

January 27, 2006

LETTER FROM JAMES WEAVER  
REGARDING REQUEST FOR CLEMENCY  
WHICH WAS DENIED ON 5/23/2007  
BY GOVERNOR HUCKABEE

Dear Governor Huckabee,

My name is James Weaver. I currently reside at the ADC Tucker Unit where I am in the 16<sup>th</sup> year of my incarceration for the conviction of capital murder. I know the following words on these pages will only convey so much. Yet coupled with the voices of personal testament to my character and the sharing of my accomplishments that bare witness to my inner growth it is my hope that, even in some small degree, you may come to know the person that I am, the person I have become over these many years.

I often hear people say they have no regrets. That they have made their mistakes and have moved on. My life is unfortunately filled with disappointment. It is this very sense of regret that motivates me to do better, to climb higher and to accomplish something greater. To know what it is to have forfeited everything, including my future; nothing could be more empowering. In that reality there is nothing left but dignity and the search for validity, for purpose. Of course it has taken me several years to understand that. A measure of emotional maturity, a measure of education and of experience combined with the love and support of family, friends and a deep relationship with God has moved me ever forward and upward to a place where helping others through my own success has become, not just a mission statement, but necessary to my own survival as a fulfilled human being.

In my search to grasp the reasons why I made certain choices and how I came to end up in prison for the rest of my life I began to understand how fear consumed me. I really was such a coward, my whole life. Not just fear of physical conflict, but

emotional confrontation as well. I never was, nor have ever been a violent person. I suffered from a powerlessness that left me exposed to a terrible torment. A self-loathing so severe it paralyzed me to the point that I could not bear to be connected to the real world for very long. I involved myself with others whose view of life was apathetic like my own. I became a drug user to help insulate me against all the responsibilities and uncertainties I faced everyday. I could find happiness in a world of my own making. Free from the terrible relationship with my father, free from judgments, from bullying and free from the opinions of others because of my family's social class... I just felt free. But, of course, I really wasn't. I was an addict. I just traded one dark place for another.

Do I fault drug addiction for my incarceration? No. I have only myself to blame from the choices I made up unto that fateful day. I know absolutely nothing justifies an absence of action when a man is killed so indiscriminately. It's a sad truth that I would sacrifice the livelihood of another for my own, but I am incapable of taking the life of another person. My indifference to the welfare of others and the fear of having to stand up for myself crippled me and to this day I cannot express the depth of my shame. However, if Alan Hubbard had not killed John Rodgers on December 14, 1989, John would be alive today. I had nothing to gain by John's death and it is my honest belief that it could easily have been me instead of John. I had to trust that Alan would be arrested and could not harm another person before I told the authorities the terrible truth. He arrogantly assumed I feared him too much to turn him in. He would assume wrong. The guilt of doing nothing to help prevent John's death, the constant hiding of the truth and Alan's pursuit of further violence just wasn't something I could live with anymore. It was primarily the kind assurances of the arresting officers in my case that encouraged me and to this day I am

unbelievably thankful for that. I wasn't sure what would ultimately happen to me. I didn't believe I was innocent, but I knew I wasn't a murderer.

My story brings me to this place and time, Governor Huckabee. It has been almost another lifetime for me since this journey started. It's been difficult beyond words and yet rewarding beyond my hopes. I have taken every moment, every opportunity available to me to reconcile, to grow, to excel and to attain for something much better for myself and those I care for. I turned my life over to the One who made it. I practically threw away my high school years so I immediately began to further my education capturing a GED and Vo-Tech course certificates. My love of God and music introduced me to an incredible praise and worship ministry that has become a large part of my life over these many years. Early on I struggled with a few demons from my past, most notably drug use, so I became involved in addiction recovery through faith and clinical initiatives. I was confirmed to the Episcopal Church, joining a wonderful community of faith. My life has just become a catalyst for change inwardly and outwardly. It really is impossible to frame with words how being awakened to the empowerment of love and servanthood has absolutely changed me. I simply cannot avoid the desperate needs of others because I once had so many of my own. Because I once stood on the precipice of a dark hopelessness from which there was no return. Because I once felt marginalized and alone. Because I needed love, faithfully tangible. A love completely realized and full of possibility.

I can say a lot about what I feel, but it is those who truly know me, who have known me before that fateful day and after my incarceration; it is their witness of my life, of me, that I pray declares with sincere clarity the man that I was and the man I am today. They have been witness all these years to both my shining best and my

dismal worst. I certainly cannot say I would have achieved so much, even an inch, without them.

It is not my promise... it is my purpose, Governor Huckabee, to live my days with all vigor, with unconditional commitment to reach out to others in order to prevent the plight of another John Rogers, another James Weaver, another Alan Hubbard. The stain of my shame and regret and the loss of John can be healed, but never forgotten. And that's my testimony. That the memory of John's life would be meaningful and not final. That somehow my life will reflect and engage with others that tragedy doesn't have to be a hollow thing, worthless and vain. There can be meaning and there can be purpose if we're willing to find it and have the courage to embrace it. That's my pledge to John.

Thank you, sir, for reading my letter. I pray to know that one day I will be free to share the message of my life with others beyond the bonds of prison and to pursue the fulfillment of my new dreams and aspirations. However you decide the ends of justice are best served, I recognize I must be continually dedicated to reconcile the debt I owe before the eyes of those I so grievously disappointed and hurt. I am compassionately aware of that.

I ask with the deepest humility I know that you exercise the power of clemency and grant my appeal for relief from my current sentence of Life without the possibility of parole. God bless you and thank you for your gracious consideration.

In hope,

A handwritten signature in cursive script, appearing to read "James Weaver". The signature is written in dark ink and is positioned below the typed name "James Weaver".

February 27, 2006

Dear Governor Huckabee,

My name is Kimberly Hodges and I am writing you in regards to the clemency of James Weaver who is currently serving a sentence of Life without parole in the Arkansas Department of Corrections. I have known James for 14 years having first met him in 1992 during a Christian ministry trip to the Tucker Unit prison. Our shared faith in Christ and the ministry of His love through music allowed me to get to the opportunity to know James, of his fate and his desire to grow and be used by God to help others.

I have been an Arkansan all my life. I am also the mother of two wonderful children and have personally experienced more difficulties in my life than any one person should have to bear. I am not easily fooled nor do I take lightly the acts of harm carried out against innocent people everyday. I believe in justice and that punishment should fit the crime. What James is in prison for is a terrible act; I certainly do not doubt that. I have taken the liberty to educate myself about his crime and the other persons involved and I believe James was excessively punished for his involvement. He was only 19 years old and terrorized by a brutal killer. Under the circumstances that he found himself in I cannot say for certain that I wouldn't have done the same thing.

I am sure this letter is among others that voice similar opinions and views and I know that the decision to be made concerning clemency isn't one to be taken lightly. However, over the years I have to come to know James he has shown nothing but sincere remorse and a desire to be a better person. Even after serving half his life in prison for an act he did not factually commit, he accepts responsibility for his life and it more than amazes me how sensitive he is to the troubles of others.

I ask that James Weaver's clemency be granted. He is a valued individual who deserves the opportunity to do more for the people of Arkansas than waste away in prison. To me, and certainly to countless others, he has proven that.

God bless you, Mr. Huckabee, and thank you for reading my letter.

Sincerely,

*Kimberly D. Hodges*

January 30, 2006

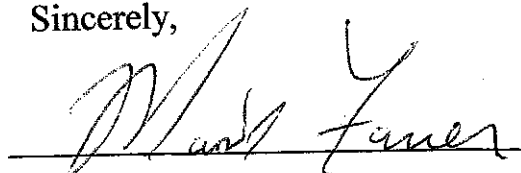
Dear Governor Huckabee,

I am writing you in regards to James Weaver's request for clemency. I have worked with James as his supervisor at Riverside Vo-Tech School for more than 12 years and have come to know him very well. I consider him to be one of the most trustworthy persons I have ever met. James has demonstrated an exceptional desire to succeed beyond the constraints of his imprisonment. He pursues a Christian faith in all his daily responsibilities and a willingness, through his setbacks, to reach higher than most. He is certainly a shining role model for others to follow inside and outside his situation.

★ Governor Huckabee, I will soon have 28 years of devoted service with the ADC here at the Tucker Unit. I began as a correctional officer and am now an Interim Assistant Director at Riverside Vo-Tech School. I was also formerly an officer with the Pine Bluff Police. So you could say that I have pretty much seen it all. It is my honest conviction that James is genuine in his faith, his work ethic and his commitment to the welfare of others. He has paid his debt to society and should have the opportunity to serve the community as a free man.

Please grant James' request for clemency. I appeal to your fairness and ability to rightly judge the deeds of another. If anyone ever deserved a second chance it's James Weaver.

Sincerely,



Mark Faver, Interim Asst. Director  
Riverside Vo-Tech School

January 30, 2006

To Governor Mike Huckabee,

I have known Mr. James Weaver since 1991 both as a student and as clerk for the Riverside Vocational Technical School at the ADC Tucker Unit. I have worked closely with him on a daily basis. I find him intelligent and am impressed with his work and personal ethics. He consistently exhibits the highest regard for his work and the people around him. A rare quality in prison.



I have never made a recommendation for clemency or parole for anyone before, but I genuinely believe that James Weaver is deserving of such consideration.

POWERFUL  
STATEMENT

In the sincerest way I ask you to seriously consider Mr. Weaver for clemency. He will be a good citizen in a free world society.

A handwritten signature in cursive script that reads "David T. Taylor".

David T. Taylor

Drafting Technology Instructor  
Riverside Vo-Tech School

February 1, 2006

To Governor Mike Huckabee,

\*  
I am writing this letter in regards to James Weaver's request for clemency. I am an instructor at Riverside Vo-Tech School at the ADC Tucker Unit. I have known Weaver as the clerk for Riverside since 1999. I was formerly a correctional officer and also a supervisor for the ADC Maintenance Department. I have supervised all kinds of inmates. Having come to know Weaver over the past several years I believe he is a fine example of someone who is making the best of his situation. He is a good person and a hard worker. Our community is best served with him on the outside. He deserves another chance.

Please consider granting clemency for James Weaver.

Thank you,



William Greeson

Small Engine Repair Instructor  
Riverside Vo-Tech School



February 2, 2006

Honorable Mike Huckabee,

I write this letter to you asking that you favorably consider Inmate James Weaver for clemency. I have had the privilege of working with Inmate Weaver as his supervisor for more than 12 years and he has shown the highest respect and dignity during our relationship. He is always at the ready and very willing to do whatever he can to help everyone who calls on him for his clerical services. He has shown exemplary attitude, never upset or disgruntled about his situation here in prison.

I know Inmate Weaver knows the Lord Jesus as his savior and is involved with the chapel services wherever he can serve. I believe that if allowed he would take every opportunity to be an asset to his community and neighbors.

As I am not very gifted with proper words, I'm simply saying if Inmate James Weaver were given a chance, I believe he would do all he possibly could to live an upright, honest life and be a great help and encouragement to those around him.

Sincerely,

A handwritten signature in black ink, appearing to read "John Albright", with a long horizontal flourish extending to the right.

John Albright  
Woodwork Instructor  
Riverside Vo-Tech School  
Tucker, AR

Kelly C. Jones

5643 Moro Bay Hwy.  
El Dorado, AR 71730  
Phone (870)875-2645

High School Girl friend of JAMES WEAVER

Governor's Office  
Governor Mike Huckabee  
State Capitol Rm. # 250  
Little Rock, AR 72201

Dear Governor Huckabee,

First I would like to thank you for the great job you have been doing as Governor of Arkansas. My family and I voted for you in all of the elections. I pray that God continue to bless your candidacy and your decision making for the lives of the people of Arkansans.

I am writing you about a dear friend of mine, Mr. James Weaver. James has been in the Arkansas Department of Correction for 16 years, and during those years I have never given up hope he would receive relief from his unjust sentence. It is my sincerest hope that after sharing what I know of James, from my heart and experiences, that you would agree he was punished far too harshly. I pray God will open your heart and mind and grant you wisdom in knowing what is the right thing to do.

I met James in August of 1987. He was my first love, possessing a very bright future ahead of him. He really had so much talent to offer the world as a young man. His art was spectacular and James was very versed in music along with academics. He really did have a hopeful life ahead of him at that time of his life. Being at an age where the world is limitless with youth and exploration. Yet while James had a lot of things "going" for him there was also a dark side to James' life. He was the product of a home where his Father was a severe alcoholic. His family life was a terribly emotionally abusive situation which I feel directly related to James' inability to deal with intimidating circumstances and other issues relating to proper maturity.

In 1989, James moved to Phoenix, Arizona to begin art school. I still remained in Arkansas, yet we were very much in love and maintained a long distance romance. Soon after, I began to pressure him to come back home. I was young and in love and couldn't stand another minute apart from him so I insisted he move back to Arkansas. After James returned our relationship came to a difficult end and, while remaining friends, we both began new directions with our lives. It was when he moved in with a mutual friend of ours that he was introduced to Alan Hubbard and John Rodgers. And shortly after that they became roommates.

Personally, when I was first introduced to John Rodgers I honestly thought he was homicidal and had wondered where his life would take him. He was extremely violent and

angry. John scared me so bad I had made a decision not to visit James anymore because of him and never discussed this with anyone until after his subsequent death.

When I received the phone call that the murder had been committed by Alan and that James had been present while Alan bludgeoned John to death and didn't stop him I was astounded. In absolute horror I instantly recalled that a couple of weeks before I had sat on a porch and had a rational conversation with Alan and thought John was the homicidal maniac and I truly thought Alan was a "normal" guy. How closely had I mingled with death I pondered? My friend James and his involvement were by no means acceptable but I never dreamed when I found the out the details of his involvement that he would EVER receive a Life without Parole sentence. I knew he was poor, that his family was poor and that the odds of him receiving a really fair and just trial with a good lawyer weren't very likely. But I still NEVER expected the sentence he received nor have I ever believed this to be considered fair. James didn't kill anyone. He was in shock when Alan killed John Rodgers, as most anyone would be, let alone a nineteen year old boy. NINETEEN YEARS OLD... Think about that. I know I can't stop thinking about it.

SO TRUE !!

I truly believe and know with all my heart that James deserves his freedom. He has certainly served more than ample time and is beyond regretful for John's death, having made his life a shining example of compassionate reform and dedication to positive contribution. I do not know what more a person must experience or become in order to be freed from prison. Especially considering that others in James' situation do less time for actually killing someone. I simply do not understand that.

James had never knowingly experienced the saving grace of God before entering prison. Since that time, he has found a passion for Christ that is amazing and very catching. I believe that God spared James' life that fateful day, that if James had done one thing differently, Alan would have killed him too. To further his existence on any realm, earthly or heavenly, James had to go through all this to reach his fullest potential to become the man that our community truly deserves to have. He is a genuine and positive contributor to those around him.

I beseech you, Governor Huckabee, to commute James Weaver's sentence to time served. Please don't allow for another needless day he spends behind bars. My husband and I have been married for almost five years and we have two small boys. We would feel secure in having James in our community and our state as a free man. He is no threat to a society he is only gifted to improve. Prayerfully consider commuting James' sentence today.

Sincerely,



Kelly C. Jones

# Artwork by Inmates Exhibited at Studio

## For Third Year, Arts Center Shows Work by Prisoners

For the third year, artwork by inmates of the Tucker Unit of the state Correction Department, is being displayed at the Arts and Science Center for Southeast Arkansas's Little Firehouse Studio at 1516 Laurel Street.

The exhibit, "Art From Within III," is open to the public from 10 a.m. to 3 p.m. Tuesdays and Fridays and by appointment through Aug. 10, according to a spokesman for the arts center.

Although all of the artwork is on paper, the pieces are quite varied, the spokesman said. The work includes portraits, abstracts and still lifes, mostly in pencil and pastels.

What began as an experimental class three years ago has become an important part of their lives, in addition to their job assignments and other program activities, according to several of the inmates. They all give credit to Terry Ezell, a teacher's aide at the Tucker Unit.

"Mr. Ezell looks at us, and treats us, like regular people," said James Weaver, who is serving a life sentence without parole for capital murder. "The class lets us vent our frustration in a constructive way, and reinforces the positive influence Mr. Ezell has on us," Weaver said. This is the second year Weaver has exhibited works at the Little Firehouse Studio. His new pieces include a charcoal drawing of a lion and a lamb, the arts center



James Weaver uses charcoal for his picture of lion and lamb spokesman said.

"Mr. Ezell tells me to try art in different ways," said Robert Anderson, who is serving a 15-year sentence for second-degree murder, first-degree battery and criminal use of a prohibited weapon. "I always worked in pencils, but

Mr. Ezell convinced me to try colors and I finally got the confidence to do it," Anderson said. He has a harlequin face included in this exhibit.

Most of the inmates taking the class had created art as a hobby, but never pursued it seriously until

being incarcerated, the inmates said. Mark Harris, one of the most exhibited inmates, is a prime example. Serving a life sentence for first-degree murder, Harris took art classes in high school, but received most of his art education in prison. His artistic ability and wide range of interests have resulted in a large body of works using a variety of topics and materials. The encouragement he has received pushes him constantly forward, he said. "The art class is an outlet for me and a vehicle to get some of my pieces out of the unit to be shown. A lot of my work used to sit around until it was damaged or too old, and now I have something to work toward." Harris has sold some of his work and is curious about the public reaction to his art.

"These guys work awfully hard," said Ezell. "They take the class seriously and it means a lot to them." It means a lot to Ezell, too, who continues to lobby his superiors for support and supplies. An artist himself, Ezell understands the power of artistic expression. Officials of the state Correction Department have given Ezell their blessings, seeing the positive influence the class has on most students, the arts center spokesman said.

Another prisoner, John Scherrer, who is serving a life sentence for first-degree murder, summed up the situation for most of the inmates. "This class helps me do my time a lot better. We have a lot of time, and Mr. Ezell will teach us if we're willing to learn. I want to learn."

Persons with questions about the art exhibit may call the arts center at 536-3375.

HE IS ALSO AN ACCOMPLISHED MUSICIAN.