

SNOW NOTES

THE WRONGFUL CONVICTION OF JAMIE SNOW AND HOW THEY GOT AWAY WITH IT

Pelo's Perspective

From

Case Report by Pelo 3/31/91

Interview Audio, 3/2/99

Received dispatch call for Clark Station at 8:18 PM for a 1090 holdup (Case Report 3/31/91 & Audio 3/2/99).

Headed north up Linden St, turned off lights, and observed the Clark Station (Case Report 3/31/91 & Audio 3/2/99).

Williams reports he is 1023, arrived (Case Report 3/31/91).

Pelo gets out of car, walks north to front of credit union, then east, to far side of Clark Station lot, stands watching (Audio 3/2/99).

Observed Hispanic male (DM) on far east side of lot, crouched down at front passenger tire, putting air in tire (Case Report 3/31/91 & Audio 3/2/99).

Observed no movement inside station (Audio 3/2/99).

Ran DM's license plate number over radio to dispatch (Audio 3/2/99).

Observed DM do the following actions (Audio 3/2/99):

1. Walk from car to station, 20-25 feet away from his car
2. Stop and look back at car
3. Turn and walk towards station, making it 15 feet to door
4. Stop and turn around
5. Go back to vehicle and leave
6. Drive away west on Empire Street

Pelo starts walking across empire from the east end, on an angle towards the Clark Station door, watching the gas station (Case Report 3/31/91 & Audio 3/2/99).

Pickup truck arrived with two white males. Pelo tells them to get back in the truck, notices through the glass front door that there is a tennis shoe sticking out from behind the counter, orders the truck occupants to drive across the street and wait (Case Report 3/31/91 & Audio 3/2/99).

Pelo draws his weapon. He approaches the door on an angle from the south east corner of the Clark Station. He enters the station, clears the bathroom and store room, and finds the victim dead. He notices the cash register open and the drawer insert gone. He walked out and radioed for rescue and the coroner. He went back inside and attempted to find a pulse on wrist and neck, there was none. He stepped back and Officer Williams then arrived at the door and agreed the victim was dead (Case Report 3/31/91 & Audio 3/2/99).

Pelo went outside with Officer Williams to secure the scene. He noticed DM parked on the southside of Empire St and he was walking up to his house next to the Clark Station (Audio 3/2/99).

Pelo told another officer that the man he saw in the lot was back, and pointed at DM. He says that's the closest he got to speaking to DM at all, by just pointing at him (Audio 3/2/99).

Pelo states he never spoke to DM at all (Audio 3/2/99).

Pelo states he never saw anyone come out of the gas station from the time he first observed the gas station (Audio 3/2/99).

Pelo does an area check and canvases the neighborhood for bystanders, documenting all leads (Case Report 3/31/91 & Audio 3/2/99).

Susan Claycomb Trial, August 2000

Officer Jeff Pelo via Teena Griffin:

Pelo reports he received the dispatch call at 8:18PM (p 64, line 19).

Pelo says the 1090 call made him approach discreetly, concealing his squad car behind a building off Linden St (p 65, lines 13-14, 18-22).

Pelo says he then walked north towards the Clark Station, to the east side of the lot (p 66, lines 4, 17)

Pelo says he observed a male (DM) with a blue vehicle on the east side, with a man bent down putting air in his tires (p 66, lines 8-14).

Pelo reports he approached closer, and saw DM go around his vehicle and come back, then walk to the station, as he's calling in his plate to dispatch (p 67, line 1-3).

Pelo reports he had a discussion with dispatch that required his attention and frustrated him (p 67, lines 6, 8-12).

Pelo says a pickup truck entered the lot and he told the driver to go across the street (p 67, lines 15-20).

Pelo says he looked into the building and noticed the victim's foot sticking out from behind the counter (p 68, line 3).

Pelo reports he saw no one go in the station and no one come out (p 68, lines 6-8).

Pelo says he pulled his weapon, entered the station, cleared the building, found the attendant laying behind the counter, found no pulse, left, radioed for rescue, and then Officer Williams arrived. He states he noticed the register drawer was open the drawer insert was missing (p 68, lines 11, 18-19, p 69, lines 4, 6-8, 11, & p 69, lines 23-24)

(this is slightly different than his original account and 1999 audio where he says he left the building to radio for rescue, then returned inside to find no pulse, and then Williams arrived).

Officer Jeff Pelo via Skelton:

Pelo clarifies he arrived with his lights and sirens off going north on Linden St, and turned right into a parking lot behind a building, then left on foot, walking up the side of the building, across the front, eastward, and then north towards the Clark Station (p 72, lines 14-20, & p 73, lines 10-15, 19-21).

Pelo states that the radio equipment he had in 1991 was superior to what he is wearing that day in 2000, but it operated the same (p 74, lines 11-14).

Pelo demonstrates he uses either hand to activate the radio to initiate communication with the station (p 74, lines 19-21).

Pelo states he was on foot walking up to the scene, still across the street when Officer Williams announced he was 1023, arrived (p 75, lines 4-13).

Pelo reports he doesn't recall telling DM to leave the lot ever (p 80, lines 18-19).

Pelo reports DM had left within moments of him getting there. He never spoke to him before he left the lot (page 81, lines 4-5, 14).

Pelo says at one point he said something to DM, DM asked if there was a problem, and he sent someone else to talk to him (p 77, lines 21-24 & p 78, line 2).
(This is the first mention that he ever spoke to DM directly).

Pelo says he doesn't remember if DM said he saw someone go around the Clark Station (p 78, lines 7-9).

Pelo states that DM never went in or out of the Clark Station, and he got about 15-20 feet from the entrance (p 78, lines 16-18, 21-22).

Pelo states that the parking lot was well lit (p 80, line 15).

Redirect via Charles Reynard

Reynard requests Pelo to read aloud his neighborhood canvassing report where Carlos Luna states at 8:20pm he saw a male with a black hat and a black coat exit the station with a cash drawer under his coat in his left hand, to establish the time frame in which Luna reported this sighting to Pelo (p 96, lines 8-14).

Pelo states that the neighborhood canvassing activity lasted between 9 – 11pm and he wrote his report before midnight (p 98, lines 21-23, p 99, lines 1-2).

Cross via Skelton

Pelo insists he never spoke to DM until he came out of the Clark Station after finding the victim dead, he had only spoken to the pickup truck occupants prior (p 100, lines 14-15 & p 101, lines 2-4).

Pelo clarifies he did not talk to Luna before taking his neighborhood canvassing report (p 104, lines 5-8).

Jamie Snow's Trial, January 2001

Officer Jeff Pelo via Teena Griffin

Pelo states he received a 1090 hold up alarm dispatch call to the Clark Gas Station at 8:18pm (p 99, lines 2-7).

Pelo says he arrived at 8:21pm, via Linden Street, pulled in behind a building south of the station to conceal his approach (p 99, lines 10-11 & p 100, lines 3-6).

Pelo says he got out on foot, went up to the front of the building, and down the front side (p 100, lines 9-10).

Pelo says he approached while "looking at thousands of different things," and did not know what was important or not important, but he was paying as much attention as possible (p 101, lines 1-13) (*This is the first mention of a distraction*).

Pelo states he saw DM putting air into the front passenger tire of his car on the southeast corner of the lot (p 101, lines 17-21).

Pelo reports one of the "initial" things he did was called in DM's plate to dispatch (p 101, line 24 & p 102, lines 1-2).

Pelo says he had a prolonged talk with the dispatcher and was leaning and looking down into his microphone (p 102, lines 6-19). (*This is the first mention of glancing downward*).

Pelo says he is wearing the same equipment on this day in 2001 as he was in 1991 (p 102, lines 20-22). (*Notice the claim to being distracted by the radio call occurs before DM walks towards the station*).

Pelo says he watched DM as he walked around his car and towards the station. He did not see anyone come in or out of the station (p 103, lines 9-12, 15-17).

Pelo reports a pickup truck with two occupants pulled in and he told them to go across the street and wait (p 103, lines 22-24).

Pelo reports he saw a shoe sticking out from behind the counter, so he entered the station, cleared the building, found the victim laying on the floor behind the counter, checked his pulse and did not find one, and noticed the cash drawer was open and the insert was gone (p 104, lines 10-24 & p 105, lines 1, 4, 11-12).

Pelo reports he exited the building, radioed to dispatch that the alarm call was real, saw Officer Williams arrive, and told him the victim was down (p 107, lines 16-21, 24 & p 108, lines 1-3)

Pelo reports he temporarily secured the scene and later participated in a neighborhood canvassing (p 108, lines 7-19).

Officer Jeff Pelo via Piel (pronounced *Pit-sul*):

Pelo states he was stressed when he found the victim, he had served for 21 months, and this was the first homicide where he was the first officer on scene (p 110, lines 18-22 & p 111, lines 7-9).

Pelo clarifies the argument with dispatch was about the license plate software being down, and he requested the dispatcher just write down the plate number instead, and it was never entered into the computer (p 111, lines 15-22, 24).

Pelo confirms he arrived on scene 2-3 minutes after the dispatch call (p 113, lines 23-34 & p 114, line 1).

Pelo confirms he was scanning the area the entire time he was parked and walking from the car (p 114, lines 6-13).

Pelo confirms he arrived with no lights and sirens so he would not alert a suspect (p 116, lines 20-24 & p 117, lines 1-2).

Pelo confirms he parked, then walked north, up the west side of the building across the street from the Clark Station, walked eastward along the front, and stood in the east side of the lot, while looking at anything he could see (p 117, lines 16-21).

Pelo confirms he did not cross Empire St yet, and saw DM hunched down, putting air into his tires. He reports that no one else was in the lot until the pickup truck pulled in, by that time he had already crossed Empire St and was standing in the station lot (p 118, lines 3-10, 23-24, & p 119, lines 1, 8-10).

Pelo states that the Clark Station lot was lit well enough for him to read DM's plate and call it in as he approached on foot (p 120, lines 13-14).

Pelo says he cannot recall if he requested the plates to be run before or after he crossed Empire St, and can't remember if DM was still putting air in his tires at that time (p 119, lines 11-15 & p 121, lines 2-6). *(This is the first mention that he is unsure if he was still across the street when the plates were run).*

Pelo confirms that Officer Williams had arrived before he called in the plates, he already heard him say he had arrived, 1023 (p 119, lines 22-24).

Pelo confirms it took less than 30 seconds to request dispatch to run DM's plates (p 121, lines 18-24 & p 122, line 1).

When asked again about what happened after running the plate, Pelo recalls he ran the plate, started walking, crossed the street, and then saw DM walk towards the Clark Gas Station, get back into his car, and leave the lot (p 123, lines 4-8).

Pelo reports he considered DM a potential suspect (p 123, lines 21-24).

Pelo reports DM got 15-20 feet from the station, and now he can't remember if DM turned around or not, and he cannot remember if he himself crossed Empire St at this time (p 124, lines 3-10, 15-18).

Pelo confirms DM was the only suspect in the area and he watched him leave, and he can't remember if he reported to dispatch he was fleeing (p 125, lines 6-11). *(He did actually report to dispatch that DM was just leaving the parking lot at 3:34 of the dispatch call).*

Pelo reports that just moments after finding the victim and Officer Williams arriving, DM first spoke to him from his home driveway, next door (p 125, lines 16-18). *(This is the second claim he personally spoke to DM since 1999).*

Pelo states his eyes were not glued to the station from the entire time he arrive on scene, but he was scanning the area, and never saw anyone go in or out of the station, and he never told DM to leave the lot (p 126, lines 5-11).

Pelo states he cannot remember how DM maneuvered his car from out of the lot (p 128, lines 4-6).

Pelo states DM drove off the lot before he crossed Empire St on foot, but then reiterates he cannot match all the sequence of events exactly (p 129, lines 21-24 & 130, 1-3).

Pelo reiterates he never saw anyone else but DM on foot in the lot, and he was scanning the whole area, and never spoke to DM in the lot (p 130, lines 4-9, 12-13).

Teena Griffin Redirect

Pelo confirms he told 2 occupants of a pickup truck to leave the lot. He spoke to DM from his driveway when DM asked him what was wrong, and he mentioned someone went to the north on the east side of the station (p 132, lines 1-9). *(This is the first mention ever that DM told hin someone else was in the lot. In his 1999 interview audio, Pelo states he never spoke to DM at all).*

Recross Picl (pronounced *Pit-sul*):

Pelo confirms that at one point, DM told him he saw someone come out of the station and go north into the alley. He directed another officer to speak to him. He did not inform dispatch what DM said (p 133, lines 8-10, & 134 lines 3-7).

Jeff Pelo Letter to Jamie Snow, October 1, 2007

“Its obvious he did not see anyone in the Clark Station parking lot!”

“I have always questioned how he saw someone when I did not.”

“I did not see anyone inside the Clark Station nor did I see anyone backing out of the station, nor did I see Martinez come face to face with anyone in the parking lot.”

“From reviewing my testimony I see now how the SA Ms. Griffin avoided asking me if Martinez could have come face to face with the suspect without me seeing the same and also noticed how she made a big deal over me talking with the dispatch license plate, nor did Mr. Picl ask me about that situation. The situation with the dispatcher did not draw my attention away from the station and Martinez long enough to miss someone coming out of the station and coming face to face with Martinez.”

“What a pile of bullshit.”

Jeff Pelo Affidavit, November 18, 2009

Pelo asserts that he saw DM in the lot, squatting down by the front passenger tire, putting air in the tire (line 9).

Pelo asserts he was constantly looking at the front of the station and never removed his eyes for more than a few seconds (line 12).

Pelo says that when he started to cross Empire St, he saw DM stand up, walk towards the station, pause 10 feet from his car, look back at his car, walk towards the station, and then walk back to his car within seconds (line 11). He drove away going west on Empire St before Pelo crossed Empire St (line 18), and that is when he read his plate and called it in to dispatch (lines 13-14).

Pelo insists he did not ever tell DM to leave the lot, did not speak to him while he was in the lot, and DM did not initially park across the street from his house (lines 15-16).

Pelo asserts that from the time he arrived at the gas station intersection of Empire St and Linden St, no one else was ever in that gas station except for the victim. He had a clear unobstructed view of the glass door, and if someone left, he would have pursued them (line 17).

Pelo clarifies that when he was securing the scene, DM called out from his property next to the gas station, and asked “Is there a problem?” Pelo says he told another officer to go talk to him, and reported back to dispatch that DM had returned and they did not need to search for his blue car (line 21).

During a pretrial meeting with States Attorney Teena Griffin and Detective Dan Katz, Pelo says he told them that no one could have left the station while he was there. He states that Griffin implied he should say the opposite, and he responded to her that he would not lie. Instead she asked him to only answer the questions that were asked of him. He asserts that Jamie’s lawyer never asked him detailed questions about if a suspect could have actually left the gas station that night (lines 25 - 26).