

SNOW NOTES

THE WRONGFUL CONVICTION OF JAMIE SNOW AND HOW THEY GOT AWAY WITH IT

Danny Martinez

4/1/91 Interview Notes, hours after the crime

Did not notice the attendant when he pulled in even though he usually always sees him through the window every day while he stands up front, he thought he went to the bathroom (*perhaps shot by now?*)

While filling his tire at the east end of the station, he heard 2 pops.

He finished filling and walked towards the door. He sees the suspect with his hands in his pockets, surprised.

He hears his car dying, he turns around.

Turns back towards the store, sees suspect turning the east corner, going north down the alley.

He continues towards the station, a black pickup truck arrives, the police arrive and tell the driver not to enter (*What is DM doing at this time???*)

He parks across the street and tells the officer he saw a suspect.

He describes a white male, 20s, his height, 5' 8", thin

Blue Jeans, faded

Tennis shoes, low quarters, white

Brown jacket, short, dark

Baseball cap, dark, no logo

Blondish brow shoulder length hair

Sticking out from back of cap

Facial stubble, no mustache.

Small nose

Thin Face

Danny Martinez

3/4/99 Interview with Katz and Barkes, 8 years after crime

DM describes putting air in his right front passenger tire, on side of fence, east side of lot, closer to the street, facing north, with the trunk of the car street side.

He heard his car backfire while kneeling to fill his tire. He finished filling his tire in 2-3 minutes.

He walks a couple steps towards the station, sees the suspect come halfway out of the door backwards.

Hears his car about to die, turns around.

Turns back towards station, almost ran into suspect with a shocked expression. They were 3 feet apart, and this was 30 seconds or less from when he left his car. The suspect continues down the alley.

DM takes two steps towards the building, he hears officer say, "Hey back up."

Officer from across the street at the credit union asks if he saw anyone. He says yes, "right there."

Pickup truck is at southwest corner, not at the pump, and the passenger is headed towards the side of the building. Officer tells him to get back into the truck, get out of here, also told DM to back up and go home.

Adds in on page 5 that in the same exchange, he told the officer he saw the suspect "go in through the grass here."

DM says he has never seen Jamie Snow, but knows his name.

DM says no, he would not have noticed anyone in the building when he pulled up because of the boarded up windows (*what happened to seeing Bill every day when he pulled up?*)

DM describes suspect with a loose spring jacket, unsure if it was leather, hands in his pockets like he had a fist, but possible he had the cash drawer under his coat.

DM asks why he has to tell his story so many times. Asks why the pickup truck driver has not been found and interviewed. Asks why Bill's mom called him.

Suspect description:

5'9" or 5'10", since he is 5'8"

Brown blonde hair

Ball cap

Spring Jacket

Agrees to low cut white tennis shoes

Barkes' Accompanying 3/4/99 Interview Narrative Notes

Barkes says DM said he saw no one in the gas station. NO...on page 10 DM says he did not look inside the building, if it was boarded up, he wouldn't have been able to see inside. He saw no other vehicles.

Barkes omits the part on page 5 where DM says he told the officer he saw the suspect leaving, while he was still in the lot, seconds after the suspect turned the corner.

Susan Claycomb Trial, August 2000

Danny Martinez via Teena Griffin:

DM describes he went to the air pumps on the east side of the building along the fence line, car facing north (p 66, lines 19-21, p 67 line 7)

While putting air in his tires, heard 2 bangs, maybe his car backfiring, finished filling the tire (p 67, line 15)

He got up, walked towards the door, saw suspect come out of the door backwards, facing inside still.

He heard his car dying, turned around to look, turned around forward, and saw the suspect facing him, one foot apart from each other. Person was shocked. They almost bumped into each other (p 67, lines 17-23, p 68, line 5, 15, 18-22).

Suspect went to east side of building, around the corner, to patch of grass, north to back of alley (p 69, lines 9-11).

DM continues towards station, but officer across the street calls out for him to back up, asks if he saw anything, DM reports fleeing suspect, and then pulled across the street and went home (p 70, lines 4-13).

DM reports suspect was his height, 5'7" or 5'8," DARK tennis shoes, ball cap, shoulder length hair, eyes under the influence of drugs or alcohol, stubble, spring jacket, hands in pockets, carrying something (p 71, lines 9-12).

Reports he made composite drawing exhibit 21 (p 76, line 6).

Reports he could not identify anyone from mugshot book on 4-1-91 (p 77, line 7)

Reports he could not see well during line up on 6-21-91 and made no positive identification (p 77, lines 16-18)

Reports on 7-18-00, he saw same line up photograph, exhibit #11, he can now identify Jamie Snow, #6, as the suspect he saw at the gas station, by his eyes and face (p 79, line 10 + 13)

Reports that the Pantagraph newspaper photo of Jamie Snow's mugshot, exhibit 36, is the same person he saw that night (p 80, lines 8, 14). He recognizes him by the eyes (p 80, line 20).

He says while viewing the lineup photo in the SA's office, when mentioning #6, he kept saying "this is the guy, isn't it, this is the guy, and he isn't sure if anyone responded affirmatively (p 81, lines 8-10).

He is 85% certain the person in the lineup and newspaper photo is the suspect he saw at the gas station (p 81, line 20).

Admits he could never make a positive photo identification of the suspect in 1991 or the next year or two (p 82, line 5).

Danny Martinez Via Skelton:

DM confirms he was kneeling when putting air in his tire and could still see over the hood of his car (p 89, line 7).

He says it took less than one minute to fill the tire (p 90, line 14) *(But he said 2 – 3 minutes in his 1999 interview)*.

Says he had no indication that the two bangs he heard were from a fire arm and was surprised to find out later (p 91, lines 1, 4).

Says he was standing up to go towards the door when he saw the suspect backing out of the building's front door (p 91, line 8-10).

Describes the jacket suspect was wearing as windbreaker, spring jacket, falling above the pants pockets, (p 92, line 4, 18-20), he cannot confirm the material type (p 93, line 13), it was zipped all the way up (p 93, line 21), with both hands in pockets (p 94, line 4), and holding something under the front of his jacket (p 94, line 15).

DM describes suspect backing out of front door, turning towards his left, walking forward eastward, 12 feet, and almost met him at the southwest corner of the gas station, as DM was walking westward towards the door, but then the suspect turned north, and turned his back He was wearing a baseball cap turned down to his forehead. The only light was from an overhead street light since the store windows were boarded up. (p 98 – p 103).

He says he cannot recall if he chose 2 people from a line up on 6-21-91 (p 108, line 9), but agrees he did ask to see 2 people, numbers 3 and 4, under lights (p 109, p 110).

DM says the suspect he saw had whiskers unshaven for a few days and no beard. He agrees it is not consistent with exhibit 61 where there is a light mustache and chin hair (p 110, lines 17-24, p 111, lines 1-16).

DM confirms he worked with Billy Hendricks and drove him to and from work. He was aware that Hendricks knew Jamie Snow but denied ever telling him in 1992 that it was not Jamie coming out of the gas station that night.

DM says he heard no car doors slamming or engines revving or starting, or tires rolling over gravel, or saw headlights from the back alley that night after the person turned the corner (p 117, line 8-19), and traffic was quiet that holiday night (p 119, line 14).

DM specifies the person he saw stepped off the sidewalk and was down on the pavement when facing him (p 119, line 4-7).

DM admits that the only light was from above and the suspect was wearing a billed hat forward, to shade his eyes. He admits that the exhibit photos of Jamie Snow show his eyes clearly, and he agrees for a short period of time he saw the suspects nose, mouth, chin, cheeks, neck, throat, ears, sides of hair, and facial hair (p122, line 10, 17 -23, p 123 lines 6-18).

DM admits he saw Jamie Snow in the newspaper in Fall 1999, but didn't tell any police or SAs that he had recognized him as the suspect until July 2000, 10 months later. He agrees he could not make a positive identification in the police booking albums or the line up on 6-21-91 (p 123, line 23, p 124, lines 13-24, p 125, lines 1-3).

DM says he never told private defense investigator Mark Foster that Jamie Snow was the wrong guy, not during any three meetings with him (p 130, lines 6-9).

DM confirms that after 9 years, he is now 85% certain he came face to face with Jamie Snow that night because of his eyes, and confirms the suspect had on a forward facing billed ball cap over his forehead as shown in the composite (p 131 & 132).

Jamie Snow's Trial, January 2001

Danny Martinez via Teena Griffin

DM describes putting air in his tires, he heard 2 bangs, maybe his car was backfiring (p 159, line 10-13). Says as he was filling up the tire, he saw the suspect come out the door backwards (p 159, line 17-18), then he got up, started walking towards the door (p 159, line 13 – 14).

DM hears his car is about to die, so he turns around. When he turns back forward, the suspect is 1-3 feet from him (p 159, lines 19-23).

Says they came face to face and he noticed the man's eyes open like he has been out all night and he'll "never forget those eyes" (p 160, line 9-13), and they were both shocked and surprised (p 160, lines 13-23).

DM continues towards the gas station and heard an officer say stop (p 161 line 22-23). The suspect just walked right around the north corner (p 162, line 6-9), through the grass (p 163, line 1-2).

DM turned around to see the officer across the street as he was telling the pickup driver to get out of there. He doesn't know if he recognized him as the neighbor (*from what prior interaction though?*). But when asked if he saw anything, he said yes a man went around the corner. The officer asked him if that was his car and told him to go home. He parked across the street (p 163, lines 10-24).

DM's suspect description (p 170, lines 6-24, p 171, lines 3-7).

Light spring jacket with hands in his pockets, holding something
5'7" or 5'8"

Ball cap

Recognized his eyes and surprised face the most

Not shaven well, stubble and whiskers

Shoulder length brownish hair

DM reports he could not positively identify anyone from the police photos the next day (p 172, line 19).

DM says the in person lineup was in a dim room where people were standing at a distance and he could not positively identify anyone (p 173, lines 1-9).

But when seeing the lineup photo in July, 9 years later, he can now identify #6 by asking "this is him, isn't it, this is him" (p 174, line 7-10).

DM states he could recognize him now because of his eyes, he'll never forget those eyes, it caught his attention right away (p 176, lines 5-7) .

He admits he also saw the same person in their mugshot photo in the Pantagraph newspaper. Again, the eyes caught his attention (p 176, lines 13-15, p 177, line 9).

DM identifies Jamie Snow in court, says he was 85% sure in July, but now he is 100% sure it was him at the gas station (p 177, line 15, p 178, lines 7-8).

DM admits in the first year and a half after the murder, he could not identify anyone in the police photos until he was in Griffin's SA office in July (p 178, line 15, 20).

DM continues that he saw the mugshot in the paper but only told his wife he thought it was the same guy he saw that night, only told authorities once he was in the SA office (p 197, lines 10-13).

Danny Martinez Via Picl (pronounced *Pit-sul*):

DM says he read a couple articles about the crime in the Pantagraph over the years, but only saw Jamie Snow's picture once (p 182, lines 7-17).

DM admits he does not know if the person he saw coming out of the gas station shot Bill Little, and he is not certain the 2 noises he heard were even shots (p 183, line 20, p 184, line 3).

DM admits he first saw the man backing out of the gas station when he was still filling his tire and almost bumped into him after he was already walking towards the gas station but turned to check on his car (p 184, lines 22-24, p 185, lines 1-3).

DM insists he was filling his tire, crouched kneeling over it when he heard the 2 bangs and looked at the gas station, and saw a man backing out of the door. He got up and started walking towards the station, saw the suspect turn, and they got 1-3 feet from him, because he had heard his car dying and turned back to look, causing such a close interaction, and they made eye contact (p 187, lines 8-24, p 188, p 189, p 190, lines 1 -3).

DM says he's 5'7" and so was the suspect. Picl informs him Jamie is 6'1" (p 190, 6-14).

DM admits he could not identify Jamie Snow in the July 1991 line up, and he in fact picked the wrong people to step forward (p 191, lines 2 -24, p 192, lines 1-18).

DM says the suspect's eyes stood out to him that night because they looked like he had been using alcohol and drugs. However, he says they weren't red, they were white and wide, as in surprised, and that's all he remembers. He cannot say the color of his eyes or comment on his eyebrows (p 194, lines 1-17).

DM says the man had stubble like a goatee, but his composite has no facial hair. He said he told the officers he had stubble hours after seeing the man while making the composite sketch, but initialed the sketch as accurate with no facial hair (p 194, lines 18-24, p 195, p 196).

DM admits he did not watch the suspect continues to walk North down the side of the station and into the alley, so he doesn't actually know where he went (p 197, lines 13-24, p 198, lines 1-10).

DM admits he doesn't know if the suspect was holding anything if both his hands were actually in his pockets (p 199).

DM says he first became aware of reward money for this case when he testified at Susan's August trial (p 200, lines 1 -9).

DM confirms he thought he would be called to testify, but in July, when he recognized the man in the newspaper as the suspect he saw that night, he didn't report it to anyone (p 200, lines 21-24, p 201, line 1).

DM admits in his first police report, hours after the murder, that he stated the suspect was not holding anything (p 201, p 202, lines 1-5).

DM confirms he still doesn't know what color eyes the person he saw has (p 202, line 12).

DM claims he saw the suspect's tennis shoes when he went around the corner, even though he didn't watch him walk down towards the alley (p 202, lines 22-24, p 203 lines 1-4).

DM admits that the men in the June 1991 line up were in a well-lit room. He admits there is nothing wrong with his eyes, he doesn't need glasses, yet he could not pick Jamie Snow because he couldn't see well (p 205, lines 3-6, p 206, lines 5-15).

DM admits he viewed mugshot photos hours after the crime but he can't recall that he identified two possible suspects that were not Jamie Snow (p 207, lines 16-24, p 208, lines 1-2).

DM also could also not recall he selected the wrong mugshot in October 1991 (p 203, lines 3 - 12).

DM also admits he never knew he failed to identify Jamie Snow in the lineup until he saw the photo again in the SA's office, from a small photo, rather than recognize him in person 9 years earlier from 12 feet away (p 209, lines 13-24).

DM insists that the mugshot newspaper photo of Jamie Snow with hair all over his face jogged his memory due to his eyes, although he still doesn't know what color they are (p 210, lines 1-14).

DM claims he knew the suspect was carrying something because he had his jacket bulged out. But he can't say if it was his stomach or his hands (p 211, lines 15 -24, p 212 ,lines 1-20).