

Summary of New Evidence in Damien Echols (and the “West Memphis Three”) Case

Multiple DNA Tests, Analysis from the Nation’s Leading Forensic Experts and Other Substantial Evidence Proves that Damien Echols Was Wrongfully Convicted in 1993 West Memphis Murders

In late October, legal papers were filed in federal court in Arkansas showing that Damien Echols was wrongfully convicted of murdering three eight-year-old boys. The nearly 200-page court filing, which included advanced DNA testing and other strong scientific evidence – combined with additional evidence from several different witnesses and experts – marks a major turning point in the case. Following are highlights of the new evidence, along with analysis:

1. What the new evidence means

The new evidence proves Echols was wrongfully convicted – and implicates Terry Hobbs, the step-father of one of the victims.

The evidence fails to link Echols (or the other two men convicted of the crimes) to the crime scene – and under the prosecution theory for how the crime was committed, it would be nearly impossible for at least one perpetrator’s DNA not to match crime scene evidence.

The scientific evidence and witness affidavits in the new court filing flatly refute every supposed piece of evidence and every innuendo that the prosecution used to convict Echols.

There was no reliable scientific evidence presented at Echols’ trial. The appeals filings – particularly the motion filed in federal court in late October – mark the first time that forensic science has entered the case, and the science clearly shows he did not commit this crime.

By itself, any single piece of the new evidence could overturn Damien Echols’ conviction – and, combined, all of this evidence makes clear that he is innocent and should get a new trial, at least.

2. Major pieces of new evidence

The filing includes dozens of expert reports, witness affidavits, scientific reports and other submissions. The highlights include:

- DNA test results that fail to link Echols or the other defendants to the crime scene; in light of the prosecution claim that Echols sodomized the victims, the lack of his DNA at the crime scene is exculpatory itself.
- DNA test results showing that a hair found in the ligature of one of the victims matches Terry Hobbs, the step-father of another one of the victims.

- DNA test results showing foreign DNA – from someone other than Echols or the two other men who were convicted – on the penises of two of the victims.
- DNA test results matching a hair at the crime scene to a man who was with Terry Hobbs on the day of the crimes. This places Hobbs at the scene of the crime, since it refutes any theory that the Hobbs hair (found in the ligature of one of the victims) was there before the crime.
- 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. The conclusive expert analysis showing that animals caused the wounds after the victims died also completely undercuts the testimony of a jailhouse informant (who testified about Echols using a knife to cause the wounds) and a discredited “expert” who testified that the knife wounds were part of a Satanic ritual.
- 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 families, 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 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.

3. Next steps in the legal proceedings

The filing in late October asks a federal judge to order a new trial for Echols or release him from custody. It amends an earlier filing in the case, which outlined prosecutorial misconduct and juror misconduct in Echols’ trial.

The Arkansas Attorney General will file a response to the new evidence, and a federal judge will decide whether to hold a hearing or rule on the motion outright.

The filing is in Damien Echols’ appeal, but overturning his conviction will help the appeals of the other two men who were convicted in the case (and are not on death row).