

## Summary – Martinez contacts with the state

Danny Martinez claimed in testimony that he saw a picture of Jamie Snow in the newspaper upon his arrest in September 1999, however, he only told his wife at the time, and didn't tell anyone from the state until a private meeting at the state's attorney's office on July 18, 2000 – attended by Reynard, Griffen, Katz and Martinez. The purpose of this document is to outline a timeline of contact between Danny Martinez and the state prior to, and following Snow's arrest. Much of this information was either not used at trial, or unknown before now – these items are highlighted in blue in the chart below. The following is a summary of the primary issues/questions that may be useful to use in the habeas.

- Martinez never ID'd anyone throughout the years. In fact, he ID'd multiple suspects, none of whom were Jamie. The jury never was presented with this evidence.
- During the nearly 10 year investigation, at least 4 documented times Martinez was presented with a picture of Snow, and also attended an in-person lineup. The jury was never presented with this evidence.
- In the motion, Griffin testifies that she Martinez was shown a picture of Snow in April 1991 – per discovery. Where is that discovery? We didn't know this before.
- Martinez testified that he recognized Snow as the suspect nearly 10 years later in a private meeting at the State's attorney's office, but didn't tell anyone but his spouse because he knew he was going to testify. The state made it sound like nothing happened during that lapse during the trial. In fact, they made it sound like they had no contact with him between the time he saw the picture in the newspaper, and the private meeting at the SAO. In reality, they contacted him at least 9 documented times before he identified Snow. Including a meeting in which Pelo was included. What was Pelo doing in a trial prep meeting? And why didn't Martinez tell any of them that the guy he saw in the paper was the guy he saw the night of the crime? None of this was ever presented to the jury.
- Katz downplayed the 1999 Martinez interview, testified that he didn't recall discussing the ID, and told the court that Barkes ran the interview, and also that he "thinks" there is a police report, but didn't mention that the interview was taped. This is a blatant lie, Katz ran that interview, and mentioned the name "Jamie Snow" at least 5 times. Also, when Martinez said he knows people by faces, not names, Katz replied, "Did you know this face?" Obviously, Katz showed him a picture. The interview wasn't even prevalent in this motion, which makes me think they hadn't heard it at all.
- Why did Foster put Martinez on the witness list in the first place if Martinez told him (as he testified in the pretrial motions), that he told him immediately, "Yes. The guy they arrested is the guy I saw that night."?

**Between 3/31/1991 (night of the crime) and 9/30/1999 (when Martinez told his wife he ID'd J from the arrest in the newspaper) there were between 10-11 known contacts between Danny Martinez and that the State.**

It's important to note, that Martinez testified in both trials, that he never picked anyone out of any of the photo arrays. We now know that isn't true.

1. **03/31/91:** Barkes went to Martinez' residence and asked him for a description and to come to the station to give a report. (New information – Barkes was never mentioned as approaching Martinez on the night of the crime.)

2. **04/01/91:** Martinez went to the station, made a composite, and picked two people out and said “it’s between these two.” (Not used in trial. Mugshots were identified through FOIA requests). Martinez viewed about 20 pictures in the photo arrays. (New information – through FOIA requests they only gave us around 6-8 in the array. Was Jamie’s picture in that array?)
3. **“Sometime in April 1991”:** Martinez was shown a picture of Snow. Also, this was known through discovery for Claycomb’s trial. (New information – where is that discovery?)
4. **“1991 – a few weeks after the crime”:** Unknown police officer interviewed Martinez. Martinez doesn’t “think” any photos were shown. (New information)
5. **“Early 1991:** Could be an overlap of #4. Interview with Crowe – Martinez doesn’t recall pictures being shown. (New information)
6. **06/21/91:** In person lineup. Asked #3 (Steven E. VanNote) & #4 (Charles Renfro) to move forward. Snow was #6. Martinez said that he was not sure if he was shown pictures that day, or not. (New information)
7. **11/22/91:** Photo array with Crowe. Picture O (Charles Renfro) Said the suspect looked a lot like guy, but the guy he didn't have long hair and mustache was not full like Picture O. Multiple pictures of Jamie were included in this photo array. (Not used at Jamie’s trial)
8. **11/03/93:** Photo array with Crowe. Did not pick anyone out. (Not used at Jamie’s trial)
9. **07/28/94:** Jamie Snow polygraph worksheet – Martinez tells authorities “this is not the person he saw.” (New information)
10. **03/04/99:** Taped interview with Katz and Barkes. This was a very thorough interview that contradicted the interview Pelo gave within two days of this one. In this interview, Katz says the name “Jamie Snow” 5 times in a succession of questions. When Martinez says he doesn’t know the name, but he knows people by faces, Katz asks, “Do you know this face?” Martinez says no. I’m positive he showed him a picture of Jamie – why else would he ask that? This is also the interview in which Barkes admits to giving Martinez’ phone number to Brenda Little. In the Claycomb pretrial motion, Katz completely downplays this interview, doesn’t tell the court that it was taped, said that Barkes conducted the interview, they didn’t talk about identifications, and he was there more or less to listen and meet Martinez. It’s a complete lie. (Not used at Jamie’s trial)
11. **Summer or Fall of 99:** Katz says he did trial preparation with Martinez. But I think he means the meeting in April of 2000. Later in the testimony, Reynard poses a leading question and Katz clarifies it was April 2000. (New information)

**On 09/30/99 the Pantagraph posted a story about Jamie and Susan’s arrest. This included a very old mugshot of Jamie. On 10/01/99 the Pantagraph printed another story, and used the picture of the arrest from Ohio. This is the picture that Martinez said he ID’d and was used in evidence (Exhibit 36). And that he only told his wife. This is where it gets interesting.**

12. **On and off from the Fall of 99 to July 2000:** Katz testified that he had intermittent contact with Martinez, served Martinez a subpoena for trial, gave him some continuances, off and on from the fall of 99 to just last week - two weeks ago. Contacted him 4 or 5 times, 6 times max. (New information)
13. **April 2000:** Griffin, Reynard, Katz, and (maybe) Barkes were present. Meeting at BPD. Discussed night of crime, showed scenes, crime scene photos and indicated on the photos where he was that night. Doesn't believe he was specifically asked about Jamie Snow ID, but he never indicated that he

could identify anybody at this point. (New information – Why were they meeting with him at the BPD? Couldn't be trial prep, because they hadn't given him a subpoena yet, right?)

14. **Late May or early June 2000:** Griffin, Pelo, Barkes & Katz may have been in and out. Discussed general events. Meeting at BPD. Lasted between 15-25 minutes. (New information – Why did they have **Pelo and Martinez** in the same room meeting about the trial? This must be used.)
15. **07/13/00:** Defense investigator Mark Foster visits Martinez. Martinez tells him "off the record" that the person in the paper is not the person he saw that night. Martinez is put on the defense witness list. (Not used in Jamie's trial)
16. **07/18/00:** Martinez ID's Snow from a picture of the lineup he previously attended in June 1991 and a picture from the Pantagraph in a private meeting at the SA office with Griffen, Katz, Barkes, and Reynard. There are several discrepancies in each of their testimonies, particularly in reference to whether the lineup photo or Pantagraph photo was shown first. These are outlined in the chart below. (New information)

**Between the time Martinez saw the picture in the paper and the time he ID'd Snow in the office (10 months), Martinez was contacted by the state approximately 9 times, though he never said, "Hey, the guy from the paper is the guy." All of these meetings and contacts were never mentioned in either trial, but they follow a strong pattern of Katz' investigative (harassment) style, as evident in the Eric Drew case.**

17. **7/28/00:** Claycomb's attorney (Skelton) and SA Reynard meet to discuss a few case issues. Although general matters were discussed, Reynard never reveals that Martinez ID'd Jamie. This is the topic of the pretrial motion – in addition to an attempt to get the ID thrown out because it was coercive, they asked for sanctions against the state. The SAO purposely did not take any notes or write anything down, and Reynard argued vehemently that it wasn't Brady material because it was not memorialized. The defense lost on both accounts, but the transcripts are well worth reading. (New information)
18. **7/28/00:** On that same day, Foster contacted Martinez for a second time. Martinez told Foster "off the record" **that a detective showed up and showed him a photo of the lineup**, and he ID'd Jamie Snow. Martinez stated several times during the conversation that it was his understanding that they had a lot of evidence against the people that were in jail so he must have the right people. (Not used in Jamie's trial, there was never a mention of "a detective showing up and showing him a photo of a lineup – they only said they showed the photo in the meeting at the SA office.)
19. **08/10/00:** Foster contacted Martinez at his residence, but Martinez wouldn't talk to him. Martinez said he was upset because Foster shared info "off the record" with the defense team. Martinez said they would talk at a later time, but never did. (Not used in Jamie's trial)
20. **08/11/00:** Martinez mentions that he spoke with Griffin last "last Friday" which would be the 11th. Doesn't specify method. (New information)
21. **08/14/00:** Hearing on pretrial motions. (New information)

In summary, we are supposed to believe that even though Martinez saw multiple pictures of Jamie over years, and never ID'd him, he suddenly ID'd him 9 years later. After seeing pictures of him over and over, and hearing his name over and over. All he needed was that "extra push" to get him to say it was Jamie that he saw. This pretrial transcript, coupled with the information that we already knew, outlines very clearly that his identification was coerced, and the state was involved in egregious misconduct.

Contact with Danny Martinez – Before Arrest

Date	Type	Pictures of Jamie?	Direct Contact with State?	Notes
03/31/91	Brief interview	No	Yes	<ul style="list-style-type: none"> <li>• Det Barkes went to M's house that night. Asked him what he'd seen. Barkes asked M to describe person, and if he would come to the police station that night to give a description. M agreed. Pretrial motion hearing - Claycomb trial. 8/14/2000. p. 115, 116</li> </ul>
04/01/91	Photo Array	No	Yes	<ul style="list-style-type: none"> <li>• Picked 2 people out (mugshots BP6395 and BP6558 - Jason Manskey) Said "it's between these two." Luna agreed. Police Report.</li> <li>• Also in testimony by M, says Barkes contacted him that night. (M testimony Claycomb trial. P. 115)</li> <li>• M also testified on p. 116-117 that he looked through 20 pictures – (less than 8 were given in the FOIA request.)</li> </ul>
Sometime in April 1991	Photo Array	YES	Yes	<ul style="list-style-type: none"> <li>• No mention of picking someone out. Confirmed pictures of Jamie were "according to discovery." Reynard confirmed viewing. (Where is this discovery?)</li> <li>• "Sometime in April of 1991, according to discovery, he was shown pictures which included a picture of Mr. Snow. Are you familiar with that? A: Yes. (Pretrial Motion hearing - Claycomb trial. 8/14/2000 p. 40 @ 12-19 Charles Reynard Testimony)</li> </ul>
1991 "a few weeks after the crime"	Interview	No	Yes	<ul style="list-style-type: none"> <li>• Police detective isn't identified, but M says they just went over the details of what happened that night, what he saw, etc. He doesn't "think" pictures were shown at that time. (Pretrial motion hearing - Claycomb trial. 8/14/2000. p. 117.) (Was this when the pictures were shown? See above block "Sometime in April 1991")</li> </ul>
Early 1991	Interview	No	Yes	<ul style="list-style-type: none"> <li>• Another interview mentioned "a few weeks after the crime" with Charlie Crowe. (3rd meeting). M doesn't recall pictures being shown. (Pretrial Motion hearing - Claycomb trial. 8/14/2000. p. 118)</li> </ul>

06/02/91	In person lineup	YES (live)	Yes	<ul style="list-style-type: none"> <li>• Asked #3 (Steven E. VanNote) &amp; #4 (Charles Renfro) to move forward. Snow was #6. (Police Report)</li> <li>• Pretrial Test. Claycomb p. 121: M says he "thinks" he was with Det. Crowe and "...not sure if he was shown that same day a couple of pictures in a book." Also talks about his eyes, and suspect looked like he was high. "Being high" was never mentioned before the 7/18/2000 meeting.</li> </ul>
10/22/91	Photo Array	Yes	Yes	<ul style="list-style-type: none"> <li>• Book One and Book Two, commented on two pictures. Picture A (Kenneth Lee) Said he had seen him in the Clark station several times on numerous occasions. May have been a friend of Bill or Randy (Who's Randy?). Picture O (Charles Renfro) Said he looked a lot like guy, but the guy he saw didn't have long hair and mustache was not full like Picture O. (10/22/91 Police Report - Crowe)</li> <li>• Multiple pictures of Jamie were included in this identification. (Crowe Testimony – Claycomb trial p. 170)</li> </ul>
11/03/93	Photo Array	Unknown	Yes	<ul style="list-style-type: none"> <li>• Did not pick anyone. Book One A through ZZZZ and Book Two A-1 through F-2. (11/3/93 - Police Report - Crowe)</li> </ul>
07/28/94	Jamie Snow Polygraph	Unknown	Yes	<ul style="list-style-type: none"> <li>• Polygraph 7/24/94: Note on polygraph, "witness says this not person he saw."</li> </ul>

03/04/99	Interview	<p>Certain – but police denied.</p> <p>Q: So you would have never told any police officer or any detective or anybody that would have asked you about this person that you saw at the gas station you wouldn't have said well that's, it could have been <b>Jamie Snow</b> because I know <b>Jamie Snow</b>. A: That's correct, but with me I know</p>	Yes	<ul style="list-style-type: none"> <li>• <b>Interview with Katz and Barkes at M's residence. (Police Report, Transcript and Tape)</b> <ul style="list-style-type: none"> <li>- p. 9-10 <b>Katz says Jamie Snow's name 5 times almost consecutively.</b> 1) Q: Ok. Do you know a person by the name of <b>Jamie Snow</b>? A: Uh no. I never met the person, but I've heard the name around town. Q: You've never seen his face that you're aware of? A: That I'm aware of I have never seen his face. Q: You just heard his name. A: I've seen I don't know if uh Detective Crow had shown me pictures of him or uh if he was one of the guys in the lineup that I had uh, uh done but uh otherwise I as far as my memory...Q: If a person walked in here right now you would not be able to tell me if that's <b>Jamie Snow</b> or not? A: No. Q: So you, prior to this incident happening at the Clark station you didn't know <b>Jamie Snow</b> from Mary Blue? A: No. Q: So you would have never told any police officer or any detective or anybody that would have asked you about this person that you saw at the gas station you wouldn't have said well that's, it could have been <b>Jamie Snow</b> because I know <b>Jamie Snow</b>. A: That's correct, but with me I know people by their faces but not by their name. Q: Ok <b>did you know this face</b>? A: No. Not at all. <b>(He MUST have shown DM a picture of Jamie at this point, right?)</b></li> <li>p. 14: <b>M asks detectives why they gave Mrs. Little (victim's mother) his phone number.</b> Det Barkes admits to doing that, but says he will explain why later - then changes the subject.</li> </ul> </li> <li>• <b>Katz Testimony, Claycomb motion</b> <ul style="list-style-type: none"> <li>- p. 165 Admits to interview, but says Barkes did most of the talking, Katz said he was just there to meet M. <b>(Not true, most of the interview is conducted by Katz.)</b></li> <li>- p. 165: Q: Did part of that conversation include the identification issue? A: No, sir. <b>(LIE)</b></li> <li>- p. 166: Q: All right. Did you or the other detective ever ask Mr. Martinez at that time to look at more pictures? A: No, sir. Q: Did you show him any more pictures? A: I don't believe so, no. <b>(See above, p. 9-10 "Did you know this face?")</b></li> <li>- p. 166-167 When asked if he took any notes: A: Detective Barkes ran the interview or talked to him and might have made a report on it. <b>(Omits the fact that they made a report and taped the interview.)</b></li> </ul> </li> </ul>
----------	-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

people by  
their faces  
but not by  
their name.

Q: Ok **did  
you know  
this face?**

A: No. Not  
at all. (**He  
MUST have  
shown DM  
a picture of  
Jamie at  
this point,  
right?**)

(mentioned  
but denied  
by qualified  
answer "I  
don't  
believe  
so")

Summer of 99 or Fall of 99	Interview	Unknown	Yes	<ul style="list-style-type: none"> <li>p. 167 pretrial motion - Katz testimony. Says the next time he met with M was for "trial prep" meeting at BPD with Teena Griffin, Charles Reynard, Katz and Barkes. M hadn't made a positive ID of anyone yet. It is unclear whether this is before or after Jamie's arrest. See "April of 2000" block.</li> </ul>
09/30/99	Newspaper Picture – Martinez ID	Yes	No	<ul style="list-style-type: none"> <li>p. 125 - 126 Pretrial Motion Hearing. M testifies that he recognized the suspect upon J's arrest. He says from the Pantagraph, however, there were two different pictures from the arrest. One on Sep 30, 1999 (an old mugshot) and one on Oct 1, 1999, a recent photo from his arrest in Ohio. Is this significant? M goes onto say that he only told his wife, and did not contact the state when he recognized the person in the paper as the suspect.</li> </ul>
On and off from the Fall of 99 to July 2000.	Intermittent contact – 6 times max	Unknown	Yes	<ul style="list-style-type: none"> <li>p. 168 pretrial motion Claycomb - Katz testimony. Served M a subpoena for trial, gave him some continuances, off and on from the fall of 99 to just last week - two weeks ago. Contacted him 4 or 5 times, 6 times max.</li> </ul>
April of 2000	Witness Interview	Unknown	Yes	<ul style="list-style-type: none"> <li>Griffin, Reynard, Katz, and (maybe) Barkes were present. Meeting at BPD. Discussed night of crime, showed scenes, crime scene photos and indicated on the photos where he was that night. Doesn't believe he was specifically asked about Jamie Snow ID, but he never indicated that he could identify anybody at this point. (Pretrial Motion hearing - Claycomb trial. 8/14/2000 p. 65 - 67, Teena Griffin testimony.)</li> <li>p. 169: Katz testimony, says he did not meet with M in April, May or June of 2000.</li> </ul>
2000 Late May or early June	Witness Interview	Unknown	Yes	<ul style="list-style-type: none"> <li>Griffin, Pelo, Barkes &amp; Katz may have been in and out. Discussed general events. Meeting at BPD. Lasted between 15-25 minutes. (Pretrial Motion hearing - Claycomb trial. 8/14/2000 p. 68, Teena Griffin testimony)</li> <li>p. 169: Katz testimony, says he did not meet with M in April, May or June of 2000.</li> </ul>

2000 - end of June, beginning of July	Brief interview	Unknown	No	<ul style="list-style-type: none"> <li>• p. 128 pretrial motion, M says this was the first contact with Foster. M mentioned to Foster "anything you like to get from me, get from the SA office. And he says, We got the papers from the SA office. And I said, Okay, whatever it says in there. P. 129 At that time M says he did not mention the newspaper.</li> <li>• p. 134 M says specifically when he met with Foster the first time, he did not tell Foster that he never saw a picture of J or never seen him in a lineup or had never seen a picture or a live shot of the person who came out of the Clark Station.</li> </ul>
Early summer, 2000 (June or July)	Visit from Katz to give M subpoena.	No	Yes	<ul style="list-style-type: none"> <li>• p. 126-127 Pretrial Motion Hearing. M testifies that Katz brought a subpoena over. They didn't discuss anything at the time.</li> </ul>
07/13/00	Witness Interview	Unknown	No	<ul style="list-style-type: none"> <li>• Foster contacted M for the first time at M's residence. M said he didn't id the same person he saw in the Clark station in any of the mug photos or lineup. Also M mentions he saw individual backed out of gas station. Reiterates he didn't identify anyone from photos or lineup. Said M said the person in the paper was not the person he saw at the Clark Station. M said he was confident he could identify the person if he saw him "without a doubt." 4 or 5 times M said this was "off the record." M said it was definitely not Jamie. Met approximately 1 hour and 15 minutes the first time. (Pretrial Motion hearing - Claycomb trial. 8/14/2000. p 86, Foster testimony. (p. 88). p. 91 p.88., p. 92, p. 97, p. 106 Also Claycomb Trial Transcripts testimony p.9</li> <li>• p. 155 (Foster testimony, Claycomb). Reiterates it was the first meeting when M told Foster the picture in the newspaper was not the person he saw.</li> <li>• p. 158 (Foster testimony, Claycomb). Fosters says again that M told him at the first meeting that the person in the paper was not the person he saw at the station.</li> </ul>

07/18/00	Photo of lineup and Ohio Arrest Pantagraph photo – Martinez ID.	YES	Yes	<p>Pretrial Motion hearing - Claycomb trial. 8/14/2000 p. 49 @ 20 Charles Reynard Testimony - Multiple references. Same motion, Griffin testimony p. 69 @ 3. Arranged by Katz. P. 70, Griffin says she told M she would be using the picture of the lineup in the trial, he asked to see a picture of it. That's when he made the ID. When asked about the newspaper picture, Griffin says she does not recall anything about the newspaper picture. (p. 73). Asks if it was Brady material, would he have to disclose, answered yes (p. 78). Mentions M telling them about M telling his wife about the ID. Says "But that was at a later time." Later time in THAT interview or a subsequent interview? Confusing. p. 84 @ 3-10.</p> <p><b>Picked Jamie at SA Office. Present: Reynard, Griffin, Katz, Martinez</b></p> <ul style="list-style-type: none"> <li>- p. 129-132 (M testimony, Claycomb) Confirms meeting "between the two Foster meetings" where he picked out J. Says the meeting lasted 30 - 45 minutes. Confirms this was after he saw picture in newspaper, and nine years after the crime. M says in year 2000, he does not believe officers showed him anymore pictures. Says he told them he was ready to get this over with. M says he mentioned to them he saw the picture in the newspaper, and Griffin pulled out a picture of the one in the newspaper. After he recognized the newspaper picture, they got into a conversation about the lineup and he asked her for a picture of the lineup and said, "This is they guy, isn't it. This is the guy." Also confirmed that they didn't show him any other pictures. So, they showed him a picture of J from the newspaper, and then the lineup ONLY. No pics of anyone else.</li> <li>- p. 140 (M testimony, Claycomb). State says that Griffin was talking about his testimony, and that she was going to show a picture of the lineup. That's when M "asked" to see the picture an ID'd J.</li> <li>- p. 142 (M testimony, Claycomb). Renard says, "this is very important" which picture did you look at first? M points to the Pantagraph picture. When asked again, M says he doesn't recall which one he sees first.</li> <li>- p. 144 (M testimony, Claycomb). M says he's 85% sure that's the person he saw.</li> <li>- p. 170 (Katz testimony, Claycomb). Katz says M was saying he could probably ID the person and asked for a picture of the lineup. Griffin gave M a copy and he ID'd J. Said he looked at the lineup picture first (p. 171). Said he wasn't surprised about the ID, and that he took no notes, that he wasn't there as an investigator. A lot of word play in this testimony. Says the ID wasn't significant because it wasn't the "defendant" (Claycomb) that M ID'd. (173). Barry pointed out that we all know Snow has a significant part in this case, and the ID was important. (173). Katz admits he was doing a continue investigation on this case, but the court let him get away with saying that he wasn't tasked at "investigating" at that meeting, so he didn't take notes. Katz</li> </ul>
----------	-----------------------------------------------------------------	-----	-----	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

				<p>said he was "more of a, I guess, a secretary making the appointments for the attorneys that night so they could prep their witnesses for the upcoming trial" (p. 178) Also 174-179.</p> <p>- p. 180 (Katz testimony, Claycomb) Reynard asks question about M's physical characteristics when he observed the picture of the lineup. Barry objected (overruled). A: It appeared that Mr. Martinez became very pale, as though he'd seen a ghost.</p> <p>- p. 180-181 (Katz testimony, Claycomb) Reynard asks a leading question to get Katz to change his timeframe for the trial prep meeting. Q: Regarding your memory of when it was that the attorneys met with you and Detective Barks and various witnesses and BPD for preliminary trial preparation, I believe you earlier indicated that you thought maybe that was in the summer of 1999? A: Summer or Fall, yes. Q: Okay, could there have been a meeting that sort in the spring of 2000? Barry objects, state says they are just trying to "refresh" his memory. After discussion, the question is allowed. Katz clarifies it was the spring of 2000. (p. 182).</p>
07/28/00	Attorney Meeting	NA	No	<ul style="list-style-type: none"> <li>Meeting between Claycomb counsel (Skelton) and SA (Reynard). Did not mention ID by Martinez (Pretrial Motion hearing - Claycomb trial. 8/14/2000 p. 49 @ 2-6 Charles Reynard Testimony) This was the basis of asking for sanctions and the motion to get the ID thrown out.</li> </ul>
07/28/00	Witness Interview	No (but referenced detectives showing up and showing him a photo of the lineup)	No (but referenced detectives showing up and showing him a photo of the linup)	<ul style="list-style-type: none"> <li>(Pretrial Motion hearing - Claycomb trial. 8/14/2000. p. 93, 94, p. 97) Foster contacted M for the second time at M's residence. M said "off the record" that a detective showed up and showed him a photo of the lineup, and he made an id. M said he id'd Jamie Snow as the person at the gas station that night. M stated several times during the conversation that it was his understanding that they had a lot of evidence against the people that were in jail so he must have the right people.</li> <li>- p. 144 (M testimony, Claycomb). In reference to the second meeting with Foster: Q: Now, anytime during that conversation did you tell Mr. Foster that the newspaper picture was definitely not the man you saw coming out of that gas station Easter evening? A: No. Q: It's quite the opposite, isn't it? A: It's quite the opposite. (Note: Then WHY did Foster put him on the defense witness list?)</li> </ul>

08/10/00	Witness Interview	No	No	<ul style="list-style-type: none"> <li>Foster contacted M at his residence, but M wouldn't talk to him. M said he was upset because Foster shared info "off the record" with the defense team. M said they would talk at a later time, but never did. (Pretrial motion hearing - Claycomb trial. 8/14/2000. Foster testimony. P. 95-96.)</li> </ul>
08/11/00	Spoke with Griffin	Unknown	Yes	<ul style="list-style-type: none"> <li>p. 134 - M testimony (claycomb motion) Mentions that he spoke with Griffin last "last Friday" which would be the 11th. Doesn't specify method.</li> </ul>
08/14/00	Claycomb Pretrial Hearing	?	Yes	
Between 91 and 99	Witness Interview	Unknown	Yes	<ul style="list-style-type: none"> <li>P. 124 Pretrial Motion Hearing, Claycomb - Crowe brought an album of pictures to M's house. (could be in 93?). Says he did not pick anyone out.</li> </ul>
Additional Notes				
				p. 145 - 150 (Foster Testimony, Claycomb) Barry discusses at length and questions M why he didn't mention IDing J in the paper, even after so many meetings with Foster and police. He also mentions that in the first meeting Foster brought up the newspaper and M still didn't talk about IDing Jamie.
				p. 161 (Katz testimony, Claycomb) Says he was brought into the case full-time the day after Thanksgiving 98. Had done little things off and on from probably 92 through 94, 95, helped out when asked. Did not meet Danny prior to 98. (What about the memo when he tried to indict J in 93? Or when he was mentioned on scene at crime night?)