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August 4, 2009

Terry Jenks, Director
Oklahoma Pardon and Parole Board
First National Center
120 N. Robinson Ave., #900W
Oklahoma City, OK 73102

RE: April Wilkens, DOC #282399, Commutation Requests

Dear Mr. Jenks,

I met April Wilkens in October of 1998 at the Tulsa County Jail, six (6) months after she was charged with the murder of her boyfriend, Terry Carlton. I agreed to assist a DVIS counselor, Lynda Driskell, in getting her in to see April on a regular basis. I had ample experience with clients of domestic abuse and my experience caused me to prejudge April's guilt and/or culpability in Terry Carlton's death. I had cases where women either lied about their abuse in order to obtain an advantage in custody cases, or who were abused but then recanted their allegations and dismissed their actions to reconcile with their abusers. In spite of my bias, by the end of our third session in November, my mind and opinion had changed and I was beseeching her then attorney to let me assist him in her defense.

During the numerous two hour long sessions in the six (6) months prior to her trial, April talked and I took notes. She described a whirlwind romance which was seasoned with lots of money, illegal drugs, international trips and control. This lethal concoction led to a pattern of violence and reconciliation which was documented and/or witnessed by others only some of the time. There was also an alarming pattern of law enforcement misfeasance and/or inaction in response to incidences she did report, no doubt the result of Mr. Carlton's family's power and position in the community. She was shockingly candid about her own misdeeds in this relationship with Mr. Carlton. I personally checked out what could be and was shocked to see the accuracy and veracity of her claims; she was incredibly consistent in the details of everything she told me. I began to understand how victims of domestic violence think; why they reconcile and forgive batterers; why they do not feel fear when you or I would; why they rationalize away violent behavior and accept it as one of the terms of their relationships. I knew that if she was given the opportunity to explain the relationship and circumstances to the jury, like she did to me, that they would understand that her actions and thoughts at the time of the murder, were reasonable in her mind.

By the end of the sessions I knew April very well and was extremely concerned about how she would appear to the jury. She has a laugh and smile which is present when she is nervous; I noticed it took weeks of sessions with me before she no longer did that. I also was concerned that she would have questions, get emotional and quite possibly just need someone to sit near her and manage the situation at the defense table. I offered to do that but my offer was declined and I was a spectator at her three (3) weeklong trial. I sat and watched as her attorney and his assistant sat with their chairs turned so that their

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backs were facing her and they would not talk to her and ignored her questions during the trial. This speaks volumes to a jury. I listened as she was allowed to take the stand with little to no preparation and watched the affect that her nervous laugh and smile had on those jurors. More importantly, there was no expert or testimony about Battered Women's Syndrome – therefore there was no education or explanation to the jurors regarding why what she did was reasonable in her mind, at the time. Finally, there was no option posed to the jurors to convict her of the lesser included offense of manslaughter (failure of which has resulted in the reversal of at least one similar case in Oklahoma since April's conviction). I told my husband the day before the case was submitted to the jury, that the jury would have no choice but to convict based upon what they saw and heard – this was confirmed at 8:30 a.m. on Saturday morning April 24th when she was convicted of first degree murder. My reasoning for the verdict was confirmed by interviews I had with several jurors after the conviction.

I know the issue is not whether she was wrongfully convicted, but I think you need to know that this case is the poster child for how Oklahoma's legal system fails abused women and abusers alike. Politics, money and greed runs rough shod over the true intention and letter of the law. Prior to this trial, I had considered working for the D.A.'s office until I sat through a week of jury selection and heard Tim Harris's opening statement. From that moment on I knew that I would rather be a greeter at Wal-Mart for the rest of my days than work for someone who cannot assess and do the right thing in light of the circumstances. He knew that the law enforcement system failed to protect April and punish Terry Carlton at numerous junctures throughout the relationship, and, that like a spoiled and undisciplined child; he knew he could do what he wanted with no repercussions. Rather than offer a reasonable plea bargain, he sucked up to and pandered to the Carlton family for political gain. If Terry Carlton had been a regular Joe from a regular family who worked a minimum wage job, based on these facts, history and forensic evidence, I honestly believe she would not even have been charged. Further, it begs the question if he was a "regular" citizen, would the murder ever have happened at all?? A regular Joe would have been incarcerated long before April 1997 for the abuse he inflicted upon her and the violations of court orders that were committed repeatedly.

April's case has changed my life. Her conviction spun me into an early mid life crisis. I no longer wanted to live in Oklahoma – I couldn't believe that this is how our legal system works. I decided to move out of Oklahoma back east where my family lives; to that end, I obtained an emergency application to take the Vermont State Bar Exam and took that exam that July. Had it not been for a personal emergency in my life, we would have moved that fall. That is how much this case affected me.

In 2001 I went on to assist an appeal attorney in the Federal Writ of Habeas Corpus in April's case. I traveled to Mabel Bassett in McCloud twice during this process; I met with then Federal Judge Claire Eagan to obtain her affidavit regarding how she was April's attorney (prior to taking the bench) and assisted her in obtaining a protective order after Terry Carlton had viciously assaulted her in Rome. She had her file and a tape recording between April and Terry wherein he admitted the assault and

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explained why he would choke her and why he sometimes wanted to kill her. Ms. Eagan, her file and that tape were known to April's trial attorney yet she was never called upon.

I have contemplated writing a book about this case many a time – it would read like a John Grisham novel as it would demonstrate that the power and influence money can buy is yet another sad chapter in Oklahoma's legal history. Finally, April's case has changed how I deal with my clients. Not having ever been abused, through April I now have a much better understanding of the "why's" involved in the cycle of abuse. I screen for abuse in my clients and require counseling during the legal process if there is a history of the same.

April Wilkens was an intelligent woman who had a successful career and was a phenomenal mother until she allowed herself to engage in and stay in a toxic relationship with Terry Carlton. Her successful business evaporated, she lost custody of her son, she became a illegal drug user, lost her self respect, identity and freedom, and he lost his life. She is still an incredibly intelligent woman, as evidenced by her own legal representation while in prison. In prison, she has found her identity and self respect again. While she has never denied her role in what happened, she understands how she got there. I would highly encourage her to become a counselor for battered women –she could instruct and teach from the position of having truly been there which is the most powerful position someone can counsel another from. She is someone I would employ, trust with my kids and continue to be a friend to. She has more than paid for her culpability in what happened. If she were released I know that she would be a productive and meaningful member of society.

Please feel free to contact me should you have any questions.

Sincerely,



Lynn S. Worley