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# Arkansas Times

ARKANSAS'S WEEKLY NEWSPAPER OF POLITICS AND CULTURE ■ OCTOBER 7, 2004

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THE INSIDER

by [unreadable]



## 'Every word was a lie.'

A key witness against the 'West Memphis 3' recants what she said in court.

BY TIM HACKLER • PAGE 12

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# Complete fabrication

A crucial witness says her testimony in the West Memphis 3 case wasn't true, but a product of police pressure to get results in the deaths of three children.

BY TIM HACKLER

**A** woman who provided crucial testimony in the West Memphis 3 case now says her testimony was a complete fabrication.

Victoria (Vicki) Hutcheson says she was told what to say by West Memphis Police Department detectives, and that if she did not testify as instructed they could take her child away from her and implicate her in the slayings.

She also says the police hid her from defense attorneys after she testified in the first of the case's two trials, and that she knows of at least one piece of evidence destroyed by police.

Hutcheson's son Aaron, who was 8 years old at the time of the slayings and a close friend of two of the three little boys who were brutally murdered in 1993, is also recanting statements he made shortly after the murders. Aaron, now 18, says police "tricked" him and led him to say things that were not true.

Aaron's interviews with the West Memphis police were used to back up

their theory that the slayings were related to the occult and to tie the teen-agers — now famously known as the West Memphis 3 — to the killings.

Assistant Police Chief Mike Allen dismisses Hutcheson's account. "It appears that Vicki Hutcheson is trying to get her 15 minutes of fame," he said.

Allen noted that she'd testified under oath in the trial of one of the three — Jessie Misskelley Jr. — and that the defense had a chance to cross-examine her. "I don't know anything about Vicki Hutcheson or her motives for over 11 years later coming out and lying about the events of 1993, but I can say that the case gets more bizarre everyday."

Hutcheson testified only in Misskelley's trial. Damien Echols and Jason Baldwin were tried together later. Misskelley and Baldwin are serving life sentences. Echols was sentenced to die. All three are appealing.

Mara Leveritt, a *Times* contributor and author of a book, "Devil's Knot,"

about the case, puts Hutcheson's significance this way:

Hutcheson's interviews with police gave them a theory to build a case around. With that theory, and a confession from the 17-year-old Misskelley, whose IQ was subnormal, police had what they needed to arrest Damien Echols, 18, and Jason Baldwin, 16.

The prosecutor had little else in the way of solid evidence and Misskelley soon recanted his confession. Nonetheless, the confession was leaked to a Memphis newspaper, which put it on the front page, and it was raised by the prosecution in the trial of Echols and Baldwin.

Dan Stidham, defense attorney for Misskelley, said that Hutcheson's testimony in Misskelley's trial was critical in all three convictions. "Vicki Hutcheson's testimony was crucial to the prosecution because it was the only real corroboration that they had for Misskelley's ridiculous statement to the police. Even though she did not testify in the next trial of

Echols and Baldwin just two weeks after Misskelley's trial, everyone on the jury in Jonesboro knew about Misskelley's statement and Hutcheson's testimony.

"Hutcheson's recantation of her trial testimony was not all that shocking to me in that I have always known that she was lying. The real shocking thing to me about her recantation is the level of misconduct on the part of the West Memphis police. It obviously knew no boundaries." Stidham, a district judge in Paragould, no longer works on the case, but follows it closely.

**O**n May 5, 1993, three 8-year-old boys — Michael Moore, Stevie Branch and Christopher Byers — were savagely murdered in a wooded area near Interstate 40 in West Memphis. One of the boys was sexually mutilated.

After a month passed with no promising leads, police turned to three local teen-aged boys — Echols, Baldwin and Misskelley — and charged them with

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the murders. To establish a motive, the police and prosecutor said the three were devil worshippers and had killed the three younger boys as part of an occult ceremony.

In four recent interviews, Hutcheson said she has been carrying the burden of putting three innocent boys in the penitentiary and can no longer keep the truth bottled up.

"I lied, instead of trusting in God," she

says. "I was raised in a Pentecostal home and I knew to do right but instead I let the West Memphis Police Department scare me to death."

Hutcheson became linked to the case on May 6 — the day after the boys had gone missing, but before their bodies had been found — when she and Aaron were at the Marion Police Department on unrelated business.

Marion police officer Donald Bray tried to strike up a conversation with Aaron, who at first wouldn't talk or make eye contact. But eventually Aaron warmed up to Bray and told him two of the boys missing in West Memphis were his best friends.

The children's bodies were found while Hutcheson and Aaron were still in Bray's office. After talking with Aaron alone, Bray notified the West Memphis police that the child had told him he witnessed the murders.

Aaron also told West Memphis Detective Bryn Ridge that five men at the murder were sitting around a fire and talked about

and that they liked the devil instead. But in a recent interview, Aaron said he is no longer sure whether he actually

witnessed the murders or whether his mind was playing tricks on him during a traumatic period. The West Memphis police paid little attention to the changing and contradictory accounts he told or to the possibility that he could have gotten his version of events from news reports and neighborhood gossip. (See sidebar.)

Bray met with Vicki and Aaron Hutcheson again a week later. He told her he suspected the killings were somehow linked to the occult or devil worshippers.

At this point, Hutcheson decided to "play detective," to try to determine if a boy mentioned by Bray — Damien Echols — was guilty.

Hutcheson denies accusations she was offered a reward to help the police. Bray, who might have known whether a reward was a factor, suffered a debilitating stroke shortly after the trials.

## The 'lost' recording

When Hutcheson learned that a 17-year-old neighbor named Jessie Miskelley



**SKEPTICAL:** West Memphis' assistant police chief, Mike Allen, doesn't believe Hutcheson.

knew Damien, she asked Jessie to introduce her to him.

Jessie did so and the three of them met in Hutcheson's trailer one evening. She reported on the meeting to the West Memphis police the next morning.

The police encouraged Hutcheson to bring Damien back to her trailer, and obtained her permission for them to install a listening device under her bed, with the microphone attached to a lamp in the living room area.

"They put the recorder under the bed," she says. "It was a fancy one with several reels of tape so that one would begin when the other was filled."

Police suggested she tell Damien she was interested in becoming a witch, and that she check out books on witchcraft from the library to leave in prominent places in the trailer. (She didn't have a library card, so one of the detectives lent her his.)

Hutcheson turned the recorder on when Damien showed up a few days later. Hutcheson says he just laughed when she said she wanted to become a witch.

She told him she had heard that he liked to suck blood. Damien said he encouraged such stories as a "mechanism" to keep people from prying into his life.

"What's a mechanism?" she asked. She says Damien replied, "It means leave me the fuck alone."

Damien never said anything incriminating during the conversation, Hutcheson says.

The police retrieved the tapes the next morning, and asked her the following day to come to the police station to listen to portions of them.

"They would play parts of the tape and then stop it and ask me a question like, 'Well what did he mean by that?'"

She said Ridge changed the tapes while Gary Gitchee, the department's chief detective, asked the questions.

"The quality of the tape was excellent," says Hutcheson. "You could hear Jessie, you could hear me, you could hear my roommate Christy. You could

*Continued on page 15*

# 'What I did was wrong'

## The evolution of a critical story.

Vicki Hutcheson began backtracking from her testimony within months after the trials' conclusion.

Hypotheses have changed over time.

Hutcheson made her first conflicting statement five months after the trials, when she still faced possible charges of perjury.

At that time, she told an attorney and a private investigator that, while she felt she'd gone to an "exorcism" or "witches" meeting, she had been drunk that night and could not recall whether Damien Echols and Jessie Miskelley had gone with her.

By the late-1990s, realizing that the statute of limitations on perjury might have expired, Hutcheson answered an interviewer's question on a web site concerned with the case, [wm3.org](http://wm3.org).

When asked about "her story" to police, Hutcheson replied: "Well, I'm really concerned about legal issues right now with it. But basically, I said what the West Memphis police wanted me to say. And that was that I went to the meeting. The exorcism meeting. It was all their stories."

She added, "I just want to tell Jessie and Jason and Damien that I'm sorry."

When asked for this article why anyone should believe her now, Hutcheson replied: "If they knew me now, they'd know that God is so important in my life; there is no way I could lie again. Or steal. Or do a lot of the things I used to do."

"For the first time since this all went down, I have a feeling of comfort. I feel better. What I did was wrong, and I hate that I ever did it. And I think that, if I had to do it over again, I would let them send me to prison, like they were saying. But back then, I was too scared."

Today, Hutcheson lives with friends in Northwest Arkansas, caring for their



**HUTCHESON:** Says she regrets her role in convictions of the West Memphis 3.

daughter who has cerebral palsy.

But she also has continuing problems with the law. She was jailed in September in Benton County and her probation revoked after a contempt of court citation. She was issued a ticket for a misdemeanor charge of theft by receiving and ticketed by the West Fork police for driving without a license. Hutcheson believes she is being harassed for speaking up about the West Memphis case. Coincidence or not, she was arrested 48 hours after the West Memphis police learned this article was being prepared.

Meanwhile, the three men who were convicted partly on Hutcheson's testimony continue to press their appeals.

Jessie Miskelley and Jason Baldwin both have claimed ineffective assistance of counsel and have sought the retesting of DNA in the case. Results on that retesting are expected this fall.

Lawyers for Damien Echols are also awaiting results of those tests. At the same time, however, they are preparing an appeal for Echols in federal court, since the Arkansas Supreme Court has ruled that he has exhausted most of his state appeals.

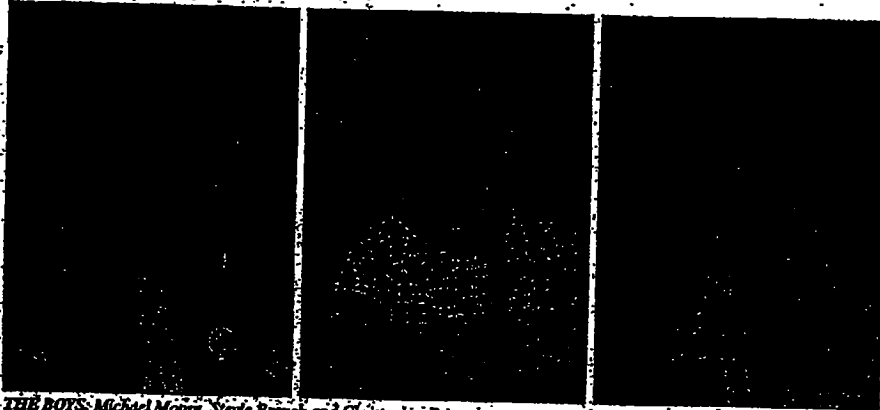
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# 'They messed with my words'

Today, Aaron Hutcheson isn't sure what he saw.



THE BOYS: Michael Moore, Navle Branch and Christopher Byers.

Aaron Hutcheson has suffered from nightmares for most of the 11 years that have passed since his two best friends were killed in West Memphis. He recently joined the Army and hopes this will help him get his life on track.

What, exactly, Hutcheson told police officers in his first interviews will never be known. The whole affair began as a result of a coincidence.

Vicki Hutcheson was scheduled to report to the Marion police station on the afternoon of May 6, the day after the murders, but before the three bodies had been discovered.

(Hutcheson had taken a lie detector test after employers at the truck stop where she worked believed she might be responsible for an overcharge on a credit card. She was reporting to the police department to learn the outcome of the investigation. She was cleared, but also fired.)

Hutcheson brought Aaron with her to the police station. When a police officer learned that two of the missing boys were Aaron's best friends, he began to ask Aaron questions.

According to the officer, Donald Bray, who talked to Aaron when his mother wasn't present, Aaron told him things about the murder scene that only someone who had been there would know. This included the fact that two of the boys had drowned.

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Is this accurate? Today, 11 years later, Aaron can no longer be sure he actually witnessed the murders.

There's no doubt that after several interviews he told police that he did, but after daily sessions with therapists, nightly bad dreams and the passage of 11 years, he says he simply no longer knows whether he was at the scene or whether, in his shock at the brutal slayings of his best friends, he only thought he had been at the scene.

There are many inconsistencies among Aaron's versions of what happened, leaving no doubt that he imagined or made up at least part of the story.

But was he at the murder scene?

Hutcheson said Bray told her that Aaron knew the boys had been hog-tied, and that only someone at the scene could have known that. Yet, in his first tape-recorded interview with police, on August 25, there was the following exchange.

First, Detective Bryn Ridge asks Aaron if any of his friends have told him what they think happened.

Aaron: Uh-uh. (no).

Ridge: Nobody has told you?

Aaron: Um-um (no) nobody even knows that ... that I know what really happened. ... What I think happened.

Ridge: Do you know what really happened?

Aaron: I know most of it.

Ridge: Okay.

Aaron: I think they went down there, they uh, the man the men seen them, and that white tank top man, that had on the white tank top, he told the rest of the men to hold them or something and probably did it.

Ridge did not seem to pick up on the fact that Aaron was no longer sure he had actually seen the murders. Aaron says he knows what happened — "what I think happened."

He says he "thinks" the boys "went down there" and were discovered, and that the man in the white tank top "probably" killed them.

Eventually, Aaron gives an explanation for his knowledge of the case that the police choose to overlook — news media.

Ridge asks Aaron what he thinks should be done to the murderers when they are caught.

Aaron: I told my mom that the police should do what they did to Michael, Chris and Steve.

Ridge: Oh.

Aaron: 'Cause I ... they shouldn't really even do it to kids that age.

Ridge: Oh, what did you hear got done to the boys?

Aaron: They got rap ... they got raped and they got beaten to death, and they got

drowned.

Ridge: Oh.

Aaron: See they hog-tied them and then put bricks on them so they wouldn't float. [Note: The boys' bodies were held down by sticks, not bricks.]

Ridge: Oh.

Aaron: That's what I think, that's what I heard that said.

Ridge: Who told you that?

Aaron: Nobody. I just, I heard that from the news.

Ridge: Oh.

Aaron: And um, Diane ... Diane, Michael's mom, said that she seen his face and it had knife stabs on it.

Ridge: Oh.

Aaron: On him.

Ridge: Okay, you said that they were hog-tied, now how ... how do you think hog-tied is?

Aaron: They put their feet together and their arms together like that, 'cause I been took [to the] rodeo. They have kids and hogs and if you tie a hog you get two dollars. I ... I always know how to do that.

In this exchange, Aaron not only makes it clear that he, like many others in the area, had heard rumors that spread like wildfire about the case, he made a revealing mistake about the evidence. It was his description of how the boys were hog-tied.

He made the assumption most children or adults would make if they heard that someone had been hog-tied. He assumed the murderers had "put their feet together and their arms together..."

It would seem that the terrible way that the boys were actually tied up would make a lasting impression on anyone. In fact, each boy was bound with his back bowed, left wrist tied to left ankle, and right wrist to right ankle.

## 'Happy in hell'

Aaron, who is now 19, is convinced the three boys were killed by Christopher Byers' stepfather, Mark Byers. West Memphis officials have acknowledged that Byers, a former drug informant, once was considered a suspect. He was never charged. Aaron contends Mark Byers hated kids.

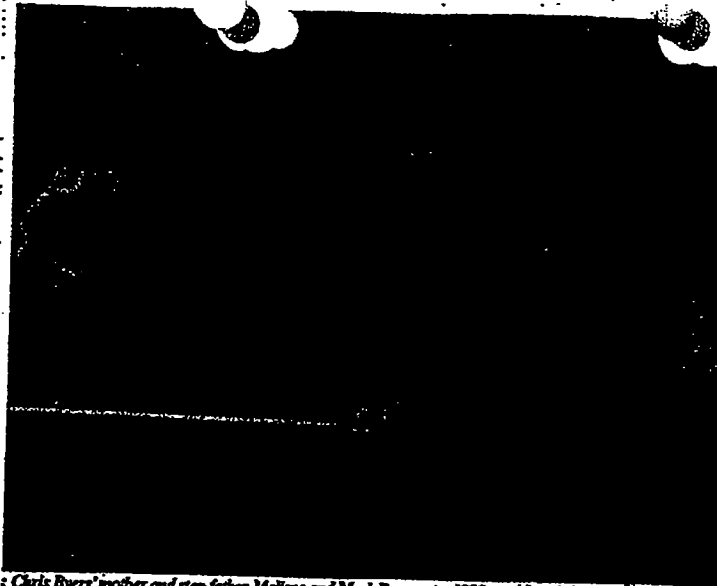
Aaron is sure he told the police in the first interviews about Mark Byers. His mother also recalls that, but adds there were so many interviews that she can't remember details from them all. But she remembers one interview in particular.

She says Detective Gary Gitchell had both her and Marion police officer Donald Bray sign an "affidavit of silence" pledging themselves never to mention that Aaron had named Mark Byers.

"I learned later on there is no such thing as an affidavit of silence," says Hutcheson, "but that's how he described the document we signed."

At the trial of Damien Echols and Jason Baldwin, Echols' attorney, Val Price of

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Chris Byers' mother and step-father, Melissa and Mark Byers, at a 1993 court hearing. Mark was initially targeted.

that Aaron had one of the killers. This Commercial-oh. 18, 1994, that sed Byers. did not have idea being one of the slockley had been pood if Miskelley the shayings. shortly after the television before ng that three boys Jessic Miskelley. 's picture and p of his lungs, fell e did not do that. I had to call Judy : had to adminis- e knows the hell ver seen Damien before, and that fied them was to interviewing him. atcheson says she ed showed Aaron. rotn but when the m to leave I saw n a poster board n was in the mid- was much larger one Aaron iden-

ments or confessions. The detectives failed to ask Aaron the questions that could have verified whether he had actually witnessed the slayings. In his interview on June 8, Aaron told police he was in a tree and badly injured his back when he fell. "I could hardly walk or get up," he said. In the version he gave police the next day, the killers hurt Aaron with a rock. The detectives neither asked Aaron about this discrepancy, nor asked him to show them the spots on his back or leg where he had been injured. Nor did they check his wrists to see if there was any evidence of the ropes Aaron said the killers used to tie him up. The police, then, chose to believe an 8-year-old boy's story that he watched five men kill and mutilate three other 8-year-olds; that the killers knew Aaron saw the killings, whereupon they grabbed him and fied him up, but he was then able to untie himself and outrun five adult killers. With each police interview Aaron's story became more dramatic and less consistent. In a version Aaron gave police after the Miskelley trial had started, he said he himself had been forced to dismember the body of his friend, Christopher. In an interview with *Mama Leveit*, which she reported in her 2003 book "Devil's Knot," Circuit Judge John Fogleson, who was the prosecutor in Miskelley's trial, admitted

concerned." As a result, Fogleson did not subpoena Aaron for testimony. At the time of the killings, Aaron was also sure that one of the five people he saw was a black man. The boy mentioned a black man with yellow teeth in a maroon-colored car in his very first interview with police. Police and prosecutors ignored the statements, despite the fact that, at around 8 p.m. on the night the boys disappeared, a black man had entered a Bojangles Restaurant a mile from what would later be discovered to be the crime scene. According to the restaurant's manager, the man was covered in blood and mud, and his trousers were soaked with water up to his knees. He entered the women's restroom where he stayed a considerable time. The manager called the West Memphis police, but the officer who responded took a perfunctory report from the drive-through window and never entered the restaurant. Though employees at Bojangles cleaned up the mess later that night, West Memphis police did find blood samples when they finally investigated a few days later. That evidence, however, was lost by the West Memphis Police Department. Now a young man with intense, dark brown eyes, Aaron Hutcherson says today

**WITNESS**

*Continued from page 13*

hear Damien excellent because he was sitting right next to the banjo." But, according to the West Memphis police, the tape was of such poor quality it was not usable. Later, the police said they lost the tape. Today, assistant chief Allen says he'd listened to the tape and it was not intelligible. "I also asked several other individuals about what I remembered about the tape and they remembered the same thing -- that there was loud music playing in the background and you couldn't hear what was said." Hutcherson says that on the day she was called in to review the tape, she noticed that photos of Echols, Miskelley and Baldwin had been put above Gitchell's desk and were being used as a dart board. "I said that was absolutely uncalled for and Gitchell laughed. And he thought that was funny that I would take that personally... They already had their minds made up."

**Playing detective**

In Miskelley's trial, Hutcherson testified that she had personal knowledge that Miskelley, Echols, and Baldwin were involved with the occult. Lacking solid evidence or leads and under intense public pressure, the police decided to pursue the "occult" angle. For that, they needed some shard of evidence to justify the joy. According to Hutcherson, they chose her for the dirty work. The highlight of Hutcherson's testimony was her description of a "witches' meeting" she said she'd been taken to by Damien Echols, with Miskelley along for the ride. "Every word of it," she now says, "was a lie." Hutcherson says she first thought it would be fun to cooperate with the police and "play detective." Within a few weeks, though, she had become enmeshed in a web she'd never imagined. Hutcherson's testimony was a repetition of a statement she made to Detective Ridge on May 28. In this statement Hutcherson appears to tell the police without prompting that she attended an "esbat" (a witches' meeting) and that Damien Echols took her there. She said Miskelley went along. Hutcherson says this May 28 statement followed a number of earlier interviews, of which there are no records. In those earlier interviews, she says, police told her

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**CONVICTED:** Damien Echols, Jessie Mickelley and Jason Baldwin are appealing their convictions.

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**WITNESS**

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Hutcheson was susceptible to police pressure at that point in her life. She had been a suspect in another crime. "I was just ... I didn't know what to do," she remembers.

In 1992, Hutcheson and her second husband moved from Fayetteville, where she'd worked as a legal secretary, to West Memphis. They moved into a comfortable three-bedroom home.

But then, she says, her husband walked out on the family, and Hutcheson and her two sons had to move into a house trailer.

She describes her situation this way: "My husband had just left me. I'm in a town I don't know. I have no money, a truck about ready to break down and a job on the line. I've got a child that's ADD. I'm paying \$90 for his medication.

"There were times that I got down on

my knees and said 'God, what is it? What have I done to deserve this?'"

**The witches' meeting**

Hutcheson said the "witches' meeting" was dreamed up by Jerry Driver, a county juvenile officer, at a meeting detectives held at Bray's storage facility in Marion.

(Hutcheson says that such meetings were part of a pattern. Rather than at police headquarters, they interviewed her either at a commercial storage facility owned by Bray, or at the Crittenden County Drug Task Force office, several blocks from police headquarters.)

Driver considered himself an expert on the occult, and had been watching Echols, whom he considered suspicious, for years. Gitchell and Bray were also at the meeting, Hutcheson says.

"Well, we were sitting there and he [Driver] goes, 'Okay, what really

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needs doing here is, I guess that maybe Victoria goes to one of those meetings they have — an cabit.

"I'm not stupid, I know what they wanted me to do. But I had no idea what an cabit meeting was, so he defined it for me."

Hutcherson says that when detectives recorded interviews with her, "they would shut the tape off, and tell me, 'No, that's not how it happened, Victoria. You come up with something better.'"

She says she believed their threat to implicate her in the murders if she did not agree to lie on the stand.

"Gitchell said to me, 'Don't you understand you could be the link between the two? On the one hand, you knew Michael and Christopher. And on the other hand, you know Jessie, and you've had Damien over to your house.'"

"Of course, Damien was at my house for the police, but now they've got me as knowing Damien."

Even when she agreed to comply, Hutcherson says, the detectives were worried that she might not give the testimony.

When the trial began in January 1994, Hutcherson says she was still so nervous she did not know if she would be able to pull it off either, though she'd been prescribed Valium.

On the day she was to testify, she says, she was kept in the judge's chambers while the trial proceeded.

"Gitchell and Ridge came back from time to time and they would ask, 'Are you sure you're going to be okay, do you need to take some more medication?'"

At one point she told them she did, so one of the detectives went to the speculators' area in the courtroom and solicited Valium tablets from the mother of one victim.

"We were all given the same thing, you know. We all went to East Arkansas Mental Health Clinic."

Hutcherson added that Brent Davis, one of the prosecuting attorneys, "would come back to check on me and say remember you're going to say this or that."

She also claims that assistant chief Allen, then a West Memphis detective, told her officials would arrange for her to leave town after the first trial, because they did not want her or Aaron available to defense attorneys in the second trial.

"They told me I would have to go to place where defense attorneys couldn't find me — and I was all for that!"

She says she was given directions to motel in Memphis where she and Aaron stayed during the second trial.

Today Allen says, "I never had any knowledge of Vicki Hutcherson being laced in a motel." He also says he never saw Jerry Driver at the police department during the investigation. He was a revenue officer in Marion and had "very little" to do with the case.

Hutcherson says that when detectives tape recorded interviews with her, "they would shut the tape off, and tell me, 'No, that's not how it happened, Victoria. You come up with something better.'"

### A question of motives

Hutcherson had in 1994, why should she be believed today? And what moved her to come forth now, 10 years after the trials? There are reasons why Hutcherson might be better off by remaining silent.

Since the 1993 murders, Hutcherson has been to prison four times, for using drugs and writing hot checks. She is still on parole. It is unlikely her coming forward now will make her popular with the law enforcement community that have so much control over her life.

Hutcherson says she is speaking out now because of the ministry she encountered in prison. "I learned some principles in my life," she says. "And I learned, in order for God to forgive me, I had to clear my conscience."

In April, Hutcherson was talking with her Fayetteville attorney, Mims Cazort, about a Social Security issue. Cazort was questioning Hutcherson about her health when Hutcherson broke down and said she had been carrying around a secret that she thought had taken a toll on her health.

Hutcherson told Cazort her story, and said she wanted to do what she could to free three innocent boys from prison. Cazort asked Hutcherson if she wanted to go public with her story, and she replied that she did.

"Jerry Driver planted those boys ... And I guess I implicated Jessie, because I said I know Jessie and Jessie knows Damien ..."

"I guess I'm the whole reason Jessie is locked up. And that makes me very, very — I can't tell you what it does to me."

"And that's why I'm doing this now. I have to clear my conscience not just for me but for God. And I can't live like this anymore, with this on my shoulders."

"I know what I did was wrong, and I should have stood up to the police and done what was right no matter what."

"They had me so scared, and I seen what

they were doing.

"Loren can set up three boys for murder, and not just one murder but three. And getting by with it."

"And who was I? They were going to put me right in the middle of it."

"I was scared. I mean I was scared to death."

Tim Hackler is a writer who lives in Fayetteville.

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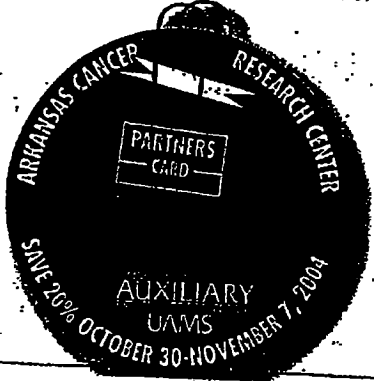
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