

Bonus Episode: Parole for Lifers



Season 1 : Bonus - Proposed Parole for Natural Lifers - Discussion

February 23, 2021

Speakers: Bruce Fischer, Jamie Snow, Tammy Alexander, Lesley Pires

Episode Description: On February 17, 2021, Democratic Representative Anne Stava-Murray of the 81st District read and filed a bill to the Illinois General Assembly to amend statutes governing the eligibility for parole or release. As drafted, bill HB2399, "Provides that a person serving term of natural life imprisonment is eligible for a parole or mandatory supervised release." If passed, Jamie would be eligible for a parole hearing in less than four years. Listen now to hear Jamie's reaction and what this means for his case.

Jamie Snow: And I think about this all the time. If I have to spend the rest of my life in prison for a crime I didn't commit, I need the world to know what happened and how it happened.

Music Intro: Injustice Anywhere presents Snow Files: The wrongful conviction of Jamie Snow and how they got away with it.

The mission of the Snow Files Podcast is to expose the misconduct of the State's Attorney's office under Charles Reynard. It is not our intention in any way to disparage the current State's Attorney's Office or the Bloomington Police Department.

Bruce Fischer: Coincidentally, right after we released the last two episodes covering Jamie's sentencing hearing, new legislation was introduced in Illinois that could possibly set Jamie free in less than four years. On February 17, 2021, Democratic Representative Anna Stava-Murray of the 81st District read and filed the bill to the Illinois General Assembly to amend the statutes governing the eligibility for parole or release. The bill as drafted is HB2399:

"Deletes provision that no person serving a term of natural life imprisonment may be paroled or released, except through executive clemency."

"Provides that a person serving a term of natural imprisonment is eligible for parole or mandatory supervised release."

"Provides a committed person who has served 25 consecutive years of imprisonment may submit a petition to the Prisoner Review Board seeking parole."

"Provides that if parole is denied, the petitioner shall be eligible to reapply for parole, no later than three years after denial."

If signed, this bill will be effective immediately. We posted this news online, and many of you were eager to know what this means for Jamie. So in a rare occurrence, we all got together to ask him and then tried to tease out what this means for his case.

Jamie Snow: If I'm ever eligible for the parole exception for natural lifers, I would absolutely be up for it. Look, I'm gonna do exactly what I'm going to do if they were gonna let me out today. I'm going to, it doesn't matter if I'm 55 or 65, I'm going to hit the ground running and I'm gonna, you know, fight my case and continue to, you know, try. I want to know who killed Bill Little, that's what I want to know. And I'll never stop that fight. But no, I'm not sure how I feel about that. It's just another avenue of trying to win my freedom. I'm skeptical of if they're gonna get it past or not, but we'll see.

Lesley Pires: Tammy, if Jamie gets released on parole, does that mean that he's gonna be on parole? Like, you know, everybody else for the rest of his life for a certain amount of years? Like he's not going to technically be free? Right?

Tammy Alexander: I mean, all of those are unknowns, because people get different terms of parole. Some people can leave the state, some people can't. You know, there's just different conditions of parole. It could be that he got time served, you know, I don't know, it's it's very unknown. It's even unknown how they would handle someone who's being represented by the Exoneration Project, and has been fighting for his innocence for 20 years.

So do they take accountability into consideration only? Because if you didn't do it, is he expected to get up there and say he did. And I've seen people that I thought were not guilty, that had to do that, just to get out. So those are those are tough decisions, you know, that he would have to make. But even having the opportunity is is amazing.

Bruce Fischer: To get out.

Tammy Alexander: Yeah, you don't know if it would be the rest of your life. You don't know if it would be three years. You don't know if it would be two years. You don't know if it would be six months. I mean, that's all determined by the parole board.

Bruce Fischer: It's very early on. We don't know what this legislation is even going to say once it goes back and forth. Because it gets rewritten several times. And you never really know what the final product is going to be. But if the word is parole in this legislation, then he's going to be on parole. Yeah, it lends itself to everything you said, but it's still gonna have to go through some hoops once he gets out. But the biggest thing is he'll be out.

Lesley Pires: Yeah, so Tammy, how do you feel about that after you've been supporting Jamie as a advocate now for 11 years, or longer? How do you feel about if this all came to fruition, and he was released, it being on parole with no exoneration? And how would How would you feel about that? Would you just let it go and then continue the fight when he got out and just be happy he got out? Or is that a little deflating, but also really happy?

Tammy Alexander: It's not deflating at all to me. First of all, his sentence was all fucked up. He shouldn't have gotten a life without parole sentence in the first place. The statute said it was 20 to 60 years and the judge took it upon himself to give him life without parole. So I think that's one argument that we could make before parole board, to really take a hard look at those transcripts and see what transpired during

the time compared to the other cases that were being prosecuted at that time. I mean, Donnie Whalen even got 20 to 20 to 60 got the max, he got 60 years for his crime which he's claims innocence and is also being represented by the Exoneration Project. But the crime was bludgeoning his father in a bar, big, bloody scene. So there are some horrific crimes of people that were knowingly in gangs knowingly doing drugs, knowingly selling drugs, had violent prior records that only got 60 years.

Jamie has none of that. He never should have been sentenced to life without parole. And I don't care what it would take, him getting out is the most important thing to me. So I don't care if he had to walk in there and say he did it. If he was getting out, and we could fight for his innocence while he was outside, I don't care. Because he needs to be out. He needs to live his life and he needs to spend time with his family, time with his kids, time with his grandkids. And that's all that matters. Because sitting up there on a principal, in my opinion, of course it's his decision, but in my opinion, it's not worth it because the state just fucking lies anyways. They'll pop up with some other witness, even if he got a new trial. You can't trust that- trust that court system, because the court system is the one that did this to him. So you're gonna sit there and die in prison, you know, because of the court system of standing on some principle. Meanwhile, you're, you're you're you're losing the last years of your life in prison, when he could be out here, while he's young enough to do everything that he wants to do. And I don't care what- I don't care what it would take for him to do. For the moon.

Lesley Pires: We've all seen in the case of Donnie whaling getting out and going on house arrest, the prosecutors in McLean County, even the new ones, are hella spiteful, and you know, threw him back in for house arrest violations for I think driving the hardware store or going to the grocery store, stuff like that. So I mean, even if he does get out on parole through some kind of grace, there's always a way to, to get their hooks back in him. And I think it's a very poignant that this legislation, just, you know, went up after we just finished our sentencing episodes, two episodes on that. It's awesome that we did a good job highlighting that long sentencing debate about why he was given life versus the 30 to 60 years. And because those points you brought up, that all makes perfect sense. So there's, you know, layers and layers to there's not only actual innocence and exoneration, but and corrupt sentence and you know, unfair, unfair prosecution and so much more that goes to it.

Bruce Fischer: If the judge didn't step in on this, we would already be talking about Jamie becoming eligible for parole, regardless of any new legislation. It's an

important point. That's what Tam was making is this judge cause this at this point in time. Jamie's already served so many years, he would already be cheating, chances are 20 to 60. Or to be up for parole.

Lesley Pires: Yeah, cuz I do recall, during sentencing, I was like, you know, chuckling to myself, because the judge sentenced him to life without parole, but then give them credit served for all that time he had been in county. So I was like, credit served, like three years credit served? Okay. But you know what, now, that's a good thing. Because how many years is that now from 99 to 2021? That's 22 years. Right. So-

Bruce Fischer: I think it might be a little wishful thinking, though, to think that legislation would provide exceptions for people where a judge stepped in, but we have no idea what this legislation would even say. It does seem right now, like, it's not a bad time to get a pass, though.

Tammy Alexander: If it got passed at all, he would be up for parole before a Republican governor got in there. You know, we don't we don't know. Right now, it's before the Rules Committee. And there's, there's three Democrats and two Republicans, and I know people have all different kinds of views about politics, and I'm not here to talk about that. But we do know, traditionally, Democrats are more liberal towards criminal justice issues.

Bruce Fischer: Right. I wouldn't worry that much about the governor as I would about the legislature itself, because even if a Republican governor gets in, it doesn't mean he's gonna guide new legislation that just got passed or revoking. It just seems like a good time to get it done. To me four years is still ridiculously too long, but it's just reality.

Lesley Pires: Yeah, but if Jamie had an end date, or a possible end date, his whole outlook would change. Because now, you know, you ask him about his dreams for the future and stuff and he'll tell you but only scratched the surface because right now, that's not a reality for him. You know, that's not He can't survive in there daydreaming about going on vacation or, you know, hanging out with his family and barbecues and remodeling Tammy's house to suit his, his new tastes. He can't talk about all that kind of stuff right now. But if he had an avenue, I think those four years would just fly by for him, and he would happily serve them.

Tammy Alexander: When you know, and that also makes a difference for me, you know, as far as having hope. That's a hope that we didn't have. Literally, you're pinning your hopes on trial and evidentiary hearing, the bar is so fucking high or clemency. But in all of those bars are just extremely high. But I just feel so strongly that if we could make that argument of at a parole hearing, you can have witnesses, we can get those people from Florida. We can do the proper sentencing hearing, the way that it should done should have been done. We, we could get more in cabin up there. We can get the people from Florida that said he was a hard working, I trusted him with the keys to my house, and my equipment...And we did jobs together and work together. And he was a stand up straight up guy. He had a house, he took care of his kids. He he did all of that. Just because that sentence was so wrong.

Bruce Fischer: I mean, I'd be confident at a parole hearing for Jamie.

Tammy Alexander: Yeah, absolutely. We could all get up there. And vouch for him. Yeah.

Bruce Fischer: And once, once he got- Lesley mentioned too, that they can get their hooks back in people. I have a feeling they just leave Jamie alone. I mean, he's not going to do anything when he gets out that's gonna be raising any red flags - he never has. And his case is gonna be-

Lesley Pires: Well, he's never gonna shut up, though. He's gonna go right back to the media, like, oh, did you know he went into that prison screaming in the media? And I'm sure that's how he's going to come out.

Bruce Fischer: And at this point, I think that they would be they'd be hard pressed to, to come after him when he's got such a strong case. Some other people that get out on parole, they got out on parole, they weren't, they weren't great people. And they're not doing great things when they get out. And of course, they're gonna fall back into the system. He's not that guy. He's, he's an innocent guy.

Tammy Alexander: And he has a tremendous support network too. Because no matter what, I mean, my biggest fear is that he- they would make him stay in McLean County, because that's what-

Bruce Fischer: That would be a restriction that would be terrible.

Tammy Alexander: Or in the state.

Bruce Fischer: It's a big state, and the whole county issue, it'd be awful, I think. But the state's a big state, you could- That's at least a little bit more freedom than forcing him to stay in that county where they fucked them over.

Tammy Alexander: I would think that they wouldn't want him there. I would think that they wouldn't want Donnie there. Yeah, we're not going to have to deal with you anymore.

Lesley Pires: You did all this work on the case for so long. So now if this big parole hearing does come up, all these people who can vouch for him, all these witnesses are all fresh. They will all absolutely do it because they've already been vetted. They've already committed to it. We- you, you have all the paperwork, all the affidavits, there's a lot of stuff you could bring forward. And also, it seems like Jamie always has some some other kind of hope all the time. Like, you know, with this message in a bottle thing. We're kind of just like, oh my god, like what's gonna come of it? And you know, what's our next project is going to be? And now look what happens, you know, it's like it just as luck would have it, or fate would have it, he has always got something else to move on to. And you know, a lot of that is because of you and all the work that you've been doing just to keep it keep it moving and keep it fresh. And, um, that's awesome.

Tammy Alexander: Well, it takes a village.

Bruce Fischer: Now you have to keep all these people alive.

Lesley Pires: Oh, yeah.

Tammy Alexander: They're dying off, man, they're dying off.

Bruce Fischer: That's the problem too is you do you go for more years and you got to see who's still here. It makes you realize how important it is for Jamie to get out at all costs. It doesn't matter how he gets out, he just needs to get out. Because we only get one life, and there's only so many years.

Transcribed by: Pamela Westby

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