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STATE'S EXHIBIT #8
Manila envelope w/letters



DANIEL STIDHAM
500 WEST COURT STREET
PARAGOULD, ARKANSAS 72450

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Criminology, Law and Society

School of Social Ecology
Irvine, CA 92697-7080
(949) 824-5575
FAX (949) 824-3001

June 3, 1999

Daniel Stidham
Stidham & Crowe
203 N. Second Street
Paragould, Arkansas

Re: Jessie Misskelley

Dear Mr. Stidham,

My co-author Richard Ofshe has asked me to write to you. The article he had mentioned to you, by University of Utah Law Professor Paul Cassell, has finally been published. I enclose a copy of this piece of garbage for your reference (see Pp. 557-560 in particular). I also enclose a copy of the draft response that Richard Ofshe and I have written (which is currently a private document, even though it has been accepted for publication by another academic journal).

I am sending this to you because we need your help in revising the section on Jessie's case (see Pp. 75-79 of our draft). We cite a letter that you wrote, or were going to write, to Richard Ofshe on this case, but I do not have a copy of this letter -- Can you send me a copy of this letter to the above address? Also, can you make any suggestions (including additions or deletions) about what we have so far written in response to Cassell's attack on Jessie's case, and, if necessary, could you send me any supporting documentation? Please be liberal -- feel free to edit, rewrite, delete, etc as you wish, and then we will take this into consideration in revising our draft. We need to make as strong and effective a case against Professor Cassell's deceptive rhetoric as possible, and we could sure use your help in doing it.

If you would like to speak to me about any of this, feel free to call me at home (949-856-0447). I look forward to hearing from you.

Sincerely,

Richard A. Leo
Assistant Professor of Criminology and
Assistant Professor of Psychology

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MISSK.NOTES

X. Misskelley Interrogation Time Line, June 3, 1993

- 9:30 a.m. Jessie awakened by Jessie Sr. at Vicky Hutcheson's house
- 9:45 a.m. Jessie Sr. takes Jessie Jr. to shop to meet Det. Allen.

Jessie Sr., Jessie Jr., Jim McNeese and Det. Allen discuss \$30,000.00 reward. Det. Allen takes Jessie to P.D.

- 10:00 a.m. Det. Allen Begins interrogation (took notes). His notes reflect he asked and Jessie answered the following questions:

1. Name, address, telephone number, relatives and friends.

- 11:00 a.m. Det. Allen's notes reflect the following questions and answers by Jessie:

1. Jessie's knowledge of Damien Echols:
 - a. Stated he was sick minded.
 - b. Jason Baldwin's always with him.
 - c. Damien's girlfriend is Domini.
 - d. Last seen Damien about three weeks ago
 - e. Saw Damien at Vicky H's house, told her he was sick. Vicky asked Jessie about Damien.
 - f. Heard rumors that Damien and Robert Burch did it.
 - g. Was working with Ricky Deese week of murders.
 - h. Said he was boy on a bike near 7th Street and when boy seen P.D. he hid.
 - i. Sees Damien at skating rink a lot.
 - j. Damien licked Jason's blood.
 - k. Never been to Robin Hood. *NOTE:
Introduce Notes!

- Exact Time Det. Ridge enters interrogation of Jessie (took
Unknown: notes) Ridge's notes reflect the following
questions and answers from Jessie:

1. Worked as roofer week of murders with Ricky Deese.
2. Heard Damien and Robert Burch did it.

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MISSK.NOTES

3. Damien is sick. Drinks blood.
4. Doesn't know any thing about murders.
5. Will take Polygraph.
6. Det. Allen will attempt to get Jessie Sr.'s permission.
7. Damien's girlfriend is Domini.
8. Spent night with Vicky Hutcheson, introduced her to Damien three weeks ago.
9. Denies any satanic activity, doesn't know of any.

NOTE: Introduce Notes

Exact Time Det. Allen takes Jessie to find Jessie Sr. to get
Unknown: permission for polygraph. find him at Chief's
Auto Parts. The three discuss \$30,000.00 reward
again and buying a new truck and Jessie Sr. signs
polygraph release.

10:30 a.m. Durham begins Polygraph of Jessie.

12:30 p.m. Durham completes last polygraph test, tells
Jessie he is lying about murders, his brain is
telling them so. Durham yells at Jessie and
Jessie starts to hit him. Det. Allen intervenes.
Durham tells Det.'s Allen and Ridge Jessie is
"lying his ass off." (Ridge's notes reflect
"lying his ass off.")

1:30 p.m. Det. Ridge and Insp. Gitchell interrogate Jessie
further. No effort to confirm alibi. Ridge's
notes (handwritten) reflect the following
questions and answers:

1. Stated received phone call from Jason Baldwin
night before murders, said Jason and Damien
were going to get some boys and hurt them.
Jessie says he knew what they were going to
do.
2. Jessie starts to say something and then says
"I don't want nothing to do with this".
3. Jessie says he saw picture of boys killed
during satanic cult meeting.
4. Friend of Jason's, "Ken", 15 years old,
brings briefcase with guns, marijuana and

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MISSK.NOTES

cocaine.

5. Usually kill a dog and start a fire, skin dog and eat it.
6. Damien has watched boys in woods where they were killed, watched them for long time.
7. Meetings always on Wednesdays, no meeting day boys were killed.
8. List of Cult members:
 - a. Jessie
 - b. Jason
 - c. Damien
 - d. Adam, NLN
 - e. Ken, NLN
 - f. ?
 - g. Tiffany Allen
 - h. Domini
 - i. Christina Jones
9. J & D had sex with each other.
10. 3 phone calls, last one after Damien said "we did it, we did it".
11. Will take polygraph concerning "new" statement.
12. Show picture of victim in Coroner's office, Jessie said it was Moore boy and was same as in Polaroid.
13. "Jessie said that he didn't want to be a part of this that Damien and Jason killed them, he didn't".
14. Ridge left room and Jessie said he was there and witnessed murders by Damien and Jason.

* Introduce Notes

* NOTE: Ridge's handwritten notes are different than his type written ones. *Where is rough draft/did he type it himself

2:20 p.m. Jessie tells Gitchell he was present at times of murders. Jessie and Ridge cry. Tape is set up. Ridge's typed notes reflect that Jessie was asked if he wanted something to eat.

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MISSK.NOTES

2:44 p.m. Jessie's 1st taped statement begins

3:18 p.m. Jessie's 1st taped statement ends.

3:22 p.m. Food offered to Jessie. (Ridge's post taped
interrogation notes) Jessie refused, gave minor
two cigarettes.

5:05 p.m. Gitchell asks Jessie what he was wearing day of
murders (Gitchell's notes).

6:15 p.m. Jessie was given food (hamburger and coke)
(Ridge's post taped interrogation notes)

6:33 p.m. Jessie asked if he needed to go to restroom
(Ridge's post taped interrogation notes).

Time Jessie's 2nd taped statement begins NOTE: No
Unknown Miranda Warnings given.
Gitchell took notes, 3 pauses on tape.

Time Jessie's 2nd taped statement ends. (Elapsed
Unknown time:)

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MISSK.NOTES

INCONSISTENCIES: JESSIE'S STATEMENT

1. P. 10: "You're up here on your own free will, you came up here to answer some questions, and basically we've found out some information during that questioning, is that correct?"

Note: Asked to go home 30 times
Violation of ARCP 2.3

2. P. 11: Jason called at 9:00 and Jessie went with him and Damien to W. Memphis

Note: Jessie went to work with Ricky Deese and Josh Darby at 9:00

Jason was in school.

3. P. 12: "I saw Damien hit this one boy real bad, and then, uh, and he started screwing them and stuff, and then

Note: M.E. says no evidence of sodomy on any of victims. No trauma, no semen.

"Hit him with his fist and bruised him up real bad"

Note: Can you fracture a skull with your fist?

4. P. 12
& 13: "...Where were you at from the creek?"
"I was up by the service road"

Note: 150 yds away, dense vegetation

5. P. 16: Ridge asks how close to creek was boy when penis was cut? Jessie says "real close."

Note: Where's the blood?

6. P. 16: Jessie says he was standing on top of tall bank looking down, on the Blue Beacon side of the

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MISSK.NOTES

creek. Said the rest of them were on the Memphis side of the creek.

Note: Tall bank is on the Memphis side not the Blue Beacon side.

*7. P. 17: Jessie says it happened at noon.
Little boys skipped school

8. P. 18: Jessie said Damien had been watching the little boys and took a picture of all three of them.

Note: Where's the picture?

9. P. 19: Jessie says that Damien and Jason left to go to Robin Hood by themselves and that he met them later. He got there at 9:00 a.m.

Note: On page 11 he says they walked together.

10. P. 20: Jessie says I went home at noon and they (D & J) called me at 9:00 p.m.

11. P. 20: Ridge says "...I've gotten some real confusion with the times that your telling me.."

12. P. 21: Gitchell says "You know we are recording everything"

13. P. 21: Jessie says boys were unconscious when he left

Note: M.E. says two of the boys drowned.

14. P. 21: Jessie says they screwed some more after he left.

Note: ?

15. P. 22: Jessie says that Jason had little boys legs up

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MISSK.NOTES

in the air and the boy was kicking. Then he says they beat them up so bad they could hardly move.

16. P. 23: Ridge says did anyone hit the boys with a stick? Jessie says yes Damien had kinda of a bit old stick and hit the first boy with it after he hit him with fist. Jason's knife was six inches long, folding knife.

Note: Knife in lake doesn't fold and is much longer.

17. P. 24: Gitchell says did "they have a briefcase with them?" Jessie says no, not unless they left it there that day before it happened.

18. P. 28: Jessie says he never hit or raped the boys.

Note: Intent!

19. P. 29: Jessie says Damien "choked" Byers real bad to kill him. Choked his with his hands and a stick. Choked him till he was unconscious.

Note: M.E. says nothing about neck injuries. Ask Perrtti!

20. P. 29
& 30: Jessie says he ran away and threw up, and that he didn't have blood on his clothes cause he didn't get close to them.

21. P. 31: Jessie says he was wearing Adidas tennis shoes.

Note: They have his shoes, are there any tracks?

22. P. 32: Jessie says he was home about an hour when he got call from Jason.

MISSK.NOTES

Note: P. 20 says he got home at noon and got call at 9:00 p.m.

23. P. 33: Ridge asked did you eat animal penis' at cult meetings

ANALYSIS: They rehearsed this for hours before they taped it.

They asked almost exclusively leading questions.

Statement doesn't match crime scene.

X. JESSIE'S - SECOND STATEMENT

- * No time indicated for 2nd statement
- * No Miranda's were given
- * Gaps in tape

1. 1st Page - Jessie immediately says it was about 5 or 6:00 p.m. when boys got there. Then when Gitchell prompts him he changes it to 7 or 8:00 p.m.
2. 2nd Page - There is a pause, no explanation, or time reference.
3. 4th Page - Jessie says boys were tied up with a brown rope

Note: Shoe strings were used.

4. 5th page - Jessie says Moore boy wasn't raped.
Damien raped "Myers" by himself
D & J raped "the Branch"
D & J stuck their penis' in Byers and Branch's mouth.

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MISSK.NOTES

5. 6th &
7th Page - Jessie says D & J didn't suck the boys
penis'
6. 7th Page - (Pause) Gave Jessie a coke.
7. 8th Page - No Time reference at end.

005597

DANIEL T. STIDHAM
GREGORY L. CROW*

VICKY G. KROSP
KAREN NOBLES
Certified Legal Assistants

*Also Licensed to Practice in Missouri

STIDHAM & CROW

203 NORTH SECOND ST., P.O. BOX 856
PARAGOULD, ARKANSAS 72451

TELEPHONE (501) 236-7600
FAX (501) 236-7601

February 21, 1994

Jessie Misskelly, Jr.
Clay County Detention Center
2nd Street
Piggott, AR 72454

Dear Jessie:

I have tried to speak with you by phone several times recently. I finally was able to speak to you today. As you know, Dan and I have worked hard for you for the past nine (9) months. In deciding whether or not you want to testify against Damien and Jason, you have to consider a lot of things. Some of the things that I want you to think about are:

1. The guilt or innocence of Damien and Jason. Other than your testimony, the Prosecutor has very little evidence against Damien and Jason. There is a little bit of fiber and hair evidence, but I personally feel that evidence is very shaky and does not show much.
2. Your Appeal. We have every intention of filing an Appeal of your conviction. We think we have several good grounds for the Appeal. First, the Judge should not have let your statement into evidence because:
 - a. Your dad didn't sign the Waiver of Rights form. (A new case from the Arkansas Supreme Court appears to make this argument even better than we thought at first).
 - b. The Police didn't tell you that you didn't have to go with them to the Police Station on June 3, and, they didn't tell you that you were free to go at anytime.

Second, the Judge didn't let our experts testify

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about some things that they should have been allowed to testify about. (Like the fact that you passed the lie detector test). We have several other grounds that we feel are good grounds for Appeal as well. If you testify, that will most likely kill any chance we have on Appeal.

3. There is some new evidence. This evidence tends to show that neither Damien, Jason, nor you were involved with the crime. We intend to file a Motion for a new trial based on this evidence.
4. On the other side of the coin, obviously, if you testify, the Prosecutor has indicated that he would ask the Trial Court to reduce your sentence in some way.

I want you to think about all these things before making a decision as to what to do. I will not try to tell you what to do. I only want you to fully consider everything before making a decision. I will be coming to Piggott to talk to you in person very soon. We can talk about this at that time.

This letter will also confirm that you have no objection to me telling Val Price what you told me today, February 21, 1994. I look forward to talking to you soon.

Very truly yours,

STIDHAM & CROW
ATTORNEYS AT LAW

By:


Gregory E. Crow

GLC/rd

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ADD 4052

MISSK.NOTES

JESSIE ALIBI: TIME LINE

9:00 a.m. Jessie Sr. wakes up Jessie, Jr. to go to work with Ricky Deese and Josh Darby

9:00 a.m. to 1:00 p.m. Roofing with Ricky Deese and Jack Darby

2:00 p.m. Ricky Deeses' wife sees Jessie in Highland Trailer Park (verify this with Deeses' wife)

3:30 p.m. to 7:00 p.m. Jessie with Susie Brewer

5:00 p.m. to 6:30 p.m. Jessie and Susie over at ~~Stephanie Dollars'~~ trailer

6:30 p.m. Jessie and Susie goes outside to see cops

6:30 p.m. Jessie is seen by:
Louis Hoggard (talks to Jessie)
Charles Ashley
Susie Brewer
Jennifer Roberts?
Stephanie Dollar
Christy Jones?
Dennis Carter?

6:45 p.m. Jessie and Susie go to Johnny Hamilton's house and the three walk back to Jessie's house

7:00 p.m. Jessie, Susie and Johnny run into Jennifer and Christy at Jessie's house

7:15 p.m. Jessie walks Susie to Stephanie's house and walks back to his house to get mask. Jessie Sr. gets home from DWI School.

7:15 p.m. to 7:30 p.m. Jessie leaves for Dyess with Freddy Revelle, Bill Cox, Roger Jones, Little Dennis Carter and Johnny Hamilton

8:00 p.m. Jessie and company meet Keith Johnson at Exxon Station near Turell to go to Dyess

005600

MISSK.NOTES

8:00 to
11: 30 to
Midnite

Jessie wrestling at Dyess with:

| | |
|-----------------------|----------------------------|
| Fred Heul | Keith Johnson |
| Bill Co | Johnny Wan 'ton |
| Roger John | Dennis Carter |

girl(?)

005601

LAW OFFICES

DANIEL T. STIDHAM
GREGORY L. CROW*

VICKY G. KROSP
KAREN NOBLES
Certified Legal Assistants

*Also Licensed to Practice in Missouri

STIDHAM & CROW

203 NORTH SECOND ST., P.O. BOX 856
PARAGOULD, ARKANSAS 72451

TELEPHONE (501) 236-7600
FAX (501) 236-7601

FAX COVER SHEET

DATE: 1-21-94

SENT TO: DAN STIDHAM

COMPANY NAME: _____

FAX NUMBER: 901-523-9281

4 PAGES TO FOLLOW

PLEASE CONFIRM _____ NO CONFIRMATION NECESSARY _____

MESSAGE: _____

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005602

ADD 4055

People who seen Jessie JR

May 5, 93

① Bobby & Stephanie Dollar SR.
Rt 2 Box 46 Marion AR. 72364
(Phone) (501) 735- [REDACTED]

② Susie Brewer
Rt 2 Box 85 B
Marion AR 72364
(Phone) (501) 735- [REDACTED]

③ Louis Hoggard
Rt 2 Box 87 B
(Phone) (501) 732- [REDACTED]

④ Ricky Deese
Rt 2 Box 45 A
Marion AR 72364
Phone (501) 735- [REDACTED]

⑤ Fred Revelle
1203 Laurel
Marion AR 72364
Phone 732- [REDACTED]

⑥ Jennifer Roberts
Rt 2 Box 101 A Marion AR
No phone

⑦ Dennis Carter
Rt 2 Box 105 Marion AR
No phone

⑧ Christy ~~Stones~~ Jones
Rt 2 Box 105
Marion AR 72364

⑨ Harold Barret &
Deborah Smith
Rt 2 Box 27 A
Marion AR 72364
Phone 732- [REDACTED]

⑩ Rodger Jones
Rt 2 Box 101 A
Marion AR 72364
No phone

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⑪ Marlen Hollingsworth
Rt 2 Box 1428 Cycamore
Marion AR. 72364
No Phone (501) 735- [REDACTED]

⑮ Charles Ashley JR
732- [REDACTED]

⑫ Robert Howe
Rt 2 Box 133
Marion AR 72364
Phone (501) 735- [REDACTED]

⑬ Josh Darby

⑭ Jennifer Ashley

732- [REDACTED]

005604

JESSIE ALIBI : TIME LINE

9:00 A.M. — Jessie Sr. wakes up Jessie, Jr. to go to work w/ Ricky Deese & Josh Darby

9:00 a.m. to 1:00 p.m. — Roofing w/ Ricky Deese & Josh Darby

2:00 p.m. — Ricky Deese's wife sees Jessie in Highland Trail Park (Verify this w/ Deese's wife)

3:30 - 7:00 p.m. Jessie w/ Susie Brewer

~~5:00~~ 5:00 - 6:30 p.m. Jessie & Susie over at Stephanie Dollars Trailer

6:30 ^{Susie} Jessie goes outside to see cops

6:30 Jessie is seen by: Louis Haggard (talks to Jessie)
Susie Brewer
Jennifer Roberts? Stephanie Dollars
Chirby Sams?
Dennis Carter?

6:45 Jessie & Susie go to John Hamilton's house & then walk back to Jessie's home

7:00 Jessie, Susie, John ~~are~~ run into Jennifer & Chirby at Jessie's home

7:15 Jessie walks Susie to Stephanie's house & walks back to his house to get mark. Jessie Sr. gets home from DWE School

7:15 - 7:30 Jessie leaves for Dyes w/ Freddy Parille, Bud Cox, Roger Jones, Little Dino Carter, Don't know

8:00 pm. Jessie & C. meet Keith Sohn at Exxon
Station near Tinnell to go to Dyess

8:00 - 11:30 to Mionite Jessie wrestly Dyess

w/

Fred

Bill

Roger

Keith

Johnny
Dennis

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