

Episode 15



Season 1 : E15 - Got Life with a Little Help from my Friends - Kevin Schaal and Jody Winkler

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Episode Description: For six months in 1995, Kevin Schaal was Jamie's cellmate. Jamie settled in Florida the next year and began a successful career in tree cutting. When Schaal was released, he brought his entire family to Jamie's doorstep and Jamie helped him. Jamie met Jody Winkler in 1999 while he was down on his luck and on the run. Jamie gave him work and a place to live that summer. But that summer, Schaal was already in more trouble. Schaal tried to get out of it by telling an ATF agent and the Clark Gas Station cold case detectives that Jamie implicated himself in the murder. Just months later in September, Jamie was indicted. And that November, Winkler was finally caught for his felony charges. Winkler caught on quick and he had a peculiar false confession to report, saying Jamie indicated involvement in a murder. This fifteenth episode of Snow Files traces the timeline from friend to foe, and exposes the paper trail leading to deals cut in return for Jamie's conviction.

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.

Jamie Snow: So I guess I want to tell you guys about a, a couple of uh people who actually, I feel like hurt me the most personally because I tried to help them both. I bent over backwards to help them both out. First one was a guy named Kevin Schaal. Kevin was my, my cellmate for about 90 days before I, uh, I went to Florida. He got out like a month before me and I told him, I was like, you know if you're ever in my neighborhood look me up. And I thought of look me up means stop by, we'll go out and have a beer or, uh, you know get a meal or something. But, uh, in Kevin's mind, I guess that meant show up in the biggest U-Haul truck you can rent without a CDL license with his, his girlfriend and two kids and a dog. And they just showed up one day.

So you know I let them stay and I helped him get a, a storage unit for his, uh, for his stuff. And I was doing really good. I mean, I had my own tree service thing going and, and I was doing, I had a firewood business going. And I mean, I was doing better than I'd ever done in my life. So I had the money to help him out. I got Kevin a job, uh, working for, uh, a guy named Bill Green who had his own tree service. And, you know, I, everything seemed like it was okay. And real quick I realized that, you know, Kevin had a, had a substance abuse problem. And, you know, I had five kids, and my wife and my five kids were, uh, were in the house, you know. And I just couldn't have it around my kids, you know.

And so I went to a guy that - a realtor guy - that I had done a lot of work for, and got Kevin a house. I paid the first, the last, and, and a security - the first month's rent, last month's rent, and security. Helped him get his utilities turned on everything. You know, I did everything I could for this guy. And, you know, I just basically after I got him out and got him into another house, I just basically, uh, you know, cut ties with him. I'd see him every now and then. But we, you know, we, we weren't hanging, we weren't hanging around, you know.

And after I got arrested, I knew - I had got some of the discovery materials from my co-defendant - and I knew that they were looking for Kevin. I sent my investigators down to talk to him, uh, where, where he was in jail. He'd gotten arrested for felony

possession of a weapon, which was a, uh, a mandatory minimum 15 years to life - he had a shotgun. So he was facing a lot of time in prison. So we sent an investigator down to talk to him, and he told the investigator that him and I never talked about any homicides, we'd never, uh, talked about any crimes that you know, he didn't know anything about anything that had to do with, you know, the, the murder of William Little.

So fast forward till Charles Reynard and, uh, Dan Katz - the witness whisperer - go down and, uh, and talk to Kevin, and now all of a sudden he's got a, you know, a 50-page statement. And, uh, you know, basically, you know, Jamie told me everything. So when he testified, he testified that, you know, he didn't get anything in, in return for his testimony. But we found out through, uh, court records, filing motions and, and freedom of information and, and we had to buy the transcripts of the court records. He didn't just get a deal, he got, he got a beautiful deal. He got, he got like, seven years. So he got like eight years knocked off of a, a, a mandatory minimum 15 year sentence. And, you know, the way the federal sentencing statutes work is, you know, you get points for everything that you've ever been convicted for. Kevin had so many convictions, that it would have been an act of God for him to get the 15 years.

So he came to court on, on the first day, you could tell he didn't, you know, he, he was trying to backtrack off of what he'd originally said. He was trying to backtrack off of it. And Frank Picl, you know, let the state have a continuance. And, you know, I asked one of the guards, if anybody had been to visit Kevin that, that night before we went back to trial the next day, and he's like, yeah, the detectives and the state's, you know the state's attorneys were here to talk to him. The very next day when we went to court, he was laser focused. He was right back on, on what he'd originally, he'd originally told him from the beginning.

So, you know, what really hurt me about Kevin was that, you know, I did everything I could to try to help this guy. I took him, I took his family in, and I got him a job. I did everything I could to help this guy and, and the way he repaid that was to get up on the stand and just, and just lie, you know. And, and you know I was trying to help him get his life together and he helped the state take mine.

Bruce Fischer: Kevin Schaal came to detectives attention in December of 1998, shortly after Detective Crowe retired, and Dan Katz and Rick Barkes were assigned to the Bill Little case full time. One of the first items on their agenda was to subpoena Jamie's incarceration file from Centralia Prison for the purpose of

attempting to locate any visitors, cellmates or other contacts, which may provide additional information. The list revealed that Kevin Schaal was Jamie's cellmate from June 26, 1995 to January 17, 1996 - 202 days in total.

It stated on the police report, that Katz decided to look into Kevin Schaal's incarceration file for two reasons. First, Schaal's name was brought to Barkes and Katz' attention by Dave Coley, Jamie's ex-employer in St. Petersburg, Florida. And second, Schaal was Jamie's cellmate for the longest period of time. After reviewing Schaal's file, they noticed that he had previous armed robbery arrests and tried unsuccessfully to parole in Florida. Schaal was arrested by the US Marshals for felon in possession of a firearm. And also had a state charge for carjacking and Grand Theft Auto. He was looking at a lot of time.

In early June of 2000, Jamie's appellate defense investigator, Don Sorensen, spoke with Schaal and reported that Schaal stated the Jamie never told him anything about a murder. In interviews conducted with McClean County in June and July of 2000, Schaal changed his story, stating that Jamie confessed the murder to him when they were cellmates in Centralia. In July 2000, Schaal received a downward departure on his federal sentence. The following is an excerpt from Schaal's sentencing motion:

Immediately after the defendant was charged on October 21, 1999, with being a felon in possession of a firearm, the defendant and his attorney began their cooperation. The defendant's co-defendant was charged in state court with burglaries and firearms possession, and the defendant agreed to testify against his co-defendant if necessary. The defendant was also contacted by state's attorneys from the state of Illinois regarding his testimony in a murder trial that will take place in the state of Illinois. The defendant has provided information valuable to the murder trial, and has agreed to testify in that trial if called upon to do so. The defendant has provided local law enforcement agents with information concerning burglaries that he and his co-defendant participated in and has been assisting them in solving some of those previously unsolved burglaries. The defendant has agreed to testify against those individuals and has agreed to testify in the state murder trial in the state of Illinois. As a result of the defendants cooperation, the United States respectfully request that this court depart below the defendants minimum mandatory sentence of 15 years, and reduce the defendants guideline sentence by a range of two levels. Granting this motion

would reward the defendant for his assistance of the United States and local law enforcement agencies, and would be in the interest of justice.

Bruce Fischer: Schaal's plea deal stipulates that he would serve 48 months concurrent with his federal sentence, followed by three years probation. Schaal testified at Jamie's trial in January 2001, while incarcerated at a federal prison in South Carolina. He did an in court ID of Jamie and went on to testify that when they were in Centralia together, Jamie told them about a robbery, but did not mention anything about a murder. He spends a lot of time dancing around his prior statements. But the most important part of his testimony is that he said he did not receive a deal.

Question: And it would be accurate to say that you weren't forthcoming with the truth, as you have told us and Mr. Reynard, until after both your attorney and Mr. Reynard indicated to you that you're cooperating with them would be relayed to your sentencing judge, correct.

Answer: I think I was pretty truthful with both of them, if you check your records.

Question: Right. What I'm asking is, you opened up to them and became truthful, as you say, only after you were told by your attorney and by Mr. Reynard that your cooperation and being truthful and divulging this information would be relayed to your sentencing judge. Right?

Answer: Yep.

Question: And at your sentencing hearing was the judge in fact made aware of your cooperating?

Answer: I honestly don't know. It was mentioned to him, but.

Question: As far as whether he took it into consideration, you don't know?

Answer: Yeah, I have no idea.

Question: Okay.

Answer: I got a lot of time for a little thing.

Bruce Fischer: It is abundantly clear from the sentencing transcript that both the judge, the attorneys, and Schaal knew very well that Schaal was getting a deal for cooperating in a murder trial in Illinois.

Jamie Snow: There was another guy that was around at that same time period and his name was Jody Winkler. I got introduced to him, somebody introduced me, introduced him to me, because, uh, he needed a job. And, I put him to work, you know, and, and Jody was a great worker. I mean, I gave him, you know, \$100, \$125, \$150 a day cash money, depending on how much money we made that day. And he was worth every bit of it. And just like Kevin, I realized that Jody had a, had a, had a drug problem too. I would drop him off at this hotel down the street, from where I lived, nice hotel, \$30 a day in an area that had a grocery store and had, you know, fast food. You know, it had everything you needed for a single guy, you know and he, he'd show up the next day, he'd be broke, when he was single. So I just figured you know, he was out going to the bar or whatever, you know, and the next day he would show up and he'd be broke.

So he'd be like, man, can I, can I get a draw on my, on my money for today? So I'd give him cigarettes, whatever, and I'd give him some money and that went on went on. And finally, you know, I went out one morning, and he was asleep in the alley behind my house when I was throwing out the garbage. And, and that's when he came clean and was like, look, man, I gotta, you know, I got a drug problem. You know, I told him I said, look, listen, this is what I'm going to do for you, man. I said I'm gonna give you \$20 a day for your cigarettes and stuff like that and I'm gonna hold the rest. I had a, a little efficiency apartment behind my house. And, you know, I said, I'm gonna, you know, I'm gonna hold the rest of your money and I'm gonna do this for you for a month. I'm gonna do it for 30 days, and then after 30 days, I'm gonna give you all your money. And you're gonna have to get it figured out, Jody, you're gonna have to figure out what's your, you know, what's going on. Because I can't have you sleeping in the alley behind my house and, and I just, I just can't have it, you know. And, and, uh, so, that's what I did for Jody. I, I gave him you know, I gave him his money and he just disappeared. You know, I, I, I didn't see him again. And I knew he was from Bloomington. The person that introduced me to him was from Bloomington as well. So I knew he was from Bloomington.

So, fast forward, I'm in the county jail and I see that, that they've arrested Jody on a parole violation, and some other stuff that he had going on. And he goes straight to

the detectives and, uh, is asking them you know what, you know what can I get? What kind of a deal can I get? You know, I was, I, I was living down there with Snow and, and he did the same thing that, that Kevin Schaal did. He, he traded my life for a sweetheart deal. And, and what's really disgusting - I think about Jody's deal - is that his sentencing judge was Judge Bernardi, who was also my trial judge. And I found a, a police report where it said Jody had, he had agreed to the, the court accepting evidence in aggravation and mitigation prior to the tendering of the police. So, I read that as his lawyers in the state got together with the judge and talked about the mitigating and aggravating circumstances and the deal on everything.

So then when they went to court, if you read the, the sentencing transcript, Jody Winkler's lawyer didn't mention one piece of mitigating evidence, not one. I mean, you know, he didn't say, hey, Judge, you know, uh, this guy is, uh, you know, he's a drug addict. He needs drug rehab. You know, he's a father he needs to pay you know his child support. He can't do anything for his kids while he is in jail. He didn't say anything, because he knew he didn't have to. The deal was already done. Jody was facing an extended term, it was his third time in prison. And just like Bruce Roland, Jody got less time for his third offense facing an, an, an extended term than he did for his second.

So it's unbelievable that I, that there's no way no one will ever convince me that Judge Bernardi didn't know that Jody was, was getting the deal that he was getting in return for testimony. Nobody did- Nobody will ever convince me of that. So there's a state attorney an ex-state attorney, her name is, uh, Stephanie Wong and she's still practicing as a private attorney in Bloomington now. She was the state's attorney that was working on, uh, Jody Winkler's case at the time. I wonder if she'll ever talk to us and, and tell us the truth about you know what was discussed about that deal.

Bruce Fischer: The first statement we have from Winkler is from November 24, 1999. He stated he lived and worked with Jamie around June through July of 1999. And that he didn't know Jamie prior to meeting him in St. Petersburg, but that he was from Bloomington. So he had heard his name before. Winkler went on to say that he and Jamie took a half-day off because it rained, and they went to the beach because Jody had never seen the beach before, even though he had been in Florida since March of 1999. Winkler said he and Jamie sat in the truck, drank beer and talked about old time friends, the north siders, prison time, and a little bit of everything.

Winkler stated he brought up the Clark murder a couple of times. And that he told Jamie the first time he got arrested, detectives were asking him if he knew anything about the Clark murder. He went on to say that when he brought it up for a third time, Jamie stated that he did it and was asked specifically by detectives if he gave any details, such as how much money or anything about the gun used, but that Jamie did mention that he didn't know Bill Little.

A couple of months later on January 3, 2000, police again approached Winkler in jail and Winkler told a similar story, except he stated that they were at the beach at night, and then added that Jamie had told him at the time that they would not find the gun. And that Winkler pressed him about this over the next couple of days, and that Jamie had said, it's just buried. But he didn't say where it was buried, or what kind of gun it was. Critically, at the end of this second interview, detectives made a point to ask Winkler if he'd ever been promised anything in exchange for a statement, and Winkler said no.

Detective: Jody, there's just a couple of things. We told you we couldn't promise you anything in return for this interview is that correct?

Jody Winkler: That's correct.

Bruce Fischer: On January 28 of 2000, a plea hearing was held for Winkler before Judge Bernardi, Jamie Snow's trial judge. Winkler was in jail on a parole violation because he had committed forgery while on parole. At the top of the plea agreement it states:

The defendant consents to the courts receiving evidence and aggravation and mitigation in advance of the tender of this plea.

This means they already talked about everything, worked out the who, what, where, when, and why's of the plea deal before coming into court. So it need not be stated for the record. Translation: they worked out the deal before coming to court. This is evident in the fact that there is absolutely no mitigating evidence presented before Judge Bernardi and no attempt to add mitigation pleas for the record.

Judge Bernardi: All right, I'll accept the proposed agreement. I'll ask you Mr. Winkler if you did, between March 10 and March 12 of '99 in Bloomington, McLean County, commit a forgery by knowingly with intent to defraud, deliver a

check drawn on Union Planters Bank account of Paulette Crago in the amount of \$929.26, which was capable of defrauding another and that had reported to have been made or by authority of Lance Winkler and Winkler Fence Company, and you knew that the check was not made by authority of Lance Winkler or the Winkler Fence Company.

Mr. Winkler: Yes.

Judge Bernardi: You understand that's a class three, so the maximum penalties for that felony is five years. For you, it'd be up to 10 because you have a prior class three or greater. You understand that?

Mr. Winkler: Yes.

Judge Bernardi: And you understand on top of that would be a one year mandatory supervised release or parole?

Mr. Winkler: Yes.

Bruce Fischer: Prior to his arrest for writing a fraudulent check from his father's business, Winkler had the following charges: 1999 class three aggravated battery, two years and class two burglary, four years; 1997 class four unlawful restraint, one year and class two controlled substance, three years. When he was paroled for the 1997 charges, he caught the forgery charge. Judge Bernardi made it clear that the maximum penalty for the forgery charge is five years, but for Winkler it would be up to 10 years. Judge Bernardi goes on to seal the deal.

Judge Bernardi: Mr. Winkler, did anyone threaten, force or coerce you in any way to get you to enter into these pleas?

Mr. Winkler: No.

Judge Bernardi: And you were promised the sentence and restitution as a condition. Is that fair?

Mr. Winkler: Yes.

Judge Bernardi: To say, all right?

Mr. Winkler: Yes.

Bruce Fischer: We know the condition Winkler would testify in Jamie's trial, nearly a year later, on January 5, 2001. Winkler regurgitated his first police report, leaving out the part about being at the beach at night, and Jamie telling him about the gun. But again, the critical parts about Winkler's testimony are the references to a deal. The following are relevant excerpts between the state and defense attorney in reference to a deal.

Question: For your cooperation in your testimony in this prosecution, are you expecting or hoping to receive anything.

Answer: No.

Question: Have you been paid anything?

Answer: No.

Question: Pardon me, just involved because you're a good citizen. Is that correct?

Answer: I guess you could say that.

Question: You contacted them or they contacted you?

Answer: No, they contacted me.

Question: And did you ask them on or about the 24th of November 1999 when you were speaking with them to know what you were going to receive for your information? Did you ask them that?

Answer: No. Did I ask them?

Question: Right.

Answer: I asked them what I could get. Yes.

Question: For your cooperation and your information in this case, right?

Answer: Correct.

Question: Did you in the deposition of the charges that you were in custody for at the time and after you cooperated with them and gave them information, did you receive any leniency or consideration in disposing of your pending charges?

Answer: No.

Question: Did you ask anyone if you could receive something for your information?

Answer: When we first started to talk? Yes.

Question: When the police contacted you in November of 1999, as I understand your testimony responding to Mr. Picl's question, it was that they approached you and asked you if you had information about this case, is that fair?

Answer: Not really. They come got me from down in the county and took me to the little office, you know, talk to and I told the detective when he seen me that I probably had a good idea that I knew what he wanted to talk to me about.

Question: Okay, and when the conversation started, was it confirmed that?

Answer: Yes.

Question: You were talking. You were thinking about talking about the same thing.

Answer: Correct

Question: And at the same point you asked whether or not this could

Answer: Benefit me.

Question: Do you some good?

Answer: Yes.

Question: And what did Detective Katz tell you?

Answer: That he couldn't do anything.

Question: And subsequent to that time, after that time, has the State's Attorney's Office promised you anything, or given you any advantage or considerations for the testimony that you've given?

Answer: No.

Question: When you spoke with Detective Katz and he said he couldn't do anything for you in consideration of or in exchange for your cooperation, did however, he say to you that he would make the State's Attorney's Office aware of your cooperation and providing information.

Answer: Well, my cooperation, yes.

Question: He told you that?

Answer: He told them that he would tell them that I had some information, yes.

Question: But he couldn't promise you anything right?

Answer: Yeah. He said he couldn't do anything for me.

Bruce Fischer: A thorough review of Winkler's testimony shows that Winkler repeatedly denied that he received anything in return for his testimony against Jamie, that his testimony was false and that Winkler knew it. Furthermore, Jamie's attorney should have raised the impropriety question about how Winkler was not only sentenced, but given a secret sweetheart deal by Jamie's trial judge, Judge Bernardi before he testified, and then testified that he did not receive a deal. Clearly the deal was done well before trial. Jamie's attorney should have raised hell about that, brought Stephanie Wong on the stand to determine the nature of the deal, and he should have held Judge Bernardi and the state court's feet to the fire.

Jamie Snow: Jody did the same thing to me that Kevin did. You know, I tried to help these guys and they saw an opportunity to help themselves. And you know the truth didn't have anything to do with it. So these are the guys that helped me get, get a life

sentence and this is the sort of evidence. I mean, they, they paid the, the McClean County State's Attorney's Office. Might as well just went handed those guys, handfuls of money, you know, because, uh, they purchased their testimony in return for, uh, for deals. So, to me personally, those two kind of are like, are kind of sort of, like, Karen Strong. I mean, they, they were people that I knew, and uh they just traded on me and it uh it hurt me the most. So, personally it hurt me the most.

Bruce Fischer: So there you have it, two informants, who actually received outrageously sweet deals with sentence modifications prior to testifying, and both stating they didn't receive anything in exchange for their testimonies. Let's take a closer look at Kevin Schaal. Tam, Kevin Schaal had quite the criminal history. Can you tell us a little bit about his past and how it played into him testifying against Jamie?

Tammy Alexander: Well, Ray is actually the expert on Schaal, but yeah, Schaal was in a lot of trouble. He was arrested in Florida for a carjacking charge that found out that guy they knew had a lot of money on him and Schaal and a friend made a plan to catch him in his car and take his money. They found the guy, beat him in the face, dragged him out of the car and drove his car into a pond to cover it up. But Schaal wasn't even on their radar in relation to this crime until he got the federal charge for a felon having a firearm.

When he was arrested for that, Schaal stated to the feds that he had information about a murder in Illinois. That's when the ATF contacted McClean County State's Attorney, and they were all over it. So in July of 2000, he was sentenced to 110 months and remanded to US Marshalls for his crimes. In February of 2001, the state approved the plea deal for Schaal to serve 48 months to run concurrent with the federal sentence. I talked to his attorney personally and he bragged about what a sweet deal Schaal had gotten.

Bruce Fischer: Ronnie Wright was the topic of discussion a lot during Schaal's testimony. Schaal said he had a bad reputation and that him and Jamie had some trouble. Can you tell us a little bit about what Ronnie has to do with this case?

Tammy Alexander: Well, all I know about Ronnie Wright is that he came forward to do the right thing. He seemed to be very remorseful of his testimony. And like others, he didn't really think it would amount to much. Certainly that Jamie wouldn't be, you know, certainly that he wouldn't be a part of, you know putting Jamie away for life.

Ronnie first approached Jamie's wife, Tammy Snow, and then Tammy told Jamie and that's how that got the ball rolling on Ronnie's recantation. Ronnie said in his affidavit that he got into a fight with Jamie and county jail over a game of dominoes and that it escalated and Ronnie ended up getting thrown up pot. And his revenge on Jamie was to call the cops and tell them that Jamie confessed to him. I'm sure he didn't think it would end up this way and thank God he came forward.

Bruce Fischer: Have either of these two old friends come forward to recant or even talk to anyone?

Tammy Alexander: Kevin Schaal told Ray that he gave a statement that he wanted to get back up to Illinois for an appeal that he was working on for some charges up there. So, you know, he basically got a free trip to Illinois. Ray is convinced that Schaal is a serial informant and has informed on several cases, um, including federal cases. Because when he came forward, initially, when he was talking to the ATF, he was talking about the, you know, a murder of a prosecutor in another state. But we're always open to people coming forward and telling us the truth.

Bruce Fischer: Lesley, Jamie mentioned that Schaal was recalled to the stand a few days after his testimony and changed his story. What happened at trial?

Lesley Pires: Well, what happened with Kevin Schaal was so reminiscent of what happened with a few others and detective Thomas Russell, and even what they did to Jamie when he took the stand. The prosecution had this narrative; They wanted the prior conviction that Jamie got for corruption for not assisting with that robbery case, and the way they found him hiding in the attic to substitute for this murder. Schaal is on the stand saying that Jamie never told him about a murder. He never said he was in prison, for one, as his cellmate, and that he said he was there for the robbery and hiding some guy in the attic. While the prosecution was trying to say that Jamie was talking about the murder, not the robbery, and they tried three times to get him to agree, which he would not. So they pulled out personal notes that they had about the interview that he had with the police just the summer before. And luckily, Jamie's defense attorney Frank Picl objected.

The prosecutor insisted on refreshing Kevin Schaal's memory with his personal notes only. And the judge was actually going to allow it, but said he'd probably have more success with the transcription. So he let him recall him on Monday after he provided Frank with a copy of that transcription, because Frank was also pleading that he

never got the transcription in the first place. So how he was going to get away with that just baffles me.

So anyways, they bring Schaal back on Monday, and read him the questions from the interview just six months prior, and Schaal agrees that he probably did say Jamie was referencing the murder then, but as he recalls it today, he remembers that he was referencing the robbery, not the murder. He does agree that he told detectives that Jamie was afraid he would go away for life.

So Frank gets to examine him next, and he does good. He gets him to admit that they were all drinking or smoking pot when they talked about crimes even while in their cell, and that often people in prison lie about crimes to appear tough. He's adamant that Jamie never said he shot Bill Little or anyone ever. And he gets the whole...are you an honest and truthful person spiel, and the well you had access to a phone and you never contacted authorities this whole time spiel, and Schaal concedes to both those points. And importantly, he admits to Frank, that when Jamie's defense investigator interviewed him around the same time as detectives, he told them that he did say Jamie never said anything to make him think he was involved in the crime. And most importantly, what I liked the most, is Frank got him to say that yeah, Jamie was scared, scared of being a suspect in something he didn't do.

So the prosecution comes back and says, well, didn't you tell Jamie several times he had nothing to worry about if he didn't do it. And Schaal says, yeah, that's right. And then the prosecution's like, well, why is he still worried then, like a done, done, done, moment, like because Schaal commanded Jamie not to be worried if he didn't do it, and then Jamie was still worried, it means he did it. And I thought that was really petty. But it just shows the desperation on their part.

So Frank doesn't let that go. And he comes back again, and gets Schaal to clarify that yes, Jamie was upset and worried down in Florida when the grand jury was convening, but only because more and more people kept coming forward with false statements. And very importantly, he admits to Frank, that it was made clear to him that his cooperation would be relayed to the sentencing judge. And in fact, he heard it said at his trial himself. So Schaal was then even recalled for a third day and this time as a defense witness. So you might remember before, we talked about all these witnesses, and why Frank doesn't get to ask them certain questions, and the objections will always be that he didn't lay the proper foundation. So we're saying,

well, why couldn't he just call him as a defense witness? Well, this time he did. So that's why Schaal comes back for a third day and now, Frank gets to interview him first.

So this time, he just wants to talk to him about Ronnie Wright. And, uh, he gets him to say that he's a drug addict and a liar. And he recalls a good example of why he might have had it out for Jamie, and we'll talk about him later, probably. But that was the purpose of this whole third day. So Kevin was a big witness, even though he never really said anything to meaningful one way or the other. And he didn't want to publicly take responsibility for throwing Jamie under the bus. But he wouldn't clear him either. And he did get a deal for it. The sentencing paperwork actually says he deserves the deal, because he offered to testify for a murder case in Illinois. And it's dated just four months before Jamie's trial. So I don't know why Frank couldn't get that. I think that maybe it wasn't finalized. But that was the motion that was put through the court was all done in advance of Jamie's trial for that recommendation for that deal.

Tammy Alexander: Yeah, well, I mean, what's interesting to me is that they were on their way out, and they had only been cellies for like, three months. And then Jamie's just gonna confess all of this to him, and tell him he can come down to Florida. And, you know, Jamie, you know, he came down there and he helped him out and all that stuff. But, you know, it just what Jamie said was that guys can talk about that stuff, like when they're at the end, you know, of a prison sentence. You know, they're talking about what they're going to do, their future, you know, where you can go, all of that stuff, you know. And it was just interesting to me that, you know, they were cellies for three months and then all of a sudden, Jamie's bogged down. You know, you know, another big old, you know, confession to murder right before he gets out of prison, because Jamie got out before Schaal did. So he's just gonna like on the way out confess to a murder?

Lesley Pires: Well, obviously, that's a bunch of BS because Jamie said if you're ever in Florida look me up. So that's just proof to what Jamie's saying that he's all excited about getting out and thinking about what he's gonna do. And he, you know, extended an olive branch to this guy, one that he regretted, a lot, but that's why he offered for him to come down because he was so happy to be on his way out. That's what they were talking about. They weren't talking about this 1991 Bloomington thing.

Tammy Alexander: Exactly.

Bruce Fischer: Jody Winkler literally could not wait to tell detectives what he had to say about Jamie. He told the detectives that he knew what they wanted before they even asked. How was his trial performance in relation to his original interview?

Lesley Pires: Winkler only interviewed with BPD twice, got his own deal, and then 12 months later testified against Jamie at his trial. He did not participate in the grand jury because he was on the run himself in Florida at that time. And he was not called for Susan's trial, only for Jamie's since he didn't know anything specific about the crime, and he never mentioned Susan. So at Jamie's trial he only had one story to repeat once, and it was his first time being cross-examined. He told it exactly how he did to the BPD the year before nothing really changed. He got all three supposed conversations to match.

Now recall he's the one that said Jamie confessed to him when they were at the beach in the truck drinking beers after a half day of work in the rain. He's the one that was a drug addict that date, that Jamie helped sort his life out and let live in his extra apartment for free. So at trial, he always used the word indicate to say that Jamie confessed. He said, quote, we just talked about hearsay things a lot like that. He indicated they were going to indict him. He indicated he had done it. So that's the big bombshell confession. He indicated he done it. He also told the jury the story about Jamie asking, did I ever tell you I did it. And the story about Jamie saying he was laying low. He really had no confession to testify to. But the prosecution kept phrasing the questions loaded. Like saying what did he say about the Clark Station robbery murder? Did you have any more conversations with the defendant about the robbery murder?

So Frank examined him next and was kind of weak. He did his usual, are you a good citizen, you had access to a phone, did you not? Why did you not contact the authorities ever? The only good thing Frank did was bring out the conversation he had with the detectives in November of '99, right after his forgery arrest. And he got Winkler to admit that he asked for a favor in return for his cooperation. So the prosecution did a redirect and made him specify that he did not get promised any leniency for his cooperation. But luckily, Frank came right back on redirect and had him clarify that detective Katz explicitly said, no, he can't promise anything but he will make sure that his information will be forwarded to the state's attorney. So bingo, that's the testimony about how that favor worked its way through the judicial

system. And that was really it for such a huge confession witness that heard it from the horse's mouth three times. He had nothing to say really.

Tammy Alexander: Who goes to the beach when they, you know work, they work outside, they do tree work, and it rains them out of work and they go to the beach? My point is, all of these witnesses, these supposed confession witnesses, they put them alone with Jamie. You know, they can't be in a group. They can't be like, you know, multiple people heard this. It's always they, they land up being alone, with Jamie. And that whole scenario, is ridiculous because that beach confession was the only time you know, that Jody said, yeah, he came out and told me.

Lesley Pires: You know what I want to know too is why Jody was so disturbed by that, and he jumped out of the truck because he didn't want to hear anymore and went for a walk in the rain. Why did he drive home and go back to Jamie's property and live with a killer?

Tammy Alexander: Great point.

Bruce Fischer: I do have to say that it doesn't make a lot of sense. Why do you go to the beach when it's raining?

Tammy Alexander: Well, I mean, that's basically what they said was that, you know, they couldn't work that day, so they went to the beach, but they have a home. I mean, why, why is he gonna drive his truck to the beach and sit there alone with Jody Winkler to confess?

Lesley Pires: Yeah. And how old was Jamie at that time? What was he 30?

Tammy Alexander: 34, I would imagine. It was right before his arrest.

Lesley Pires: And wasn't at this time Winkler not paying him rent living there for free and a drug addict. So why would Jamie be taking care of him and sheltering him and helping him at work and doing everything for him for free? And then you want to take him on a date to the beach to confess, in the rain.

Tammy Alexander: Jody, the guy he found in an alley behind his house?

Lesley Pires: Yes.

Tammy Alexander: So he's gonna take him to the beach in the rain!

Lesley Pires: Yeah, and I think Frank was having a bad day because Frank is a jerk and I'm sure he would have loved to ask this guy who paid for the beer. What else were you guys talking about? You know, was it romantic that day? You know, cuz Frank didn't ask anything like that. And he's done it to other witnesses before. So, you know, I just think that this was one of his bad performance days. I mean, they did testify on the same day - Kevin Schaal and Winkler - so maybe he was just exhausted by the time Winkler got there.

Bruce Fischer: That's a great point. But we all know that Frank Picl had a lot of bad days. We invite any witness featured on the Snow Files Podcast to come on the show to give their point of view or to clarify anything that they think might have been misstated.

Lesley Pires: In Episode 15, Jamie helped his friends get back on their feet in their time of need. They repaid him eventually in the only way they knew how. Months after Kevin Schaal got out of prison and brought his whole family to live with Jamie, he was set to spend 15 years in prison again, but he told authorities that Jamie implicated himself in a murder, so he only got four years. Jody Winkler was the guy who just couldn't keep it together. Within two years of his own felony arrest, he met Jamie, lived and worked under him, told the police Jamie confessed in a truck at the beach and then was awarded a sentence of four instead of 10 years for that felony. With friends like these, who needs enemies?

If you have any information that may help Jamie please call the tip line at 888-710-SNOW. There's a \$10,000 reward for any information leading to new trial or the exoneration of Jamie Snow. The tip line is free and confidential.

These weren't the only wolves in sheep's clothing. A man of the cloth was also planning to bear fall witness against thy neighbor. How did Reverend Bill Gaddis get away with it? That's next time on Snow Files.

Transcribed by: Melinda Wargacki