

## **DECLARATION OF ANDY JACK ECHOLS**

I, Andy Jack Echols, declare as follows:

1. I am the adoptive father of Damien Echols. I was born on April 28, 1938 in Safford, Arizona. My mother, Olivey, moved from Texas to Arizona shortly before I was born. She left Texas for Safford with my older brother. My real father abandoned my mama shortly after she became pregnant with me and my mama did not want to stay in Texas on her own. When she moved to Safford she met a man named Louis Echols. Around the time that I was one year old, she married Louis and he adopted me and my brother.

2. My mama had six children, five boys and one girl, with Louis. They were my half brothers by blood but my full brothers through my adoption by Louis. Louis was a carpenter by trade. I remember seeing sketches of some of the things that he was working on laying around the house. He used to work on houses a lot and he built a good many WPA toilets. Those are the toilets that were outside and built above a six foot hole in the ground. Back in those days, they were considered nice to have. Eventually Louis quit doing carpentry work and began working as a forest ranger. I was probably about five when he started working for the forest service. I remember that my mama worked at a little gas station during some of the weekends. I was really small at that time but I do remember that it was hard for us to get by. Louis had a lot of skills and fortunately was able to find work during most of the time that we lived in Safford. I went to school when we lived in Safford. I finished the first grade and was in the second grade when we left Arizona.

3. When I was seven, we moved away from Arizona and went to stay with my grandparents in Arkansas. Louis was not treating my mama very well and she left with me, and one of my brothers, and my sister Betty. I remember that on the night that we left, Louis and my other brothers had left the house that we were living in. We left with my two uncles and my granddaddy. They came from Arkansas to Arizona to help my mama move. When Louis left that evening, my uncles and granddaddy came around and loaded us all in the car and we headed for Arkansas.

4. In Arkansas my mama met the man that I consider my daddy. His name was Stanley. He treated me real nice, just like one of his own kids. He and my mama got married and had six kids together. They had five girls and one boy. My dad (Stanley) was a migrant worker and that meant that we traveled around a lot. There were a lot of different states that we lived in. I know that we lived in Michigan, Indiana, Arizona, Florida, and some other states out West. It was hard

living that way because just when I would start to get used to the area that we were in, we moved. I was not able to go to school since my dad was a farmer running the belt. We sometimes only stayed in one place for a couple of weeks and then we went somewhere else. I started farming when I was eight years old and kept at it for many years after that. We farmed all different kinds of crops. We picked apples, peaches, and oranges, and chopped and picked cotton. It did not pay much at all, and it was all my folks could do to get by with the little we got, especially since we were such a big family. The farm owners used different ways to figure out how much money they gave us. Sometimes, it was by weight and other times they counted the number of crates that we filled. Each farm had a group of little houses where we lived while working at that farm. The rent was not too much but I remember that by the time we had finished paying the farm owners back for the house and food there was just enough to get us to the next place. Sometimes the migrant workers would live in tents that were near the farm and that way we had more money when we left.

5. When I turned sixteen, we moved back to Arkansas and my dad got a job at a bean and cotton farm. My parents were tenant farmers which means that we lived on another person's land, raised crops, and paid the owner of the land with some of the crops. Everybody in the family worked in the cotton patch, and it was all we could do to make enough to pay the land owner and have something left over for the family.

6. I met my first wife, Geneva, in that cotton patch. Her parents had a house on that same farm and that is how we met. About six months after we got together, we got married. I was still working on farms when we first got married and I worked as a migrant farmer for a few years after our marriage. We spent a little bit of time in Florida while I farmed and then we went up to Michigan for a short time. We finally moved back to Earle, Arkansas to live permanently. Geneva and I had six children together. We had Jack, Jr., Keith, Greg, Carol, Sharon, and Owen. Geneva had a cousin who did roofing and he helped me get a job as a roofer. Roofing is hard work but it allowed me to make a decent living for a man who did not get any education. The hardest time for roofing was always in the summer because nothing heats up like a dark roof and the black tar that we would lay it down with. Geneva and I eventually split up after twenty-five years together.

7. I married Pam Hutchison in 1986, shortly after she split up from her husband Joe. I had known her from the city through friends that we both had. I adopted both of her children, Michelle and Damien. When I adopted Damien, his name was Michael and he had to change his last name to Echols and while he was doing that he changed his first name to Damien. Damien was reading about a preacher named Damien who he liked and that is how he got his name.

8. When we first got married, I lived in some apartments in Marion. Pamela and her children moved in with me and we stayed there for a few months. We finally moved into a house that needed a lot of work that was in the middle of a wheat field. Some folks might call it a shack, but it gave us a roof over our heads and a place to go home to. It was only 35 dollars a month and we needed someplace that did not cost very much. I fixed the house up as best I could. We had a toilet in the bathroom and a sink in the kitchen, but they weren't hooked up right so we could not use them at first. I fixed up a pump that was supposed to pump in water, but it could only handle a little bit of water at a time. We learned to use as little water as possible. Since water was a problem we ate off paper plates so we did not have to do dishes. During part of the year, the water would quit running and we had to bring it in from outside. Most of the time we went to Pamela's mama's house and my children's houses and filled up gallon jugs. We tried to fill up enough at one time so that we only had to go every other day or so. We had to haul in wood to heat the place, and it got plenty cold in that part of Arkansas. I got paid okay when I was roofing but if there was ever a storm or other bad weather then I did not work and we did not get a paycheck for that week. I was the only one working in the family so it was real hard when I missed out on work.

9. Damien was not in very good health while we lived at the old farm house. He was not able to go outside of the house because he got really sick. He had a real hard time with his breathing because of all the crops outside the house. Sometimes his eyes and throat swelled up and he could not swallow or see very good. The place right below his eyes turned to a darkish color kind of like he had been hit in the eye. I think the worst thing for Damien, though, were his headaches. From the time that we moved into that house, he would get terrible headaches. He asked me to squeeze his head so that his pain would go away. I would put my arms around his head, like in a head lock and I squeezed it. I did not want to hurt him but he always asked to squeeze harder, so I did. I think that the pain of the headache hurt more than the squeezing of his head. He got relief for a few moments while I did this but the headache always came back. He took some medicine to help with his breathing and to try and keep his swelling down and it did help a little bit but not near as much as we wanted it to work.

10. Damien went through these spells where he could not sleep no matter how hard he tried to. He stayed up for three or four nights in a row without sleeping at all. These periods were very hard for him and by the end of the second day of no sleep, he was exhausted, fussy, and miserable. He cried a lot during these times and no one seemed to be able to help him with what he was upset about. We never could figure out what he was so upset about, but there was no doubt in my mind that he was as miserable as a little boy could be. His sister Michelle went in his room to talk to him and he sometimes fell asleep for a couple of hours or so and then he stayed up for another few days before getting anymore sleep. I was worried about Damien but I did not know what to do. I had to work during the day and every evening when I came home, I hoped that he would be asleep but he was normally still up. After many days of this, Damien finally slept for an entire night. Once he got a full night's rest, he went for a few weeks without

having trouble sleeping. I always hoped that these times would not come back but they always did. It just about broke my heart to see how hard Damien tried to handle his problems, but he never was able to figure out what made him so sad.

11. Damien never was a really happy boy. He got really sad sometimes and no one, including Damien, had any idea what was wrong. He cried really hard and I asked him what was making him so sad and he told me that he did not know. I never could figure out how someone could cry so hard and not know why they were sad and it was real hard to watch Damien go through this. Damien used to spend a few days in a row where he cried really hard. Sometimes it seemed like he was having trouble with his breathing because he cried so much. During these periods, Damien sometimes started laughing uncontrollably, just like one of those laughs that comes from the belly. It was very strange to me that he went from crying to laughing and I was confused about why he did this. Michelle and his mama tried to get him to stop being so sad but the only thing that ever seemed to help him was time. After a while, he would finally get to where he could stop crying and being so sad. Damien went through this on a regular basis.

12. There were other times when Damien had so much energy he did not know what to do. He got really excited and kind of hyper and he always walked at these times. Damien walked to some of the parks in the area, to some of his friends houses, and across town. He told me that he sometimes got confused because he was sure where he needed to go but when he got there he felt like he was in the wrong place. I thought that he meant that he changed his mind about where he wanted to go but he told me that it was not like that. Damien did not decide where he was supposed to walk to but got a feeling about where he should be but, when he got where he was going, his feeling changed and he had to go somewhere else. He was real frustrated at these times and I did not know how to help him. I did not really understand what he meant about not knowing where he wanted to be. I sometimes felt that I should have done a better job trying to figure out what he was talking about and maybe then I could have made things a little better for him.

13. I remember that Damien had some strange needs. Some things could never be out of place and had to be put in a place just so. He had the same pillow all his life and if it ever got misplaced, he howled his head off. Damien could not sleep with any other pillow for as long as I have known him. He had a lot of fear about the closet in his room and did not want any of his toys ever put in the closet. If his toys were in the closet, he panicked and thought they would die. Damien had these two fire hats; one was black and one was red. We had to keep the hats under the bathroom sink just so and right beside each other. If they were not in their place, it made him panic and afraid. I always thought that Damien had a funny way of decorating his room. He used to put these catalogs all over the rooms of the walls. He also put this big Tarzan tablecloth on his wall for decoration.

14. Sometimes Damien did not have any appetite and he did not eat for several days. It did not seem to matter what Pamela put on the table, he did not want to eat it. After a few days of not eating, Damien looked weaker and I could tell it was wearing on him. I wished that he would eat for his health but when he did not have an appetite there was nothing any one could do.

15. Damien got involved with a girl named Deanna and I knew that he liked her a whole lot. They dated for a few months and then they broke up. After they quit dating, Damien was even sadder. He went into one of his times where almost all he could do was cry. I know that breaking up with a girl can be hard on a young man but this was different. Not too long after Damien's breakup with Deanna, he went with his mama, sister, and Joe Hutchison to Oregon.

16. In 1992, Pamela and I separated and divorced. I moved into an apartment in Marion and lived by myself for awhile. There were times when Pamela called me and told me that Damien was feeling really bad and not eating and she asked me if he could come and stay with me. I always said that he could. I fixed a little area on the floor where Damien could lay down and try to sleep. When he came over, he was not eating or sleeping but after a day or so, he finally slept and then he was able to eat. I don't know what it was that caused him to finally fall asleep but I figured that it might be that the human body can only stay up for so long without getting any rest.

17. Damien did not stay in Oregon for too long. I think he wanted to get back here where his friends were. Damien did not stay with me when he came back from Oregon. His mama came back here sometime after Damien had left Oregon. She came back after she found out that Damien's new girlfriend, Domini, was pregnant.

18. I will never forget the day that Pamela called me and told me that Damien had been arrested by the West Memphis Police. I was very shocked. Pamela had already told me that they had been questioning him but I did not pay much attention at that point, because I knew that there was nothing to it. But Pamela called me and told me that the police had been all through her mama's trailer where they were living on South Grove. I did not find out for a week or two where Damien was after he was arrested. They did not keep him in West Memphis and I had to drive down to the Monroe County Jail in Clarendon in order to visit Damien. Sometimes when I went, I drove Pamela's mom, Francis, to the jail. She was in a wheelchair because she had lost a leg. Damien was as upset as I have ever seen him when I went to the Monroe Jail. When I asked him questions, his answers did not make any sense. He did not seem to be himself at all. He seemed like he was losing a lot of weight and was not looking very healthy. All I knew to tell him was to hang on and everything was going to be all right. That is all I knew to say.

19. I talked to Val Price once or twice for a few minutes just to discuss the next time Damien would be in court. When the trial started, I went almost every day. Pamela, Joe, and Michelle stayed in my trailer for some of the time. They did not have anywhere else to stay because they spent their money on getting to Jonesboro everyday. Scott Davidson told me that Joe Hutchison and I should plead for Damien's life during the penalty phase of the trial. All I knew about the penalty phase was that was when the jury would hear evidence about whether or not Damien should get the death penalty. No one ever went over with me what I knew about Damien, his life, and all the troubles he had. If anyone had asked me, then I would have told them what I am saying now.

20. I got married one more time to a woman named Anita. We lived together for a year or so before we got married because I did not want to get into another marriage until I was sure that it was going to work out. However, even though we lived together we ended up getting divorced anyway. Last year, I had to quit roofing. I had been a roofer for around 25 years and it was getting to hard for me. Roofing is a young man's job. It gets so hot and it is backbreaking work and my body could not handle it anymore.

21. I had planned on retiring a few years ago and thought I could because I had my trailer paid off. But about five years ago, it burned down. That was really hard for me but, since I was still roofing, I was lucky enough to be able to put a couple of older trailers together to where they made one whole trailer. About a year ago, I came home to see that trailer on fire also. By the time the fire ended, the only thing I had were the work clothes that I was wearing. Everything that I owned burned to the ground. I did not have a dime of insurance either time that my trailers burned. I think about Damien a lot and hope that he is able to survive where he is at.

Under the penalty of perjury under the laws of the United States and the State of Arkansas, I swear that the foregoing is true and correct and executed this 4 day of September, 2000 in the County of Crittenden.

Andy Jack Echols (signature)

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