosstalk].

Interviewer: So, you had encountered these detectives that morning? They had started showing up in the neighborhood, and [you] talked to Gary Gitchell, and maybe Ryan Ridge, Mike Allen -- some of these guys?

Terry Hobbs: No.

Interviewer: Just Gitchell?

Terry Hobbs: [Not then].

Interviewer: Just Gitchell?

Terry Hobbs: Not even Gitchell.

Interviewer: So, you're just telling me -- you said you heard that they kind of started showing up --

Terry Hobbs: [Crosstalk].

Interviewer: -- the police.

Terry Hobbs: They're [unintelligible]. We didn't know none of them.

Interviewer: So, it wasn't until they found-found them and contacted you that you started hearing directly from people like Gary Gitchell?

Terry Hobbs: [Whenever] we heard that they had found some bodies, we took off [unintelligible] --

Interviewer: Where were you when you heard that? Do you remember?

Terry Hobbs: Where was we at?

Pam Hobbs: We was sitting at the restaurant eating, and, um, it was the talk of the town, and [crosstalk] --

Interviewer: Which restaurant?

Terry Hobbs: [Crosstalk].

Pam Hobbs: [Crosstalk].

Interviewer: Yeah.

Pam Hobbs: And, um, the police officer said, "Well, I think they just found three boys. Was that your son they found?" And I said, "Uh?" And he said, "Yeah, I think they just found three boys. But I don't know; I'm not sure." So, me and Terry went out, and we go to the school. And somebody from the school -- and I don't even know who it is -- that runs all the [unintelligible] they found three boys. [Crosstalk] --

Interviewer: They-they're not saying if they're alive or dead? They just said [crosstalk]?

Terry Hobbs: Right.

Interviewer: Now, are they saying where they found them? Has anybody said where at that point?

Terry Hobbs: Yeah.

Pam Hobbs: No. Uh --

Terry Hobbs: Over where --

Pam Hobbs: Mayfair Apartments.

Terry Hobbs: Yeah.

Pam Hobbs: Yeah. That's where all the traffic and the crime scene things and all that [unintelligible]. When we left the school and went there, and Terry gets out of the car and I get out, and we're talking off running because we had to park quite a ways back. And we just [unintelligible].

Interviewer: [Unintelligible].

Pam Hobbs: I hit the ground, started screaming.

Interviewer: Because he already knew. So then you saw him -- I'm sorry, [unintelligible] --

Pam Hobbs: Saw [unintelligible].

Interviewer: Okay.

Pam Hobbs: You know, [unintelligible].

Interviewer: Had he been just -- he happened to have been hanging out down there when it happened [unintelligible] when they found them?

Terry Hobbs: [Unintelligible].

Interviewer: And you didn't say anything. You just knew.

[Crosstalk]

Interviewer: So, you fell -- you fell to the ground [unintelligible]?

Pam Hobbs: I was kicking and screaming, "God, no! God, no!"

Interviewer: And you went past her and tried -- is this where -- is it true that I've read that you went up there, and big Steve said, "You're not allowed in there past the police tape," and you said something like, "The hell I'm not," and you went on in? Is that -- tell me what hap -- what you did.

Terry Hobbs: Yeah. I went from there to [unintelligible].

Interviewer: You knew [him]? Or you just saw [unintelligible]?



Terry Hobbs: [Crosstalk] that crime scene tape and said, "You're not allowed back there."

Interviewer: And-and what did you say?

Terry Hobbs: [Unintelligible] I just almost [unintelligible]. I was sitting down on the ground. [Unintelligible].

Interviewer: Okay.

Terry Hobbs: Then he told me, "What do you mean I can't go back there?"

Interviewer: He said, "It's a homicide."

Interviewer: And that was -- that was the moment that you knew for sure.

Terry Hobbs: And you guys know that [unintelligible] at that point, [unintelligible]. I-I didn't tell her.

Interviewer: But you -- but Gary Gitchell [crosstalk].

Terry Hobbs: Gary told me that.

Interviewer: So, you're over there [unintelligible].

[Crosstalk]

Interviewer: They -- you guys got her back in the car.

Terry Hobbs: Right.

Interviewer: Did you leave to take her home?

Terry Hobbs: Well, when we got her back in the car, I [unintelligible] the crime scene tape, [unintelligible] see Gary. I mean, it's where I met Gary.

Interviewer: And was Steve the one who -- did he say that thing I was talking about before? You got to the tape, he tried to tell you, "You're not supposed to go in." You just kind of barreled past him?

Terry Hobbs: [I did].

Interviewer: Pam, what was the rest of your day? [Unintelligible]?

Pam Hobbs: [Unintelligible].

Interviewer: And what was -- what was the rest of your day after that? I mean, how did it --

Pam Hobbs: Um, pretty much [unintelligible].

Interviewer: Were you home the rest of the day?

Terry Hobbs: We did go back home.

Pam Hobbs: [Crosstalk].

Interviewer: Yeah.

Terry Hobbs: Yeah.

Interviewer: And then probably folks started coming by, and --

Terry Hobbs: Yeah.

Pam Hobbs: People started coming by, bringing food, you know, [unintelligible].  
And families started coming in. It's just the worst day than  
[unintelligible] in my life.

Interviewer: Your dad was already there, right? So, you guys are both  
[unintelligible].

Pam Hobbs: Once I got home, though, uh, I went to Stevie's room, and I punched  
the door and [unintelligible]. You know, I was angry. I just wanted to  
last out at anything. That's what I did. [Unintelligible] punch [at  
doors].

Interviewer: Punched the door. That was the-the same day?

Pam Hobbs: Mm-hmm.

Interviewer: Did you ever on any-any part of yourself -- you know, you're -- you  
know, you're angry at yourself or you're feeling bad -- which is

obviously now you know is you didn't do anything wrong -- that you were going through, did you ever at all feel like, "Stevie, why did you go do this?" Or [unintelligible] did you sort of only feel that toward yourself, like none of the three boys did you feel any sense of, you know, "You should have minded" -- or, "Why did you guys go do that?" you know, [unintelligible]?

Pam Hobbs: I didn't hear a word you said.

Interviewer: I'm sorry. I just got to talk louder. I had wondered -- yeah, was sitting over there. I just wondered if you had felt any frustration even toward the boys in your mind or, you know, it was just all toward your parental, yourself, that unfair thing and feeling like you should have never let them go?

Pam Hobbs: No. I never felt anything, you know, "It's their fault," and all that.

Interviewer: Yeah, yeah.

Pam Hobbs: They were just being little boys.

Interviewer: What are -- what are some of the other moments from like that first week afterwards that you remember? I mean, do you remember specific things that were -- you know, go into Stevie's room, or [unintelligible], or phone calls -- either one [of you]. I mean, is it -- is it the kind of -- are there specific things that you remember that being moments of that week that were -- that stick out in your mind?

Terry Hobbs: Things were just starting to happen real fast.

Interviewer: Yeah.

Terry Hobbs: Things -- people were coming in our home. Jason Baldwin's mother came to our house --

Interviewer: Uh-huh.

Terry Hobbs: -- we didn't know her. But we -- but when we ran across her in the trials, why, that's when we placed them together.

Interviewer: And why did -- and you don't know why she came to your house?

Terry Hobbs: No.

Interviewer: That's very peculiar, [very].

Terry Hobbs: She just came among all the people who came to say, "I'm sorry about your child being" --

Interviewer: Did you remember talking to her when she came?

Terry Hobbs: Mm-hmm. [Unintelligible].

Interviewer: She just came to say --

Terry Hobbs: "I'm sorry," yeah. And didn't identify herself, and had come from them trailer [courts] or whatever [unintelligible] our house.

Interviewer: That's -- their ho -- that's quite a ways away.

Interviewer: Did anyone else associated with the others come that you recall? You don't know? So, [unintelligible] people. Your house is kind of -- is open. I mean, family -- everybody's coming to help, they're bringing food. Your-your -- you guys can't work, I guess. You're just sitting there, paralyzed [unintelligible], trying to help each other. Um, and when a lot's happening real fast, do you also mean were like the police talking to you a lot? Was it that kind of thing? Or was it just funeral preparation? What?

Terry Hobbs: Wasn't no funeral, because they kept them down at Little Rock --

Interviewer: Right.

Terry Hobbs: -- for a while. But, uh, it was the City Council, the mayor, people from the town coming by. We didn't know nobody other than family. We didn't know what to think, or who to talk to, or nothing.

Interviewer: Did the police talk to you about your son in that first week or two? I mean, did you see -- do you remember who you spoke to in the police?

Terry Hobbs: When was it that we started going down there for -- when they would call us down there -- that first week?

Pam Hobbs: Was it -- yeah, it was in the first week.

Interviewer: That's when they wanted to know where you were, and what -- you know, they're doing their investigation.

Pam Hobbs: I [crosstalk] one that came to the house and was questioning us, and he was saying that there will be a time that if they [have-have] blood and hair and all that kind of stuff, [unintelligible]. And then, you know, I was going through, "This one's done it, that one done it," you know [crosstalk] anybody who --

Interviewer: "Have you looked at so-and-so? I think he might have done it," or [whatever].

Interviewer: You were just -- you were just losing it at that point.

Pam Hobbs: Mm-hmm.

Interviewer: They were just trying to say, "Calm down. We're do -- we're doing the best we can." I mean, "We're looking into it." Did you all express any of your anger that they had not been involved that night, [unintelligible]? Did you feel an anger at them that --

Terry Hobbs: Gary Gitchell made the statement to the police officers, "Not one of you guys deserve to wear that uniform."

Interviewer: He said that to them? You were there when he said that?

Terry Hobbs: No, he told me.

Interviewer: Uh, because he knew that they had blown it.

Terry Hobbs: And he also made the statement [unintelligible] to the police department, "You should've called me."

Interviewer: So, nobody had let him know, and he didn't know until he says -- until the next morning when the -- everybody was being called it, it became -- I guess he came to work or whatever, and they said, "Look, there's these kids that have been missing all night." And that's when they got on it.

Terry Hobbs: [Crosstalk].

Interviewer: This is a -- this is a part of the story I didn't know. I didn't -- I didn't know how hard you had tried to get the police to get out there and look. And that sounds like that was your whole night. Your whole night was mostly [crosstalk].

Pam Hobbs: [Crosstalk] the police department about what [unintelligible]. On the first day in court, they made me leave the courtroom because I think [unintelligible] saying that cops just had a legal way to be corrupt. You know, I was just saying things aloud.

Interviewer: Yeah.



Pam Hobbs: And, "They're getting people's drugs, and going over here and smoking it," you know, just doing that. And, uh, Steve took off -- Stevie's dad took off running towards Damien, trying to get to him. And when he did that, all the cops started grabbing Steve. And I jumped up and screamed, "Yeah, [why don't] you like [get] daddy [unintelligible] help us search for our child!" And the judge told me if I couldn't contain myself, get out of the courtroom. So, I got up and got out of the courtroom.

Interviewer: Did you feel any sense of -- because you talked about getting drugs from people, this and that, you know -- did you feel any sense of -- did police seem maybe not, you know, not confident or corrupt or anything before this happened to you? What was your impression of the police before this? Obviously this made you angry.

Terry Hobbs: We never had no run-ins with them.

Interviewer: Mm-hmm. And you hadn't heard anything about that, about --

Pam Hobbs: [Crosstalk] -- yeah, we did.

Terry Hobbs: [Remember], prior to this happening --

Pam Hobbs: When that come out, I think shortly afterwards [crosstalk].

Terry Hobbs: -- they was under investigation for corruption.

Interviewer: Yeah.

[End of recorded material]

**Pam and Terry Hobbs Intention (2 of 2)**



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**Pam and Terry Hobbs Intention (2 of 2)**

[Beginning of recorded material]

Male Voice: We had heard that after the state police were looking into him.

Terry Hobbs: Yeah, no, I know about all that stuff.

Male Voice: Um, okay.

Terry Hobbs: I mean, it's a-it's a-it's a-it's a, you know, that police department was a messed up department in a lot of ways, but. . .

Male Voice: So that week, so you're getting some, uh, [Brownridge] comes out, you guys are going in --

Terry Hobbs: [Stan Birch].

Male Voice: Oh, Stan Birch, okay.

Pam Hobbs: [Not a day go by].

Male Voice: And you guys are going in, um, occasionally to talk to them and they're just saying, "This is what we're gonna need," and they're asking you about your diet. Are they showing you pictures of anybody? Did they do anything like that?

Terry Hobbs: No, they's wantin' us to give them pictures of --

Male Voice: Of the boys.

Terry Hobbs: -- the boys.

Male Voice: But they weren't, like, saying, "Here's-do you recognize any of these people?" --

Terry Hobbs: No.

Male Voice: -- or do any of that stuff yet?

Terry Hobbs: [unintelligible] identified them by pictures.

Male Voice: At what point, um, at-how far after the discovery of the bodies was it that you started hearing that it was maybe somehow connected to the occult or to Satanism or to that sort-or any of that kind of stuff. Was it soon after or was it a long ways, a long time after?

Terry Hobbs: The media --

Pam Hobbs: [Actually] [I said it that day] --

Terry Hobbs: -- [there the media] --

Male Voice: You said it that day?

Pam Hobbs: That day --

Male Voice: You felt it immediately.

Pam Hobbs: I had heard someone say that, "We've been trying to tell the police that they've been doing Satanic rituals back there for years and they won't [pay any attention to it]," so right then I started --

Male Voice: So you heard it that-that night --

Pam Hobbs: -- [unintelligible].

Male Voice: -- from one of these people coming out and talking, like, from the Mayfair apartments --

Terry Hobbs: Right.

Male Voice: -- or from the neighborhood or whatever that --

Pam Hobbs: [unintelligible].

Male Voice: -- that's been going on. And what was the church that you were a part of then or were you involved in --

Pam Hobbs: [Mount Jersey].

Male Voice: -- that it was-it-that-you were just weren't really-that wasn't a big thing in your life --

Terry Hobbs: Nope.

Male Voice: -- at that time.

Terry Hobbs: So during the trials, you know, during the [Damien Eccles']  
counselors, they're testimony, you know, and probably a little bit  
before that, during the trials is when it-they started bringing in all this  
Satanism and the media prior to the trial --

Male Voice: Right.

Terry Hobbs: -- started bringing in all this Satanism stuff --

Male Voice: So did you hear that as a-a rumor brewing in the town? That's part of  
what we're wondering, like, did that --

Terry Hobbs: We [thought] the same thing, --

Male Voice: -- start to be things you heard --

Terry Hobbs: -- there was a movie one time about something like that and we had  
thought it, didn't we?

Male Voice: You remember what movie it was that made you think about it? Like,  
was it The Believers or some-you'd seen something about Satanic  
groups doing what, like --

Terry Hobbs: The town. We'd seen, uh, there was a movie out one time [for our  
town.]

Pam Hobbs: [Psycho Witch Hunt] or something like that, I think.

Male Voice: But you-had you, um-what was it about that --

Terry Hobbs: [unintelligible] thought that was mythical, we didn't know.

Male Voice: Thought that the town-the-the-thought what, specifically?

Terry Hobbs: That there was a-a church over there, [Todd Moore] is pastor, we thought they -- Pam came up with this -- kept thinkin' his church th- they killed 'em at the church --

Male Voice: Right.

Terry Hobbs: -- took 'em out there and dumped 'em, [unintelligible] --

Male Voice: Why-why Todd-why Todd Moore's church?

Terry Hobbs: Well, I dunno. Ask her.

Pam Hobbs: Uh, because of being Catholic, Episcopal, or whatever, um, I think in the Catholic faith that they do believe in ritualistic --

Male Voice: Oh --

Pam Hobbs: -- killing --



Male Voice: -- right, right, right.

Pam Hobbs: -- [that talked] [unintelligible].

Male Voice: You just need to add a more ritualistic --

Pam Hobbs: That kind-well-my no --

Male Voice: -- kind of service --

Pam Hobbs: -- might [unintelligible] my fears, no [pain].

Male Voice: Yeah, yeah, I know, I'm-I'm-I'm just wondering where-where your head was at the time.

Male Voice: But basically, you know, it sounds like people had already-in-in-the pa-I mean it's part of the-you know, it's part of the world, here, you know, we're in the Bible Belt, people talked about the possibility of people being devil worshippers, whatever, you had kind of, more after this happened, started hearing some people talking about and even wondering yourself if there could be some kind of group within the town, like --

Terry Hobbs: Right.

Male Voice: -- maybe there was some kind of --

Terry Hobbs: We thought that.

Male Voice: -- cult worshippers in the town, like you see in movies sometimes, where you sacrifice children who do these --

Terry Hobbs: [unintelligible] [think about it] --

Male Voice: -- terrible things because it's such a terrible crime you can't imagine why else would you kill three little boys? It seems so monstrous and different. And you heard it growing in the town, then, as to what rum- and the media also, like you'd be seeing it on, what TV would talk about. "People think it could be a, you know, ritual killing," or something like that. Okay. So that built up as the trials were approaching. Were you hearing in-within all that, were you ever hearing anything about, "And we think we know that-who it could be. It could be this Damien Eccles and his friends, like these teenagers," or were you hearing more just a general thing about cults and devil worshipping and stuff? Do you remember?

Terry Hobbs: Gary [Dietsal] told us that it was Damien Eccles. We didn't know it before he told us.

Male Voice: When was this?

Terry Hobbs: But I --

Male Voice: At the arrest or before that?

Terry Hobbs: At the arrest. When he called us and told --

Male Voice: Yeah, so you really hadn't heard any of those names until they called you and said, "Are you sitting down?" That whole thing you told us about, and then they said, "We think we have it; it's three teenage boys, here's their names." You-how do you know them? And you said, "I've never heard of 'em." You know, okay.

Male Voice: Did you feel a lot of relief when you heard there-there was an arrest?

Terry Hobbs: Probably confusion. I don't know about relief.

Male Voice: And you did-you didn-didn't make you feel any better?

Terry Hobbs: But we still didn't know who it was --

Male Voice: Right.

Male Voice: And anger, but you don't have a face to put it with.

Terry Hobbs: You just want to kill him.

Male Voice: And that's why you said, "I-I want to see him," right? I mean, you're like, "Those names don't mean anything to me and I feel all this anger so," --

Terry Hobbs: [unintelligible] there's a thing they called revenge --

Male Voice: Yeah.

Terry Hobbs: -- you don't kill my kid or I'll kill yours, or you.

Male Voice: Yeah.

Terry Hobbs: You know? That comes in your brain.

Male Voice: Yeah.

Terry Hobbs: There's all kinds of things --

Male Voice: Oh, I mean, if I-if-if I were in your shoes --

Male Voice: It would be the hardest thing not to do.

Male Voice: -- that wa-that's all I'd think about. That's all I would think about. I-I just know, you know, and that's not-doesn't make it good --

Male Voice: And that eats you --

Male Voice: -- [unintelligible] you do.

Male Voice: -- up from the inside. It's like if you come to this forgiveness thing, we've talked about that too, that the hardest thing-the first thing you only imagine is that all you wanna do is-you get obsessed with destroying the people that took, you know, that did that to your child, 'cause you can't imagine anything else. But --

Terry Hobbs: And at the same time, you know, look at the innocence. Everybody on our side was innocent --

Male Voice: Yeah.

Terry Hobbs: -- and you [drug] right into something like that --

Male Voice: Yeah.

Terry Hobbs: -- not know which way to go.

Male Voice: Nobody --

Terry Hobbs: [What to do?]

Male Voice: -- nobody could ever deserve to --

Terry Hobbs: Who to trust?

Male Voice: Yeah, you're just living your life and this happens. So, okay, well that's-that took us through the [nine] in the first week, so basically the weeks then turned into more weeks, meanwhile you're going through that six-six, seven months of just --

Pam Hobbs: [unintelligible].

Male Voice: -- you're losing it, you guys are trying to hang in there --

Terry Hobbs: [unintelligible].

Male Voice: -- but-if-if you-if you don't mind me asking is it-is it-was it mostly alcohol? Was it mostly drugs? Was it both?

Pam Hobbs: Uh, really neither one, it just --

Male Voice: Oh you-you wasn't-you wasn't --

Pam Hobbs: -- it [unintelligible].

Male Voice: -- you wasn't so much about substance, you weren't --

Pam Hobbs: Nuh uh, not a-I was-I was --

Male Voice: -- doing a lot of, uh, drinking too much.

Pam Hobbs: -- doing no drugs and alcohol.

Male Voice: But that wasn't a-that wasn't --

Pam Hobbs: Nuh uh, [unintelligible] --

Terry Hobbs: We [has] the prescription drugs.

Male Voice: Yeah. Was that mostly what the drugs were? Just taking too many of those, or were you, I mean. . .?

Pam Hobbs: I-just think at-that at the state of the mind I wanted to --

Male Voice: It was just-it was just where --

Pam Hobbs: -- [unintelligible].

Male Voice: -- head was.

Pam Hobbs: I don't think other drugs and alcohol played a major, real big role in my --

Male Voice: And what-and-and what were --

Pam Hobbs: -- in my actions.

Male Voice: You just self-medicated.

Male Voice: -- you doing, mostly, with your time, during those six months? I mean, were you sleeping a lot? Were you, you know --

Pam Hobbs: At times --

Male Voice: -- you-you weren't eating --

Pam Hobbs: -- I would sleep but --

Male Voice: -- if you [say if I were you].

Pam Hobbs: -- [unintelligible] start eating.

Male Voice: Yeah.

Pam Hobbs: Um, then I started writing, uh, writing on my book and things like that, um, but sleeping a lot and things like that, and just [unintelligible] much out front, away from everybody --

Male Voice: Yeah. Did you --

Pam Hobbs: -- [unintelligible] how much they [unintelligible].

Male Voice: -- did you go back to work at all or did you just --

Male Voice: [unintelligible].

Pam Hobbs: Not 'til after the trials were over with.

Male Voice: So, then you were up-part of the time you'd be up with your family and stuff like that, or were you mostly staying --

Pam Hobbs: [unintelligible] part of the time, yeah.

Male Voice: -- [unintelligible]. So you basically moved out, then. And the town-so, at that point, the town was full of rumors, full of craziness, but you just had to get away from it and go be with your family --

Male Voice: And where --



Male Voice: -- and try to protect [unintelligible].

Male Voice: -- where were you working at the time?

Terry Hobbs: [Minter] Ice Cream company.

Male Voice: Okay, and ba-you-you had to keep working, right? I mean, somebody had --

Terry Hobbs: Right.

Male Voice: -- to keep paying the bills.

Terry Hobbs: [unintelligible] kept driving back and forth to work.

Male Voice: Right. And you were driv-wha-uh, were you driving a truck-tru-an ice cream truck at the time, or were you. . .?

Terry Hobbs: Right.

Male Voice: Okay.

Terry Hobbs: Not a van, but a truck.

Male Voice: Right.

Male Voice: Like delivering --

Terry Hobbs: [unintelligible].

Male Voice: -- to-to, uh, to stores --

Male Voice: Stores.

Male Voice: -- and stuff?

Male Voice: Yeah.

Male Voice: Okay. And how did-how did people at work, I mean, how did people talk to you or act around you? I mean. . .

Terry Hobbs: They was -- they killed me kindness. I've never been overwhelmed with generosity --

Male Voice: Yeah.

Terry Hobbs: -- I quit my job. I went to my boss and said, "Look. I-you know, I had a 110 customers I count on every week, and I've been doing this for years, and when they found out it was us, [but] the people of my customers just, they would-everyone one of them would come up and I'd go in the stores and sell them ice cream and come up and grab me and hug me," --

Male Voice: Oh.

Terry Hobbs: -- "and cry, make me cry, and that went on until it just was killing me."

Male Voice: Yeah.

Terry Hobbs: I went and told my-John, my boss, I said, "I gotta quit."

Male Voice: You just didn't want --

Terry Hobbs: [Didn't want it]. Said I can't take it. They're too nice to me.

Male Voice: Right.

Terry Hobbs: [unintelligible] showered me with love --

Male Voice: [unintelligible].

Terry Hobbs: -- and I can't [help it].

Male Voice: And everyone else's grief and feelings over this, you know, even though you don't-they don't think they're doing that in many ways, 'cause they feel stuff --

Terry Hobbs: I --

Male Voice: -- they're using-you become their place where all their grief has to go to, and you're like, "I can't carry everybody's."

Terry Hobbs: Right. And there just trying to be --

Male Voice: Does it --

Terry Hobbs: -- nice.

Male Voice: This is jumping out of the story, but, you know, it's like I-I-I've cried on more than one occasion thinking about your son, and I'm one of thousands.

Male Voice: Yeah.

Male Voice: Does that comfort you now? Do-do-does it mean something to you that so many people care about Stevie and that-that he's such a part of people's memory? Does that --

Terry Hobbs: Yeah.

Male Voice: -- mat-is that meaningful to you?

Terry Hobbs: We went up here to [Bryant's] breakfast house here the other day, get some breakfast. We walked in, me and Pam walked in, and that lady, uh, behind the cash register, tell 'em what she told you.

Pam Hobbs: She remembered who I was and, um, I was telling her about meeting John Walsh, she was telling me about a story that John Walsh had in the paper and I was telling her about me meeting John Walsh and John Walsh telling me I was a lady with a lot of courage, not to give up, and, uh, she told me that I really was.

Male Voice: Is he your columnist who writes for the local --

Terry Hobbs: America's Most Wanted.

Male Voice: Oh, John Walsh, you mean --

Male Voice: Yeah.

Male Voice: -- [unintelligible], I'm sorry. I didn't think about him for a minute.

Male Voice: No, 'cause of Wal-'cause --

Male Voice: I know you guys --

Male Voice: -- this-this-this show --

Male Voice: -- may even benefit.

Terry Hobbs: Right.

Male Voice: -- they did a bit on this-on this story --

Male Voice: Yeah.

Male Voice: -- before they-before they, uh --

Terry Hobbs: When we heard this --

Male Voice: -- arrested the boys.

Terry Hobbs: -- [unintelligible] and it's just, we still hear people talk about it.

Male Voice: See, now that-I think that, you know, it's funny, because I think that yeah, you know, the documentaries and the whole West Memphis Three thing, it's a-it's obviously a big part of what gets people's interest, but I just-I think there's something about, you know, seeing those-seeing the photographs of, you know, of-of your-of your boy and-and Chris and Michael --

Male Voice: [unintelligible] terrible.

Male Voice: -- you know, that you just see those pictures of, you know, fresh face, you know, happy kid and --

Terry Hobbs: He only has five haircuts.

Male Voice: [unintelligible] but actually this one --

Terry Hobbs: Yeah.

Male Voice: -- is so precious. This one I just kept on looking at. Oh, precious picture. I want to see more pictures of him if you [have some].

Terry Hobbs: [Yeah] [unintelligible] --

Male Voice: [unintelligible].

Male Voice: We might love to --

Pam Hobbs: I've got a --

Male Voice: -- see more.

Pam Hobbs: -- picture [box].

Male Voice: We might need [unintelligible].

Pam Hobbs: I don't have 'em with-with me now.

Male Voice: Okay, all right. That's probably good, because I would probably lose it if I were lo-flipping through --

Male Voice: [unintelligible] earlier --

Male Voice: -- those pictures.

Male Voice: -- I just at the store you talked about, I-I been kinda holdin' back --

Terry Hobbs: [unintelligible].

Male Voice: -- the whole time, you know?

Male Voice: I'm going to use your restroom real quick, if you don't mind?

Terry Hobbs: We-we have a lot of pictures from when we had that house over there on [McCollin] Street --

Male Voice: Yeah.

Terry Hobbs: -- with the big pool and all that.

Male Voice: Yeah.

Terry Hobbs: Got a lot of pictures from that place.

Male Voice: Yeah, it's hard. This is hard for me. I mean, you know, it's just-it's hard to-to even-even imagine that, um, you know, this is very -- you should post this, you know, because, I mean, that, I don't know, I read this and I just think, "That's-that's what-that's what God can do." You know? What only God can do, 'cause if-if-if God can take you through this to-to a point where you can write something like that, you-boy, you are strong.

Terry Hobbs: He wouldn't put more on you than you --

Male Voice: Than you --

Terry Hobbs: -- than you can bear.

Male Voice: -- than you can bear. Well, you-you two got pushed all the way to the limit --



Pam Hobbs: Mm-hmm.

Male Voice: -- I'll tell you that.

Terry Hobbs: Mm-hmm.

Male Voice: Oh, God.

Terry Hobbs: It's been, uh, something else. You hope no one else goes through, you know?

Pam Hobbs: I treasure that eight years I had with him. I was blessed. He was an Honor student and just the best little boy a mother could ever ask for.

Pam Hobbs: And I'd say now he might not have gotten me my [unintelligible] Promised Land on this earth, but he's in Heaven --

Male Voice: Yeah.

Pam Hobbs: -- living in my Promised Land, so.

Male Voice: That's your Promise Land.

Pam Hobbs: Yep.

Male Voice: You know my, uh, um. . .

Pam Hobbs: When people tell me I'm strong and I'm courageous and stuff like that, I say, "No, I'm not made of stone, now. I have my bad days, too." But I'm glad that maybe I can be an inspiration to someone if they can just look at me and say, "My problem's not as bad as I thought it was," then, you know --

Male Voice: Well, I think pretty much anybody can look at you and think that.

Male Voice: Well, you know it's funny because my wife [unintelligible] --

Pam Hobbs: It's worthwhile.

Male Voice: Yeah. Is-it-it's-it is. I mean, you've probably been a big source of inspiration to a lot of people, you know? And yeah, my-my, uh-my wife-my wife puts me in-puts my whole world in perspective all the time, 'cause, you know, we'll go to dinner some night or, you know, and I'll be complaining, "This agent didn't call me back," or "this movie deal fell through," whatever it was, and then she's like, "Yeah, you know, uh, Jeremy, he's six years old, well, he died today, and-and I gotta go to the funeral on Saturday," and, you know, and-and that's when you just realize, you know, that-that's-the parents who survive, and-and even-and it's funny because I think that-I-I was having this conversation with-with, uh, Joyce about it, you know, and how, you know, cancer you-cancer's a-a-is-is --

[Abrupt end of recorded material]