

Prosecutor, police chief back clemency hearing

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LONOKE — Charles Chastain, a member of the state Post Prison Transfer Board, sought a clemency hearing for Heath Stocks because “I think he should be looked at in light of subsequent revelations related to his crime.”

Chastain was the only person on the seven-member board to come out in favor of a hearing. He made the statement at a board meeting Thursday. Stocks’ hearing is set for May.

“It only takes one member of the board to say this case has merit and a hearing should be held,” said Dina Tyler, spokesman for the state Department of Correction.

Stocks, 23, is serving three life sentences without parole for the 1997 murders of his parents and sister.

He pleaded guilty to the murders in June 1997. His relatives were found shot to death in their home in Lonoke County in January 1997.

All state prisoners are eligible to apply for clemency, but few receive it, Tyler said.

“Anyone who walks through the gates of the prison may apply,” she

said. “But the Post Prison Transfer Board screens each application and decides whether it has merit. If only one board member thinks it does, then he has the authority to set a hearing.”

At the hearing, the board will hear testimony about Stocks’ case, Tyler said. “Heath can testify and so can others who think his case has merit,” she said.



Heath Stocks

The board will then make a recommendation to the governor, Tyler said. “It is the governor alone who makes the final decision,” she said.

Heath Stocks received three life sentences in a plea negotiated between Edgar Thompson, the Lonoke County public defender who represented him, and Larry Cook, the former prosecuting attorney.

Within about two months, another series of events unfolded in Lonoke that, at first, seemed unrelated.

Former Boy Scout leader Jack

Walls III was charged and later found guilty of raping six boys under the age of 14, most of whom were in his Boy Scout troop. He eventually received three life sentences — to be served concurrently — and three 40-year sentences, also to be served concurrently, meaning that Walls’ sentence amounts to one life term and one 40-year term.

During the investigation, Lonoke Police Chief Charles Peckat discovered that Stocks, along with about 50 other boys, had been Walls’ victims.

According to court documents, Walls began molesting Stocks when he was 10 years old and continued “until the day he was arrested,” Peckat has said.

But what startled most residents was Stocks’ testimony during a victim impact hearing for Walls’ sentencing in January 1998.

Stocks told a hushed courtroom that he had told his sister and mother about his relationship with Walls. “Jack told me to take care of the problem,” Stocks said, adding that meant to “kill the problem.”

During later revelations, Stocks said that he “loved” Walls and was devoted to protecting him. He also told the court that Walls was train-

ing him to be an assassin.

Walls was sentenced to prison for the rapes, but authorities said they have not looked into Walls’ possible involvement in the Stocks murders.

Stocks’ testimony prompted Peckat and former Special Prosecuting Attorney Betty Dickey to write letters to Gov. Mike Huckabee seeking his help for Stocks.

In a letter dated Jan. 11, 1999, Peckat wrote, “I am not advocating that Heath Stocks be released from prison, but I do feel that there is evidence and testimony available at this time that was not available or considered before Heath Stocks pleaded guilty on June 6, 1997.”

Dickey, who prosecuted Walls, wrote a letter to the governor on Dec. 30, 1998.

“While my prosecutorial duties involved reviewing facts related to the rape by Jack Walls of the defendant, and not related to the murders he committed, I was, and remain, strongly convinced that Heath Stocks was not afforded a fair trial, nor adequate representation.

“In the course of our investigation, I learned that the Public De-

fender knew or should have known about Jack Walls’ involvement in the murders of Joe, Barbara, and Heather Stocks. This information came from interviews with Heath Stocks’ minister [and] maternal grandmother, as well as the defendant himself.”

Dickey also said she was not advocating Stocks release, “only that as an officer of the court, uncovered critical evidence that should have been brought out in the 1997 murder case, but was not.”

Authorities have said that Heath Stocks “was under Walls’ control” for a good portion of their 10-year relationship.

After Stocks’ hearing, the governor could reduce Stocks’ sentences or grant him a pardon, which is unlikely.

“Once the paperwork reaches the governor, he has 120 days to act,” Tyler said. “If he does nothing in that time period, essentially he is saying, ‘No.’”

However, if the governor is giving serious consideration to granting a reduction in Stocks’ sentence, he will make a public notice of his intentions, Tyler said. “That will give the public a 30-day comment period,” she said.