

Episode 8



Season 1 : E8 - It's My Party and I'll Lie if I Want To: Steven Scheel and Molly (Pfister) Esche/Eades

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

Episode Description: In the spring of 1991, a group of friends allegedly gathered for a house party in a neighborhood one mile west of the murder scene. Steve Scheel arrived at the home of his niece, Molly (Pfister) Esche/Eades, and within an hour, an old childhood acquaintance casually confessed to murdering a kid, while they were just catching up on life for five or ten minutes. The friend was supposedly Jamie Snow. But Jamie doesn't even know Scheel, and he wasn't at the party. Scheel was arrested for sex crimes later that summer, and told his story to authorities several times between his arrest, trial, and parole. And Molly even vouched for him at Jamie's trial. This eighth episode of Snow Files shows just how easy it was for someone so desperate to actually play catch-up on Jamie's life.

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

Jamie Snow: Before, before I get started this week, I just wanna let you all know that I'm alright here in Stateville, myself. Things are still a little crazy. They took a couple guys off of my gallery yesterday who tested positive for the virus, so it's still floating around in here. But, you know, I really hope all of you, everybody that's listening, whether you know me or not, you know, I hope you're, you and your loved ones are beating this thing.

So this week I want to, I want to talk about Steve Scheel. Steve Scheel was another jailhouse informant and the evidence around him, it really will continue to demonstrate the importance of the evidence that was withheld, and the evidence that my attorney didn't use. Steve Scheel was a guy who, he popped up, actually, the first time he contacted the police was in August of 1991, which would have been five months after Bill Little was murdered. And he, you know, called up and basically just said, you know, Jamie told Molly, he committed the crime at the Clark gas station. And, it was a few months later, may, may have been a year, maybe 18 months later, so now he's in jail for sexual assault, sexual abuse, something, I don't know what it was. But now all of a sudden, he's got this big story to tell.

And the story was basically that he used to go to his cousin's house, which was in the same neighborhood of where I lived when we were like eight or nine years old, and that he knew me when we were like eight or nine years old. He testified that, you know, he hadn't seen me since we were eight or nine years old, which would have been 15, maybe 15 or 16 years. Claimed that, you know, he saw me at a party at this Molly girl's house, that we were just catching up all times. We haven't seen each other since we were like, eight or nine years old. We were just catching up on old times, family and, and whatnot. And that I confess this crime to him.

And, mind you, Tammy will have to go back, Leslie will have to go back and look at the police reports and transcripts, but I think he said the conversation, you know, like, less than five minutes, maybe three minutes total, that we had this conversation. So you know, here's this guy I hadn't seen, which was, by the way, I never knew him. I don't know who he was, but according to him, hadn't seen me since we were eight or nine years old and you know 15-16 years, and in less than three minutes, I confess the murder to him. So that in itself is ludicrous. You know, what we found out later on, through some freedom of information requests, was that he had actually took and failed a polygraph test, two of them.

You know, we, unlike Ed Palumbo, you know, we, we sent my my attorney and my investigator actually tracked Steve down, and knocked on the door, and this is, this is what was told to me by them, you know. They knocked on the door told him, you know, who they were, what they were there for, and, you know, they said that he just broke down and, and was crying, and was just falling over himself trying to tell them what it happened. And he related, which we have an affidavit from the investigator,

because when it came down to it, Steve didn't want to sign an affidavit. He was, you know, scared to sign the affidavit or whatever.

But we were able to use the affidavit from, from my investigator, Larry Baiula, and he just basically related that, you know, he tried to tell him that he really didn't know anything about the case, that he didn't want to testify, and that they did pretty much the same thing they did Ed Palumbo. They just, they just threatened him and intimidated him and just, you know, put the screws on him. And he said that he felt like they had a hole dug for him. He just said what they wanted him to say.

One of the other things that's kind of important is that he testified, you know that, he remembered I was wearing a dirty flannel shirt, and I just looked unkempt, and, you know, some dirty pants or something. And this is really, really important, right? Because, you know, he told us, he told the investigators and the lawyers that they told him what to say I was wearing. And that's really important, right, because they went and tracked down the Molly girl, that he was talking about, in 1993.

They went and tracked down Molly, and to this day, through a FOIA request, through the efforts of Alexander, Marie Wilson, I mean, they've been unbelievable doing these freedom of information requests. They, they found a report and it's just a synopsis, and that's what it says, this is a synopsis of an interview with Molly Eades, Molly Eascher, Molly, Molly Esche, and it was a synopsis, they've never given us a tape recording of the interview. They've never turned over an actual record of the interview. But what is extremely important is when you read her, her trial testimony and then you read, you, you compare it to this report, you're gonna, you're gonna know why they withheld it.

And she just basically says in this little synopsis, this little, this little report, with the police in 1993. Now this would have been, you know, a year and a half, maybe two years after the murder, she just basically says, you know that she, she had not seen me for five to seven years. So, that would have put it way before 1991, that she'd even seen me. And she went on to say, look, I don't even know if I would recognize him if I saw him again, because it's been so long since I saw him. And that was it.

So, you know, now you fast forward to, she comes with a trial, now all of a sudden she's able to point me out in the, in the courtroom, which you know, had been, you know, five to seven years, '93. So, this would have been, tack on, you know, six more years would have been anywhere between 11 to 13 years she hadn't seen me. Now,

all of a sudden, she's able to identify me in the court room. And, and, and what's really interesting is, is now all of a sudden she remembers this party, and she remembers it being me and my, my co-defendant, Susan, and her brother, were all at this party, and what really stood out to her was this, this flannel, this dirty flannel shirt that I was wearing. And you know, and that was really all that she remembered and that she knew, she remembered that Steve Scheel was there.

And, you know, it was all a lie, you know, because Steve Scheel failed a polygraph test. He's admitted that it never happened. And, you know, they and you know, Molly, Molly, when, when you look at her, her report, she's basically saying it never happened. You know, and they put her on the stand, just to testify that me and Steve were actually at her house, and that she remembered this dirty, flannel shirt. And, you know, and Susan was there, and it was all in an effort to try to corroborate. That is the same thing they did with Ed Palumbo when they put Shannon Schmidt on the stand to testify that, you know, she heard the word 'paper' and she was in, in the car with Ed, you know. They put him on the stand because they're, they're not jailhouse informants, and they put them on the stand in an effort to try to give them credibility, right? And that's all it was.

And the worst part about it, I mean, look at the documentation, please just don't take my word for it. You gotta look, you've got to go on the website. You got to look at this stuff, so that you know, you know what I'm saying is true. Because if you're able to look at it and see that it's true, then the state's attorney, who had all this evidence before we even got started, had to have known it was true. And like I said before, I'm gonna keep on saying it, this is the evidence that state's attorneys say stack up against any forensic testing that could ever be done. We've tried to track Steve down since and I it's looking like he's, you know, he is, he's having some problems. So, I'm still hoping that Molly will talk to us because we know now Molly, we have the report. So we know what you told him to

(Jail phone recording) *You have one minute left.*

Jamie Snow: We'd really like to find out what it was that got you to change your story. You know, that's what we'd really like to know. So I, I guess that's it for Steve Scheel. I'm sure Tammy and Leslie and Bruce will have more to say about it. So appreciate all of you the guys listening.

Bruce Fischer: Steve Scheel called in a tip on August 9, 1991. The lead sheet stated that Molly Esche told Scheel that Jamie Snow had told her that he committed the Clark station crime. Scheel called from county jail. He had been arrested in early May for criminal sexual assault of a victim under the age of 13. At the time of his tip, he was charged, but awaiting trial, in McLean county jail. In February of '93, according to the lead sheet 606-A, Scheel's brother called an a tip stating that Jamie had directly told Scheel that he did the Clark station killing:

[redacted] told me that his brother Steve Scheel, who was currently in prison for child molesting, had been told directly by Jamie Snow that he did the Clark station killing. I do not know how reliable this information is, but I thought it should be passed on regardless, due to the magnitude of this case. It would likely be possible for me to contact [redacted], if needed. See Wheeler 4496.

However, the handwritten lead sheet attached to the type lead reports stated:

Brother was at a party where Jamie was. Jamie came in with candy and cigarettes and other stuff. Don't know where he said he got the stuff. It was around that time of the Little murder. I don't know if he said that he did the Little murder or not.

It wasn't until September of '93, seven months later, that Detectives Crowe and Katz approach Scheel in prison after receiving another tip, apparently concerning a letter that Scheel wrote to the state's attorney. Scheel allegedly told his father that Jamie had confessed to him in 1991, that he had committed the crime, and Scheel's father reached out to the state's attorney's office. In that statement, Scheel said that he and his wife were at a party at Molly and Roy Esche's house and Jamie told she'll that he did the robbery at the Clark station. He said they spoke in the dining room after Jamie left and returned with marijuana. He said he had known Jamie since he was a young boy, and they were just catching up, and Jamie mentioned that he was wanted for a robbery and also mentioned the Greyhound bus station robbery. Scheel said he asked Jamie if he shot the boy and Jamie said yes, but he didn't think he killed him. Scheel did not mention a weapon, or motive, or mention any detail. Scheel said Jamie's demeanor was edgy and jumpy, but serious, and that the conversation ended after that.

Scheel stated he thought Molly overheard the conversation because she was standing nearby. Scheel said Jamie appeared rugged, unshaven with messy hair, and was wearing blue jeans with a blue or black flannel opened over another shirt.

Scheel said he told his father about the conversation recently. Detectives also approached Molly at that time, in 1993, to corroborate Scheel's story. This report was not released prior to Jamie's trial, but was obtained through FOIA requests. The brief synopsis contradicted Scheel's accounting:

On September 13, 1993, Aro, and Detective Zavo, from Logan's County Sheriff's Department, spoke with Molly at the Logan County Sheriff's Department. The synopsis of the interview: Molly stated she lives at [redacted] from January, '91 until July, '91. Molly stated she really did not have any parties but once in a while she would have some friends over. Molly did remember one time when Scheel was present when she had some friends over. Molly stated she had not seen Jamie Snow for about five to seven years and was not sure if she would know him if she saw him. Molly was able to remember a person who she thought was cute and attended the gathering. This person was a white male, and she described him as wearing a dirty flannel shirt. Molly was unable to give any further description of this person. Molly could add nothing further other than [redacted], who lives with [redacted], who is Jamie Snow's brother in law, told [redacted], Jamie and two other guys did the Clark station armed robbery murder.

Bruce Fischer: Molly told detectives that she never really had parties, and that she hadn't seen Jamie in five to seven years, and didn't think she would have recognized Jamie because it had been so long since she'd seen him. In October of 1993, detectives requested a polygraph for Scheel, which he failed. As the lead investigator at the time, it doesn't appear that Detective Crowe thought this lead was credible and there was no action taken on this matter.

Nevertheless, in April of 1999, after Detective Crowe retired, Katz and Barkes once again approached Scheel. At that time Scheel stated that in April of 1991, he and his wife were at a party at Molly and Roy Esche's house on Oak Street and Jamie told him he killed the kid at the Clark gas station in Bloomington. He cannot remember if the conversation occurred before or after Jamie left to get the marijuana. He said that he and Jamie had a conversation in the kitchen-dining area, and that he had known Jamie since he was eight or nine, so they were just catching up.

He stated that Jamie said he was wanted for robbery and that he shot the kid at the Clark station, and that Scheel had asked Jamie if he shot the kid, and Jamie said yes. He said he thought Jamie was exaggerating and did not do the crime, and that he did not believe him. And later, he told his father, and that's why he came forward in

1993. He said Jamie gave no further details. He said Molly may have overheard the conversation when she walked into the room. Scheel said that Jamie was real antsy, nervous, and tense, and that he was wearing blue jeans and a flannel shirt opened over another shirt. He looked rugged with messed up hair.

Both Scheel and Molly testified at Jamie's trial in 2001. And like the others, the stories changed to include details that weren't presented in previous interviews. Scheel testified that Jamie arrived at Molly's party with Susan Claycomb. He described Jamie as unshowered, grungy and messy, wearing a black t shirt, with a flannel over it and blue jeans. Scheel testified that Jamie said he was on the run for a bus station robbery and other crimes. At that time, Jamie's attorney objected, but the judge allowed the testimony of other crimes in anyway to allow the jury to consider it, only for interpreting Jamie state of mind during the alleged conversation.

Scheel went on to testify that the Clark station robbery and murder came up in their conversation, and that he asked Jamie if he shot the boy, and Jamie said yes. That was the end of the conversation. In her testimony, Molly corroborated Scheel's accounting that she had a party at her apartment after the shooting, but before her June 6th birthday, where Scheel, Susan Claycomb and Jamie were present. She says she vaguely remembers Jamie wearing a flannel shirt and that he had long hair. Molly testified that she knew of Jamie Snow, had seen him, but had no association with Jamie.

Scheel has recanted his testimony twice. In 2005, Scheel spoke with private investigator Anthony Matins. Matins describes interviewing Scheel on September 1, 2005. He reported Scheel denied any personal knowledge of the murder of Bill Little before Detective Crowe approached him. After they met, Crowe fed him information. Scheel said he took a polygraph proving he had no knowledge. He said while he was on parole, Detective Dan Katz approached him and said he was lying and going to be in big trouble. He said he had no actual knowledge of what he testified to at Jamie's trial, and that it was false.

In 2009, Scheel interviewed with private investigator Larry Villa, and Jamie's attorney, Tara Thompson. He reported Scheel was very emotional, crying and shaking, saying he felt guilty because he was part of the reason Jamie was serving so much time, when he was innocent. He said the testimony he gave against Jamie a trial was false. Scheel said he was afraid of the Bloomington Police Department and the McClean County State's Attorney. He said he did see Jamie at a party in 1990, or

1991, at Molly Esche's house, but Jamie did not say anything about a gas station shooting, or Bill Little, and that Jamie never confessed.

Scheel stated that during an interview, in either 1995, or 1996, he told detective Katz and Crowe that it was not true that Jamie confessed to him. He said detectives told him they did not like his answers and kept stopping and rewinding the tape to re-record. Scheel said, when he took the polygraph a month later, he answered that Jamie did not confess, that he did not answer in the affirmative as recorded. Scheel said that he was put into segregation in prison and thought the police working this case were responsible for that.

Scheel said, after his parole, Katz visited him at his parole office, said he wanted him to say Jamie confessed and said the police composite from the murder actually looked like Scheel himself. He said he denied that Jamie confessed, but they kept rewinding the tape and re-recording. So he felt he had no choice but to cooperate. So he said Jamie confessed to him, even though it was not true.

Scheel said that Katz and Reynard contacted him again, in 1999, and agreed to stop harassing him if he testified at Jamie's trial. He said he was subpoenaed and received money to travel to the trial. He said, before he took the stand, Reynard and Katz planned his testimony with him and told him to say what Jamie was wearing that night, and that he appeared shaggy. He said he had no actual idea what Jamie was wearing, though. Scheel said that before the trial, no one from the defense interviewed him. Scheel was afraid and refused to sign a statement after discussing it with his wife.

Bruce Fischer: Tam, Steve Scheel was 22 at the time of the crime. Scheel claims to have had a conversation with Jamie at a house party, where his wife and newborn were. We know that only one month after the crime he was arrested for sexual assault with a victim less than 13 years of age. He was found guilty at trial one year later, on May 14 1992, and he was sentenced that June to six years in prison. Scheel didn't serve that entire sentence, though. He was released just after four years in 1996. How does that case fit in with the timeline of the tips against Jamie?

Tammy Alexander: Well, on the face of it, it appears that he was just trying to possibly get a deal on that crime, which it doesn't even look like he got a deal on that crime because he served almost the entire sentence in prison and then probably the rest on parole. Remember, there were posters with reward money posted everywhere

in Bloomington. The reward money was no secret, he could have been trying to cash in, or even pursue a deal on the crime before trial.

Bruce Fischer: What would the motive be for making the statement against Jamie if he was already serving a sentence and was due for release in just three more years? We know he was pressured. But do we know if there was a motive at that moment for him to interfere with this investigation?

Tammy Alexander: Well, three more years is a very long time when you're sitting in prison. We know from Palumbo that they used the same tactic of making his remaining time miserable in seg, taking his property, all of those things, and possibly even extending the time. Recall, Crowe was part of the interview, and it doesn't appear as if he took Scheel's accounting as credible at all, because nothing was done about it at the time.

Alternatively, they could have been, could have offered him re-sentencing recommendation, but I'm not sure that all that flushed out because the fact that Crowe and Katz conducted the interview and that Crowe was in charge of the investigation at the time, and there was no action taken.

Bruce Fischer: So at trial we again see a woman who was a bystander get brought into this, Molly. Why was she so important? Was she lying?

Tammy Alexander: Well, again, Molly was brought in to give it credibility to Scheel's false confession. Just like with Palumbo, they needed someone to vouch for the conversation, say it happened, to put Jamie at the scene of the confession. So she was insignificant to the events, but her validation of the supposed conversation was so incredibly significant. They also used the flannel shirt he was supposed to be wearing as another sticking point, the shirt was just as important as Molly. It was a small detail that they turned into validation that Jamie was there that night. As if remembering his shirt, and saying a woman was standing by his side, is all the evidence needed to confirm the murder confession.

I do recall seeing a document somewhere when Molly was talking about a cute guy at a party in a flannel shirt, but I haven't been able to find that yet. I've really want to, want to find that because I remember when I saw it, I thought oh, that's where the flannel shirt came from. But, when I dig it up, I'll definitely post it.

Bruce Fischer: So was Jamie ever seen at this party or his co-defendant, Susan Claycomb?

Tammy Alexander: Jamie didn't know Scheel and he also says that he was never at the party. Think about the scenario, Steve Scheel states that Jamie was on the run for multiple crimes, including murder. There were posters everywhere, with a reward on his head, and he goes to a party and confesses to someone he hasn't seen in 10 years. Jamie does not know, says he doesn't know Steve Scheel and didn't know Scheel, Steve Scheel. So he's confessing to him in a five-minute conversation at a party. That doesn't even make sense.

Bruce Fischer: When Jamie's investigators came to interview Scheel five years later, and then again nine years after Jamie was found guilty, he recanted everything. What were some of the tactics he revealed that got him to flip?

Tammy Alexander: So Scheel told Jamie's investigators that the police said that they knew he knew Jamie Snow killed the boy at the gas station. And that they told him they didn't like his answers and they were feeding him details, and stopping and rewinding, and starting the tape again to get him to change his version. There's the seg thing again while in prison. He was thrown in the seg and he don't know exactly why, but he felt BPD investigators were directly responsible for it.

So then he gets out on parole, and they interview him again at the parole office, which is a place of authority, and they do the same thing with the tape and this time, say he's going to be in big trouble and he's lying. They told him they wanted him to say Jamie confessed to him. Then they said that, as a matter of fact, the composite made by a witness of the murder actually looked like Scheel himself, and this is when he broke again. He thought he was never going to leave that room unless he cooperated, that he had no choice, that they send him back to prison, so he complied.

They later ensured his cooperation at trial by telling him they'd stop harassing him if he agreed to take the stand. And then they planned what he was going to say right before he took the stand, emphasizing he needed to talk about the flannel shirt and Jamie's appearance that night. He just did what they asked of him. But speaking of the flannel shirt, who remembers what another guy was wearing at a party 10 years ago? He gives an amazing description of Jamie's flannel shirt and the shirt, white

shirt underneath and blue jeans. So I think that that's pretty incredible testimony in the first place.

Bruce Fischer: Lesley, what was the evidence that Jamie's attorneys didn't use?

Lesley Pires: Well, they did not use that initial lead sheet from August of 1991, just four months after Scheel was arrested for his sex crimes. The lead sheet was never brought up. On the stand Scheel testified that he was a good citizen, and he never told anyone about that confession for a whole year or until after he was already arrested, but before he was sentenced. He said he told his father, who then got involved. So that's partially true. It was not a year later that he first contacted authorities and the lead sheet would have validated that.

The lead sheet could have been immediately presented while he was on the stand and he could have been asked why. Why months after your arrest, did you make a call stating Jamie told Molly he did the crime? What changed since this time that he made this official tip, and the time he told his father, before his own sentencing, that he heard it himself. That one slip of paper could have impeached that whole testimony and demonstrated how this lie got started, and how it snowballed into this full on confession, where he was well into his own trial, needing his dad's support.

Also, a value could have been a polygraph. If it could have ever been admissible into court. Maybe some digging around on that issue would have yielded other information they could have brought in. And Jamie also mentions that there was an interview with Molly that was never turned over. Obviously they talked to her and documented her story well before trial. Where was this Brady material? Why did the defense not inquire about the lack of documentation about her story?

What the defense did rely on at trial was the 1990 interview with Katz and Barkes, where Scheel admits on the stand that he dismissed what Jamie said at the party and did not believe it. That was the only piece of evidence that was really used to impeach him though. And although they got him to admit that he said that, the prosecution, through this long out lengthy question, that I can't even make sense of myself, get them to say that he didn't understand the significance of those comments when he made them in 1999. And now for your pleasure, I'll read you the question. You can see how this was a loaded question, masterfully crafted, and all Scheel had to do was agree. Charles Reynard asked the following:

And with regard to Mr. Picl's question about what you told detective Katz, as far as the significance, or the truthfulness, of what you were told by the defendant, you didn't know then what the significance of those remarks was. Isn't that a fair statement?

And all Scheel had to do, and all he did was say, that's correct. There was a recross by the defense again, but this wasn't addressed at all.

Tammy Alexander: I just want to point out that in one of the affidavits, Scheel says that when Katz came to him the last time before, you know, before the trial, he said that Katz told him that Crowe lost the 1993 police report and the tape that they made. Which we don't have the tape. We don't have the '90, the '93 tape. We do have the 93 police report. I just thought that was interesting.

Lesley Pires: Yeah, it is, because if you go back and look at the affidavits, Scheel claims he never told them in 1993 that Jamie confessed to him. He says he always told them he did not. But then if you go and you look at the transcript, Scheel is saying it, while in prison. So maybe they lost the tape because they, too many clicks from rewinding it. And you know, they only wanted the transcript, to lay it out nice and smooth.

Tammy Alexander: Exactly, exactly. I wish we had that tape.

Bruce Fischer: Is that, is the claim that that tape is lost or what was the reasoning for not being able to get that tape?

Tammy Alexander: We've asked for all the tapes and it wasn't in there.

Bruce Fischer: That one's just been ignored.

Tammy Alexander: Yeah.

Bruce Fischer: So how did Jamie's defense handle Scheel on the stand otherwise? Was it similar to what we saw in the past with other witnesses?

Lesley Pires: Well, Picl did spend a lot of time on Scheel, and although he obviously missed a lot of opportunity, he was pretty keen to what was going on and did ask some good questions. Although they went nowhere. Scheel did not testify at Susan's

trial so this line of questioning was not copied from her lawyer, Steve Skelton. This was all new testimony.

So almost immediately, Picl was agitated with the witness in front of the jury, and he makes one of his cutting comments. It was good. He was right. But it was just so blunt. Before even asking about the party situation, he opens up saying, Mr. Scheel, your recollection of this party is impressive. That sets the tone and you can all guess where this is going to go now, right? So, Picl starts pestering him with these short little inflammatory questions in quick succession, meant to make him look like an ass. He asks him if he can remember the exact day of the party, the day of the week it was on, if he was drinking, if he was on drugs, and he has loaded questions like, certainly you called the police the next day, did you not? You had access to a phone didn't you? Well, did you drive to the police station the next day? What about the day after? You know where the courthouse is, you know where the police station is. Where were you at 11am the night before the party? Okay, four o'clock?

It was just as usual style of asking these questions that would embarrass the witness in front of the jury. I guess to apply pressure and get them to crack and take away his credibility, but it didn't have that effect. The things he asks him that went right, were how he was able to remember exactly what Jamie was wearing that night, but not the day of the week the party occurred on. He got him to admit that he could recall those details, even though he took no notes about the party and no photographs.

He gets him to admit that he never contacted any authorities about the confession, and that he only told his father, who then got involved for him. He gets them to admit that although he says he was going to trial and getting a mandatory minimum anyway, that he did not actually know what he would get. It could have actually been years more. He tries to get him to admit that maybe his father got involved at the right time to influence a sentence, but Scheel adamantly says that was not his motive at all, and he didn't even think about it.

Picl gets Scheel to admit that he told the detectives just two years prior, that he didn't think Jamie did it. He didn't believe the story that was said at the party, and he's testifying truthfully when he says that, as a good citizen. I wonder if that would have had more credence with the jury if he wasn't just harassed and made to look like a dummy. If he's being so honest, right now in Jamie's favor, maybe he should have been treated with kid gloves a little more. But no, Picl immediately makes the

connection that because he says he's truthful now, it means he wasn't truthful when he didn't immediately report Jamie to the authorities. So he wasn't a good citizen back then. It's just weird.

Then they have this long drawn out debate over how long this supposed conversation with the confession took place for. Scheel says the conversation lasted 15 to 20 minutes. So Picl out the 1993 interview where he previously said it was five minutes, then they argue for a while over the technicality. If it was the whole conversation that took just five minutes, or just the confession part, Scheel actually says that he needs clarification. And instead of getting to the point, Picl literally says to him, I don't have the energy. No other questions. Thank you very much.

Well, yeah, it is really apparent he didn't have the energy for further questions. He missed a lot when he decided to stop there and have that little mic drop moment in front of the jury. The prosecutor wasn't tired, though and he took the opportunity to redirect and get Scheel to explain why he would remember what Jamie was wearing so well. And he claims it was because he was just so dirty and unkempt and it shocked him.

Picl crosses again on this and asked him how could he be so shocked if he hadn't seen him since he was a boy, what kind of comparison to his appearance could he have actually have made that would have been so shocking, and that's a good point. And then he also closes with a good point, and he says, so you hadn't seen him in 13 years. And at the party, he tells you he shot and killed someone. Is that your testimony? And Scheel says, pretty much, yes. And that's the end of his testimony. So I mean, it was just a very animated cross examination. There were some good points, but so much was missed. So much was left out. And Picl once again, was just too hostile and aggravated to get the job done.

Bruce Fischer: It seems like there was a lot of information there that just screams that the witness was coached.

Lesley Pires: Yeah, he definitely was coached, it was obvious Picl knew he was coached, and Picl did have the 1993, 1999 transcripts and pulled them out. And for the first time, since we've done these episodes, he actually reads the questions off the paper in front of everybody and does a pretty good job at it. But, you know, we have like, 10 documents and Picl only showed up with two that day, so it wasn't really any help. And as we can see before with Picl, all it requires to rebut him is the

witness to just say, I don't know, I don't know what you're talking about, and he just leaves him alone. So that's it. He was unprepared. He didn't have the rest of the stuff.

Bruce Fischer: You do mention Picl made a couple of good points. But overall, I think the performance was terrible. I mean, the mic drop moment you mentioned completely backfired.

Lesley Pires: Yeah. It was hilarious to me because he's saying, you know, it's, that's the only time that he, he says, I'm telling the truth right now that I didn't think Jamie did it. And there was no objection, the prosecutor let that go. And, you know, Picl's just so arrogant. He's like, oh, well, if you're telling the truth today, that means that you are a bad citizen back in 1991, when, you know, you heard this confession. So you know, it just threw the whole thing out. It's unbelievable.

Bruce Fischer: It also gave the prosecution a door to open to you know, get additional information to the jury. But the question might have never been answered if Picl didn't play that little stunt.

Lesley Pires: Yeah, if you didn't make a scene, there would have been no reason to, you know, re- examine again.

Bruce Fischer: To word it better, he gave the prosecution an opportunity there. Not the sign of a great defense attorney. Tam, how have these affidavits been handled in the court since? Has anything come of Scheel's recantations?

Tammy Alexander: Well, today the affidavits have been taken as hearsay, or they have been taken in isolation. So, if the court says that they're hearsay, then they just say, well, they don't matter because Scheel didn't give an affidavit himself. When they say they're in isolation, they're just saying in other words, that one witness wouldn't have made a difference in the outcome of the trial.

So they're not looking at the case cumulatively, which goes back to our discussion from last week. You know, when we talk about how many does it take, how many does it take. They just did not look at it and have not looked at everything cumulatively, yet. They just look at this one witness and say, Well, he wasn't a big witness. He wasn't a game changing witness.

Lesley Pires: So, Tam, if Jamie did get a new trial, would these investigators, who wrote these affidavits, be able to take the stand and talk about the conversation they had with Scheel even if nobody can find Scheel, or would that be hearsay as well?

Tammy Alexander: No, I think they, I absolutely think they would take the stand. I mean, they're witnesses. They're witnesses to him. Because they say in the courts, you know, when you're sitting there in court in the oral arguments, they're like, well, you know, but Scheel didn't give an affidavit himself. They don't want to hear well, that he was going to give an affidavit, but his wife took him in the back room to have a discussion, and came back out and said he wouldn't do it.

Lesley Pires: So then, if it was an actual trial, again, they would allow these investigators to say what Scheel said to them during that conversation, or would it be objected to as if you can't tell me what somebody else said, who's not here right now?

Tammy Alexander: It's my understanding that they would be allowed to testify. But Scheel would be subpoenaed. I mean, that's the whole difference. When you know, everything opens up. That's why we need an evidentiary hearing. That's why we need a trial. An evidentiary hearing, or a new trial. It's incredible that this case has never had an evidentiary hearing. We know people that have gotten three and four actual trials, new trials on less evidence than this. Certainly they have evidentiary hearings. Not getting, an evidentiary hearing would allow us to put people on the stand, to subpoena people, to get more information, to be able to get off of the discovery, all of the stuff that we've been having to fight for in post conviction this whole time.

You know, you just have so much more access at trial. When you're on trial, or when you're, an evidentiary hearing, you're, you know, you're defending it when we make a claim, which is supposed to be taken as truth. An affidavit is supposed to be taken as truth. And then you put the person on the stand and let the judge figure out whether he's credible, or she's credible or not. So that's why they, you would, we would be allowed to subpoena and have these, you know, have these people on the stand and there's a huge difference between Tara Thompson, from the exoneration project, questioning this witness, than there is a, you know, Frank Picl who was on his way to prison, questioning this witness.

Lesley Pires: In this episode, we showed you again just how easy it is to make a murder confession that will hold up in McLean County. The recipe is simple. It's one

part, bump into an old friend, mixed with one part, get the girl. Ed Palumbo and Shannon, Steve Scheel and Molly, you get the point. Although Scheel came forward, and recanted his false testimony in the most sobering of ways, he still does not signed an affidavit. We'd love to hear from Steve Scheel, or Molly Pfister Esche / Eades.

If you have any information that may help Jamie, please call the tip line at 888-710-SNOW. There is a \$10,000 reward for any information leading to a new trial or the exoneration of Jamie Snow. The tip line is free and confidential. The casual confession narrative became a popular trend against Jamie, and next to pile on, was someone who actually knew him. Someone who was a paid informant. How did Randy Howard, get away with it? That's next time, on Snow Files.

Transcribed by: Jinger Fiola

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