

#14

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
COUNTY OF MC LEAN

THE PEOPLE OF THE)
STATE OF ILLINOIS,)
)
Plaintiff,)
)
vs.)
)
James Snow)
)
Defendant.)

No. 99 CF 1016

BPD Interview of Danny Martinez March 4, 1999

#16

DC: Detective Dan Cats
DB: Detective Barcus
DM: Danny Martinez

DC: This is a tape recorded interview in reference to case number 91-0-0-2-1-5-0 homicide case the victim involved is uh, William Little. The person being interviewed is Danny Martinez M-A-R-T-I-N-E-Z. The place of the interview is, that this interview is being conducted is at uh, Mr. Martinez's residence on East Empire Street 8-0-4 East Empire, 8-0-3, 8-0-6, 8-0-6 East Empire. Present during this interview is Detective Rick Barcus, this is Detective Dan Cats from the Bloomington Police Department. Mr. Martinez you are aware that we want to talk to about a homicide that took place at the Clark oil station is that correct?

DM: That's correct.

DC: And you're also aware that this interview is being tape recorded?

DM: That's correct.

DC: And do we have your permission to do that?

DM: That's correct.

DC: Now the Clark oil station we're talkin about, where is that located?

DM: It is located west of my home.

DC: Exactly, one, one spot west?

DM: That's correct.

DC: So the address then would be 8-0, 8-0-2 or 8-0-4 East Empire?

DM: Uh, I don't know the address 8-0-2, I guess.

DC: The police reports say 8-0-2 so it's right on the corner of Empire and Linden is that correct?

DM: That's correct.

DC: And would it be the northeast corner? Southwest corner? Southeast corner? Northwest corner?

DM: It'd be south uh, west corner. Northwest corner.

DC: Northwest, northeast...

DM: Yes.

DC: Northeast corner. North goes...

DM: Oh...ok.

DC: Towards Normal. Would it be northeast corner?

DM: Right. Yes.

DC: Ok. Well lets try this. You know what day, the homicide took place on?

DB: That was on Sunday; Easter Sunday.

DC: And in the year 19-91?

Dm Uh, I think that's correct.

DC: And Easter Sunday in that year was March thirty-first. Now, specifically were you at that location on that Sunday?

Dm Uh, that's correct.

DC: Ok. What I would like you to do is just narratively tell us what you were doing and how you ended up at the Clark oil station on Easter Sunday March thirty-first 19-91.

DM: As I uh stated before with Detective Crow, I uh had uh arrived home from uh Easter Sunday at my mother-in-law's and uh, approximate time maybe 7-30, 8-ish, uh at that time I told my wife that I would go and get some drinks and uh fill up my uh, car the air, the tire, on the tire and uh, because I had a tire that would always go low and so I pulled up and put air in the tire.

DC: Ok. So when you pulled into the air, to put air in your tire, you pulled into the Clark station, where is the air pump? Is it closest to the building or closest to the street?

DM: It was more closer to the street and the side fence that was uh, beside my home.

DC: Ok so there's a fence that separated your home and the Clark oil?

DM: That's correct it was a 4 foot uh, fence, uh, chain link fence.

DC: Ok so you pulled your car in, was your car facing north or south when you pulled in?

DM: It was facing north.

DC: And what tire was it that you were putting air in?

DM: It was the uh right side uh passenger side.

DC: Front passenger?

DM: Yes, correct.

DC: Now you're puttin air in your tire, what happened?

DM: At that time I was putting air in my tire I heard my car backfired, what I heard, backfire and I end up putting uh finishing putting air in my tire and I start walking to the gas station to get my pop or whatever I was gonna go in the gas station for and at that time I saw a individual come out of the gas station backwards. I had uh walked maybe a couple steps and I heard my car was about to die. I heard it backfire and I turned around and when I turned around to go back to the gas station I had ran into a, someone and he was kind of uh shocked to see me there. Um, and then he walked around the corner and I, I was going toward the building and I heard someone say hey back up and I turned around and it was an officer across the street at the credit union and uh he said did you see anybody and I said yes I just saw someone right there and then uh another person went around the building. He had yelled out to a person was with a black truck next door to the building and told the gentleman to get in his truck and get out of here and that gentleman did and he asked me, I told him where I lived and he said just back up your car and go on home.

DC: So after you put air in your tire you were going into the build, the business area to purchase...

DM: A pop.

DC: Ok and then as you're walking towards the business you observed someone backing out or did you observe someone backing out while you were still putting air in your tire?

DM: No I observed someone backing out of the gas station door uh backwards, and at that moment like I stated that my car was about to die and it kind of backfired again and I turned around so it wouldn't die by the time I turned back around the person...

DC: So, so you were walking towards the building when you observed someone backing out?

DM: That's correct.

DC: Ok and can you describe this person you saw uh observed backing out?

DM: Uh, no I, I can describe him when I when I turned around and saw him uh he was maybe 5-9 cuz I'm 5-8 maybe 5-9, 5-10 uh brownish blonde hair, ball cap. He had uh spring jacket to me considered a spring jacket and he had both his hands in his pockets.

DC: And then you, so you observed him backing out your car starts to stutter, sputter a little bit so you turn back to see what's goin on with your car; turn back and at the time how, you and him almost meet face to face?

DM: That's correct. As I had stated earlier in Crow's papers we were 3 foot apart uh, uh, uh and that's where he was to me he seemed like he was kinda shocked cuz his eyes just opened up and uh that's how (Inaudible).

DC: Then after as you're walking up, he, he, he almost walks into ya...

DM: That's correct.

DC: You're about 3 feet apart and you saw him go which way?

DM: I saw him go in between the uh gas station and my uh fence and he walked towards the alley back alley (Inaudible).

DC: When you were walking from you car towards the business did you use anybody inside the business other than the person you observed backing out?

DM: No

DC: When you first saw the person backing out of the business, was he already out or was he at the door or?

DM: He was at the door uh with the door like half way open.

DC: Ok so he was partially already out when you first observed him?

DM: Right. Right.

DC: And the police officer saw ya?

DM: Uh, after I saw the gentleman and he went through the building and my chain link fence I started walking maybe 2 steps and I heard the gentleman say back up when I turned around I saw an officer across the street at the credit union and I don't know if it was the credit union back then or not and uh he said he had mentioned did you see anybody and I said yeah I just saw him and I just saw some guy just goin through the, the grass here and he says uh and I told him I live next door and he says well why don't you back up your car and uh go on home and he told the gentleman that was in the black truck or a gentleman that was by the black truck to get in his truck and get out of here.

DC: Now when you said you heard you car backfire, what you thought might have been your car backfiring, was the black truck in the lot at that time?

DM: Uh, I'm not sure because I was kneeling down uh on my car putting air in my tire.

DC: Did you ever see, did you see the gentleman actually get out of the black truck?

DM: No. I saw the gentleman by the back black truck uh in front of the black truck.

DC: Now was there any conversation between the police officer and that gentleman other than for him to get back in his truck and leave?

DM: No.

DC: Just for clarity sake, I believe you told us earlier that the black truck was up by the front of the building?

DM: Yes it was on the...

DC: Or was it at a pump? At an island?

DM: No. No. It was right, I don't know what the corner it would be the uh...

DC: Southwest...

DM: The southwest corner of the building.

DC: Ok. Um, I apologize I'm trying to think of in, in the reports that you made to Detective Crow um you made some comments about what kind of shoes the person may have been wearing.

DM: Um, I could have but I just don't remember if I mentioned to him what kind of shoes he was wearin.

DC: So whatever he has in his report just because of time..

DM: Right.

DC: And how much time's elapsed you just can't remember everything in your report. In his report it says that the guy the person you observed was wearing a pair of low cut white tennis shoes?

DM: Uh, that's correct if I had mentioned to him at that time I did notice him wearing.

DC: Did you ever go into the gas station that night?

DM: No I never did.

(Inaudible)

DC: Yes. Is it possible that prior to you seeing this individual come out of the gas station, is it possible that somebody else coulda came out of that gas station before you saw the individual that you almost bumped into? I mean were you busy enough with your tire and your car that 30 seconds prior to this guy somebody could have came out?

DM: I was stating that uh, I was kneelin down so I didn't see you know the gas station I was doin more concentration on putting air in the tire.

DB: How long were you, how long were you maybe and I know it's been 8 years, but if you can help me with maybe a guesstimation of time. You pull into lot up at the air pump you get out of your car you start air in your tire uh, I vaguely remember the air pump being there and sometimes it works and sometimes it didn't work sometimes they didn't have the breaker switch turned on um can you give me a guesstimation of time of how long you might have been messin with your tire?

DM: Um, be honest uh to remember that far back it's hard to say um, maybe uh if the pump was working pretty good maybe 2 minutes 3 minutes.

DC: When you got done with your tire...

DM: Uh-huh.

DC: You stand up, you looked at your other tires...

DM: Uh-huh.

DC: And then you started towards the gas station

DM: That's correct.

DC: From the time you start towards the gas station and the time you bumped into or saw this individual are we talking seconds are we talking seconds? We talking 30 seconds? We talking minutes? Are we talking half hours, hour?

DM: We're talking uh less than a minute from the time that I got up; started walking to the gas station saw this person backing out of the door by the time I turned around to see my car was gonna die turning back around seeing this individual, less than a minute.

DC: Ok so but let me ask you this. From the time you finished with your car.

DM: Umhmm.

DC: Checking your car tires and you start towards the gas station how many seconds or minutes did it take for you to observe the guy coming out of the out of the not to the end but the first time you saw him.

DM: Um by the time I turned around towards the car when it was dying. Is that what your question is?

DC: No what I'm saying is when you when you left your car...

DM: Right.

DC: And starting walking towards the gas station.

DM: After I put air in the tire?

DC: After you put air in the tire. Did you see him comin, backing out of the gas station door.

DM: That's correct.

DC: And then you turned around because your car was going to die.

DM: Right that's correct.

DC: And then you started walking.

DM: Right.

DC: Ok. My question is from the point that you left your car...

DM: Right.

DC: After airing your tires up, to the first time that you see him backing out of the gas station.

DM: Less than a minute.

DC: Ok are we, I don't, I don't think we're communicating here.

DM: You're saying the first time that I got up to go towards the gas station after I put the air in the tire...

DC: And you saw him coming back out.

DM: And I saw him coming out...

DC: Were you walking for a minute?

DM: O no, I mean...

DC: Were you walking for 5 seconds? 10 seconds?

DM: Ok less than uh I figure maybe 10 seconds not even 10 seconds 5 seconds 3 seconds because...

DC: It's almost immediate.

DM: Right it was just like 2 steps 3 steps and then my car starts dyin and I turned back around...

DC: So within a step within 3 steps you see him comin out the door...

DM: Right.

DC: Your car's almost gonna die so now you turn around and look at your car

DM: That's correct.

DC: And then you look at that for a few seconds?

DM: Uh maybe a second to see if it was gonna die 2 seconds you know.

DC: And then you turn around and start walking?

DM: Right.

DC: And that's when you bump into him?

DM: And that's when he, I turned around and he was there and he...

DC: So honestly you're talking probably less than 30 seconds?

DM: Yes.

DC: From the time you started towards the gas station; you see him; you turn around and look at your car you walk forward you bump almost bump into him is 30 seconds or less?

DM: That's correct.

DC: It it's a very short period of time.

DM: That's correct.

DC: Ok. Do you know a person by the name of Jamie Snow?

DM: Uh no. I never met the person, but I've heard the name around town.

DC: You've never seen his face that you're aware of?

DM: That I'm aware of I have never seen his face.

DC: You just heard his name.

DM: I've seen I don't know if uh Detective Crow had shown me pictures of him or uh if uh he was one of the guys in the lineup that I had uh, uh done but uh otherwise I as far as my memory...

DC: If a person walked in here right now you would not be able to tell me if that's Jamie Snow or not?

DM: No.

DC: Ok.

DB: So you, prior to this incident happening at the Clark station you didn't know Jamie Snow from Mary Blue?

DM: No.

DC: So you would have never told any police officer or any detective or anybody that would have asked you about this person that you saw at the gas station you wouldn't have said well that's, it could have been Jamie Snow because I know Jamie Snow.

DM: That's correct, but with me I know people by their faces but not by their name.

DC: Ok did you know this face?

DM: No. Not at all.

DB: I want you to think Danny, when you pulled your when you pulled your vehicle into the lot, did you look into the uh business area of Clark oil? The office area.

DM: As far as I remember I don't think so. I just pulled it up and got out but

DC: So you don't you don't know you can't say if you saw anybody in there at that time when you pulled your car in?

DM: That's correct as I stated before that the front of the building on uh was boarded up and they had plywood all the way to the in front of the class area and uh if I woulda looked over there I probly wouldn't have saw anybody over there because of the boarded up...

DB: Now you're saying the boarded up area, that would be the east portion of the building?

DM: Uh that's correct.

DC: Towards your house?

DM: That's correct; towards my house.

DB: When you got out, when you came to Clark's; pulled in the lot, do you remember by chance if there was any other vehicles sitting there on the property?

DM: Uh,

DB: At the gas pumps or any place at all?

DM: No. Not at all. I don't, I don't think I re, you know I don't remember if there was something you know there, but like I had mentioned I remembered seeing the truck when I was walking towards the building you know and the gentleman in front of the truck you know at that at that same time when I say the gentleman back up, I don't know if he had just pulled up or you know and got out of his truck.

DC: And the reason you were at Clark oil, I think we went through that earlier is, I don't know if it's on tape or not, but you had dropped your family off and you always a show on Sunday night.

DM: That's...

DC: It was it was...

DM: We watched a program we, me and my wife had talked about it we don't remember what program uh every night I don't know if it was 8-ish or 9, 9 o'clock but we would watch the program and I would always head over to the gas station and get some sodas and uh we'd make popcorn and eat down here and uh I was saying that there was a gentleman that was always in there his name was Danny and uh and that's the reason why I was over at the gas station, also to put air in my tire for the next morning for work.

DC: So I take it you were at the gas station numerous times each week?

DM: Yeah. I would go to the gas station like maybe oh man um, uh on average maybe uh to put air in my tire, my tire would always be low uh maybe 3 times a week. It could have been less it could have been you know more times.

DC: The attendant that night Billy Little you know is the victim...

DM: That's correct.

DC: You've prolly seen him in there before?

DM: Yes I have uh he used to work the uh I think night shift or you know some days and stuff. I uh I knew a gentleman that always I mean would work there Steve I think his last name is (Inaudible) I went to high school with that uh also worked.

DB: If I were to ask you, would, would you say the guy had his hands in his pockets...

DM: That's correct.

DB: Would you be able to tell me if he was carrying the average jacket or did he just have his hands in his pockets?

DM: Um, I would say he had his hands like in his pockets like he was had a fist or you know you know I mean he coulda been carrying something or he just you know, but I remember his hands bein in his pockets.

DB: Lets ask it this way, you remember the night you remember what kind of evening it was temperature wise, it was March 31, did it seem odd that somebody had their hands in their pocket like that?

DM: Um, no I mean cuz I always put my hands in my pocket you know.

DC: What, what kind of coat were you wearing that night?

DM: I don't remember I don't recall what I was wearing that day uh it must, it must have been dress up clothes because we had just gotten back from my mother-in-law's for Easter Sunday and uh we usually have dinner there or...

DB: Was it cold out?

DM: No it wasn't it was uh nice spring day uh, uh to me it was a nice spring day I mean it wasn't winter like we have up here you know...

DB: We've talked about or you've talked about this guy wearing a spring type jacket...

DM: That's right.

DB: The person you saw wore a spring type jacket. If I were to ask you about a black leather motorcycle zip up type jacket, is that possible what he had on?

DM: Uh...

DB: And if you don't know I...

DM: I, I ya know right I can't say uh yes and i can't say no because uh it just happened so quick and I can remember having you know a spring jacket on; he had a spring jacket on.

DB: If, if the person would have been carryin the cash drawer could he have been carryin a cash drawer under his coat with the way his hands were and his coat was? I mean is it, is it possible?

DM: Yes I think I had uh had mention to Detective Crow because he asked the same question and I, I think that uh it's possible that he could of cuz I don't know how heavy this guy was because it was a loose spring jacket.

DB: Did you have, when you guys were about 3 feet apart was there any conversation like hi or anything like that between you and the person?

DM: No. If I, I don't recall, but uh like I said he was shocked that I was there cuz his eyes opened up like this guy was you know maybe uh surprised.

DB: Is there anything you would like to ask us?

DM: Yes. I would like to know if why uh that we're doing all this uh pages uh again after I've told my story so many times.

DB: Sure. Sure. I don't blame you for askin. Um (Inaudible) told you there was just like whenever somebody does one thing it not everything gets reduced to writing. They might know it up here, but it's not down here ok. When uh Detective Crow retired he was in charge of this case up until he retired. When he retired it was reassigned to Danny and myself. We don't know what was up there and Detective Crow was a good investigator, but Danny and I don't work that way. Detective Cats and myself, whatever you tell us like we're doin a tape recorded statement that's gonna be transcribed so that there's no ifs ands or buts about what was said or and there's no information that somebody might have up in their brain that's not down on a piece of paper. So that's why, what we're doin and um the other reason is consistency. We're goin back and interviewin every person that we think is important in this case. There's some that probly aren't important, but we still wanna interview them. The State's Attorney's Office has asked us to tape record those interview that way if there's ever a closure on this case and we hope there is, the jury can hear your own, the person's own voice tell their story instead of myself or Detective Cats; well Mr. Martinez said this or Mr. Martinez said that and Mr. Martinez said this and then your reaction is no, I didn't say that, this is what I said, the Detective may have implied that so this the why. It's for your benefit. It's definitely for our benefit by far um there was some things in our conversation briefly on Friday and today that we weren't aware of uh a prime example distance wise of uh of how things went so uh it's (Inaudible) and we really do appreciate you cooperation uh hopefully next time we have to do something like is to show you a picture and say is this the guy?

DM: Yeah.

DC: Plus the fact that I have not really been involved in this case since the beginning I mean I just involved here recent, very recently and I have never sat down and talked wit yo about this case and more or less after 8 years, what we're doing is starting at the beginning going through and trying to put it together so that we can come to a conclusion in this case some day and for me to, to work this case and not talk to everybody that's involved in the case is unfair to me and we're just tryin to get this thing solved so that's why it's important that we sit down and talk with you cuz I asked you questions (Inaudible).

DM: What also gets me is that why that this person in this black truck was told to get out of there and not found or interviewed.

DB: We would, we would like to know that answer too.

DM: And another thing I wanted to say is that I don't know who called Mrs. Little to have her call me I mean that was I mean, I mean I know that her son was involved and uh I know Easter's comin around the corner and she's goin through a hard time right now I mean coulda returned your phone call towards me and you know mentioned something to me...

DB: And I, and I, and I did and I tried doin that and I'll have to take responsibility for that and I'll explain to you a little bit later about what transpired there, but I did remember somethin I wanna talk to you about. I wanna show you 3 drawings and what I would like you to do is look at these 3 drawings and tell me if you had to pick 1 of these 3 drawings as being the person you saw now granted 2 of 'em have some kind of a hat on and 1 of 'em doesn't, but if you had to pick which 1 would you say, this is the person I saw?

DM: The middle 1.

DB: Alright and this is the 1 that was uh taken actually it's got those aren't your initials proly but it does say D-M and I talked to the person who did the composite and uh he said that stood for Danny Martinez.

DM: That's correct.

DB: Ok now there's 2 left...

DM: If he had his mustache shaved, this would be the person. Um and I don't know with the hat you know.

DB: Ok and that's a composite that was done on January 13 so prior uh 19-91 prior to uh the shooting at the Clark oil ok. So you're saying these 2 are the closest. This one is the best, this is next and the third 1 I mean does that even resemble the person that you saw?

DM: Uh, his chin is too...

DB: Narrow?

DM: Narrow. You know and he would look like a colored person you know.

DB: Dan do you have anything else?

DC: No. I just wanna thank you for uh letting us come out today

DB: Danny I sure appreciate it um I gotta say a couple things on this tape recorded interview real quick number 1 is this interview started at 9-45 A-M on March 4, 19-99 and the time that this interview concluded is 10-14 A-M March 4, 19-99 and Danny one last thing I know Danny is the name you go by, but what is your legal name.