

**OFFICE OF THE ATTORNEY GENERAL  
STATE OF OKLAHOMA**

**STATE OF OKLAHOMA**

**VS.**

**RICHARD E. GLOSSIP**

**CLEMENCY HEARING**

**August 23, 2022**

Submitted by:

Assistant Attorneys General

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*with special assistance from Legal Intern Breanna Glover*



Barry Van Treese  
December 3, 1942 - January 7, 1997

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# RICHARD EUGENE GLOSSIP

Detective Bob Bemo: *This ain't no simple burglary. This ain't no simple robbery. This is a murder. And when you kill somebody, that's as serious as it gets. Because the people involved in this are gonna get the needle.*

Richard Glossip: *I hope they do, man...*

Interview of Richard Glossip, January 8, 1997 (Appx. 49).

## Introduction

On January 7, 1997, authorities found the slain body of Barry Van Treese in Room 102 of the Best Budget Inn, a motel located on the west side of Oklahoma City that he owned. Van Treese had been missing for several hours that day following the discovery of his abandoned vehicle in a nearby parking lot. The subsequent search for Van Treese consumed everyone associated with the motel and everyone who knew Van Treese; everyone except Richard Glossip. Glossip managed the Best Budget Inn and had allowed the motel to fall into disrepair in the latter months of 1996. Additionally, Van Treese and his wife, Donna, had suspicions that Glossip was embezzling money from the motel. Van Treese had planned on confronting Glossip about these issues on January 6, 1997.

But Glossip said that encounter never happened. Instead, he maintained that Van Treese was his normal self on January 6, 1997. Glossip told investigators that Van Treese left the motel that night around 8:00 p.m. and traveled to another Best Budget Inn that Van Treese owned in Tulsa. There, Van Treese met briefly with William Bender, the manager of that motel and then left around 2:00 a.m. to return to the Oklahoma City motel. Van Treese would be found dead less than twenty-four hours later.



Contrary to what his counsel would suggest, it was Glossip's statements and actions in the time between Van Treese's last known sighting at the Best Budget Inn in Tulsa and his discovery in Room 102 at the Best Budget Inn in Oklahoma City that caused investigators concern. Before Justin Sneed ever uttered a word to authorities, Glossip provided conflicting statements and sent investigators upon false leads with full knowledge that Van Treese was already dead inside Room 102.

In the twenty-five years since the murder, Glossip has continued to provide conflicting accounts of his actions that night and false leads to anyone with a sympathetic ear. Much like he did with Sneed in the murder of Van Treese, Glossip has manipulated other individuals to serve his personal interests while in prison. And with the assistance of his defense team, he has manipulated the narrative around his crime to portray himself as the victim of what he himself instigated.

Having exhausted all state and federal avenues of relief, Glossip now seeks executive clemency for a second time under Article VI, § 10 of the Oklahoma Constitution.<sup>1</sup> The State respectfully requests this Board deny him clemency just as it first did in 2014 by a unanimous vote.

### **History of the Case**

In June 1998, a jury found Glossip guilty of first-degree murder and sentenced him to death. On appeal, the Oklahoma Court of Criminal Appeals (OCCA) reversed and remanded for a new trial, saying that Glossip was denied the effective assistance of trial counsel. *Glossip v. State*, 2001 OK CR 21, 29 P.3d 597. In his retrial, a second jury arrived at the same result, recommending Glossip be sentenced to death upon its finding that Glossip had promised Sneed thousands of

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<sup>1</sup> Glossip continues to raise claims regarding his innocence; those claims are being litigated before the Oklahoma Court of Criminal Appeals in Glossip's third application for post-conviction relief. *Glossip v. State*, Case No. PCD-2022-589.

dollars to commit the murder. The OCCA upheld Glossip's conviction and sentence following his second appeal, and the Supreme Court found his case unworthy of review. *Glossip v. State*, 2007 OK CR 12, 157 P.3d 143, *cert. denied*, 552 U.S. 1167 (2008). The OCCA additionally denied Glossip post-conviction relief in 2007. *Glossip v. State*, No. PCD-2004-978 (Okla. Crim. App. 2007).

Glossip thereafter filed a petition for writ of habeas corpus in federal district court. The Western District of Oklahoma denied Glossip relief. *Glossip v. Workman*, No. CIV-08-0326-HE (W.D. Okla. Sept. 28, 2010). The Tenth Circuit later affirmed that denial. *Glossip v. Trammell*, 530 Fed. Appx. 708 (10th Cir. 2013). The next year, the Supreme Court declined to hear Glossip's case a second time. *Glossip v. Trammell*, 572 U.S. 1104 (May 5, 2014).

Having exhausted his appeals, Glossip was scheduled to be executed on January 29, 2014. The Supreme Court however granted a stay due to concerns surrounding the execution protocol employed by the Oklahoma Department of Corrections (DOC). The subsequent federal case was resolved following an opinion by the Supreme Court in the summer of 2015, *Glossip v. Gross*, 576 U.S. 863 (2015), and Glossip's execution was rescheduled for September 16, 2015. But Glossip was granted a second stay by the OCCA in response to filings by Glossip's defense team asserting that they had uncovered new evidence indicating Glossip's innocence. The OCCA reviewed those claims and determined that Glossip was not entitled to relief based upon his claims. *Glossip v. State*, No. PCD-2015-820 (Okla. Crim. App. 2015). As a result, Glossip—for a third time—was scheduled to be executed, this time on September 30, 2015.<sup>2</sup> But Glossip was granted yet another

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<sup>2</sup> The OCCA actually set Glossip's execution date of September 30, 2015, in its stay of execution issued on September 16, 2015. The Court explained that the rescheduling was to allow for an adequate and fair review of the filings. But when the Court rejected the arguments contained in Glossip's application for post-conviction relief, the OCCA simply left the execution date of September 30, 2015, intact.

stay when former Governor Mary Fallin called off the execution because the DOC did not possess one of the drugs necessary to carry out its execution protocol.

At around the same time, Glossip and several other death row inmates filed a federal lawsuit asserting that Oklahoma's execution protocols were contrary to the Eighth Amendment. On June 6, 2022, Judge Stephen P. Friot issued Findings of Fact and Conclusions of Law rejecting Glossip's claims, removing the last impediment to the rescheduling of Glossip's execution for a fourth and final time.<sup>3</sup>

## **The Evidence**

### **1. Glossip's Authority Over Sneed**

Van Treese owned the Best Budget Inn located at 301 South Council Road in Oklahoma City (Tr. IV 32-33; Tr. XIII 107; Appx. 1). He hired Richard Glossip in 1995 as the on-site manager of the fifty-four-room motel (Tr. VII 8). Van Treese however resided in Lawton with his wife and children, leaving Glossip to run the day-to-day operations of the motel as he saw fit (Tr. IV 29-31, 41; Appx 2). Glossip and his live-in girlfriend, D-Anna Wood, lived at the motel in an apartment just off the front office (Tr. IV 38, 42; V 61-62).

Sneed arrived in Oklahoma in July of 1997 along with his older brother, Wes Taylor, as part of a roofing crew out of Texas (Tr. XII 41-43). Their employer lodged Sneed, his older brother, and other roofers at the Best Budget Inn that summer, and it was there that Sneed met Glossip (Tr. XII 44-45). The two quickly became friends (Tr. XII 46).

Taylor worked out a deal with Glossip whereby the two brothers could work at the motel in exchange for a room (Tr. XII 46, 128). But not long into this arrangement, Sneed's stepfather tracked the brothers down in Oklahoma and took Taylor back to Texas to account for an

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<sup>3</sup> Should the OCCA find Petitioner's claims asserting his innocence in his pending application for post-conviction relief warrant further review, the OCCA will impose a stay at that time.

outstanding deferred sentence that Taylor had obtained (Tr. XII 42). This left Glossip, who possessed low self-esteem and self-confidence, alone in Oklahoma with no oversight whatsoever (Tr. XII 42-49).

Testimony at trial painted a pitiable picture of the eighth-grade dropout who was only eighteen years old at the time (Tr. XII 47-48). One motel resident testified that, based on his limited observations, Sneed “didn’t have a lot of mental presence” (Tr. VI 16). Kayla Pursley, who also resided at the motel, described Sneed as being “very childlike” (Tr. IX 17). She recalled Sneed assisting her for a time in caring for her two children when she broke her foot, stating that Sneed played with her children “[m]ore as a peer” than as an adult or babysitter (Tr. IX 17). Pursley remembered that Sneed fit in well with her boys, who were seven and nine at the time, while they played things like Hot Wheels or did puzzles on the floor (Tr. IX 17). This left Pursley with the impression that Sneed was “real simple” (Tr. IX 17). “He had a skateboard and that was his life. He rode his skateboard back and forth. He didn’t make a lot of decisions. You had to tell him sometimes what to do.” (Tr. IX 17). Pursley even recalled that Sneed would not eat unless someone told him to do so (Tr. IX 18).

Whether out of his simplistic nature or the fact that he had no regular income, Sneed would often go without meals (Tr. V 98-99; Tr. IX 18, 21; Tr. XII 65, 71). But Glossip regularly met that need for Sneed, often inviting him to eat with him and Wood in their apartment (Tr. V 98-99; VII 28; XII 71).

Billye Hooper, who also worked at the motel and saw the two on a regular basis, described the relationship between Sneed and Glossip as a “very close” friendship (Tr. VII 28). She could tell that Sneed thought a lot of Glossip (Tr. VII 28).

Pursley noted that Sneed followed Glossip around when they were together and that you normally did not see one without seeing the other (Tr. IX 19-20, 23). Glossip would tell Sneed what to do and how to do it and Sneed would comply (Tr. IX 19-20, 23). In her eyes, Sneed, with no other family around, was dependent upon Glossip (Tr. IX 24).

Another witness at trial, Cliff Everhart, went so far as to testify that Sneed was Glossip's "puppet" (Tr. XI 185). Everhart recalled that Sneed "was not self-motivated," and, like Pursley, recalled that Glossip had to tell Sneed everything to do; if Sneed needed an answer on something, he would come to Glossip (Tr. XI 185).

Detective Bemo, who later interviewed both Sneed and Glossip in relation to the crime, stated that Sneed did not appear very mature and had below-average intelligence (Tr. XIV 46-48). As a counter to Sneed, Bemo felt that Glossip appeared far more aggressive and intelligent; Bemo observed Glossip to be "a very intelligent individual ... a very manipulative individual ... what he does with everything that he does is he's manipulating, using people" (XIV 46-48).

So it was Glossip's role, not just as a supervisor to Sneed in his working relationship at the motel, but as provider and friend that situated him perfectly to influence Sneed. Witnesses who knew both Sneed and Glossip testified that, based on Sneed's personality, they did not believe him capable of committing a murder like this on his own (Tr. VII 34; IX 25).

## **2. Concerns Over Glossip's Management**

Van Treese paid Glossip a salary plus free rent and utilities on the apartment (Tr. 38, 42-43, 46, 50, 182-83). Although Van Treese resided in the Lawton area, he would visit the motel every few weeks to pick up receipts, check balance sheets and inspect the motel property (Tr. IV 41, 53-54, 69, 71). Glossip, however, was responsible for the day-to-day operations of the motel (Tr. IV 31-32, 41-42, 51-55).

In the second half of 1996, the regularity of Van Treese's visits to the Oklahoma City motel decreased due to deaths in his family (Tr. IV 38-41; Tr. V 18). Van Treese made overnight visits to the motel only four times during the last half of 1996 (Tr. IV 36-40, 42, 58-59). It was during this time period, shortly before Christmas of 1996, that Billye Hooper, a longtime employee of Van Treese, noted her concerns about Glossip's management of the motel to her boss (Tr. VII 35-49). On one of those times when Van Treese was at the motel, Hooper mentioned to him that they needed to have a conversation outside of the motel office (Tr. VII 35, 37). Hooper, who had missed some time at work due to a heart attack she suffered in 1996, kept being put off by Glossip about her return to work (Tr. VII 42-43). Hooper got the impression that Glossip did not want her coming back to work again (Tr. VII 44-45). When Hooper did finally return, she noted irregularities in the number of rooms that were rented (Tr. VII 45-47). Before her time out, the number of rooms rented each night seemed to fluctuate wildly, from fourteen on up to forty, depending on the time of year, the weather, or other various factors (Tr. VII 45-47). But after her return, the number of rooms rented hovered between nineteen and twenty-one and did not appear to ever deviate (Tr. VII 45-47). This deviation from the norm caused Hooper to think that rooms were being rented out but not recorded (Tr. VII 46-47). Hooper also recalled times that she would record something on the motel's books, such as a room that she had rented, only to return the next day and see that Glossip had re-recorded things in his own writing (Tr. VII 47-48). Glossip would explain away any of Hooper's concerns, saying coffee had spilled or that the handwriting wasn't legible, so he had to redo the report (Tr. VII 47-48). Hooper also remembered times when she would notice rooms which were not reflected in the books as being rented going through the cleaning process (Tr. VII 48-49). In their conversation, Van Treese implied to Hooper that he was aware of what she was

talking about and indicated that he would handle these things, but only after the Christmas holiday (Tr. VII 37).

In addition to these concerns, the condition of the motel had been allowed to deteriorate to deplorable standards (Tr. IV 122; Tr. V 14). Evidence at trial indicated that in January 1997, only a dozen of the motel's rooms were in a habitable condition (Tr. XII 24). Twelve rooms had no working heat despite it being the dead of winter (Tr. XI 116-18, 121). Other problems included keys that did not fit room doors, broken or dirty plumbing fixtures and broken telephone systems (Tr. XI 116-18).<sup>4</sup> Kenneth Van Treese, the brother of the victim in this case, noted "the main thing that was wrong with the motel was it was filthy ... absolutely filthy" (Tr. XI 119).<sup>5</sup> The Van Treeses had been aware that rooms were in need of repair and had instructed Glossip to make them; Glossip was in turn relating back to the Van Treeses that the repairs were being made as they suggested (Tr. V 15).

But during the latter half of 1996, Van Treese and his wife maintained primarily telephone contact with Glossip regarding the motel's operations, namely the daily receipts and daily volume records (Tr. IV 39, 41, 53-54, 69). And just as Hooper had noticed, over the course of 1996, Van Treese and his wife noticed issues with the motel's records as well, such as shortages on the books for the Oklahoma City motel in relation to the number of rooms rented (Tr. IV 62-78). By the end of December 1996, the Van Treeses determined that approximately \$6,000 was missing from accounts receivable for the entire year<sup>6</sup> (Tr. IV 62-66; Tr. V 18-19). Glossip provided

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<sup>4</sup> It does not appear that many of these problems were complex ones either; Kenneth Van Treese testified that he was able to get twelve of the rooms repaired and operational for less than \$300 (Tr. XI 121). Getting the rooms up to an acceptable standard was just a simple matter of putting forth a little effort (Tr. XI 121).

<sup>5</sup> Kenneth Van Treese noted financial and record-keeping issues as well with the motel; he testified that some room registration cards were out of order while others were missing altogether (Tr. XI 108-11).

<sup>6</sup> Kenneth Van Treese, the brother of Barry, testified that the amount of missing money was likely not so much an issue for Barry as the discovery that one of his employees was being untrustworthy with Barry's assets (Tr. XI 158-59).

unsatisfactory explanations for these shortages when questioned at various points throughout the year (Tr. IV 72-78; Tr. V 17). Van Treese and his wife “were very upset” about this shortage (Tr. IV 66). Glossip, as manager of the motel, was responsible for maintaining the ledger and doing the accounting to make sure that the revenue turned over to the Van Treeses matched the volume of actual business at the motel (Tr. IV 62-78). Glossip was personally in possession of the daily motel receipts because Van Treese did not use a local Oklahoma City bank for motel deposits (Tr. IV 62-63; 1998 Tr. VII 19-20). Glossip simply kept the cash in an envelope in his kitchen until Van Treese arrived to collect it (Tr. IV 53-55; 1998 Tr. 19-20).

Because of the shortage, Van Treese told his wife that he intended to audit the motel and perform a room-to-room inspection to determine what repairs and renovations needed to be done at the motel (Tr. IV 71). Van Treese intended to confront Glossip about the shortages and get an explanation during his visit to the motel on January 6, 1997 (Tr. IV 70-72; Tr. V 52). Indeed, in December 1996, Van Treese told Billye Hooper, a desk clerk at the motel, that he “knew things had to be taken care of” regarding Glossip’s management of the motel and that he would take care of those things after he returned from Christmas vacation (Tr. VII 35-40). The Van Treeses had previously tolerated shortages on the motel books because of the distraction of the deaths in their family in 1996 (Tr. V 20-21). Cliff Everhart, a close friend and business associate of Van Treese, had audited the motel records on several occasions and felt Glossip “was probably pocketing a couple hundred a week extra” from the motel cash receipts during the last two or three months of 1996 (Tr. XI 172-73). Everhart told Van Treese his concerns (Tr. XI 172-73). Based on that



information, Van Treese arranged with Everhart to confront Glossip the night of January 6th about the shortages at the motel (Tr. XI 169-70, 172-77, 201).<sup>7</sup>

On January 6, 1997, at around 6:00 p.m., Van Treese arrived at the Oklahoma City motel to make payroll for his employees and collect daily sheets and revenues that had accumulated since his last visit (Tr. IV 79-80; Tr. VII 53, 55). Van Treese picked up somewhere between \$3,600 and \$4,000 in receipts that evening (Tr. VII 77; Tr. XIV 28-30; 1998 Tr. VII 121; Appx. 21-22). Shortly before 8:00 p.m., Van Treese took the key to Room 102<sup>8</sup> and left the Best Budget Inn in Oklahoma City for a motel of the same name that he owned in Tulsa (Tr. V 79; Tr. VIII 109-11; Tr. XIV 5-7). Van Treese arrived at the Tulsa motel sometime before midnight (Tr. VIII 62, 109). William Bender, manager of the Tulsa motel, observed that Van Treese “was all puffed up. He was upset. He was mad [and] all red in the face (Tr. VIII 63). Bender had never seen Van Treese that angry (Tr. VIII 64). Van Treese stayed at the Tulsa motel for approximately thirty to forty-five minutes (Tr. VIII 64). During that visit, Van Treese made Bender produce the current daily sheet and daily report for the motel (Tr. VIII 80). Van Treese made Bender show him several of the motel rooms in Tulsa to ensure no one was staying in rooms that were, according to the daily report, not rented out at the time (Tr. VIII 80).

During this inspection, Van Treese told Bender that several registration cards were missing from the Oklahoma City motel in addition to weekend receipt money missing and people staying in rooms that were not registered (Tr. VIII 81). Van Treese was angry about what was going on at the Oklahoma City motel and was inspecting Bender’s rooms because he thought the same thing

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<sup>7</sup> Everhart did not have the opportunity to confront Glossip that night. Everhart arrived at the motel well before Van Treese arrived. Because Van Treese was not there, Everhart went home and made no further attempt to contact Van Treese. Everhart testified that he did not speak with Van Treese that night (Tr. XI 174-77).

<sup>8</sup> Several individuals testified that Van Treese typically stayed in Room 102 whenever he was at the motel for the night (Tr. IV 185; Tr. V 71; Tr. VI 12; Tr. VII 23; Tr. VIII 124; Tr. XI 225).

might be happening in the Tulsa motel (Tr. VIII 81-82). Van Treese told Bender he gave Glossip until he returned to Oklahoma City “to come up with the weekend’s receipts that were missing and if [Glossip] came up with that, he was going to give him another week to come up with the registration cards and get all the year-end receipts together” (Tr. VIII 82). Otherwise, Van Treese was going to call the police (Tr. VIII 82).<sup>9</sup> Van Treese also implied to Bender that he was going to have him take over as manager of the Oklahoma City motel soon<sup>10</sup> (Tr. VIII 83-84).

After inspecting the rooms and obtaining from Bender the financial records he needed for year-end reports, Van Treese returned to Oklahoma City (Tr. VIII 83). PikePass records indicated that Van Treese arrived at the Oklahoma City Turner Turnpike gate at 1:36 a.m. on January 7, 1997, meaning he likely arrived at the motel sometime around 2:00 a.m. (Tr. VIII 109; Tr. XIII 115-17).

### **3. Glossip Works Against Police**

It’s at this point in the timeline that Glossip’s story<sup>11</sup> diverges from that which the State presented at trial. One thing that is consistent between the two is that Van Treese was assaulted by Sneed sometime in the early morning of January 7, 1997, and that during that assault Sneed busted out the window of Room 102 (Tr. IV 163-65; Tr. V 84-85; Appx. 56-61).

According to Glossip’s first interview with authorities, he and Wood went to bed between 3:00 and 4:00 a.m.<sup>12</sup> (Appx. 11). Sneed came to Glossip’s apartment behind the front desk

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<sup>9</sup> Such a course of action was not uncommon for Van Treese; he had previously notified authorities that one of his employees was stealing from him at one of his Weatherford motels (Tr. XI 242-43).

<sup>10</sup> Hooper did not anticipate that Glossip would be managing the Oklahoma City motel when she arrived at work on January 7, 1997 (Tr. VIII 34-35).

<sup>11</sup> Glossip provided two inconsistent accounts of what occurred between the hours of 3:00 a.m. and approximately 5:00 a.m. when Sneed came to his motel apartment to wake him up (State’s Exs. 1-2).

<sup>12</sup> Glossip would later insist in this same interview that he and Wood were up into the early morning in an attempt to prove that he did not know Van Treese had arrived back at the motel from Tulsa and parked his vehicle out front (Appx. 39).

sometime after 5:00 a.m. on July 7, 1997 (Appx. 11-14). Glossip stated that he and his girlfriend had been asleep and that Sneed's knocking on the wall and door of their apartment awakened him (Appx. 11-12). Glossip could tell that something was wrong the moment he saw Sneed because Sneed had a knot on his head and scratches on his face and looked as if someone had punched him in the face<sup>13</sup> (Appx. 13, 18, 48). Glossip also claimed he could tell that Sneed was drunk (Appx. 19). Sneed told Glossip that two drunks broke out the glass in Room 102 and that he had run them off (Appx. 13-14, 41). Glossip told Sneed to clean up the broken glass and cover the window with plexiglass first thing in the morning (Appx. 14, 41-42). Glossip implied that he then went back to bed (Appx. 14-15).

Later that same morning, Glossip said that Sneed woke him up around 8:00 a.m. to put the plexiglass on the window to Room 102 (Appx. 15, 41). Despite being the manager of the motel and ultimately responsible for its condition, Glossip said in this first interview that he never went to assess the broken window in Room 102 and did not assist in placing the plexiglass (Appx. 15, 44). According to Glossip, he then told Hooper, who had arrived at work by that time,<sup>14</sup> to wake him up around noon and went back to bed (Appx. 15-16).

Evidence from the trial indicated that the defendant was much busier than he led investigators to believe that morning though. Kayla Pursley, who lived at the motel and worked at a nearby Sinclair Station, saw Sneed get into Glossip's car the morning of January 7, 1997, and leave the motel sometime between 5:30 and 6:00 a.m. the morning of January 7, 1997 (Tr. IX 35-36). Pursley had seen Sneed using Glossip's car before but never at that time of day (Tr. IX 35-36).

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<sup>13</sup> Glossip also told investigators that Sneed had been making comments to Glossip in the last month or so that were concerning to Glossip (Appx. 17-18, 28). Glossip also insisted that Sneed had started to get weird around the same time (Appx. 28).

<sup>14</sup> Hooper testified that she did not arrive at work until 8:45 a.m. that morning (Tr. VII 61). She was surprised to see Glossip up and already at work that early in the morning (Tr. VII 67).

36). Hooper also recalled that Glossip and Sneed were in and out of the office together that morning some (Tr. VIII 22). In addition to this, Hooper asked Glossip where Van Treese was that morning because she had not seen his vehicle when she arrived at work (Tr. VII 61-62). Glossip responded that Van Treese had gotten up early and left about an hour earlier<sup>15</sup> to get breakfast and some materials to begin working on the motel (Tr. VII 62-63). Hooper laughed at this because in all her years of knowing Van Treese, he was not one known for being an early riser (Tr. VII 63). Glossip also told Hooper not to put Room 102 on the housekeeping report for the day because he and Sneed were going to personally clean that room<sup>16</sup> (Tr. VII 64). Glossip explained to Hooper that Van Treese had rented Room 102 to a couple of drunks and busted out the window (Tr. VII 64). This was also hard for Hooper to believe because she knew that Room 102 was their best room and Van Treese would not have rented the room to anyone he thought would do damage inside (Tr. VII 64). Glossip told Hooper that he had personally run off the drunks (Tr. VII 65-66). Knowing that Van Treese typically stayed in Room 102, Hooper asked Glossip what room Van Treese had stayed in instead; Glossip said Van Treese had stayed in Room 108 last night (Tr. VII 66). Throughout his making these comments, Glossip appeared “a little nervous” to Hooper (Tr. VII 68).

Pursley also noticed the broken window in Room 102 and headed to the motel front office at around 9:00 a.m. that morning when her night shift at the Sinclair Station had ended (Tr. IX 38-39). There, Pursley encountered Glossip and Sneed in the office, an atypical sight given it was so early for the pair; neither was typically up by that time (Tr. IX 38-39). Pursley recalled that Glossip, if he were to be up at that time, would usually appear sleepy, but not this time; Pursley remembered Glossip not being drowsy or sleepy at all (Tr. IX 38-39). Pursley noticed that Sneed was attempting to hide his face from her though (Tr. IX 39).

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<sup>15</sup> Glossip made this statement around 8:30 or 8:45 a.m. (Tr. VII 62).

<sup>16</sup> Glossip did not typically clean rooms at the motel (Tr. VII 65).

When Sneed left to run an errand, Pursley asked Glossip about the broken window in Room 102 (Tr. IX 45). Glossip told Pursley that there had been a fight in the room and a footstool had been thrown through the window (Tr. IX 45). Pursley recalled an individual who came into the Sinclair Station earlier that morning when Pursley was still at work and asked Glossip if this was the same individual who had broken the window (Tr. IX 45-46). Glossip answered that it was (Tr. IX 45-46).

When Sneed returned from his errand, Glossip and Sneed discussed the need to get the window covered and to clean up the room (Tr. IX 49). Glossip made a comment that he and Sneed would be responsible for cleaning downstairs and the housekeeper would be responsible for only the upstairs (Tr. IX 49). Pursley, like Hooper, thought this unusual because Glossip did not normally concern himself with the housekeeping duties as the manager of the motel (Tr. IX 49-50).<sup>17</sup>

Pursley followed Glossip and Sneed out of the motel office when they made their way down toward Room 102 (Tr. IX 52-53). There was still broken glass in the window to the room but none on the pavement (Tr. IX 52-53). Pursley commented on that fact, and Glossip explained that they had already cleaned that up (Tr. IX 52-53). Pursley then noticed a bit of blood on the inside of the window<sup>18</sup> (Tr. IX 53). When she pointed it out, Glossip responded, "Well, I don't even know which one of them got cut, but somebody got cut cleaning up the glass." (Tr. IX 54-

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<sup>17</sup> Pursley further testified that when the housekeeping duties were split between individuals, it was usually the case that Sneed would clean one side of the motel and the housekeeper would clean the other; never was the division of rooms upstairs/downstairs (Tr. IX 49-50).

Additionally, Jacquelyn Williams, who worked as a maid at the motel, testified that Glossip made a similar comment to her at approximately 8:30 a.m. on January 7, 1997, that she was only to clean the upstairs rooms (Tr. VIII 122).

<sup>18</sup> The Venetian blinds to Room 102 were already closed when Pursley noticed the blood (Tr. IX 92-93).

55). Pursley took this to mean that one of either Glossip or Sneed had been cut when attempting to clean up the broken window (Tr. IX 54-55).

Later, back in the office, Glossip informed Hooper that he was going to lie back down for a bit and to wake him up later so that he and Wood could run some errands (Tr. VII 68). But as was becoming the theme of the day, this also struck Hooper as odd because usually when Van Treese was in town at the motel, everyone was on site to assist in the work of the motel (Tr. VII 69-70).<sup>19</sup> Despite the odd circumstances, Hooper did wake Glossip up, and he and Wood left the motel (Tr. VII 68-69; Appx. 15-16).

As the afternoon wore on, it got to be close to 2:00 p.m. and Van Treese still had not returned to the motel (Tr. VII 69). Hooper, who was handling the front desk responsibilities, was not necessarily concerned (Tr. VII 69). But that changed when she received a call from the nearby Weokie Federal Credit Union (Tr. VII 70). The call reported an out-of-place, abandoned vehicle with documents inside bearing Van Treese's name and the address of the Best Budget Inn (Tr. VII 70-71; Tr. VIII 163-71). Hooper made the short walk to the credit union and identified the vehicle as belonging to Van Treese (Tr. VII 71-72; Tr. VIII 171).<sup>20</sup>

With the vehicle located but no sign of its owner, the search for Van Treese soon began in earnest. Hooper hurried back to the motel and notified Ms. Van Treese<sup>21</sup>; Ms. Van Treese had not heard from her husband all day (Tr. IV 96-97; Tr. VII 72). Hooper also contacted Glossip, who by that time was at a local Walmart with Wood, and told him of the discovery of Van Treese's car

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<sup>19</sup> Hooper reiterated at another point in her testimony that Glossip was not acting in the way that he typically would if Van Treese were on the property (Tr. VII 80).

<sup>20</sup> Hooper initially called Sneed in his motel room and asked him to go over and see if the car was actually Van Treese's (Tr. VII 71-72). But Sneed informed Hooper that he did not want to go so, Hooper had Sneed man the front desk while she went across to identify the vehicle (Tr. VII 71-72).

<sup>21</sup> Ms. Van Treese testified to it being approximately 3:30 p.m. when she received Hooper's call (Tr. IV 97).

(Tr. VII 74). Before receiving Hooper's call though, the pair had made stops to purchase a new pair of glasses for Glossip and an engagement ring for Wood (Tr. V 87-88; Tr. VII 75).

After speaking with Hooper, Glossip and Wood returned to the motel (Tr. V 91-93; Appx. 16).<sup>22</sup> Hooper recalled that upon returning Glossip did not seem upset or concerned at all by Van Treese's disappearance (Tr. VII 75, 88-89).

After returning, Glossip spoke with Ms. Van Treese over the phone (Tr. IV 98-100). As he had with Hooper earlier that morning before Van Treese's car had been discovered, Glossip told Ms. Van Treese that he had seen her husband earlier that same morning between 7:00 and 7:30 a.m. (Tr. IV 98-100). Glossip told her that Van Treese seemed fine at the time and added that he had plans to buy supplies for the motel and would be back later (Tr. IV 98-100).

Police became involved in the search for Van Treese as well. One of the officers assisting was Sgt. Tim Brown of the Oklahoma City Police Department (OCPD) (Tr. IX 192-95). Glossip also told Sgt. Brown that he had last seen Van Treese walking through the motel parking lot at 7:00 a.m. that morning (Tr. IX 93-95; Tr. X 11). During a second conversation later that same day, Glossip also told Sgt. Brown "that a couple of drunks had got in a fight and broke the window" out of Room 102 (Tr. IX 206). Glossip specifically told Sgt. Brown that he had seen Van Treese since the window had been broken (Tr. IX 206).

Glossip assisted in the search for Van Treese as well. According to Wood, Glossip asked Sneed to go and check the motel rooms for any sign of Van Treese (Tr. V 97, 163).<sup>23</sup> Glossip looked in nearby dumpsters and drove around the general area looking for Van Treese with Cliff

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<sup>22</sup> Despite Van Treese supposedly being in the vicinity and looking to make repairs to the motel that day, Glossip and Wood had made stops at the optometrist, where Glossip purchased a new pair of glasses, as well as a pawn shop, where Glossip purchased an engagement ring for Wood, before the pair made their way to Walmart (Tr. V 87-88; XIV 40-42; Appx. 25-26).

<sup>23</sup> Hooper recalled that the defendant actually left the office with Sneed to assist in the search of the motel rooms, speaking with each other as they exited (Tr. VII 76).

Everhart, a friend of Van Treese's and somewhat of a staple around the motel (Tr. VIII 8; Tr. IX 199-200; Tr. X 9; Tr. XI 166, 171, 187, 229). Glossip also provided Sgt. Brown with a lead to a possible subject associated with Van Treese's disappearance, suggesting that Sgt. Brown should speak with Pursley (Tr. IX 204-05; Tr. X 12-13; Tr. XI 191-92).<sup>24</sup>

But Glossip's suggestion instead caused his own story to unravel because in speaking with Pursley Sgt. Brown learned for the first time about the broken window in Room 102 and that it occurred around 4:30 a.m. (Tr. IX 204-06; Tr. X 11-15). This discovery caused Sgt. Brown to question everything Glossip had been telling him (Tr. IX 204-06; Tr. X 11-15). Sgt. Brown knew Glossip had told him he'd seen Van Treese after the time in which the window had been broken, yet Glossip had not mentioned the broken window at all in speaking to him (Tr. IX 204-06). In asking Glossip about the broken window, Glossip explained—as he had to others earlier—that Sneed had told him that two drunks were responsible for the window and that Sneed had subsequently run them off (Tr. IX 206-09). During this conversation with Sgt. Brown, Glossip also reaffirmed his claim that he had seen Van Treese after the window had been broken earlier that morning (Tr. IX 206-09).

Wanting to follow up on the broken window, Sgt. Brown asked Glossip to accompany him to speak with Sneed (Tr. IX 209, 213). Upon discovering that Sneed was not in his room, Glossip changed his story concerning his last sighting of Van Treese (Tr. IX 209-15). Whereas Glossip had earlier told Sgt. Brown he last saw Van Treese around 7:00 a.m. that morning, Glossip now stated he did not remember seeing Van Treese after 8:00 p.m. the night before (Tr. IX 209-17).

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<sup>24</sup> Glossip directed Sgt. Brown to Pursley, indicating that a drifter who had left his room without taking his belongings might be responsible for Van Treese's disappearance (Tr. IX 57-59, 204-05; Tr. X 12-13; Tr. XI 91-92). Sgt. Brown later spoke with Pursley (Tr. IX 57-59). Pursley indicated in her trial testimony that she did not tell Sgt. Brown about her odd interactions with Sneed earlier in the day because Sgt. Brown had only asked about the individual Glossip had mentioned (Tr. IX 57-59, 204-05).



Glossip's earlier confidence had given way to uncertainty upon realizing that police wanted to speak with Sneed about the broken window (Tr. IX 216-17). Sgt. Brown pointed out the shift in Glossip's story to him (Tr. IX 219). Glossip responded that everything was "getting turned around" and denied ever making the claim that he had seen Van Treese that morning (Tr. IX 219).

Sgt. Brown left Glossip and returned to the Sinclair Station in his squad car to draft his report on his recent conversation with Glossip (Tr. IX 220). At around 9:30 p.m., Everhart pulled up next to Sgt. Brown and, after recounting to Everhart the story of Glossip's shifting stories, the two decided to have a closer look at Room 102 (Tr. IX 220; Tr. XI 191-93).

The pair soon discovered that the tumbler to the door lock to Room 102 had been removed (Tr. IX 223-24; Tr. XI 193-97). Using a pair of hemostats, they gained entry (Tr. IX 224-25; Tr. XI 193-97). Inside, the room was cold and the heater not running despite it being the middle of winter (Tr. XI 194). Blood covered the walls of the room (Tr. IX 225). And on the floor, underneath some blankets was the bloody, beaten body of Van Treese (Tr. IX 224-25; Tr. XI 193-97).

Sgt. Brown then placed Glossip in the back of his squad car until other police could arrive (Tr. IX 233-34). Upon being placed in the back seat of the vehicle, Glossip, unprompted, said, "Well, I guess I better tell you now...." (Tr. IX 233). Glossip went on to say that he had heard glass breaking earlier that morning, only to then have Sneed come and wake him by beating on the wall and door to his apartment (Tr. IX 233). Glossip said he and Wood had suspected the entire time that Sneed was responsible for Van Treese's disappearance, but they did not want to say anything because they weren't certain (Tr. IX 233). Glossip also mentioned that Sneed had previously said something about wanting to set up a fake robbery (Tr. IX 233).

Glossip's inconsistent statements regarding the last time he saw Van Treese as well as his decision to withhold vital information from police and, instead, frustrate their search for Van

Treese caused Glossip to be interviewed by detectives in the early morning hours of January 8, 1997 (Tr. IX 194-95, 206, 209, 215-17; Tr. X 11-17, 33-34, Tr. XIII 131-32; State's Ex. 1).

#### **4. Glossip Changes His Story**

In his first interview, Glossip continued with his lies. He stated that he and Wood typically went to bed between 3:00 and 4:00 a.m., but on January 7, 1997, they were heading to bed at around 5:00 a.m. (Appx. 11). At about that same time, he and Wood heard knocking on the door and wall to their apartment; Glossip got up and looked out the door to find Sneed (Appx. 11-14). Glossip noticed a knot on Sneed's head and asked Sneed if someone had hit him (Appx. 13). Glossip said Sneed answered that he had fallen in the shower and hit his head (Appx. 13). Sneed then related the issue of there being drunks that got out of hand in Room 102 and broke out the window (Appx. 13-14). Glossip stated he told Sneed to clean up the broken glass and cover the break with plexiglass first thing in the morning (Appx. 13-14).

Glossip claimed he knew something was wrong when he saw the knot on Sneed's head; Glossip's suspicions only increased when Van Treese's car was located (Appx. 17). Glossip told detectives that Sneed had come to him previously and asked Glossip if he could rob the motel (Appx. 17-18).

Despite his knowledge of this encounter with Sneed and his admission that he suspected Sneed all along, Glossip did not mention his concerns to authorities he did not tell anyone of his suspicions (Appx. 17-19). But at the same time, in an effort to lend credibility to his story, Glossip said he spoke with "a couple of people in the motel, like David" about his suspicions concerning Sneed (Appx. 18-19).<sup>25</sup>

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<sup>25</sup> Glossip would later state in the interview that he knew Sneed was involved all along (Appx. 37). Asked why he did not come forward sooner, Glossip oddly stated it was because he did not know Van Treese was dead (Appx. 37-38). Incredulously, Glossip tried to earn back credibility by pointing out he did tell of his suspicions as soon as Van Treese's body was found (Appx. 37-38, 45).

Glossip also informed detectives that Van Treese had taken between \$3,600 and \$4,000 when he had left the Oklahoma City motel the previous evening<sup>26</sup> (Appx. 21). Glossip stated that Sneed would have been aware that Van Treese was carrying this money (Appx. 23-24).

In an attempt to distance himself from Sneed, Glossip also told detectives that, while the two of them had been close at one time, Sneed had started to act “weird” about a month ago and implied they had not been close since<sup>27</sup> (Appx. 27-28).

Eventually, detectives told Glossip that they knew Sneed was involved (Appx. 30). They also told Glossip they believed he knew more than what he was telling them because he had told too many different stories and changed his timeframes on certain aspects of his story (Appx. 30-31). But—in a line that would be repeated for Sneed almost a week later—detectives told Glossip that whoever came forward first would be doing themselves a favor (Appx. 32).

Despite this offer, Glossip doubled-down on some of his prior statements while entirely disavowing others. He indicated that Sgt. Brown was lying (Appx. 33-35), he accused Kayla Pursley of changing stories herself (Appx. 39-40), he suggested that an unknown motel guest staying in Room 237 was connected to Van Treese’s death (Appx. 39-40), he denied ever telling anyone that Room 102 was rented out to two individuals (Appx. 42), and he stated he never went and checked on the broken window in Room 102 (Appx. 44).

As the interview came to a close, Glossip affirmed he was not holding anything back from the detectives; he told he had told them everything he knew (Appx. 50-51).

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<sup>26</sup> During his second interview, Glossip would increase these amounts to between \$4,000 and \$5,000 dollars (Appx. 54-55).

<sup>27</sup> Wood testified in Glossip’s first trial however that she remembered Sneed eating dinner with them the night of January 6, 1997, after Van Treese had left the motel and headed to Tulsa (1998 Tr. VII 20-21).

## 5. Glossip's Plans to Move On Are Cut Short

When Van Treese had come to Oklahoma City the previous evening (January 6, 1997), he had paid Glossip \$429.33 as part of his regular paycheck (1998 Tr. VII 110-11).<sup>28</sup> But Glossip spent most of that amount (\$367.66) the following day with a ten-percent fee to cash his paycheck (\$42.93), his purchase of new glasses (\$172), an engagement ring (\$107.73), and other items at Walmart (\$45), leaving him with \$61.67 until his next pay period two weeks away (1998 Tr. VII 110-11; Tr. XIV 40-44).<sup>29</sup> Following his first interview with detectives, Glossip began selling off his personal property to people at the motel on January 8, 1997 (1998 Tr. VII 111).<sup>30</sup> Glossip told Everhart that "he was going to be moving on" (Tr. XI 199-200). Glossip was arrested the following day, on January 9, 1997, when he missed a scheduled meeting with detectives; Glossip was apprehended as he exited an attorney's office in downtown Oklahoma City (Tr. XII 7-9). Despite being hard-pressed for funds just two days earlier, Glossip had approximately \$1,200 of unaccounted origin (i.e., not attributable to his remaining salary and the items he had just sold) in his possession at the time of his arrest, indicating that he had split the money taken from under Van Treese's car seat with Sneed (Tr. XII 10-12).

Upon being taken to police headquarters, Glossip promptly proceeded to fail a polygraph test administered to him by police, failing to provide adequate responses to such questions as: (1) Did you plan or conspire with Sneed to cause the death of Van Treese; (2) Do you know for sure

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<sup>28</sup> Glossip had taken an advance on his paycheck for the most recent pay period (January 6, 1997, as well as multiple paychecks in the past (Tr. IV 83-85; Tr. XV 16-18; 1998 Tr. VII 110-11). Donna Van Treese testified that it was her understanding that Glossip was taking these advances so that he could buy food (Tr. V 23).

<sup>29</sup> According to Glossip's girlfriend, he had no savings and the two were living paycheck-to-paycheck at the time; in her mind, she felt Glossip incapable of saving any money (Tr. XIV 44).

<sup>30</sup> Glossip stated he sold his television and futon for \$190 total, his vending machines for \$200, and his aquarium for \$100 (1998 Tr. VII 111; Tr. XI 200-01).

who caused the death of Van Treese; and (3) Did you, yourself, cause the death of Van Treese (April 22, 1997 Preliminary Hearing Tr. 91-92).

#### **6. Glossip Changes His Story (Again)**

Glossip agreed to speak with detectives again after failing his polygraph test (April 22, 1997 Preliminary Hearing Tr. 91-92). Glossip began by saying that he shouldn't have lied to detectives in his first interview (Appx. 53). Glossip told detectives this time that when Sneed came to his room in the middle of the night, Sneed admitted to killing Van Treese (Appx. 56). Glossip explained that Sneed admitted he did it because Sneed was under the impression that Van Treese was going to kick him out of his motel onto the streets (Appx. 59, 63). Glossip promised he did not know that Sneed had planned such a horrendous thing (Appx. 59-60).

Glossip told detectives that he instructed Sneed to clean up the glass and cover the broken window in Room 102 with plexiglass (Appx. 60). Glossip even thought he provided Sneed with money to purchase the plexiglass (Appx. 63-64). Glossip admitted this time that he assisted in this by holding up the plexiglass (Appx. 61). Throughout all this, and the following day when the search for Van Treese was ongoing, Glossip knew Van Treese's body was in Room 102 (Appx. 65, 68).

Glossip acknowledged that he was not telling the truth during his first interview (Appx. 67-68). He explained that he did not disclose everything he knew because he was scared, not for Sneed, but for himself (Appx. 68). Glossip once more brought up his claim that Sneed had come to him previously asking to rob the motel; in his plan Sneed suggested that Glossip should give police a different description (Appx. 69). But Glossip said he dismissed the idea (Appx. 69). Glossip stated he was unwilling to cover for a robbery like this (Appx. 69). Glossip apparently had no problems, however, covering for a murder. Toward the close of the interview, Glossip lamented

to detectives that he “never intended for Barry to get hurt,” an odd statement for someone claiming no involvement (Appx. 70). Detectives arrested Glossip at the close of his second interview (Appx. 71-72).

## **7. Sneed Confirms Suspicions**

Up until this point in the case, authorities had evidence from a variety of sources, as discussed above, linking Glossip to Van Treese’s murder, but none that was derived from Sneed’s statements. That changed on January 14, 1997, when Sneed was arrested at the home of his roofing employer<sup>31</sup> and, after initially denying participation in the homicide, he implicated both himself and Glossip in the murder (Tr. VI 4-6; Tr. 74-75). When he was arrested, Sneed had an obvious black eye which he sustained during the murder of Van Treese (Tr. XII 207; Tr. XIII 129). Also discovered amongst his possessions was \$1,680 in cash (Tr. XIV 15-18).

At trial, Sneed provided details on what led up to the morning of January 7, 1997. Sneed testified that Glossip had approached him multiple times with the suggestion that he kill Van Treese (Tr. XII 78-79, 87-90). On these occasions, Glossip offered Sneed various increasing amounts of money as time progressed (Tr. XII 80, 166-67). Sneed knew that such an act was morally and legally wrong, but he felt pressured due to Glossip’s persistence and saw no way out of it for himself (Tr. XII 88).

On January 7, 1997, Glossip awakened Sneed at around 3:00 a.m. to let him know that Van Treese had returned to the motel (Tr. XII 94). Glossip appeared nervous and jittery and was insistent that Sneed “do it right now” (Tr. XII 95, 98). Glossip was concerned that if Van Treese got up the next morning and saw the condition of certain rooms, which were supposed to have already been remodeled but were not, Glossip was going to be fired and Sneed was going to be

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<sup>31</sup> Sneed had returned to his prior employer in hopes of retaining his old job after leaving the motel on January 7, 1997 (Tr. XII 50).

thrown out of the motel (Tr. XII 95-97). Glossip was raising his voice and scaring Sneed as he made his case (Tr. XII 100). Glossip told Sneed that Van Treese was in Room 102 and offered Sneed \$10,000 to finish the job (Tr. XII 98-99). To sweeten the deal, Glossip also indicated that with Van Treese gone, Glossip could likely have more control over Van Treese's multiple motel properties and subsequently set Sneed up as manager himself (Tr. XII 99). Glossip told Sneed that once he had accomplished the task, to come and notify him that it was done and get more instructions (Tr. XII 116). At this, Glossip left, and Sneed felt like he had no choice but to commit the murder (Tr. XII 100).

When Sneed entered Room 102 armed with a baseball bat and a blunted pocketknife, Van Treese got up out of bed and attempted to defend himself (Tr. XII 101-03, 110-12). A struggle ensued during which Sneed was pushed back against a chair in the room, busting out the window with the baseball bat he had taken to the room with him (Tr. XII 101-02). Sneed was able to fight back and get Van Treese onto the ground, where he unsuccessfully attempted to stab the owner in the chest (Tr. XII 102-04, 112). Sneed was ultimately able to subdue Van Treese with blows from the bat (Tr. XII 101-03, 113, 172-73). During the struggle, Sneed lost his belt buckle and the pocketknife (Tr. XII 112-14). Approximately fifteen minutes later, Van Treese was left for dead and Sneed exited Room 102 (Tr. XII 112-13, 117-18, 173).

Sneed returned to his room and changed out of the bloody clothes he was wearing (Tr. XII 117). He placed his bloody clothes in a popcorn container (Tr. XII 119). Sneed then went to Glossip's room and banged on the wall as he had been instructed (Tr. XII 116-17). When Glossip came from his room, Sneed let him know that it was done but that the window had broken during the murder (Tr. XII 121-22). Glossip told Sneed to get the glass out of the sidewalk and to clear

the bat from the room (Tr. XII 121-22). Sneed did as he was told and then returned to his room (Tr. XII 122).

Glossip came to Sneed's room, nervous again as he was before (Tr. XII 123). Glossip asked Sneed if he was sure that Van Treese was dead; Sneed responded that he was certain (Tr. XII 123). Still, Glossip wanted verification (Tr. XII 123, 173-74).

Inside Room 102, Glossip instructed Sneed that they needed Van Treese's keys in order to move his car (Tr. XII 123-24). Sneed located the keys in the pocket of Van Treese's pants and also removed his wallet (Tr. XII 123-24). Glossip took a \$100 bill from the wallet and told Sneed to move Van Treese's car to the nearby bank parking lot (Tr. XII 123-24). Glossip told Sneed that the money they were after would be under the front seat of the car (Tr. XII 123-24).

Sneed once more did as he was instructed and moved the vehicle to the parking lot and located the money under the seat in the process and returned to his room (Tr. XII 125-27). Sneed called Glossip to let him know he was back and Glossip soon made his way back to Sneed's room once more (Tr. XII 128-29). Upon seeing the money, Glossip decided that he would take half of the approximately \$4,000 that Sneed had discovered under the car's seat (Tr. XII 128-29).

After splitting the money, Glossip and Sneed returned to Room 102 (Tr. XII 130, 132). Sneed taped up a shower curtain inside the room to cover the broken window and threw a bed sheet over Van Treese (Tr. XII 130-31). Glossip had the idea to turn the thermostat in the room down to keep the stench of Van Treese's body at bay, but suggested that Sneed be the one to actually change the temperature (Tr. XII 130, 132). Glossip told Sneed to tell people the room had been rented to two drunks, who broke out the window (Tr. XII 135-36). Glossip also provided Sneed with an alibi for his injured eye, suggesting he say he hit it in the shower on a soap dish (Tr. XII 136-37). Glossip stated that they would carry on throughout the day as if everything were



normal and do their best to keep people from Room 102; Glossip had the idea to let Sneed do the housekeeping to deter housekeeping from discovering the body (Tr. XII 138). They would then deal with the body later that night (Tr. XII 138). Later that same morning, around 7:30 a.m., Sneed used Glossip's car to go to the hardware store to get items to cover up the murder (Tr. XII 140, 144, 146-47). When he returned, Glossip and Sneed affixed the plexiglass Sneed had purchased at the hardware store to the broken window in Room 102 (Tr. XII 150-51). Glossip then said he was going back to bed because he had to run errands later that afternoon (Tr. XII 151).

Sneed also testified about his role later that same day when it was discovered that Van Treese was missing. Sneed recalled receiving the call from Hooper asking him to go and identify the vehicle in the nearby bank parking lot (Tr. XII 152-53). Following the discovery that it was Van Treese's car with Van Treese nowhere to be found, Sneed returned to his room in a nervous state; it seemed to him that Glossip's plan was going downhill (Tr. XII 153). Without Glossip there to direct him, Sneed panicked (Tr. XII 153). Sneed hid his bloodied clothes in the laundry room of the motel along with the keys he had taken from Van Treese and the tumbler he had taken from the door to Room 102 (Tr. XII 153-54). Not long after hiding these items, Sneed was called to the front desk by Hooper (Tr. XII 155).

There, Everhart, who had arrived by then, instructed Sneed to search every room in the motel (Tr. XII 157). Sneed said he did this but did not go inside Room 102 when he went about this task (Tr. XII 157). While he was still going through the process of checking in rooms, Sneed saw Glossip return to the motel (Tr. XII 158). Glossip's reappearance lifted Sneed's spirits, as he thought Glossip would have a plan (Tr. XII 158). But Sneed was crushed to discover that was not the case; Glossip only told Sneed that he needed to get his things and leave the motel (Tr. XII 158-59). Sneed returned to his room, gathered his things, and left (Tr. XII 159). Sneed stayed under a

nearby bridge until nightfall and then made his way to the trailer of one of his old roofing buddies (Tr. XII 161). When someone answered the door, Sneed asked if there was any work for him (Tr. XII 162). Sneed began work as a roofer again the next morning (Tr. XII 162; Tr. XIII 9-10).

### **Van Treese in Life and in Death**

#### **1. Van Treese in Life ...**

Van Treese was described by those who knew him best as “Santa Claus,” “a very jolly, happy person,” and “a very happy, go lucky guy” (Tr. IV 61; Tr. VIII 59). In the workplace, Van Treese “was always very cordial” and “treated everyone the way he wanted to be treated”; while he could be gruff in his work dealings, he was—as a rule—a nice individual (Tr. IV 61; Tr. VII 13-14).

Van Treese was the oldest of six children in his family growing up (Tr. X 215). To his siblings, Van Treese was “just a great guy” with “a real good sense of humor” (Tr. X 218). In his teenage years, he became interested in HAM radios and would frequently entertain himself by striking up conversations with individuals all over the world (Tr. X 218). Van Treese was such an enthusiast that the license plate to the vehicle he was driving the night he was killed indicated that he was an amateur radio operator (Appx. 74).

A graduate of Lawton High School in 1961, Van Treese would go on to attend Cameron University and Northeastern Arkansas State College (Tr. IV 31). Van Treese later received his Master’s Degree in banking and finance from Southern Methodist University (Tr. IV 31). He spent twenty years in the banking business, achieving the position of vice president at Boulder Bank in Tulsa, Oklahoma, before striking out on his own in the motel industry (Tr. IV 31).

Van Treese married his wife Donna in March of 1979 (Tr. IV 29). He and his wife spent the remaining years of his life in the motel business, accumulating nine motels that they ran and

managed together (Tr. IV 31). The couple had five children in total; two children from a previous marriage brought the grand total of Van Treese's children to seven (Tr. IV 29; Tr. X 219; Tr. XVI 76-88). Van Treese's children had also provided him with grandchildren by the time of his death (Tr. X 219). And being with his family was extremely important to Van Treese (Tr. X 219). His death robbed his family of the wonderful husband, father, and role model that he was to them (Tr. XVI 76-88).

## **2. ... and in Death**

Investigators found Van Treese's body face down on the floor inside Room 102, covered with a bedspread and bedsheet (Tr. X 60-61). The bed was completely stripped of linens and the victim's body was clothed in a t-shirt and underwear (Tr. X 61; Tr. XI 35-36; Appx. 75-78). The window to the room was broken and a piece of plexiglass had been sealed over the exterior of the window opening using caulk (Tr. X 52-53, 67-68; Appx. 79-81). A plastic shower curtain had been taped over the inside of the window opening using duct tape (Tr. X 61-63; Appx. 82-84). A pile of all the broken glass was neatly stacked in a chair adjacent to the window and front door (Tr. X 58, 130; Appx. 84-85). A nearly used-up roll of duct tape was found next to the broken glass stacked in the chair (Tr. X 58, 111; Appx. 85). No glass remained on the floor, in the doorway, or in the entryway outside leading into the room (Tr. X 130).

Van Treese's jeans, sweater, belt and coat were found laying on a love seat next to the front window; his glasses remained on the night stand next to the bed (Tr. X 120-21; Appx. 86-87). The victim's wallet, which still contained his credit cards, and a piece of paper with names and phone numbers were found with the clothing (Tr. X 121-24). Only \$4.08 in cash was found amongst Van

Treese's belongings (Tr. X 108). Two folding pocketknives were also found in the right rear pocket of Van Treese's blue jeans<sup>32</sup> (Tr. X 124).

When the bedding was removed, a watch, belonging to Van Treese, was found next to his right elbow (Tr. X 86, 89, 104; Appx. 88). A belt buckle with no belt was also found on the carpet bordering the east wall, also near the body (Tr. X 76-78; Appx. 89). When Van Treese's body was removed, a pocketknife covered in blood was found underneath the victim's head (Tr. X 86-88, 126; Appx. 90). The blade to this pocketknife was opened and its tip broken off (Tr. X 126-27; Appx. 90). Sneed testified that the belt buckle on the floor and the pocketknife found under Van Treese's head both belonged to him (Tr. XII 110-12, 114).

The walls and furnishings in the part of Room 102 closest to the front door were covered in blood (Tr. IX 61-62; Tr. X 90-91, 103-06; Appx. 91-94). A small amount of blood was visible from outside the room on the blinds in the window (Tr. X 136; Appx. 81). No blood was found on the shower curtain taped over the window (Tr. X 114-15, 136; Appx. 82-83). The inside of the door to Room 102 was covered in blood, including several large transfer marks where the victim made contact with his bleeding head (Tr. X 104-06; Appx. 82, 91-92). Large blood stains were found on the cushions to the chair and love seat in Room 102's small living area (Tr. X 71; Appx. 93-94). One of the stains was a possible blood transfer mark from the victim's head onto the love seat (Tr. X 70-71; Appx. 93). Blood spatter was observed on the air conditioner unit separating the chair and love seat (Tr. X 63; Appx. 95). Blood spatter and a large blood transfer mark were also found on the television set (Tr. X 90-91, 119-20; Appx. 96). Blood spatter and blood castoff patterns were observed on the east wall near the victim's upper body (Tr. X 74-85; Appx. 97).

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<sup>32</sup> Donna Van Treese testified that her husband "always ... filled his pockets and he always used a pocketknife. He never knew when he was going to need it." (Tr. IV 105, 189).

Van Treese's shirt was soaked in blood, as was his head and upper body, from the numerous lacerations on his head (Tr. X 92-94; Appx. 77-78). Blood was observed on Van Treese's legs as well as the soles of his feet (Tr. X 92-94; Appx. 98-99). The cause of death was determined to be head injury by blunt force trauma (Tr. XI 62). Nine lacerations in the form of large tears to the skin were located on Van Treese's head (Tr. XI 13-29). These injuries were consistent with having been made by a blunt object like a baseball bat (Tr. XI 50). Van Treese went into a coma due to blood loss from the numerous lacerations to his head and ultimately died from the blood loss (Tr. XI 61).

Van Treese also had scratch marks on his knees, which would be consistent with him falling or bumping into furniture during the attack (Tr. XI 40; Appx. 100). A pattern of four abraded contusions (scratches with some bruises) could be seen on his left chest (Tr. XI 37, 73, 76, 88). These were not stab wounds because the skin was not penetrated or punctured, but all four could have been made by the same instrument, such as a broken pocketknife (Tr. XI 37, 73, 76, 88). A large bruise to the area over Van Treese's left shoulder blade was also consistent with having been made by a baseball bat (Tr. XI 41-42). Bruises and scratches were also present on Van Treese's elbows and hands (Tr. XI 42-44). Van Treese's wedding band, which was on his hand during the attack, was "flattened out" and "no longer round" (Tr. IV 106). A vertical cut below his left elbow and a cut to the right middle finger were the only cuts present on Van Treese's body (Tr. XI 42, 46). All the other injuries Van Treese sustained were associated with a blunt object or blunt trauma (Tr. XI 46). All of Van Treese's injuries were inflicted at around the same time and were sustained prior to his death (Tr. XI 47).

John Fiely, an Oklahoma County Police Department technical investigator who investigated Van Treese's death described the scene in Room 102 this way:

There was a good fight going on inside of this room to where the victim was trying to get away in several parts of the room, and we see this by the blood transfer marks on several different areas of the room.

(Tr. X 103-04). The blood stains in the room indicated to Fiely “[s]ignificant body movement by the victim,” meaning he was aware of his fate before he ultimately succumbed to it (Tr. X 117).

Since his murder, the family of Van Treese has struggled to make sense of the tragic loss of someone they knew and loved so dearly. A devoted father and grandfather, husband, and brother, Van Treese’s absence caused emotional and financial struggles for his family.

Several members of the family penned letters to be included in the State’s packet when Glossip first came before this Board in 2014. Upon the scheduling of this hearing, the State reached out to the family to see if any members wished to update their remarks or if others wished to pen new letters. All declined, stating it would be too difficult to rehash those emotions again and record them in written words. The State provides their letters from the prior hearing in an effort to convey their ongoing hurt (Appx. 3-9).

### **The Death Penalty in Glossip’s Case**

#### **1. Aggravating Circumstance: Murder for Remuneration**

In his second trial, the State proposed that Glossip’s crime warranted the death penalty because his circumstances met two of the State’s aggravating circumstances: (1) the existence of a probability that Glossip would commit criminal acts of violence that would constitute a continuing threat to society; and (2) Glossip employed another individual to commit the murder for remuneration or the promise of remuneration. The jury found only the latter existed in Glossip’s case.

On appeal, Glossip challenged this sole aggravating circumstance. The OCCA rejected Glossip’s challenge, finding sufficient evidence supported the jury’s finding of this aggravator:

In proposition six, Glossip claims there was insufficient evidence to support the sole aggravating circumstance of murder for remuneration. Murder for remuneration, in this case, requires only that Glossip employed Sneed to commit the murder for payment or the promise of payment. 21 O.S.2011, §701.12.

Here Glossip claims that Sneed's self-serving testimony was insufficient to support this aggravating circumstance. Glossip claims that the murder was only a method to steal the money from Van Treese's car.

The flaw in Glossip's argument is that no murder needed to occur for Sneed and Glossip to retrieve the money from Van Treese's car. Because Glossip knew there would be money under the seat, a simple burglary of the automobile would have resulted in the fruits of their supposed desire. The fact is that Glossip was not after money, he wanted Van Treese dead and he was willing to pay Sneed to do the dirty work. He knew that Sneed would do it for the mere promise of a larger payoff. There was no evidence that Sneed had any independent knowledge of this money.

There is sufficient evidence that Glossip promised to pay Sneed for killing Van Treese.

*Glossip*, 2004 OK CR 12, ¶¶ 114-17, 157 P.3d at 161.

The OCCA's observation that "Glossip was not after money, he wanted Van Treese dead" is evident in the fact that police recovered nearly \$23,000 in cash from the trunk of Van Treese's car (Tr. IV 107-08; Tr. X 152). The money was found in several envelopes in the trunk of the car (Tr. X 150).

## **2. Why Disparity Between Sneed's and Glossip's Sentence Is Not a Concern**

In exchange for his testimony against Glossip, Sneed received a sentence of life without the possibility of parole. Glossip, as has been noted, sought a jury trial twice and was twice convicted of First Degree Murder and sentenced to death. The issue of the disparity between these two men's sentences has been noted by members of Glossip's defense at various points in his appeals and in public forums since Glossip's second trial. And much of the haranguing about the

matter revolves around the fairness of it all: How can Sneed, the individual who carried out the murder, be allowed to live out his life in prison while Glossip, who did not lay a finger on Van Treese, is forced to pay the ultimate price?

The logic behind their sentences lies in each man's choices. Glossip has repeatedly called attention to Sneed's interview, arguing that detectives tainted Sneed's statements in a variety of ways. One issue that Glossip has pointed to is the fact that detectives led Sneed to believe there would be some benefit to him if he cooperated in their investigation and named Glossip, who they already knew was involved in the crime given his inconsistent statements and questionable actions on January 7, 1997.

But a review of Glossip's and Sneed's interviews shows that the same tactics Glossip has criticized in Sneed's interview were present in his own. In his first interview, after providing detectives with an initial statement and taking a break, detectives came back into the room and let Glossip know where things stood (Appx. 29-31). The detectives told Glossip that they knew Sneed was involved (Appx. 30). They also told Glossip that they felt like he knew more than he was letting on<sup>33</sup> (Appx. 30-31). But they let Glossip know, that whoever came forward first was going to be helping themselves (Appx. 31-32). Instead of coming clean then and helping his own cause, Glossip would reaffirm three more times in the interview that he was not holding anything back from detectives (Appx. 31, 47, 50-51).

Moreover, Glossip was offered an even better plea deal than what Sneed received and turned it down. On November 3, 2003, many months before the start of his second trial but after the OCCA had reversed his conviction and death sentence and remanded the issue back to the district court, Glossip's attorneys approached the State and made an offer of a plea agreement; the

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<sup>33</sup> This was true as Glossip admitted from the outset of his second interview with detectives (Appx. 53).



terms were that Glossip would plead guilty to an amended charge of Second-Degree Murder in exchange for a straight life sentence (Appx. 101). State prosecutors considered the deal and countered later that same day, offering Glossip an amazing deal (November 3, 2003 Hearing Tr. 3-4; Appx. 101). The proposal was that Glossip would plead guilty to the existing charge of First-Degree Murder, but the straight life sentence remained, meaning Glossip would be eligible for parole and a life outside of prison at some point in the future (November 3, 2003 Hearing Tr. 3-4; Appx. 101). Glossip's attorneys came back with another offer, once more seeking a conviction on something less than First Degree Murder, but the State was not interested, and no further negotiations were had (Appx. 101). The record in this case even shows that Glossip was upset with his attorneys for attempting to convince him to take any deal made by the State<sup>34</sup> (November 3, 2003 Hearing Tr. 18).

The takeaway from these few points is that Glossip's sentence is in many ways a result he chose. Offered the opportunity to help himself, Glossip spurned the chance to play the role that Sneed now possesses in this situation. More importantly, after seeing how badly his trial could go the first time around, he refused a plea offer that would have handed him a more lenient sentence than Sneed received.

Finally, the State's evidence showed that Glossip was the mastermind of this crime. He was in a tight spot given the concerns about his management of the motel. Those concerns came to a head when Van Treese confronted him on January 6, 1997. If Glossip had pursued literally any other method of dealing with the situation, such as honest acceptance of his failures or even

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<sup>34</sup> Glossip has previously contended that he is guilty of—if anything—only being an Accessory to First Degree Murder. The punishment for that crime is set forth in 21 O.S. 175 and states that anyone guilty of being an accessory to first degree murder is punishable by up to forty-five years in prison. The OCCA calculates a life sentence for purposes of parole consideration to be forty-five years in length, which means Glossip turned down a sentence within the range of the crime for which he claims he should have been convicted.

running away from the problem, Van Treese might still be alive today. But the evidence indicates Glossip pursued the most atrocious of methods in an attempt free himself from blame, and he enlisted Sneed to carry out his plan. Any concerns regarding the disparity in their sentences should be directed to Glossip.

### **Efforts to Cast Doubt Upon Glossip's Conviction & Sentence.**

In 2017, following his multiple close calls with his death sentence, Glossip's case hit new levels of notoriety when filmmaker Joe Berlinger released his documentary on Glossip and his case: *Killing Richard Glossip*. Divided into four parts, the documentary covered the crime and subsequent trial and appeals as well as followed Glossip's defense team as they sought new evidence in an effort to prove Glossip's innocence. And while the documentary presented Glossip's case, it did so with an obvious slant in Glossip's favor.

For instance, early in the first episode, Glossip maintained that his story had been consistent as to what transpired the night of Van Treese's death from the very start: "I just want to tell my story. I want people to see that what I've been saying all along is true. I've been saying it for nineteen years and it's never changed once." (Video Appx., *Killing Richard Glossip*, Part 1, Clip 1). Any casual observer of the documentary has no reason to doubt what Glossip is saying. But Glossip is never pressed on this statement, or any others he makes, throughout the documentary. There is no real reckoning with the fact that Glossip outright lied to detectives during the first interview. Instead, Glossip is allowed to exist unchallenged in the viewer's mind until after the documentary has cast enormous amounts of suspicion on police and their investigation. The issue of Glossip's statements in the first interview is only revisited in a later episode when Glossip is allowed to claim that he withheld what he really knew from detectives because he also did not trust them (Video Appx., *Killing Richard Glossip*, Part 2, Clip 3).

Other bits of misinformation are left with viewers throughout the documentary. Glossip at one point claims that Van Treese “always slept in either one of the double rooms but never did he ever stay in [Room] 102” (Video Appx., Killing Richard Glossip, Part 1, Clip 3). But multiple witnesses at trial, including Donna Van Treese, Barry’s wife, (Tr. IV 185), D-Anna Wood, Glossip’s live-in girlfriend (Tr. V 71), John Beavers, a regular at the motel (Tr. VI 12), Billye Hooper, the front desk clerk (Tr. VII 23), Jacquelyn Williams, a maid at the motel (Tr. VIII 124), and Clifford Everhart, a close friend of Van Treese’s (Tr. XI 225), all testified that Van Treese typically stayed in Room 102 whenever he was on the property.

At another point, Glossip is adamant that he and Wood went to bed around midnight on January 7, 1997 (Video Appx., Killing Richard Glossip, Part 2, Clip 2). Not an entirely important point given the remainder of the State’s evidence against him, but it would serve to demonstrate that Glossip was awake and therefore potentially aware that Van Treese had returned from Tulsa in order to notify Sneed that the time to kill had come.<sup>35</sup> At no point is the audience ever informed that Glossip, during his testimony at his first trial, told the jury that he and Wood went to bed between 2:30 and 3:15 a.m. that night<sup>36</sup> (1998 Tr. VII 84). Nor are they informed that Glossip told detectives in his first interview that he and Wood typically went to bed between 3:00 and 4:00 a.m. but on the night in question they went to bed around 5:00 a.m. (Appx. 11-12) or that Wood similarly stated in her interview that the couple usually went to bed around 2:00 or 3:00 a.m. (Appx. 73).

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<sup>35</sup> As a reminder, Sneed testified that Glossip notified him around 3:00 a.m. that Van Treese had returned to the motel on January 7, 1997 (Tr. XII 94). PikePass records support the conclusion that Van Treese had indeed arrived at the motel by that time (Tr. VIII 109; Tr. XIII 115-17).

<sup>36</sup> Wood similarly testified in the first trial that she and Glossip were up past 2:30 a.m. on the morning of January 7, 1997, before heading to their apartment, where they watched some television, made love, and then went to bed (1998 Tr. VII 21-24).

And while these factual inaccuracies are somewhat minor in the grand theme that the evidence at his trial actually showed, to allow Glossip to be seen repeatedly as the only individual speaking truth against a State intent on his blood warps a viewer's perception. The audience is never provided with reasons why they should disbelieve Glossip's case. It is a documentary hoping to bend the truth in order to convey Glossip's side as possessing both a legal and moral superiority. Indeed, Berlinger has even acknowledged as much in his other work. Interviewed by a reporter for the Irish Times in relation to another of his documentaries, Berlinger noted that his work "allows [him] to play with the nature of truth. Because we live in this post-truth society."<sup>37</sup>

This notion of post-truth makes its way into the Glossip documentary, which leaves out entirely William Bender's testimony concerning Van Treese's demeanor at the Tulsa motel only a few hours before his murder; testimony which was key in establishing the motive in this case. Instead, Bender's role is limited to conveying a fibbed message from Van Treese to his wife (Video Appx., Killing Richard Glossip, Part 1, Clip 2).

In one of the later episodes, the individual responsible for Glossip's successful appeal, G. Lynn Burch, is presented to the audience (Video Appx., Killing Richard Glossip, Part 3, Clip 2). Following the appeal and remand back to the district court for the new trial, Burch stayed on as Glossip's trial counsel (Video Appx., Killing Richard Glossip, Part 3, Clip 1). But in preparation for the upcoming trial, Burch made visits to Sneed in prison (Video Appx., Killing Richard Glossip, Part 3, Clip 2). In the documentary, Burch states that on the eve of Glossip's second trial,

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<sup>37</sup> <https://www.irishtimes.com/culture/tv-radio-web/joe-berlinger-a-lot-of-true-crime-documentaries-are-very-irresponsible-1.4476055> (last visited July 13, 2022). Berlinger further noted that he saw circumstantial evidence as not "real proof" in cases he examined. *Id.* Oklahoma's legal system rejects this notion held by Berlinger, seeing no distinction between the weight to be given to circumstantial or direct evidence. *See Dodd v. State*, 2004 OK CR 31, ¶ 80, 100 P.3d 1017, 1041 ("The law makes no distinction between direct and circumstantial evidence; either, or any combination of the two, may be sufficient to support a conviction.").

he was summoned to the judge's chambers for a meeting (Video Appx., Killing Richard Glossip, Part 3, Clip 2). Burch explains that the assistant district attorney in the case argued to the judge that he had threatened Sneed and that such an act should be made known to the jury in the upcoming trial (Video Appx., Killing Richard Glossip, Part 3, Clip 2). As Burch tells it, this was a ploy by the State to force Burch's recusal from the case (Video Appx., Killing Richard Glossip, Part 3, Clip 2). Burch goes on to say that the ploy was successful, and he was removed from Glossip's case (Video Appx., Killing Richard Glossip, Part 3, Clip 2). The narrator informs the audience that this was a terrible blow for Glossip and his defense team; Glossip is made out to be the victim (Video Appx., Killing Richard Glossip, Part 3, Clip 2).

But the transcripts in the case show Burch's removal came about much differently. In January 2003 hearing, Burch made it known that he had met with Sneed individually and related that Sneed had informed him that he did not want to testify at Glossip's second trial (January 6 & 10, 2003 Tr. 55-57). The prosecutor at the time told the judge and Burch that all her communication with Sneed had been achieved through speaking with Sneed's counsel, and she suggested that Burch utilize that same avenue of access in the future (January 6 & 10, 2003 Tr. 55-57). Taking it a step further, the judge instructed Burch to communicate with Sneed's counsel going forward (January 6 & 10, 2003 Tr. 55-57). The judge repeated this same warning to Burch at a separate hearing a few days later (January 6 & 10, 2003 Tr. 20).

Months later, the issue was brought up again because Burch had visited Sneed again without following the appropriate channels and seeking access to Sneed through his counsel (November 3, 2003 Tr. 6-20). The State voiced concern that Sneed would testify that Burch had pressured him not to testify against Glossip in the second trial (November 3, 2003 Tr. 6-12). The judge then noted how Burch himself might become a witness in the trial if that were to occur, an

outcome that would preclude him from representing Glossip in his retrial (November 3, 2003 Tr. 12-13). The judge then put the question to Burch bluntly: “At this point in time, Mr. Burch, are you convinced that you are conflicted or do you have some question about that?” (November 3, 2003 Tr. 13). Burch replied, “I’m convinced I have a conflict.” (November 3, 2003 Tr. 13). While the judge noted there was no way to know how Sneed’s testimony would play out and if Burch would be implicated by it, Burch had heard enough; Burch—contrary to what is contained in the documentary—*moved to withdraw himself* from the case and the judge granted that motion<sup>38</sup> (November 3, 2003 Tr. 13-16). And Burch was not prohibited from assisting Glossip’s new lead counsel in the case<sup>39</sup>; he would still be allowed to provide guidance to new lead counsel in their preparation on any matter, including the sharing of all notes Burch had in the case (November 3, 2003 Tr. 23). So, given these facts, the documentary portrayed Glossip as the victim to an audience who was unaware of the actual events of the case.

But nowhere are the biases of the documentary more evident than in countering the testimony of Clifford Everhart concerning Glossip’s statements to him. The documentary presents Detective Bemo stating that the reason suspicion initially fell on Glossip was because he made inconsistent statements throughout the day of January 7, 1997 (Video Appx., Killing Richard Glossip, Part 2, Clip 1). The narrator notes that police alleged Glossip told Everhart and Sgt. Brown conflicting stories about the last time that he had seen Van Treese, with Glossip telling Everhart it

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<sup>38</sup> Another point that is not presented in the documentary but can be found in the transcripts of the case is the fact that Glossip seemed pleased with the removal of Burch from his case, as noted by the judge following the granting of Burch’s oral motion to withdraw (November 3, 2003 Tr. 18). Glossip would later confirm in the same hearing that he did not want Burch representing him (November 3, 2003 Tr. 24-25). So once again, the documentary presents a result that both Burch and Glossip desired, sought, and achieved as a mark against the State.

<sup>39</sup> Unlike what the documentary might imply, Glossip was not given an entirely new defense team. The two co-counsel of Burch in the case were elevated and given an additional six months to prepare for Glossip’s second trial (November 3, 2003 Tr. 13-27).

was the morning of January 7th but telling Sgt. Brown it was 8:00 p.m. the night before (Video Appx., Killing Richard Glossip, Part 1, Clip 4; Killing Richard Glossip, Part 2, Clip 1). But the narrator then also questions Glossip in the present day about his statement to Everhart (Video Appx., Killing Richard Glossip, Part 2, Clip 1). In response, Glossip denies ever making such a statement to anyone (Video Appx., Killing Richard Glossip, Part 2, Clip 1). The problem is that Everhart has already been cast as wholly untrustworthy by the documentary. Instead of noting that Glossip made similar statements to at least three other individuals that day: to Donna Van Treese, to Billye Hooper, and to Sgt. Brown, the documentary moves on to question the direction investigators were taking the case (Video Appx., Killing Richard Glossip, Part 2, Clip 1).

Questions as to why Glossip's case has garnered an inordinate amount of interest since the last time he came before this Board start with the documentary. *Killing Richard Glossip* was widely distributed on the Discovery Channel's streaming platform, and its contents were received as fact. Audiences quickly attached to the inaccurate portrayal of Glossip as a wronged individual caught up in the bloodthirsty mechanisms of Oklahoma's criminal justice system. The frenzy around Glossip would not stop. Ian Woods, a journalist with the BBC would release a book in 2018 about Glossip's tribulations called *Surviving Execution: A Miscarriage of Justice and the Fight to End the Death Penalty*. His defense team and others dedicated to abolishing the death penalty would make multiple appearances on the popular daytime television show, Dr. Phil, and feed this same narrative of an unjust conviction and sentence. And based upon the manipulated presentations made within each of these, Glossip's movement gained new followers (Appx. 102-06).

Most recently, in June of this year, Reed Smith LLP (“Reed Smith”), an international law firm with an undeniable desire to fight the death penalty,<sup>40</sup> released its *Independent Investigation of State v. Richard E. Glossip*. But the report suffers from similar biases. And nowhere is this more evident than in the report’s analysis of Glossip’s first clemency hearing (Appx. 114-16). The report critiqued this Board for allowing, Patricia High, a former colleague of the prosecutors in Glossip’s second trial, to be present for Glossip’s hearing (as opposed to recusing herself) and allow her to ask Glossip “24 cross-examination style questions about his after-the-fact conduct” (Appx. 114-16). The report was quick to note how unfair this grilling was and noted that only one other Board member asked a question of Glossip during that time (Appx. 114-16).

It’s important to note that High’s questions concerned why Glossip made certain incriminating statements (Video Appx., Glossip 2014 Clemency Clips 1 & 2). Because through those questions, Glossip admitted to telling Donna Van Treese that her husband had gone to the hardware store to get supplies on January 7, 1997 (Video Appx., Glossip 2014 Clemency Clip 1), and he admitted to telling the housekeeping staff to only clean the upstairs rooms on the morning of January 7, 1997 (Video Appx., Glossip 2014 Clemency Clip 2). But despite these admissions by Glossip himself, the report still presented these two important facts in the case as being disputed or questionable at best and never noted that Glossip admitted to these things at his first clemency (Appx. 117-19). This demonstrates that report could easily review evidence and hearings in Glossip’s case and discover what it was looking for: arguments to attack his conviction and death

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<sup>40</sup> Reed Smith 2017-18 Report for Europe, the Middle East, and Asia explained that “[e]very year vulnerable people facing the death penalty are in desperate need of legal representation.” The report noted that Reed Smith works with such organizations as Amicus and Reprieve to assist these capital defendants who are “some of the world’s most vulnerable people” (Appx. 107-08). Reed Smith has been recognized by similar organizations for its work against the death penalty, such as various chapters of the Innocence Project (Appx. 109-13).



sentence; it could hear the tone of High's questions to Glossip in the first clemency hearing, but it was incapable of hearing Glossip's answers implicating himself.

### **Glossip's Manipulation Continues**

At his 2004 trial, the State presented considerable evidence that Glossip was able to manipulate Sneed into murdering Van Treese. Sneed arrived in Oklahoma with a roofing crew out of Texas in July 1997 with his older brother, Wes (Tr. XII 41-43). Sneed and his brother soon realized that doing odd jobs around the motel in exchange for a room was a far better gig than roofing houses in Oklahoma in the middle of summer (Tr. XII 41-46). But Sneed's brother was soon taken back to Texas by his father to face pending criminal charges there, leaving Sneed at the motel (Tr. XII 42).

Those who knew Sneed around this time described him at trial as unintelligent, exhibiting little motivation (Tr. VI 16; IX 17; XI 185). He was "very childlike" and "real simple" (Tr. IX 17). He appeared incapable of making decisions (Tr. V 98; IX 19-24). He would play with young children not as an adult stooping down to their level, but as if he were their peer (Tr. IX 17).

Glossip soon formed a bond with Sneed. Sneed was only earning a room for his work as a maintenance man; he received no pay (Tr. IV 43-44; Tr. V 98-99). Glossip provided meals for Sneed who had no other regular source of income (Tr. V 98-99; Tr. VII 28; Tr. XII 71). They were regularly seen around the motel together and even known to spend their free time together (Tr. VII 28; Tr. IX 19-20, 23). And when Sneed needed direction, Glossip was there to provide it for him (Tr. V 98, XI 185). So evident were these roles between them that one witness even described Sneed as Glossip's "puppet" (Tr. XI 185).

It was within this established relationship that Glossip soon began to suggest to Sneed that he rid them both of Van Treese. And as the State demonstrated at trial, Glossip was eventually

successful in that endeavor, utilizing his sway over Sneed to achieve his own ends. But Glossip was quick to sever the bond between himself and Sneed when it appeared that authorities were closing in and there was no longer a way to keep both their names clear. Because upon being placed in Sgt. Brown's squad car based upon conflicting statements he had made earlier in the day, Glossip sought to save himself by offering Sneed to police. Glossip claimed he had suspicions all along that Sneed was responsible for Van Treese's disappearance and death. He said Sneed was someone who ran with "some pretty bad people" at the motel, who Petitioner said he'd had to run off (Appx. 20). As someone who came up with schemes to enrich himself and couldn't be trusted (Appx. 17-18).

Unfortunately, Glossip's confinement since his arrest in January of 1997 has not stopped him from manipulating others for his own personal gain. And he continues to utilize the same playbook that he did with Sneed. While none of these other victims have gone to the extremes Sneed did over two decades ago due to Glossip's influence upon them, their lives have been altered in drastic and unforeseen ways due to Glossip's manipulation.

Leigha Jurasik first learned of Glossip by watching the documentary *Killing Richard Glossip* in 2017. Feeling empathy for Glossip and his plight, Jurasik—who was only twenty years old—began exchanging letters with Glossip—who was fifty-four—in the Summer of 2017, but their contact quickly expanded to phone conversations. And by their second phone conversation, Glossip had already told Jurasik, who had shared her life struggles with Glossip, that he loved her. Talk between the two soon turned to marriage and the two were wed in September 2018. With their communication being almost exclusively via phone, Jurasik could soon tell what type of mood Glossip was in just by his voice. Glossip would throw tantrums if Jurasik did not do as he requested, threatening to exclude her and sometimes threatening to harm or kill himself as a means

of further ensuring her devotion. Along the way, Glossip was consistently asking Jurasik to put money on his prison accounts. In total, Jurasik estimates that she spent approximately \$7,000 on Glossip and an additional \$1,000 on other inmates at the request of Glossip. Glossip told Jurasik that by paying these other inmates, he would have more time to call her on their cell phones. Eventually, Jurasik recognized the terrible circumstances she was in and asked for a divorce. As he had done before, Glossip threatened to kill himself unless she ceased the talk of divorce. The couple stopped talking and two weeks later, Glossip called Jurasik to say he was serving her with divorce papers. The divorce did not stop Glossip from making threats to Jurasik, saying she would be investigated by police and ultimately end up in jail. Jurasik also received calls from other supporters of Glossip, threatening Jurasik and her mother with death. The calls became so concerning that Jurasik was forced to change her phone number. In it all, Jurasik felt like she was used by Glossip for financial gain, and when he realized that she could not be exploited further, he moved on to someone else (Appx. 102-03).

Melissa Ratliff, a former anti-death penalty advocate, first heard of Glossip's case while watching an episode of Dr. Phil in 2015. She wrote him shortly thereafter and their relationship continued. In 2017, Glossip asked Ratliff to add funds to his phone account so that Glossip could speak with his four children, only for Ratliff to learn from the documentary weeks later that Glossip no longer had contact with two of them. Despite this red flag, Ratliff continued to assist Glossip in his fight, and it was in 2020 that Ratliff and Glossip began communicating via phone multiple times per day for months on end. According to Ratliff, Glossip manipulated her by preying upon her passion for his cause and threatening to end their relationship if she did not assist him financially in prison. Ratliff spent considerable sums on Glossip, making purchases that over time amounted to thousands of dollars. When Ratliff began expressing concerns about her spending to

him, Glossip would ignore Ratliff for periods of time or make her feel guilty. For example, Glossip once told Ratliff that she must not want him to eat in prison since she expressed hesitation about providing him with more money. This continued into October of 2020, when Glossip made the request to Ratliff that she come up with \$3,500 as a retainer to pay his attorney to represent Glossip in his divorce of his then wife, Jurasik. Always eager to assist as a way of staying in Glossip's good graces, Ratliff complied. But as this was ongoing, Glossip began smearing Jurasik's name to Ratliff in their communications, calling Jurasik a crazy thief, drug addict, and alcoholic. This manner of abuse continued until Ratliff worked up the courage to sever ties completely with Glossip in 2021. It was in May of that year that Glossip wrote Ratliff a threatening letter, claiming that he would destroy her career and have her investigated by DOC investigators. The letter implied that Ratliff risked an even worse fate if she did not comply with his demands: "I hope and pray you stop this before it gets to the point of no return." Recognizing that Glossip's using of her bore many similarities to the details of this crime, Ratliff began seriously questioning Glossip's claims of innocence. After poring over the full evidence of the case, Ratliff concluded that she, much like Sneed and Jurasik before her, had been manipulated to meet Glossip's personal needs and thereafter discarded (Appx. 104-06).

### **Conclusion**

Glossip's request for executive clemency should be denied just as it was almost eight years ago. The evidence remains that Glossip enlisted Sneed to commit the horrific murder of Mr. Van Treese to avoid losing his job and being turned in to authorities. Glossip had mismanaged the motel to the point that most of the rooms were uninhabitable. The motel's dereliction under his watch meant that January 7, 1997, was to be a day of reckoning for him; Glossip ensured it was the other way around.

In the years since, Glossip has maintained his innocence as to the First-Degree Murder of Mr. Van Treese, insisting that he is—at most—guilty of Accessory After the Fact because he covered up Sneed’s act of murder, a claim which was squarely undermined by the State’s evidence and Glossip’s own words. Throughout that time, Glossip has argued that it is morally and constitutionally objectionable to execute his sentence when it is based upon the testimony of a single individual. As the State demonstrated above, that was not the case. Extensive evidence against Glossip came from his statements and actions in the hours after Mr. Van Treese was murdered.

But even if that weren’t the case, and the State’s case did rest entirely on one witness, a prosecution for such a heinous act can only succeed if its witnesses are believable. To that end, the State offers the observation of District Judge Twyla Mason Gray, who presided over the evidentiary hearing following Glossip’s first direct appeal and thereafter at his second jury trial:

There is no question that -- in my opinion, that up to this point this has been a very clean trial. Defense Counsel has been very prepared. I believe you’ve had every opportunity to defend on every facet that the Defendant gives you and based on the truth, and I’ve also had an opportunity to observe the witnesses and it is fascinating to me to see the difference that it makes to observe the witnesses on the stand.

Some of the opinions that I had based on reading the first transcripts I, frankly, had very different opinions after listening to the testimony as it was presented and observing the witnesses. **And I’ve got to tell you that one of those observations was about Justin Sneed. And I did find him to be a credible witness on the stand.**

(Tr. Vol. XV 45 (emphasis added)).

Judge Gray would later, at sentencing, make similar comments regarding her assessment of the case as it was tried:

Mr. Glossip, the law requires me to complete a capital felony report and I have submitted that to the attorneys for them to look over and to make any comments that they think are appropriate. I think it’s

also fair for you to know what I have included in the report. It asks for your name and your date of birth, your social security number, identifiers. It talks about the representation and I have noted that Mr. Lyman worked with Mr. Burch beginning in January of the year 2000, and then when Mr. Burch withdrew as counsel, Mr. Lyman became the first chair and Mr. Woodward got involved. Both of your attorneys are court-appointed and employed by OIDS. Mr. Lyman has continuously practice criminal law since 1989 and has focused on capital litigation since September of 1997 and Mr. Woodyard has 27 years of primarily capital experience and tried his first death penalty case approximately 20 years ago.

This report asks for my comments regarding their representation and it would by my finding, sir, that both Mr. Woodyard and Mr. Lyman did a very good job representing you. They were well-prepared, they were articulate and diligent, I believe, in their jobs. I believe both of them cared deeply about you and did all that they could to assist you. I have noted in the report that you sometimes disregarded their advice both prior to trial and during trial. I do think that the State did an outstanding job in meeting their burden of proof and I think that your attorneys did the very best that they could with what they had to work with.

The general consideration that the Court of Criminal Appeals wants addressed is the issue of race which was not an issue in your case. I believed that somewhere around 50 percent of the population of Oklahoma County would be essentially what we would say is a Caucasian male and noting that members of your race were represented on the jury, I would also find that this jury was one of the most diverse jur[ies] that I have ever seen. We had seven males and five women, including an elderly woman who was a German citizen who was a war bride and became an American citizen. We had an African American male, we had a full-time student, a Department of Defense engineer, clerical worker, banker, furniture delivery man, a retired school teacher, operations manager of an amusement park, a surgical nurse, a retired airport security guard and a CPA. I don't know that I've ever really seen a jury like this one. I do not believe that there was publicity about this case surrounding this case that would have in any way impacted the case or the consideration.

Finally, it asked me to comment on whether or not there was anything, either in the pretrial proceedings or the trial or in sentencing that would cause me to question the appropriateness of the death sentence and as you know, Mr. Glossip, the Court of Criminal Appeals originally sent this case back for an evidentiary

hearing when it was on appeal the first time and I am the one who had to have that evidentiary hearing and I made a finding at that time to the Court of Criminal Appeals I could not have confidence in the decision that was reached in your first trial. **I would say that after observing the witnesses and hearing the testimony I have absolute confidence in the decision the jury reached, both to convict you, to find the aggravators [sic] and to impose the sentence of death.**

(Tr. Vol. XVII 115-18 (emphasis added)).

Finally, in imposing the death sentence recommended by the jury, Judge Gray made one more thing clear:

Mr. Glossip, I would also tell you that when I came to this bench in 1998 I made up my mind then that I'm really glad that in most instances the jury makes the determination on sentencing. However, I sign death warrants and I take that responsibility very seriously. **I made up my mind that if I were ever in a position where I did not have confidence in the jury's decision I would set aside that because I'm not going to sign a death warrant in that case where I have any questions in my mind. I want you to know I have no questions in my mind about sentencing [you] to death, sir.** And I have signed those warrants today.

(Tr. Vol. XVII 119 (emphasis added)).

Glossip does not ask for mercy; he asks for vindication. In recounting his last hearing before this Board, Don Knight, Glossip's attorney, explained to Berlinger in the documentary that he felt like this Board was looking for an apology from Glossip that wasn't going to come. Knight went on to say, "[Glossip]'s saying, 'Look, I'm not interested in clemency. I'm not interested in some pardon from death row right now. I don't belong in prison. I don't belong in prison at all.'" (Video Appx., Killing Richard Glossip, Part 4, Clip 1). And when Glossip's representatives appeared on Dr. Phil, they made this point abundantly clear. Susan Sarandon, who has been a vocal supporter of Glossip for many years, stated on Dr. Phil, "We're not asking for clemency, but just a stay to be able to present this other information that people hadn't seen before" (Video Appx.,

Killing Richard Glossip, Part 4, Clip 2). Glossip now has that chance, with the OCCA considering his claim of actual innocence based on this information referenced by Sarandon.

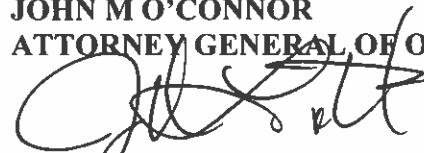
But here and now, Glossip still refuses to ask for forgiveness. Instead, he wants this Board, to second-guess the opinions of Judge Gray, a dozen jurors (two dozen if you include the 1998 trial), the Oklahoma Court of Criminal Appeals, two federal district judges, multiple panels of Tenth Circuit judges, and on several occasions the justices of the United States Supreme Court. He wants you to think that for over two decades the State of Oklahoma and all those previously listed got this case wrong; that we have all been duped by the cunning of Sneed and led astray by an inadequate police investigation.

This Board knows that is not the case. The media might ignore portions of the evidence. Politicians might question the reliability of the outcome. Public opinion might claim certain witnesses cannot be believed. But for this Board, the facts of this case cannot be changed.

Glossip orchestrated the murder of Barry Van Treese. A jury sentenced him to death. This Board must see that justice is done. And to do that, this Board must decline to extend mercy where it has not been requested.

Respectfully submitted,

**JOHN M O'CONNOR**  
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**ATTORNEYS FOR THE STATE**





# APPENDIX

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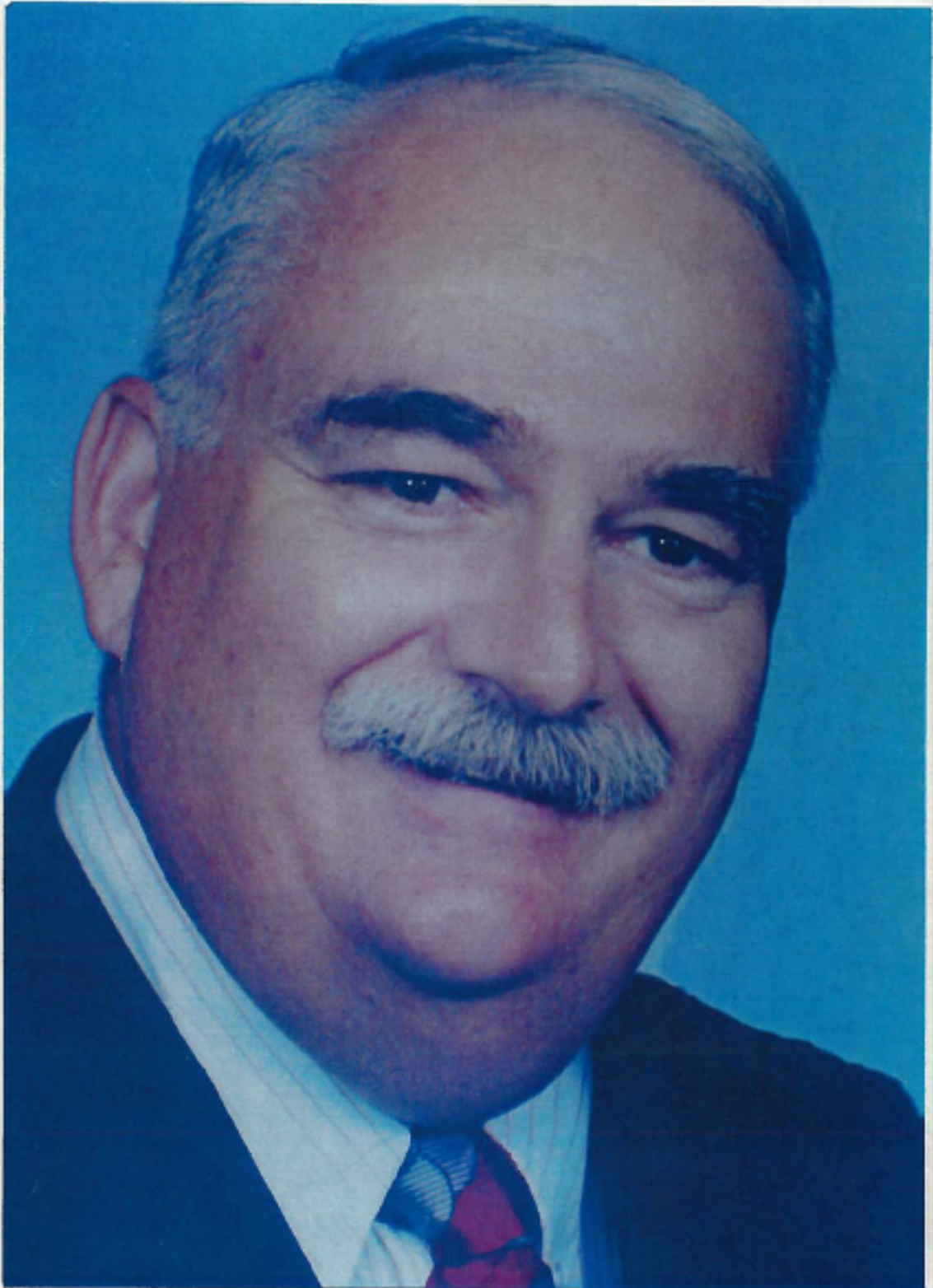
**Killing Richard Glossip Documentary (9:23 Total)**

Part 1, Clip 1.....	0:08
Part 1, Clip 2.....	0:28
Part 1, Clip 3.....	0:16
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Part 3, Clip 2.....	1:51
Part 4, Clip 1.....	0:48
Part 4, Clip 2.....	0:42

**2014 Glossip Clemency Hearing (1:58 Total)**

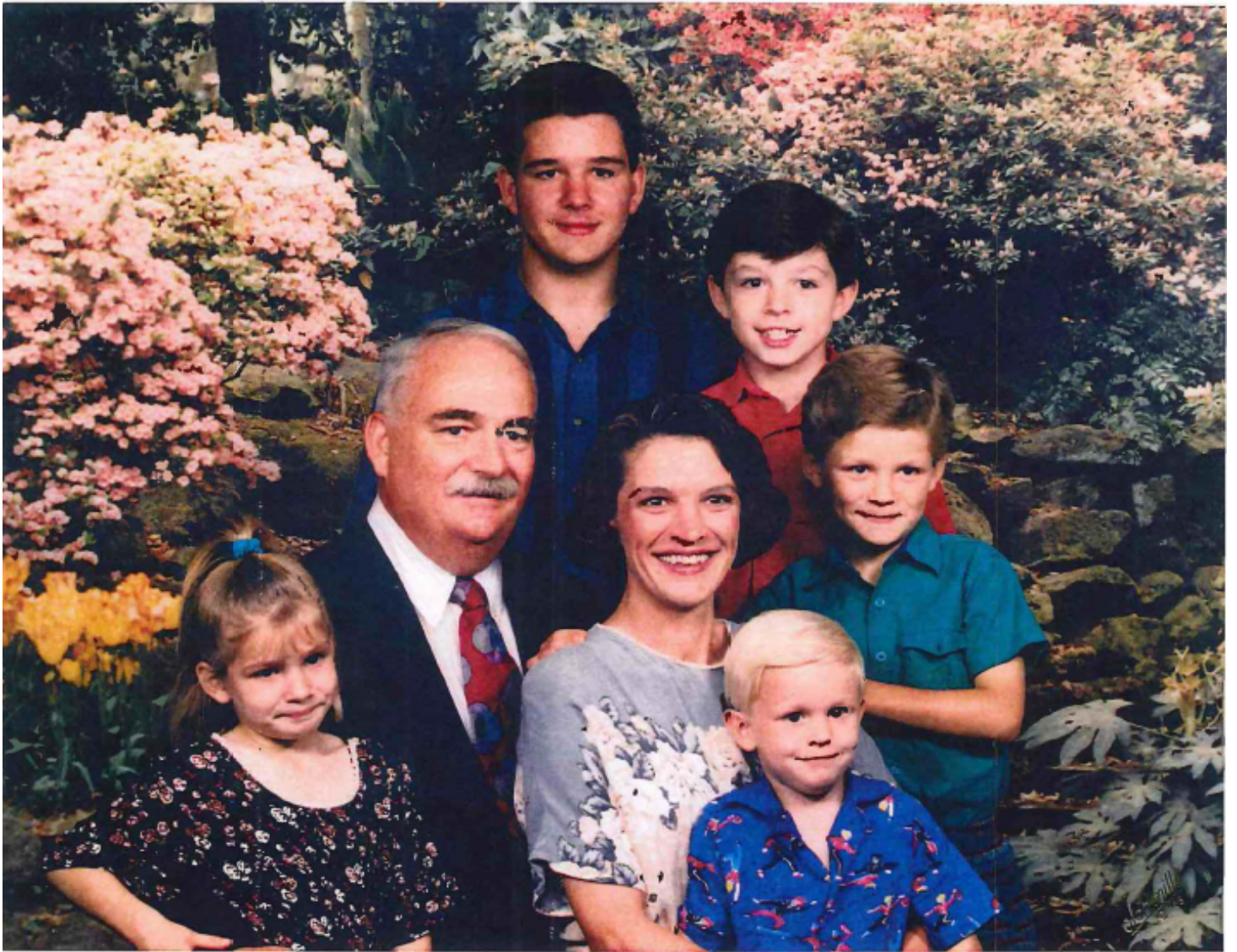
Clip 1 .....	1:23
Clip 2 .....	0:35

**TAB 1**  
**In-Life Photographs**



Barry Van Treese  
December 3, 1942 - January 7, 1997





Barry and Donna Van Treese and  
children (Derrick, Benjamin,  
Daniel, Bridget, and Joseph)

**TAB 2**

**Statements from the  
Van Treese Family**



Impact Statement from Donna Van Treese Oct. 2014

There are two dates that changed my life forever, October 20<sup>th</sup> 1978 was the day I met Barry, and January 7<sup>th</sup> 1997 is the day that the love of my life was stolen from me and my family in cruel act of violence; We had only 18 short years together. The emotional impact has been the hardest on every member of our family because we have not had Barry here to guide and support us through all these years.

As the wife I lost the most important person to me my husband and the father to my children. I have had a very hard time just moving on one day at a time, and physically I have been under more stress than any one person should endure in a lifetime. Financially has been the hard part, I was a stay at home mom that worked part time at our business from home; I have lost our home and have had to move several times. I have had to work hard to provide for my children and they have worked hard to better their lives. We have all suffered and with God's guidance made it through another day.

Barry was a man that loved everyone; he was a great husband a wonderful father and a best friend. He was the type of person that if you were in need, he would help in any way possible. He would try to always find the best in any person he met. My heart aches every day for losing my best friend. I will always be his voice and strive to make him proud; I live my life for the both of us, and for our children and grandchildren.

We all are who we are today because we know and loved Barry, and He loved all of us.

5 October 2014

Dear Clemency Board Members,

How can one ever adequately capture and express in words the impact of the loss of a father, a husband, a brother, a son or an uncle? A loss, due not to an unfortunate accident, an illness, military service or a natural disaster, but due to the conscious decision of one human being to purposefully end the life of another for the sake of personal convenience and financial gain. Like the surface of a lake after someone tosses in a stone, the ripples expand infinitely. A loss of this nature is unique in its emotional toll, and it impacts everyone and everything. All of us carry scars from the blows that took the life of Barry Alan VanTreese.

My father was murdered over seventeen years ago. Relatively speaking, I suppose I was the lucky one. Unlike my five youngest siblings, I had my Dad around until I was a grown woman. I have wonderful memories of him that I can carry with me throughout my life. He walked me down the aisle when I married the love of my life, and was overjoyed in subsequent years when my children were born. I have first hand knowledge that my father loved me and was proud of me. These things are vitally important, because they shape and mold a person's life and impact their relationships with others. I am very thankful for the times I shared with my Dad, but I still miss him and I still need him no matter how old I become.

My children can't remember him at all. My daughter was only two months old when Dad was killed. He never got to see her in person. My two sons were simply too young back then to remember anything about their Grandpa Barry now. So, I try my best to convey to them who he was: his ebullient personality, his playful nature, his love of God, his talent at playing the organ, his interest in tinkering with things like cars and ham radios, his entrepreneurial spirit, the uninhibited joy on his face when we sang Elvis songs full blast during that road trip just the two of us took together, and his heart for the down-on-their-luck. I do this in the hope that they can get some sense of the man who helped shape me into the woman that I am, because understanding where and who you come from matters.

My younger siblings were just children when their father's life was stolen by bad men. A child never really feels completely safe again after something like that. Imagine trying to put a child to bed who is troubled, not by imaginary monsters lurking under the bed, but by the very real monsters that live amongst us. The murder of our father robbed them of their childhood innocence and altered forever their perception of the world. My brothers and my sister had to struggle emotionally and financially for the rest of their childhoods. Dad wasn't there to share in their sporting events, their high school and college graduations, their weddings or the birth of their children. They will never hear, this side of heaven, Dad tell them how proud he is of the grown up people they have become. These things matter.

My stepmother Donna was left to pick up the pieces of a shattered life. Not only did she have to deal with the loss of her husband at the hands of evil men, but she had to raise five children on her own. I am a mother of three, with a loving, supportive husband to help me, and I recall periods of sheer exhaustion and times that I felt overwhelmed. I believe that children need both parents, a father and a mother, in order to have the best shot to thrive. Parents need each other for mutual support, for rest, and for financial stability. Single parenting can certainly be done, but it is not the ideal situation for raising children, and it is just plain hard. A fatherless upbringing and single-parenting was forced upon Donna and the kids.

Seventeen years later, my children are almost all grown. We are almost empty nesters. The struggles of raising children are over, but there are other trials. Now, I am battling cancer. How I wish that I could talk with my Dad and seek comfort in his strength and his faith, or just forget it all for a moment and laugh and sing with him. The ripples in the water, the impact of his untimely and unnecessary death, continue to this day.

It is an impossible task to adequately describe the impact of the loss of a human being upon those who love him, especially over a period of seventeen years. When the loss is due to natural circumstances, one can eventually come to accept and understand it. However, when the loss is completely unnecessary, senseless, and due solely to the actions of others who valued their own selfish gains more than the life of another human being, there is no acceptance, no understanding, and no end to the emotional suffering.

That, dear Clemency Board Members, is my best attempt to paint for you a picture, to offer you a glimpse into the impact of Richard Glossip's decisions and actions upon our family.

Barrie L. Hall

October 8, 2014

I am Barry Alan Van Treese's little brother, one of four boys. Our two sisters made a smooth half dozen kids in the family. Our mother and daddy did all they could to raise children who were contributing members of society. They were a success as parents, my brothers and sisters have all produced a big string of success. Barry had set the path for all his younger siblings, first as a banker then as an entrepreneur. Barry was a big man, at 5'11 and 195 pounds, he was a stud. Two wives and seven children, Vantreese left his mark. His children are all adults with kids of their own, not a flake in the group.

Barry was always one of my hero guys. He played music on his trombone and would rock out on our Hammond organ in our home in Lawton. Barry and Gary were the older brothers while Jimmy and I brought up the rear. Then the girls Alana and Vivian six kids in ten years.

As a businessman Barry did the same thing most young guys do... he went for the big brass ring. He had been in the banking business for a dozen years so he knew how valuable other peoples money can be when used intelligently. Barry borrowed a lot of money to purchase real estate. When he was murdered he had control of several commercial properties that were worth millions of dollars. Unfortunately it requires lots of people to make real estate pay for itself. He and I disagreed on how to get people on your team. Barry always tried to hire employees for as little money as they would take. Richard Glossip took advantage of Barry's attitude. He stole the difference between what he agreed to work for and what he thought he was worth. When he got caught he decided to get rid of the problem by talking a young man into killing Barry.

Two juries have analyzed the facts around the murder of Barry VanTreese and have concluded that Richard Glossip is undoubtedly responsible for his death. Two women have been responsible for presenting the facts surrounding the grizzly death. Two trials years apart with the same result. Guilty with death as the priced for Glossip to pay. Seventeen years have passed since The murder of my brother and Richard Glossip recently wrote about the pain he will endure when he is given an injection designed to end his miserable life. I will speak for my brother: it hurts like hell to have your head bashed in with a baseball bat. Do not feel sorry for the bastard the took my life!

Love Barry

Kenneth C. VanTreese

October 7, 2014

Haunting memories.

Why, Why, Why???? Wailed one Barry & Donna's little sons. Yes, it makes no sense. It is incomprehensible. It is real. It is final. It is forever.

When someone is murdered, the death is sudden, violent, final and incomprehensible. The loved one is no longer there – the shared hopes and plans are no longer possible. The grief is felt in different ways by each depending on their relationship with the victim.

But for..... Richard Glossip.

I often wonder about what Barry must have thought when he awoke to the blows of the bat to his head; as the adrenalin rushed and he began the fight for his life.

The fact that the violence was intentional. Planned and directed by Richard Glossip, who Barry trusted to manage the daily operations of his business; the business which provided the livelihood for Barry's family, and all of his employees, including Richard Glossip.

Since the trials, and having had the opportunity to face the killer and hear the painful details of Barry's death, I often think about the extent to which Barry suffered. When the beating was over and he lay there in pain and bleeding to death, was he aware? Did he see the faces of his family? Did he know this is the end?

Loss through murder is one of the most traumatic experiences an individual can face; it is an event for which no one can adequately prepare, but which leaves tremendous emotional pain and upheaval. It has impacted every area of our lives. The trauma does not end once the convicted murderer is sentenced. Ongoing appeals and hearings trigger reactions for the family. In our family's case, this process has taken over 17 years.

Nothing can make this reality disappear. The pain of victims' relatives never ends. The death penalty isn't revenge. It is the law.

Alana D. Van Treese Mileto  
Barry's sister

October 7<sup>th</sup>, 2014

To Whom It May Concern:

Why did Richard Glossip not just move and walk away? I have analyzed this question so many times over the last 17 years. He had in his hands the ability to begin again but chose to stay, arrange my Brother's murder and body disposal and blame anyone but himself. I will never understand.

We will never again get to hear his funny jokes, his wise advice or hear him play the organ with such passion and eloquence.

Barry was a dedicated HAM radio person and was able to speak with people all over the world and make friends with each of them. I will miss hearing his updates.

I can't stand that his precious Grandchildren will never get to experience Barry and his fun ways. He would be so proud of them and they would love him.

I sincerely hope, in all these years of incarceration, that Richard Glossip has thought of all these things and how he has cheated all of Barry's friends and family out of having him in our lives.

Barry VanTreese is sorely missed! I am forever changed.

Vivian VanTreese Stone

Barry's Sister



October 9, 2014

Dear Pardon and Parole Board:

Hopefully the following will still be able to be inserted into the packet for the upcoming clemency hearing for Richard Glossip on Oct. 24th. So sorry for the delay. I am Kenneth's wife, Linda.

Victims of crimes are often the forgotten survivors. The loss is something that is truly hard to quantify. There are, and will always be the 'what ifs'. Every holiday, birthday, special occasion, life accomplishment, marriage, and birth is a reminder that Barry wasn't able to be with us as we marked these life events.

Barry was a unique individual and contributed so much to all who knew him. A testament to the kind of man he was is the fact that all of his seven children have accomplished much in his absence. Much of the credit for their success must also be given to his wife, Donna VanTreese, because she has had to shoulder the responsibility for their well being without help from Barry. Barry would be very proud of all his children and grandchildren that he was never able to meet and love.

I loved Barry as a brother. He was fun to be around, always had a positive attitude and I don't remember ever seeing him lose his temper or say anything bad about anyone. We had many fun times together and I treasure the memories. When Barry worked at Brookside Bank in Tulsa, I would often load our daughter, Stacie into the child seat on the back of my bike and we would ride a couple miles to the bank so she could see her Uncle Beemy. She still talks about that. He always greeted us with a big smile and his infectious laugh. I still miss his sense of humor.

I also know that when Barry was murdered, it changed my husband Ken's life in a profound way. He enjoyed and loved his brother so much and looked to him for advice and counseling when it came to business matters. They had a very loving relationship and I know he misses him everyday and would give anything if he could still see him walk through the door and they could sit down and get caught up on what's been going on and share some laughs together. That's the other thing about Barry, he laughed A LOT. He was a happy guy.

Long story short, it's been almost 18 years since we lost Barry through a cruel and heinous act and it's no easier today than it was then. In many ways it's worse because the loss is so profound and senseless. I hate to think about how Barry must have suffered as he lay bleeding to death and wondering 'why'? That is the question that remains unanswered all these years later. It hurts to know that all those he left behind will always have a piece of their hearts missing.

Losing a loved one is never easy. It's even harder when that loved one is murdered and his life is cut short, not by illness or accident, but by a willful evil act of another individual. I often have thought about how I will feel when Richard Glossip finally answers for his crime. I won't feel happy about it, but I will feel that justice was done for Barry, and we, as a family stayed the course for him with love and in remembrance.

Linda VanTreese

**TAB 3**  
**Interview Excerpts**



1                                    1.8.97 INTERVIEW

2                                    DETECTIVE COOK: You know what, Lee?  
3 I left my pen down there.

4                                    Have a seat right here.

5                                    RICHARD GLOSSIP: Is there any way I  
6 can get a cigarette from somebody?

7                                    DETECTIVE COOK: Sorry, I don't  
8 smoke. My partner smokes. Maybe [inaudible].

9                                    RICHARD GLOSSIP: Okay.

10                                   DETECTIVE COOK: Let me go get my  
11 pad and pen. I'll be right back.

12                                   (Pause.)

13                                   DETECTIVE BEMO: He was wanting to  
14 bum a cigarette from ya.

15                                   DETECTIVE COOK: He hooked me up,  
16 but do you know what I had to tell him?

17                                   DETECTIVE BEMO: What did you tell  
18 him?

19                                   DETECTIVE COOK: I told him I don't  
20 smoke.

21                                   DETECTIVE BEMO: That's unusual.

22                                   DETECTIVE COOK: It is.

23                                   I smoked a while back.

24                                   DETECTIVE BEMO: I don't blame you.

25                                   DETECTIVE COOK: [Inaudible].

1 DETECTIVE BEMO: Deanna? Is that  
2 who you're saying it is?

3 RICHARD GLOSSIP: Yes.

4 DETECTIVE BEMO: The lady out here?

5 RICHARD GLOSSIP: Yes, it is.

6 DETECTIVE BEMO: Okay. So then what  
7 happens?

8 RICHARD GLOSSIP: Oh, it was  
9 probably -- oh, man, I'm not good with times -- I'd  
10 say 3:30 or 4:00, we laid down.

11 DETECTIVE BEMO: This is a.m. we're  
12 talking about?

13 RICHARD GLOSSIP: Yeah. We always  
14 went to bed at 4:00 in the morning -- roughly 3:00  
15 -- between 3:00 and 4:00 --

16 DETECTIVE BEMO: Okay. So you're  
17 talking about 3:00 a.m. to 4:00 Tuesday morning, you  
18 laid down.

19 RICHARD GLOSSIP: Right.

20 DETECTIVE BEMO: Okay.

21 RICHARD GLOSSIP: And, you know,  
22 we're a couple, so we did our thing. And I didn't  
23 look at the clock, but I would say probably around  
24 5:00, 'cause we were finished, we were laying down  
25 fixing to crash out for the night, and we heard a

1 tapping on our side door.

2 I don't know if you seen our side  
3 door by the office.

4 DETECTIVE BEMO: Um-hum.

5 RICHARD GLOSSIP: We have a metal  
6 side door.

7 We heard a tapping on the door. And  
8 we just ignored it for a minute 'cause there's kids  
9 and people always walk by and hit on those doors  
10 anyway.

11 And then all of a sudden, I hear a  
12 tapping going down the wall on the motel, because  
13 the wall's our whole room down that breezeway in the  
14 middle there.

15 And so I got up and looked out the  
16 door, and Justin was there. And he had a --

17 DETECTIVE COOK: Excuse me. Who are  
18 we talking about?

19 RICHARD GLOSSIP: Justin Taylor. He  
20 was --

21 DETECTIVE COOK: Justin Taylor?

22 RICHARD GLOSSIP: Um-hum. He's my  
23 maintenance man.

24 DETECTIVE COOK: Maintenance man.

25 DETECTIVE BEMO: Okay. Now, you

1 said he was tapping down the wall. Are you talking  
2 going back to the north along that --

3 RICHARD GLOSSIP: Right. Toward the  
4 halls, yes.

5 DETECTIVE BEMO: Okay.

6 RICHARD GLOSSIP: So I open the  
7 door, and I see Justin, and I see that he's got a  
8 knot right here on the side of his head; right next  
9 to his eye.

10 DETECTIVE BEMO: Um-hum.

11 RICHARD GLOSSIP: And it looked like  
12 somebody punched him, so I asked him did somebody  
13 hit him?

14 And he said no. He said he slipped  
15 and hit his head in the shower, because some of our  
16 rooms have the soap dish that sit kind of high in  
17 the shower.

18 DETECTIVE BEMO: Uh-huh.

19 RICHARD GLOSSIP: And he said he  
20 kind of dozed off and hit his head on the shower.  
21 So I didn't think nothing of it then.

22 And he told me there was a couple  
23 drunks that got loud and out of hand, and they broke  
24 the glass in 102.

25 So I told him, I said, "Well, clean

1 it up." And then I said, "Where's the drunks right  
2 now?" He said he ran 'em off.

3 So I said, "Okay. Clean it up and  
4 then first thing in the morning," I said, "put a  
5 piece of Plexiglas in there." I said, "That way, no  
6 more glass falls out into the parking lot or out  
7 into the -- this little sidewalk area," because  
8 there's kids that live down the hall and there's  
9 kids that live upstairs on the corner -- on the back  
10 corner. They're always running around the whole  
11 motel, joking around, pushing each other around and  
12 stuff.

13 So he got the Plexiglas and put it  
14 on the window. And then that was it.

15 I went back home, into the  
16 apartment. I went to sleep. I told my desk clerk  
17 to wake me up at noon. And she said, "Fine." She  
18 finally got me out of bed; it was probably 1:30,  
19 somewhere in there.

20 DETECTIVE BEMO: Okay. Now, you're  
21 telling him at 5:00 a.m. when you see him outside to  
22 go get the glass.

23 RICHARD GLOSSIP: He knocked on the  
24 door and woke me up.

25 DETECTIVE BEMO: Okay.

1 RICHARD GLOSSIP: Or -- we really  
2 wasn't asleep yet, but we was in bed.

3 And --

4 DETECTIVE COOK: When you say "he  
5 fixed it," when did he fix it? Do you know --

6 RICHARD GLOSSIP: He fixed it that  
7 morning.

8 DETECTIVE COOK: Well, this is  
9 5:00 a.m. we're talking about.

10 When you say that, when that  
11 morning?

12 RICHARD GLOSSIP: It was -- he  
13 re-woke me up, I think it was, like, at 8 o'clock or  
14 8:30. And he had a piece of Plexiglas that didn't  
15 fit the whole window.

16 So I told him to stick it on the  
17 outside of the window because the way the window was  
18 broke -- I don't know if you noticed that or not,  
19 but the way the window was broke, there was a chunk  
20 broke out of the center of the window. And I don't  
21 know if it came out or it went in -- I didn't pay no  
22 attention -- but I told him just to stick it on the  
23 outside so no more of that glass comes out until I  
24 could call that glass guy.

25 I went back in -- Billie's sitting

1 right here at the desk -- I said, "Wake me up at  
2 noon." And I laid down.

3 Billie finally got me out of bed, it  
4 was about 1:00, 1:30. Maybe -- it could have been a  
5 little later, but I doubt it. You can get a better  
6 time from Deanna because she watches all them talk  
7 shows, Geraldo and all that junk.

8 And we got up. We got dressed. We  
9 left. We went to Walmart. We were at Walmart. We  
10 get an emergency page. So we walk up to the  
11 courtesy counter and answer the phone, and it's my  
12 desk clerk saying that Barry's dead.

13 And I said, "What do you mean,  
14 Barry's dead?"

15 And she said, "Barry's dead." To  
16 get back to the motel immediately.

17 So I get back to the motel. Well,  
18 nobody knew if Barry was dead or not. You know what  
19 I'm saying? Because when I got there, Justin and  
20 Cliff supposedly looked in every room in that  
21 motel -- Justin Taylor and Cliff.

22 When I walked in the door, that's  
23 what Cliff told me. They looked in every room in  
24 that motel.

25 DETECTIVE COOK: Yeah, I'm sorry.

1 up front. And that's pretty much where I stayed  
2 until Tim come and got me. And then, see, Tim put  
3 me in the car because he was told that I was the one  
4 who checked the rooms. And I'm not. Justin Taylor  
5 was the one who checked the rooms. Cliff told him  
6 to.

7 And when I told that to Tim, Tim was  
8 under the impression it was me. And I said, "No, it  
9 was not me. I didn't check the rooms. I was at  
10 Walmart." I said, "I come back" -- but all night,  
11 it's just been bugging me -- I'm not going to lie --  
12 when I seen the knot on Justin's head and the  
13 comment that he's made to me over the last month, I  
14 knew something was wrong when they found his car.

15 DETECTIVE BEMO: Like what kind of  
16 comments?

17 RICHARD GLOSSIP: He asked me if he  
18 could rob me.

19 DETECTIVE BEMO: Is that all he  
20 asked or --

21 RICHARD GLOSSIP: Well, he asked me  
22 if he could rob me and would I kind of tell them it  
23 was somebody different.

24 And I said, "Justin," I said, "are  
25 you joking, man?"



1                   And he said, "You're not going to do  
2 it?"

3                   And I said, "No."

4                   And then I went in and told Deanna,  
5 so I had a witness of what he said in case it ever  
6 come back to haunt me, and apparently it is.

7                   So I told Deanna. And when she seen  
8 his eye this morning, that's the first thing she  
9 said to me is, "How did he get that?" He told her  
10 the soap dish.

11                   But by morning, it was a lot bigger.  
12 You know what I'm saying? You could see scratches  
13 or something on it. And it was right here, right on  
14 his face -- I mean on his eye, right on the corner  
15 of his eye.

16                   And I just don't see how you could  
17 catch a soap dish and be able to scratch your face  
18 with a -- with a piece of porcelain that's not  
19 broke, it's not edgy, but yet he had scratches on  
20 his face.

21                   So I told -- I told a couple of  
22 people in the motel, like David -- I don't know if  
23 you talked to David while he was there; a  
24 long-haired guy with a ball cap -- but I told David,  
25 I said, "Something's weird."

1                   And he goes, "What do you mean?"

2                   And I said, "Well, Justin's got this  
3 mark on his head. Barry's car is found," I said,  
4 "and nobody can find Barry." I said -- and then  
5 I told David about him offering to rob me one night.  
6 And then that's the end of it all.

7                   And then Tim come in and got me and  
8 put me in the car and said he found Barry. But  
9 I swear to you, I had nothing to do with this shit.  
10 I was at home in bed with my girlfriend. You can  
11 ask her. And when he knocked on the door, I was  
12 as surprised as anybody what he was doing out at  
13 5 o'clock saying --

14                  DETECTIVE COOK: Was he drunk?

15                  RICHARD GLOSSIP: Yeah. Hell, after  
16 1 o'clock in the morning, you usually can't find  
17 Justin to do anything. Because I remember nights,  
18 like a Friday night, if we were running a fairly  
19 decent house, I had to go out and run towels because  
20 I can't find him at 1 o'clock.

21                  DETECTIVE COOK: Is that considered  
22 a job of his, to run towels?

23                  RICHARD GLOSSIP: Yes -- well, it's  
24 a job of his to make sure that they're there so  
25 nobody does have to run.

1                   But I don't know. I don't know what  
2 to tell anybody at this point. I kind of had a  
3 feeling Justin did it, and I guess I should have  
4 told somebody.

5                   And it's because of the comments --  
6 we used to be good friends. He would come over and  
7 play Nintendo at my apartment at the Budget. We'd  
8 sit there and play Nintendo for hours. If I went to  
9 go get some food from McDonald's or something, he  
10 was always there right by my side. And for the last  
11 month or so, he stayed clear away from me, Deanna,  
12 and everybody. He pretty much just hid out.

13                   DETECTIVE COOK: Why would you say  
14 that is?

15                   RICHARD GLOSSIP: Well, he started  
16 hanging out where some pretty bad people that  
17 I started running out of the motel. My brother's  
18 one of them. I mean, he started hanging around a  
19 lot of bad people at that motel.

20                   Every time something would happen,  
21 Justin was there. And I finally told him -- and he  
22 didn't like it too much, but I finally told him,  
23 "This is the end." I said, "You can't keep  
24 fraternizing with these customers and shit keeps  
25 coming up."

1 deposits.

2 DETECTIVE BEMO: What was that?

3 What amount -- what are we talking about?

4 RICHARD GLOSSIP: Billie added them  
5 up. Shit, I would say 3,600 to 4,000, something  
6 like that. It was nine days' worth of deposits and  
7 at least a \$450-a-day-average.

8 DETECTIVE COOK: Do you maintain  
9 that kind of money here at the motel? You don't go  
10 on a regular basis to make deposits?

11 RICHARD GLOSSIP: We don't have a  
12 bank in -- in Oklahoma City, we don't.

13 DETECTIVE COOK: So does he come and  
14 collect --

15 RICHARD GLOSSIP: Right. I keep  
16 'em -- as a matter of fact, there's one still up  
17 there. But I keep 'em up -- you know where my stove  
18 is in the apartment? Did you see? Okay. Well,  
19 above my stove in the apartment is where I keep it  
20 and where it's been kept for two years in a Federal  
21 Express --

22 DETECTIVE BEMO: Okay --

23 RICHARD GLOSSIP: -- envelope.

24 DETECTIVE BEMO: Okay. He came and  
25 collected the deposits [inaudible] which was between

1 3,600 and \$4,000.

2 RICHARD GLOSSIP: Yes.

3 DETECTIVE BEMO: And this is cash.

4 RICHARD GLOSSIP: Yeah -- well, cash  
5 and what do you call them? Traveler's checks?

6 DETECTIVE BEMO: Traveler's checks.

7 RICHARD GLOSSIP: Okay. We don't  
8 take any kind of checks.

9 DETECTIVE BEMO: Okay. Now, since  
10 he's there and collecting the deposits, is there any  
11 set time that he comes in to do this?

12 I mean, did you count on him to come  
13 in and collect this?

14 RICHARD GLOSSIP: No. He just  
15 showed up when he wants. I mean, if he decides to  
16 show up at 3 o'clock in the morning, he shows up at  
17 3 o'clock in the morning. If he wants to show up at  
18 6:30 in the morning, he shows up at 6:30 in the  
19 morning.

20 Nobody calls to tell us; nothing  
21 like that, no.

22 DETECTIVE BEMO: But, I mean,  
23 doesn't he come, like, every week or something like  
24 that?

25 RICHARD GLOSSIP: No. It's never

1 consistent. I mean, one day -- it's how he needs  
2 the money. Okay. Usually, like, if -- during the  
3 summer, it's every 20 days he'll come. Usually you  
4 can pinpoint it pretty close. And then -- but  
5 during the winter, the money's so sporadic that he  
6 has trouble keeping caught up on the bills, so he'll  
7 come when he needs it. If it's three days later and  
8 he needs it, he'll come three days later.

9 DETECTIVE COOK: Does that make you  
10 kind of nervous, to maintain that kind of money  
11 there? I mean --

12 RICHARD GLOSSIP: It always has.  
13 And I've even told him about it.

14 DETECTIVE COOK: Is Justin aware of  
15 what kind of money we're --

16 RICHARD GLOSSIP: Unfortunately,  
17 yes. He stays -- he's in my apartment all the  
18 time -- or was at one time. So, yeah, he does,  
19 unfortunately. He did know. So...

20 DETECTIVE BEMO: Well, the motel  
21 that's in Tulsa, does it have the same name as this  
22 one does here?

23 RICHARD GLOSSIP: Yes. The Best  
24 Budget Inn.

25 DETECTIVE BEMO: Does Justin know

1 that he had this money on him?

2 RICHARD GLOSSIP: Justin knows  
3 whenever he comes to town, it's for money.

4 DETECTIVE COOK: So you think Justin  
5 might be responsible for this, huh?

6 RICHARD GLOSSIP: Man, when I seen  
7 the marks on his face and when they called me at  
8 Walmart and they told me that they found Barry's car  
9 at the Weokie Credit Union, and I started putting  
10 pieces together, just like Tim did.

11 You know, the one who got busted in  
12 102 -- and I didn't think to go look in the room  
13 because Cliff told me Justin already went and looked  
14 in all the rooms.

15 And I assume Cliff was in on it.  
16 I didn't think he just sent Justin off to look at  
17 all the rooms by himself. I don't know. I wasn't  
18 there. Like I said, I was at Walmart.

19 But as soon as I got the call and  
20 I got back to the motel, I just started thinking.  
21 You know, at 5 o'clock in the morning, I'm getting  
22 ra-da-tat-tat on my wall. And I go out, and he's  
23 saying two drunks got in a fight in front of 102.  
24 He's got this mark on his head, said he fell and  
25 slipped and hit his head on the soap dish.

1 DETECTIVE COOK: What's -- two  
2 drunks got into a fight in front of 102?

3 RICHARD GLOSSIP: Yeah. Yeah, not  
4 in 102. In front of 102, is my understanding.

5 DETECTIVE BEMO: When did -- when  
6 did Cliff actually show up out there?

7 RICHARD GLOSSIP: I couldn't tell  
8 you. I was at Walmart.

9 DETECTIVE BEMO: No. I mean, it was  
10 it -- was it before you left for Walmart or was it  
11 after?

12 RICHARD GLOSSIP: No, it was after  
13 I was gone.

14 DETECTIVE BEMO: He shows up at the  
15 motel.

16 What time did you go to Walmart?

17 RICHARD GLOSSIP: Like I said,  
18 I think she finally got us out of bed, it had to  
19 have been, like I said, 1:00, 1:30, and it may even  
20 be a little later than that. I'm not positive.  
21 You'd have to ask Billie. I'm not a clock-watcher.  
22 I don't -- I mean, I got a 24-hour-a-day job, and  
23 that's the last thing I watch is the clock.

24 But she woke me up. We got dressed.  
25 I asked her when I got up, I said, "Have you seen



1 Barry yet?"

2 And she said, "No."

3 I said, "I need to go get the paint  
4 and stuff to get started on 112." I said, "We're  
5 going to go to Walmart. We'll be right back."

6 Well, we went to an eyeglass place  
7 on 23rd. And it's next to that -- it's a jewelry  
8 place -- a discount jewelry place.

9 DETECTIVE COOK: It's a long street.

10 RICHARD GLOSSIP: I probably got the  
11 information at home on a slip of paper, but it's a  
12 -- but I went down there because my glasses, Deanna  
13 sat on them and she broke them, because I don't see  
14 very well.

15 So I took my glasses down to see if  
16 she could fix them. She said no, she couldn't fix  
17 them. So I said, "Well, I need another pair of  
18 glasses."

19 And so I went through that. She  
20 measured my eyes and all that crud. And then we  
21 went and slipped right next door to the jewelry  
22 place, and I bought her a hundred-dollar ring  
23 because she's been after me for, shit, five years to  
24 get her an engagement ring.

25 DETECTIVE BEMO: What jewelry place

1 DETECTIVE BEMO: You get how much?

2 RICHARD GLOSSIP: I get 5 percent in  
3 bonus of anything over 18,000 for the month.

4 DETECTIVE BEMO: How often do you  
5 run over 18,000 a month?

6 RICHARD GLOSSIP: Last year,  
7 I didn't miss it once. This year, I haven't missed  
8 it yet. The bonuses are just kind of -- they  
9 fluctuate a lot because you'll run real close to  
10 a -- a crappy month, and then you'll run a fairly  
11 decent month, and then come summer, it gets back to  
12 running a full bonus all the time.

13 And I usually get that with my 20th  
14 check on every month. I make a pretty decent  
15 living, I mean, for no bills. And alls we do is we  
16 just go out and do stupid stuff.

17 DETECTIVE COOK: What do you mean,  
18 you "go out and do stupid stuff"?

19 RICHARD GLOSSIP: You know, stupid  
20 stuff. Buy clothes. She likes to buy a lot of  
21 different perfumes and stuff like that. I mean,  
22 that's all we do. We don't go anywhere. We don't  
23 socialize with hardly anybody. Justin was the first  
24 time -- the first person that I really socialized at  
25 the Best Budget.

1                   He's the only one I've ever had in  
2 my apartment to play Nintendo, to do just friend  
3 things. And then, like I said, about a month ago,  
4 he got really weird. He just got real distant from  
5 everybody.

6                   He -- and then he called me and  
7 asked me -- and I'm hoping that was a joke, you  
8 know, 'cause he never mentioned it after that. But  
9 he did call me and ask me if he could rob me and  
10 would I tell -- give them a different description of  
11 what actually took place. And I said, "No, I won't  
12 do that."

13                   DETECTIVE COOK: And you've got no  
14 idea where he is now?

15                   RICHARD GLOSSIP: I have no idea.

16                   DETECTIVE COOK: Somebody -- and  
17 I can't remember who it was -- said he had access to  
18 a blue truck.

19                   Is there anything to that? I don't  
20 know where I picked that piece of information up.

21                   DETECTIVE BEMO: I think that was  
22 later found to be David's truck.

23                   RICHARD GLOSSIP: Yeah, that is  
24 David's truck. Blue with primer and shit all over  
25 it?

1 summer. And when he goes out to his car any other  
2 time, I'm standing right there at his desk looking  
3 out the window at him when he gets in the car.

4 DETECTIVE COOK: Okay.

5 RICHARD GLOSSIP: Can I have another  
6 one of them, sir? I'll buy you a pack. I mean,  
7 I don't mind.

8 DETECTIVE COOK: For those that  
9 don't smoke, we can take a little break here.

10 RICHARD GLOSSIP: Okay.

11 DETECTIVE COOK: We'll be back in a  
12 few minutes. Okay?

13 Do you need to use the restroom or  
14 anything like that?

15 RICHARD GLOSSIP: Yes, if I could,  
16 please.

17 DETECTIVE COOK: Yeah. Come on.

18 RICHARD GLOSSIP: Is there any way I  
19 get some coffee?

20 DETECTIVE COOK: Sure.

21 (Everyone exits the room.)

22 \* \* \* \* \*

23 DETECTIVE BEMO: Rich --

24 RICHARD GLOSSIP: Yes, sir.

25 DETECTIVE BEMO: -- I'm going to

1 talk to you like a rich uncle right now.

2 We've got serious problems with what  
3 you're telling us. Okay? I'm going to be right up  
4 front with you; I'm not going to lie to you about  
5 anything. Okay?

6 And I want you to understand one  
7 thing: What we have here is an obvious homicide.  
8 Murder.

9 RICHARD GLOSSIP: Um-hum.

10 DETECTIVE BEMO: We know it's a  
11 murder. Okay?

12 RICHARD GLOSSIP: (Nodded head up  
13 and down.)

14 DETECTIVE BEMO: We know Justin's  
15 involved in it. And I think you know more about  
16 this than what you're telling us.

17 RICHARD GLOSSIP: I honestly don't.

18 DETECTIVE BEMO: Well, just listen.  
19 Hear me out. Okay?

20 RICHARD GLOSSIP: Okay.

21 DETECTIVE BEMO: We've got too many  
22 discrepancies with the stories that you've been  
23 telling all these officers out here in a lot of  
24 ways.

25 RICHARD GLOSSIP: I only talked to

1 one: Tim.

2 DETECTIVE BEMO: Huh?

3 RICHARD GLOSSIP: I only talked to  
4 one officer.

5 DETECTIVE BEMO: Okay. One officer  
6 then.

7 We've got discrepancies in your  
8 story. You told us a little while ago that you  
9 didn't see Barry after he left, and you told Tim  
10 you'd seen him at two different times. You changed  
11 your times around.

12 And, you know, don't sit there and  
13 look at me like this. You just listen to what I've  
14 got to say.

15 RICHARD GLOSSIP: I'm listening.

16 DETECTIVE BEMO: We're going to get  
17 Justin.

18 RICHARD GLOSSIP: I wish you would.  
19 I really do.

20 DETECTIVE BEMO: Well, we're going  
21 to get Justin. And when we tell him, you know, what  
22 we've got against him and everything and what's  
23 coming down, if he brings your name up in this  
24 thing, we come back out, you're going down for  
25 first-degree murder, buddy.

1 Do you understand what I'm saying?

2 RICHARD GLOSSIP: Yes, sir. I wish  
3 you would find him, because I swear to God, I did  
4 not do none of this.

5 DETECTIVE BEMO: Well, I'm going to  
6 tell you right now, the first one that comes forward  
7 is the one that's going to be helping himself. If  
8 you didn't do the -- if you didn't do the actual  
9 deed, buddy, then you don't have anything to worry  
10 about.

11 RICHARD GLOSSIP: I told you -- and  
12 this is at God's honest truth -- I had a hunch that  
13 Justin did it. And that's as far as it went. I did  
14 not know --

15 DETECTIVE BEMO: Okay --

16 RICHARD GLOSSIP: -- 100 percent --

17 DETECTIVE BEMO: Just listen to me.  
18 Let me tell you something. You tried to cover for  
19 him all day long. You told Tim that you didn't even  
20 know what his last name was this afternoon when he  
21 was looking for him.

22 RICHARD GLOSSIP: I did not tell Tim  
23 that I didn't know his last name. I told Tim his  
24 name was Justin Taylor.

25 That's wrong. And I wish you could

1 bring Tim in here right now, and I'll tell him he's  
2 wrong.

3 DETECTIVE BEMO: We'll do just that.

4 RICHARD GLOSSIP: Please do.

5 (Detective Bemo exits the interview  
6 room.)

7 (Pause.)

8 DETECTIVE COOK: We've got a concern  
9 at this point, Rich, that there may be some  
10 involvement. Now, it could be just a situation  
11 where circumstances --

12 RICHARD GLOSSIP: I swear to you.  
13 I had my hunches that Justin did it. And,  
14 therefore, I didn't tell Tim up front that I -- that  
15 I knew about his eye and stuff because --

16 (Detective Bemo enters the interview  
17 room with Police Officer Tim Brown.)

18 DETECTIVE BEMO: Listen. I've  
19 confronted him with the fact that he didn't tell you  
20 what -- according to you, he didn't tell you what  
21 Justin's last name was --

22 OFFICER BROWN: Right.

23 DETECTIVE BEMO: -- this afternoon  
24 when you were looking for him.

25 OFFICER BROWN: Um-hum.



1 DETECTIVE BEMO: Is that right?

2 RICHARD GLOSSIP: Have I not told  
3 you Justin's name before, Tim?

4 OFFICER BROWN: No. This was --  
5 you --

6 RICHARD GLOSSIP: You've been  
7 looking for Justin Taylor before.

8 OFFICER BROWN: I know I have.

9 RICHARD GLOSSIP: Didn't I not tell  
10 you it was -- it was --

11 OFFICER BROWN: When I asked tonight  
12 where I could find Justin, you said you didn't know.

13 RICHARD GLOSSIP: I don't know.

14 OFFICER BROWN: I said I need the  
15 last name on him.

16 RICHARD GLOSSIP: You did not say  
17 that to me, Tim.

18 I'm not calling you a liar, but you  
19 did not say that to me.

20 OFFICER BROWN: Well, I remember  
21 asking --

22 RICHARD GLOSSIP: 'Cause I would  
23 have told you Justin's last name. I got no  
24 reason --

25 I told you right away, now didn't I?

1 DETECTIVE BEMO: Yeah, you did.

2 RICHARD GLOSSIP: I got no reason to  
3 hold Justin's name from anybody.

4 DETECTIVE BEMO: Well, you could  
5 have one reason.

6 RICHARD GLOSSIP: I'm not in this  
7 thing, man. I'm really not.

8 You see that little girl that's  
9 scared? I'm as scared as she is, 'cause I know it's  
10 pointing my direction. I see it pointing my  
11 direction. I'm not saying it's not.

12 But I'm not the one that went room  
13 to room to see if his body was there. Now am I,  
14 Tim?

15 OFFICER BROWN: I don't have any  
16 idea.

17 RICHARD GLOSSIP: Well, you need to  
18 get Cliff out there then --

19 DETECTIVE BEMO: Well [inaudible] --

20 RICHARD GLOSSIP: -- because these  
21 stories are starting to change a lot, and they're  
22 starting to point towards me. And you know that  
23 I've always helped you no matter what.

24 OFFICER BROWN: All except one time.

25 RICHARD GLOSSIP: What's the one

1 time?

2 OFFICER BROWN: When I came down  
3 there a few weeks ago looking for Justin, and you  
4 went and told Justin that I was looking for him, and  
5 he disappeared. And he was there the whole --

6 RICHARD GLOSSIP: When did he  
7 disappear? He disappeared for one day to go spend a  
8 day with his ex-wife from Texas.

9 OFFICER BROWN: I didn't know that.

10 RICHARD GLOSSIP: I didn't know he  
11 split either.

12 OFFICER BROWN: No. But you went  
13 and told him that I was looking for him. And --

14 RICHARD GLOSSIP: No. I asked  
15 Justin if he was wanted.

16 I said -- you made a comment that he  
17 was a severe drug dealer. I know Justin. And you  
18 know I've given you bust out the ass in that motel.  
19 And if I thought Justin was a severe drug dealer,  
20 I would have handed him to you on a platter. And  
21 you know it. I've never done you wrong, Tim.  
22 Never.

23 OFFICER BROWN: I didn't say --

24 RICHARD GLOSSIP: I've never done  
25 any officer wrong that's ever wanted help out of

1 that motel.

2 I'm the one that cleaned that son of  
3 a bitch up. Nobody else. I went out there at night  
4 and walked the grounds of that motel and got rid of  
5 all the damn druggies or whores and everything else  
6 out of that place.

7 OFFICER BROWN: Well --

8 RICHARD GLOSSIP: But if you would  
9 have asked me Justin's last name, I would have told  
10 you in a heartbeat. And you know it.

11 OFFICER BROWN: Okay. I thought at  
12 the time I did ask you what Justin's last name was.

13 RICHARD GLOSSIP: If you did,  
14 I didn't hear you.

15 OFFICER BROWN: Okay.

16 RICHARD GLOSSIP: But you know for a  
17 fact I would have told you, Tim.

18 OFFICER BROWN: We even -- that's  
19 why I came in the office. We even looked through  
20 the --

21 RICHARD GLOSSIP: I'm not saying  
22 I didn't try to -- to just ignore the fact that I  
23 knew Justin after they found the car. And, shit, I  
24 knew Justin was involved.

25 DETECTIVE BEMO: So then why didn't

1 you tell us?

2 RICHARD GLOSSIP: Because there was  
3 no body. I didn't know Barry was actually dead.

4 DETECTIVE BEMO: Well, that doesn't  
5 make any difference whether you know it or not.

6 When somebody asks you a question  
7 about who's -- what somebody else's name is, you  
8 should be telling us right then and there.

9 RICHARD GLOSSIP: I would have --  
10 I would told him in a heartbeat. I told you in a  
11 heartbeat. I told him in his car, sitting in front  
12 of whatever room we was sitting in -- 103 or 102 --

13 DETECTIVE BEMO: Um-hum.

14 RICHARD GLOSSIP: -- that -- when  
15 you put me in the car, I told you Justin Taylor,  
16 didn't I? Did I not?

17 OFFICER BROWN: Not that I can  
18 remember. I would have wrote it down. I wrote down  
19 "Justin."

20 RICHARD GLOSSIP: Okay. Well,  
21 I hope for both of our sakes you do find Justin.  
22 I really do.

23 DETECTIVE BEMO: Oh, we will find  
24 Justin.

25 RICHARD GLOSSIP: Because this ain't

1 over to Sinclair's -- I told him to ask Kala; now,  
2 didn't I?

3 DETECTIVE BEMO: Um-hum.

4 RICHARD GLOSSIP: -- if Barry made  
5 it over there, because I thought I seen Barry.

6 But I never seen his car. And  
7 I told you that it was not parked out front. He  
8 drove by at 2:30, and it wasn't parked out front.

9 DETECTIVE COOK: Tell me who Kala  
10 is. I'm sorry. You lost me.

11 DETECTIVE BEMO: Over at the  
12 Sinclair station. He's [sic] the clerk over at the  
13 Sinclair station.

14 DETECTIVE COOK: Is that the same  
15 Kala that told us that -- that --

16 RICHARD GLOSSIP: See, her stories  
17 were fluctuating a lot, too. I mean, I -- she's  
18 kinds of like me: I'm not a time person. I don't  
19 look at the watch. I don't look at the clock.

20 DETECTIVE COOK: How are her stories  
21 fluctuating? What do you mean?

22 RICHARD GLOSSIP: Well, she started  
23 off at 5:30. It ended up 4:00. She called a cab  
24 for somebody at 5:30. The cab actually got there at  
25 4:30.

1 DETECTIVE COOK: Are you talking  
2 about that transient?

3 RICHARD GLOSSIP: Yeah. The guy up  
4 in 237 that Cliff automatically connected to this  
5 whole thing for some odd reason, just because he got  
6 in a cab.

7 DETECTIVE COOK: Just a minute.  
8 When you -- refresh my memory here.  
9 We talked about this just a little bit earlier. You  
10 said you went to bed.

11 RICHARD GLOSSIP: Yes, I did.

12 DETECTIVE COOK: And, I'm sorry, was  
13 it between 3:00 and 4:00 approximately when --

14 RICHARD GLOSSIP: Yes.

15 DETECTIVE COOK: -- you went to bed?  
16 And then you heard this tapping --

17 RICHARD GLOSSIP: No, no, no, no,  
18 no.

19 DETECTIVE COOK: -- and it turned  
20 out to be Justin --

21 RICHARD GLOSSIP: No. I said first  
22 that me and Deanna had done our couple thing.  
23 I rolled over, and we were talking. And we laid  
24 down. We was getting ready to just go ahead and  
25 pass out. We heard a knock on my side door, the

1 thing I notice about Justin is that mark on the side  
2 of his face. And I asked him what happened. And he  
3 said he hit his head on a soap dish in his bathtub.

4 You can ask Deanna. She told him  
5 the same story. She told Billie the same story.

6 DETECTIVE COOK: That's not my  
7 question, though.

8 RICHARD GLOSSIP: But I'm getting --  
9 that's the first time I seen Justin. That was,  
10 like, at 5:00 something or somewhere in that area.

11 DETECTIVE COOK: Okay.

12 RICHARD GLOSSIP: Then that's when  
13 Justin told me that two drunks broke out the window  
14 in 102.

15 DETECTIVE COOK: I'm clear on that.

16 RICHARD GLOSSIP: Okay. I told him  
17 to get up the glass --

18 DETECTIVE COOK: When's the next  
19 time you see him?

20 RICHARD GLOSSIP: It was about --  
21 between 8:00 and 8:30.

22 DETECTIVE COOK: Okay.

23 RICHARD GLOSSIP: He was supposed to  
24 go to Payless and grab a piece of Plexiglas so we  
25 could stick up on the outside until I could call a



1 glass guy to come out and change the glass.

2 DETECTIVE BEMO: Okay. Did you  
3 tell --

4 RICHARD GLOSSIP: I've never been in  
5 102.

6 DETECTIVE BEMO: Let me ask you  
7 this. Let me ask you this: Did you tell somebody  
8 that the room was rented to two cowboys that got  
9 drunk and broke out that window?

10 RICHARD GLOSSIP: I didn't tell  
11 nobody that the room was rented to two cowboys.

12 DETECTIVE BEMO: And you didn't  
13 write their names down on anything?

14 RICHARD GLOSSIP: (Shook head side  
15 to side.) No.

16 DETECTIVE BEMO: You didn't say  
17 that.

18 RICHARD GLOSSIP: No.  
19 (Pause.)

20 I had 20 people asking me 20  
21 different questions at the same time today. And a  
22 lot of what I said to Tim and everybody else has  
23 just got really misinscrewed or something -- some --  
24 somewhere something didn't connect somewhere.  
25 There's a part of something missing. That's why

1 I asked you to bring him in here, because I did not  
2 hear him ask me for Justin Taylor last name or I'd  
3 have gave it to him in a heartbeat.

4 OFFICER BROWN: Rich, when I asked  
5 you about Room 102 earlier --

6 RICHARD GLOSSIP: Yeah.

7 OFFICER BROWN: -- I remember you  
8 telling me that a couple of drunks had broke out the  
9 window.

10 RICHARD GLOSSIP: That's right.  
11 That's what Justin told me.

12 OFFICER BROWN: And I asked who was  
13 that room rented to? And you says, "I don't know.  
14 There wasn't a card written out on 'em."

15 RICHARD GLOSSIP: There wasn't a  
16 card written out for 102. It wasn't supposed to  
17 have been rented.

18 DETECTIVE COOK: The point being,  
19 you got the impression that the two drunks were  
20 renting that room; right?

21 RICHARD GLOSSIP: No.

22 When Justin first told me, I thought  
23 it was broke from the inside.

24 Now, we rent a lot of rooms. Deanna  
25 rents a lot of rooms that I don't know about, and

1 I rent rooms that she don't know about. So I wasn't  
2 discarding whether or not it was rented or not,  
3 because I just didn't pay any attention. If the  
4 window got broke -- he said he ran them off.

5 As soon as he said he ran them off  
6 is when I told him to clean it up. And he cleaned  
7 it up. He said, "What about the rest of the glass?"

8 I said, "In the morning, when you  
9 get up," I said, "go straight down to Payless and  
10 get you a piece of Plexiglas just to cover the part  
11 that's broken until I can call somebody to change  
12 the glass."

13 But he told me two drunks -- two  
14 drunks broke the window, is what I was told by  
15 Justin.

16 DETECTIVE BEMO: You didn't go out  
17 and check it?

18 RICHARD GLOSSIP: Well, no. He's my  
19 maintenance guy. Why would I have reason not to  
20 believe him?

21 There's drunks in there all night  
22 long. And a lot of them do tear shit up.

23 Me and Cliff went up to 234, do you  
24 remember that? My nightstand and stuff laying on  
25 the floor. I mean, people -- Tim knows, people tear

1 may have.

2 DETECTIVE COOK: So what's that got  
3 to do with looking and laughing?

4 DETECTIVE BEMO: I'm not that sure.

5 RICHARD GLOSSIP: I don't know.

6 I just got this weird feeling he's right there. And  
7 I think he was right there the whole time.

8 DETECTIVE BEMO: Let me ask you  
9 this: If you felt that way and you felt like he was  
10 responsible for this, why didn't you tell somebody?

11 RICHARD GLOSSIP: When you found the  
12 body, I did tell him what I knew.

13 DETECTIVE BEMO: Did you tell him  
14 that you suspected that he was still out there --

15 RICHARD GLOSSIP: No, I did not.  
16 No.

17 DETECTIVE BEMO: -- or where he  
18 might be able to find him out there?

19 RICHARD GLOSSIP: Well, after you  
20 found the body, I kind of freaked out a little bit  
21 myself.

22 He grabbed me by the arm and puts me  
23 in the car. And I'm just -- at that point, I'm --  
24 my -- my head's about to blow up.

25 Deanna got put in the car, and I

1 knew she was freaking out. She wouldn't even have  
2 nothing even close to do with this stuff. She's a  
3 really nice girl. She don't mess with anybody.  
4 Neither of us have been in trouble. And we don't  
5 want any trouble.

6 Now haven't I not busted my ass for  
7 Barry for two years?

8 DETECTIVE BEMO: Um-hum.

9 RICHARD GLOSSIP: Me and Barry, we  
10 were starting to get along. And she called him my  
11 dad.

12 (Pause.)

13 Hell, I haven't even been in a fight  
14 since I was in school. Hell, I probably don't even  
15 know -- remember how to fight.

16 I don't like trouble. I don't want  
17 to be in trouble.

18 DETECTIVE BEMO: Would you be  
19 willing to take a polygraph?

20 RICHARD GLOSSIP: I'll take anything  
21 I have to take because I didn't do this.

22 DETECTIVE BEMO: Well, we're going  
23 to have to give you one --

24 RICHARD GLOSSIP: That's fine.

25 DETECTIVE BEMO: -- because there's

1 just too many things that are going on that -- the  
2 information we're getting, there's just too many  
3 inconsistencies.

4 RICHARD GLOSSIP: I told you  
5 everything I know.

6 DETECTIVE BEMO: Have you?

7 RICHARD GLOSSIP: Yes, I have.

8 Did I tell Tim all along that I  
9 suspected Justin? No, I didn't. Was it wrong?  
10 Apparently, it was.

11 DETECTIVE BEMO: Well, what would be  
12 right by not telling him about it?

13 RICHARD GLOSSIP: Because Barry's  
14 still --

15 DETECTIVE BEMO: If he's like -- if  
16 he's like your dad and you're getting along with  
17 him, why in the hell wouldn't you want to do  
18 everything you can to catch his killer?

19 RICHARD GLOSSIP: Because I didn't  
20 know he was dead.

21 DETECTIVE BEMO: Well, when you  
22 found out he was dead, why didn't you?

23 RICHARD GLOSSIP: I told him  
24 immediately.

25 Did I not, Tim?

1 got out of bed --

2 DETECTIVE COOK: It was more than  
3 just marks. It was a lump there -- right? -- like a  
4 knot?

5 RICHARD GLOSSIP: Not -- like I  
6 said, not when I seen him. It was just kind of red  
7 marks and some scratches, but you couldn't see the  
8 scratches because it was kind of bloody. You know  
9 what I mean?

10 But when he come up there after me  
11 and Deanna had got up and got ready to go to  
12 Walmart, the thing was just huge.

13 And he stuck with his story when he  
14 told Deanna -- Deanna looked at him and asked what  
15 was wrong, what happened. And he stuck to his story  
16 that he slipped in the shower and hit the soap dish.  
17 'Cause like I told you before, some of our soap  
18 dishes do sit pretty high up in the rooms.

19 DETECTIVE BEMO: He didn't have  
20 blood all over him?

21 RICHARD GLOSSIP: No, not when I  
22 seen him.

23 DETECTIVE BEMO: At 5:00 in the  
24 morning?

25 RICHARD GLOSSIP: No, he did not

1 RICHARD GLOSSIP: All right.

2 DETECTIVE BEMO: Now, everybody's  
3 considered a suspect.

4 RICHARD GLOSSIP: No. I understood  
5 that. I mean, I didn't mind him taking me out,  
6 putting him in the car -- putting me in the car --

7 DETECTIVE BEMO: Well, that's just  
8 one of those things --

9 RICHARD GLOSSIP: I know.

10 DETECTIVE BEMO: -- that we have to  
11 do.

12 RICHARD GLOSSIP: I know.

13 DETECTIVE BEMO: It's unfortunate we  
14 have to detain you like we do, but when you're  
15 talking murder, that's pretty serious.

16 RICHARD GLOSSIP: Oh, I understand.

17 DETECTIVE BEMO: This ain't no  
18 simple burglary. This ain't no simple robbery.  
19 This is a murder. And when you kill somebody,  
20 that's as serious as it gets. Because the people  
21 involved in this are going to get the needle.

22 RICHARD GLOSSIP: I hope they do,  
23 man, because, I'm sorry, I'm not involved in this  
24 thing --

25 DETECTIVE BEMO: Well --



1 RICHARD GLOSSIP: -- and I want out  
2 of it.

3 DETECTIVE BEMO: Like I say --

4 RICHARD GLOSSIP: I had some  
5 information that I guess I should have never held,  
6 but, no, I'm not --

7 DETECTIVE BEMO: Not when the police  
8 are investigating a criminal case, you should never  
9 hold back any information because it makes you look  
10 bad.

11 RICHARD GLOSSIP: Apparently it did.

12 DETECTIVE BEMO: It does. A lot of  
13 things you've held back. That's why I want to know:  
14 Is there anything else?

15 RICHARD GLOSSIP: No, there isn't.  
16 I told you the honest to --

17 DETECTIVE BEMO: There's not one  
18 thing that you're not holding back?

19 RICHARD GLOSSIP: No.

20 DETECTIVE BEMO: Still?

21 RICHARD GLOSSIP: Still.

22 DETECTIVE BEMO: You've told us  
23 everything that --

24 RICHARD GLOSSIP: Everything. My --  
25 my day from 5 o'clock on, I've told you word for

1 word.

2 DETECTIVE BEMO: How about Justin?

3 You told us everything you know about Justin?

4 RICHARD GLOSSIP: I don't know that  
5 much about the guy.

6 DETECTIVE BEMO: What's his middle  
7 name?

8 RICHARD GLOSSIP: I have no idea.  
9 Justin Taylor. That's all I know.

10 DETECTIVE BEMO: He didn't --

11 RICHARD GLOSSIP: He came here with  
12 a roofing crew about -- it was the seventh month.  
13 7/11 is when he checked in. And the roofing crew --  
14 him and Wes ended up quitting the roofing crew. Wes  
15 was going to go out and get a job; Justin was going  
16 to start with me in housekeeping. And I thought it  
17 would an pretty good arrangement.

18 It ended up Wes didn't get a job.

19 Me and Wes and Justin, all three, did the  
20 maintenance, because I didn't want to see him on the  
21 street. And then we had the run-in with his dad,  
22 like I told you, Wes's dad. And then Wes had his  
23 little run-in with his little drug buddies.

24 And Wes took off. And his daddy  
25 told him to go ahead and serve what you got to serve

1                                    January 9, 1997 Interview

2                                    DETECTIVE BEMO: Okay, Richard. Now  
3 just to clear up some things. Just before we were  
4 going down to the jail, you told us that you did not  
5 employ this attorney; right?

6                                    RICHARD GLOSSIP: I haven't yet, no.

7                                    DETECTIVE BEMO: Okay. But he  
8 called up my partner and told him that he was  
9 representing you and that he didn't want us talking  
10 to you.

11                                   RICHARD GLOSSIP: He's not it.

12                                   DETECTIVE BEMO: Huh?

13                                   RICHARD GLOSSIP: He's not it.

14                                   DETECTIVE BEMO: Did you pay him any  
15 money?

16                                   RICHARD GLOSSIP: No.

17                                   DETECTIVE BEMO: Okay. But you do  
18 want to talk to us. You're sure? You know what  
19 your rights are. We've read your rights to ya --

20                                   RICHARD GLOSSIP: Yes --

21                                   DETECTIVE BEMO: -- already --

22                                   RICHARD GLOSSIP: -- you have.

23                                   DETECTIVE BEMO: -- twice.

24                                   RICHARD GLOSSIP: Yes.

25                                   DETECTIVE BEMO: Okay. I want you

1 to -- I want to you start -- now, this is where it's  
2 important.

3 RICHARD GLOSSIP: Okay.

4 DETECTIVE BEMO: I want you to start  
5 from the beginning again and go over this thing with  
6 me because now -- I've told you, Rich --

7 RICHARD GLOSSIP: I know. I should  
8 have never lied, man. You've seen my record. I've  
9 never been in trouble, man.

10 DETECTIVE BEMO: Just listen to me.  
11 I want you to start --

12 RICHARD GLOSSIP: I'm trying.

13 DETECTIVE BEMO: I want you to start  
14 from the beginning again. And this is your chance  
15 to help yourself. I know that -- it's bad. It's  
16 not as bad as it was.

17 RICHARD GLOSSIP: But it's still  
18 bad.

19 DETECTIVE BEMO: Sure, it is. Sure,  
20 it is.

21 But now you can help yourself even  
22 more. You've got to fill in the gaps. I know you  
23 tell me that you --

24 RICHARD GLOSSIP: I'll try.  
25 I swear, I'll try.

1 an average of 4- to 500.

2 DETECTIVE BEMO: A day?

3 RICHARD GLOSSIP: Uh-huh.

4 DETECTIVE BEMO: Okay. So with  
5 nine days, \$4,500?

6 RICHARD GLOSSIP: Yeah.

7 DETECTIVE BEMO: Was that mostly  
8 cash?

9 RICHARD GLOSSIP: You got cash. You  
10 got cashier's checks.

11 DETECTIVE BEMO: Traveler's checks?

12 RICHARD GLOSSIP: Yeah. Yeah.

13 No check-checks. We never took  
14 checks.

15 DETECTIVE BEMO: Cashier's checks --

16 RICHARD GLOSSIP: Yeah.

17 DETECTIVE BEMO: -- but just  
18 traveler's checks.

19 RICHARD GLOSSIP: Right.

20 And then a lot of it's -- any other  
21 money is credit cards.

22 DETECTIVE BEMO: Credit card  
23 receipts.

24 RICHARD GLOSSIP: Right.

25 DETECTIVE BEMO: How much actual

1 cash do you think was in that envelope?

2 RICHARD GLOSSIP: Well, the credit  
3 cards don't get counted, so that's the actual cash.

4 DETECTIVE BEMO: Okay. So you're  
5 thinking that with the traveler's checks and cash,  
6 you got somewhere around -- to be modest about it,  
7 4,000 to 4,500?

8 RICHARD GLOSSIP: At least.  
9 I always have that when he comes. So at least that.

10 DETECTIVE BEMO: Continue.

11 RICHARD GLOSSIP: I handed him that.  
12 And he sat down. He does everything like -- like  
13 normal. He asks me to bring out his calculator,  
14 'cause I keep it on my table 'cause when I do the  
15 books, I don't do it out front 'cause I don't want  
16 people to see me do it.

17 So I went back in the apartment, got  
18 my calculator, set it up, and plugged it in for him.  
19 He added up all the dailies, which he always does  
20 every time he comes to town, to make sure the money  
21 jives.

22 He did that; he counted the money  
23 and everything. He wrote Billie her paycheck so she  
24 could get out of there.

25 DETECTIVE BEMO: And this is at what

1 the man not to park his car out front. But his car  
2 never did make it out front. That's why I assumed  
3 Barry never made it. And I thought he stayed in  
4 Tulsa or he went home. I didn't know what he did  
5 until Justin told me.

6 And when Justin knocked on the door,  
7 I knew something was wrong because I seen his face.  
8 And then he was rattled. He was real just -- he  
9 couldn't stand still. He couldn't look me in the  
10 face or nothing. And then he told me what he did.

11 DETECTIVE BEMO: What did he tell  
12 you?

13 RICHARD GLOSSIP: He told me that he  
14 killed Barry.

15 DETECTIVE BEMO: Did he tell you how  
16 he did it?

17 RICHARD GLOSSIP: No. He did  
18 mention a belt.

19 DETECTIVE BEMO: What about the  
20 belt?

21 RICHARD GLOSSIP: I don't know. He  
22 did mention a belt, though.

23 DETECTIVE BEMO: What did he say  
24 about the --

25 RICHARD GLOSSIP: He was mumbling a

1 lot. I couldn't understand a lot of what he was  
2 saying. But he did mention the belt.

3 DETECTIVE BEMO: What kind of belt?

4 RICHARD GLOSSIP: He didn't say.

5 DETECTIVE BEMO: You know, before,  
6 I asked you if he had a lot of blood all over him.

7 RICHARD GLOSSIP: No, he didn't.

8 DETECTIVE BEMO: Had he already  
9 cleaned up?

10 RICHARD GLOSSIP: Yeah. That's what  
11 I'm assuming, yeah.

12 See, his hair is so short, you  
13 couldn't tell if it was wet -- you know what I mean?  
14 -- 'cause it's -- it's short. And that's why, when  
15 everybody asked me was his hair wet, I don't know.  
16 I really don't know. But he was clean. His clothes  
17 were clean.

18 DETECTIVE BEMO: You just noticed  
19 the bruising around his eye?

20 RICHARD GLOSSIP: Yeah.

21 DETECTIVE BEMO: Was there anything  
22 else about his eye that you noticed?

23 RICHARD GLOSSIP: What do you mean?

24 DETECTIVE BEMO: Like any scratch  
25 marks or cut marks?



1                   RICHARD GLOSSIP: Well, there was a  
2 scratch, like, in the center of each bump that was  
3 on it. There was a bump here (indicating) -- it was  
4 on the right side so let me do it right.

5                   There was a bump here and there was  
6 a bump right here. And this was the biggest one  
7 right here (indicating). It had a scratch in the  
8 center, and it had a scratch in the center of this  
9 one.

10                  DETECTIVE BEMO: Were there any  
11 other scratches?

12                  RICHARD GLOSSIP: No. He was  
13 clothed well. I mean, I'm thinking -- yeah, because  
14 he had his body covered real well. He was wearing a  
15 big, black Dickie jacket. And I --

16                  DETECTIVE BEMO: What kind of pants  
17 was he wearing?

18                  RICHARD GLOSSIP: Blue jeans?

19                  DETECTIVE BEMO: Blue jeans?

20                  RICHARD GLOSSIP: Yeah.

21                  DETECTIVE BEMO: What kind of shoes  
22 does he wear?

23                  RICHARD GLOSSIP: What does he wear?

24                  Tennis shoes. I've never him --  
25 I think he only had one pair of shoes.

1 DETECTIVE BEMO: What color were  
2 they?

3 RICHARD GLOSSIP: I think they had  
4 white, black, and red. They had some, like, red  
5 stuff. You know how they make tennis shoes? Some  
6 of them are -- there are so many different ones with  
7 different designs and stuff.

8 I'm just not a shoe person. I just  
9 don't pay attention to people's shoes.

10 DETECTIVE BEMO: Okay.

11 Then what'd he tell you?

12 RICHARD GLOSSIP: He told me that --  
13 that he killed Barry.

14 DETECTIVE BEMO: Did you ask him  
15 why?

16 RICHARD GLOSSIP: Yeah.

17 DETECTIVE BEMO: What'd he say?

18 RICHARD GLOSSIP: He thought Barry  
19 was going to throw him out in the street. He said  
20 he got nowhere to go.

21 But I don't believe that's the only  
22 thing it was.

23 DETECTIVE BEMO: What else did he  
24 tell you.

25 RICHARD GLOSSIP: Like I said, a lot

1 of it was mumbling. And I -- man, I was scared at  
2 that point big time 'cause I did not know that  
3 Justin was going to do it. And I couldn't believe  
4 that he actually did it.

5 DETECTIVE BEMO: So what did you do  
6 then?

7 RICHARD GLOSSIP: That's when I told  
8 him to clean -- to clean up the glass, because  
9 I didn't want to touch nothing because I didn't want  
10 my prints on a damn thing.

11 DETECTIVE BEMO: You told him to go  
12 out and pick up the glass?

13 RICHARD GLOSSIP: Yes. And I told  
14 him to go buy a piece of Plexiglas and stick it on  
15 the window.

16 DETECTIVE BEMO: Okay. Did you tell  
17 him to put the glass inside the room?

18 RICHARD GLOSSIP: No.

19 DETECTIVE BEMO: He just did that on  
20 his own?

21 RICHARD GLOSSIP: Yeah. I didn't  
22 tell him to do anything with the room.

23 DETECTIVE BEMO: Did you go over to  
24 the room?

25 RICHARD GLOSSIP: No. No, I went

1 around to the room to see the glass -- the window  
2 busted.

3 DETECTIVE BEMO: Did you see through  
4 it --

5 RICHARD GLOSSIP: No --

6 DETECTIVE BEMO: -- at that time?

7 RICHARD GLOSSIP: -- the mini blinds  
8 were still down, and it kind of looked like  
9 something was on the inside. I couldn't tell.

10 DETECTIVE BEMO: Okay. Did you help  
11 him put the Plexiglas up?

12 RICHARD GLOSSIP: I held it there  
13 for a second just so he could get the top bead of  
14 the -- what, the clear caulking that he used around  
15 it.

16 DETECTIVE BEMO: Did you give him  
17 the money to go buy the Plexiglas?

18 RICHARD GLOSSIP: No.

19 DETECTIVE BEMO: How did he have the  
20 money to do that? Or did y'all have that --

21 RICHARD GLOSSIP: Did you ask Billie  
22 if she gave him any money? Because I don't remember  
23 exactly.

24 DETECTIVE BEMO: Well, Billie  
25 wouldn't have been there at that time.

1                   RICHARD GLOSSIP: Billie gets there  
2 at 8:30. And that's when he went and got the  
3 Plexiglas.

4                   DETECTIVE BEMO: Oh, it was?

5                   RICHARD GLOSSIP: Yeah.

6                   DETECTIVE BEMO: He went to go get  
7 the [inaudible] --

8                   RICHARD GLOSSIP: Yeah. It was  
9 early that morning, because he [inaudible] --

10                  DETECTIVE BEMO: You jumped on me,  
11 see. And I just want you to stay at the time when  
12 he came over and told you that he killed him.

13                  RICHARD GLOSSIP: Okay.

14                  DETECTIVE BEMO: I want you to tell  
15 me everything that you can about what he told you.

16                  Why?

17                  RICHARD GLOSSIP: I'm trying to  
18 remember as we go. I really am.

19                  DETECTIVE BEMO: Okay.

20                  RICHARD GLOSSIP: Can I bum a  
21 cigarette?

22                  DETECTIVE BEMO: Okay. Do you --  
23 I only got one left, buddy.

24                  RICHARD GLOSSIP: Aw, shit, man.

25                  DETECTIVE BEMO: Do your best.

1 RICHARD GLOSSIP: I'm trying.

2 He -- a lot of the stuff that he was  
3 saying was just -- it was mumbled. And I really  
4 didn't want to stand out in the breezeway and have  
5 him repeating stuff like he was telling me.

6 He -- I asked him why he did it.  
7 I do remember that. I said, "Why did you do it?"

8 And I'm trying to remember exactly  
9 what he said. Part of it was he said that he  
10 thought Barry was going to end up throwing him out.  
11 He didn't want Barry to see the rooms. That was  
12 part of the con- -- he said something else, too, but  
13 I just can't remember what it was.

14 Like I said, he was mumbling so  
15 much, man, you just couldn't -- you had to try to  
16 get what you could and piece it together. And  
17 you'll see that when you finally find him 'cause,  
18 I mean, he mumbles a lot. He talks real quiet.

19 And I told him to clean the glass  
20 up, and in the morning, buy a piece of Plexiglas.  
21 And then when he got the Plexiglas -- well, he come  
22 up there and woke me up right before Billie got  
23 there. And I'm trying to remember if I did give him  
24 any money out of the register. I may have gave him  
25 a 20 'cause something -- something's clicking in my

1 head saying I gave him a 20 -- \$20 bill. I can't  
2 remember if I did or didn't. I might have. Man,  
3 I was so tired, I don't know.

4 But when he got the Plexiglas,  
5 I went around and held it for him. When he was done  
6 with his beading and he was going to do the rest of  
7 it, I went back in and I told Billie to wake me up  
8 at noon. And I laid down with Deanna again.

9 DETECTIVE BEMO: So he was supposed  
10 to clean up the room.

11 RICHARD GLOSSIP: Right.

12 DETECTIVE BEMO: Okay. And you  
13 didn't go inside the room --

14 RICHARD GLOSSIP: No.

15 DETECTIVE BEMO: -- and help him put  
16 up that shade?

17 RICHARD GLOSSIP: Shade?

18 DETECTIVE BEMO: Yeah.

19 RICHARD GLOSSIP: No.

20 DETECTIVE BEMO: Okay.

21 RICHARD GLOSSIP: No. And --

22 DETECTIVE BEMO: Did you ever see  
23 Barry's body in the room at all?

24 RICHARD GLOSSIP: No, I did not.

25 I swear, if I would have seen --

1 DETECTIVE BEMO: But you knew it was  
2 in there.

3 RICHARD GLOSSIP: I had -- yeah,  
4 pretty much [inaudible] --

5 DETECTIVE BEMO: You knew it was in  
6 there; that's why you told him to put the glass in.  
7 Right?

8 RICHARD GLOSSIP: Well, I was just  
9 covering the window. But, yeah, I did -- I didn't  
10 go in to make sure, but, yeah, I did. And --

11 DETECTIVE BEMO: Did you ask him  
12 when Barry got there?

13 RICHARD GLOSSIP: No, I didn't ask  
14 him that. But it would have had to have been --  
15 Sinclair people said that he was over there at 3:00.  
16 John said he heard the window break at 4:30. Tulsa  
17 said he left at 12:00.

18 It only takes you two hours from  
19 Tulsa, so he had to have been there about 2:00,  
20 2:10, is my guess.

21 DETECTIVE BEMO: Well, when did --  
22 when did Justin get with -- with Barry?

23 RICHARD GLOSSIP: What do you mean?

24 DETECTIVE BEMO: I mean, when did he  
25 ran into him?



1 When I went out to find Justin, Justin was gone.  
2 And I guess with -- with all the cops and stuff, it  
3 scared him, so he booked.

4 So I knocked on his door, knocked on  
5 his door; he didn't answer. So I opened the door.  
6 And when I opened the door, I seen the master keys  
7 laying on the TV.

8 DETECTIVE BEMO: Did you kick the  
9 door in?

10 RICHARD GLOSSIP: No. Cliff did  
11 that.

12 DETECTIVE BEMO: Okay. No, I mean,  
13 did you kick it in before Cliff?

14 RICHARD GLOSSIP: Oh, no. No. When  
15 I went to grab the doorknob, it was unlocked.

16 DETECTIVE BEMO: It was unlocked?

17 RICHARD GLOSSIP: I was the one who  
18 locked it back.

19 DETECTIVE BEMO: Okay.

20 RICHARD GLOSSIP: But I grabbed the  
21 door, opened the door, and there was the master keys  
22 laying on the deal. I didn't touch nothing in the  
23 room 'cause I didn't want my fingerprints all over  
24 his room too.

25 And he left the keys on the top of

1 still tells me Cliff has something to do with this  
2 thing. I don't know why, but Cliff's been trying to  
3 point the finger at me the whole time.

4 DETECTIVE BEMO: Well, he probably  
5 has a good reason to, wouldn't you say?

6 RICHARD GLOSSIP: Well, yeah, but he  
7 didn't point the finger at Justin at any time.  
8 That's the thing that's puzzling me.

9 And then as soon as Barry's brother  
10 gets to town, Cliff's trying to take over the motel.  
11 And that didn't make any sense to me or Carol, the  
12 lady that was sitting there.

13 DETECTIVE BEMO: Well, he's got a  
14 1 percent interest in the motel.

15 RICHARD GLOSSIP: That's not  
16 taking-over percentage.

17 DETECTIVE BEMO: Well, I understand  
18 that. But, still, nobody else is there to take  
19 over.

20 RICHARD GLOSSIP: And then here we  
21 are.

22 DETECTIVE BEMO: So when you come  
23 down here, you didn't tell us the whole truth when  
24 we interviewed you, did you?

25 RICHARD GLOSSIP: No.

1 DETECTIVE BEMO: Why didn't you tell  
2 us?

3 RICHARD GLOSSIP: Scared.

4 DETECTIVE BEMO: You trying to  
5 protect --

6 RICHARD GLOSSIP: No, not trying to  
7 protect him.

8 The reason I didn't tell you the  
9 truth is to protect me. I don't want to lose her.  
10 I love her to death. And it's just one of them  
11 things to where you run into a certain person in  
12 your life, and this is that person for me.

13 DETECTIVE BEMO: But you had  
14 already -- you already knew that Barry was in 102.

15 RICHARD GLOSSIP: Yeah.

16 DETECTIVE BEMO: And you knew that  
17 Justin --

18 RICHARD GLOSSIP: I didn't look to  
19 see, but, yeah, I knew.

20 DETECTIVE BEMO: But you knew Justin  
21 had told you -- well, Justin had told you that he  
22 killed Barry.

23 RICHARD GLOSSIP: Yes.

24 DETECTIVE BEMO: So you were -- you  
25 were --

1 going to testify against Justin, because that's  
2 wrong. I didn't have nothing to do with Barry's  
3 death. Justin did it. I mean, I guess I did.  
4 I covered it up.

5 DETECTIVE BEMO: Well, I believe  
6 that you don't have -- you didn't have anything to  
7 do with the actual murder.

8 RICHARD GLOSSIP: No, I didn't. And  
9 I didn't know it was taking place either.

10 DETECTIVE BEMO: You didn't know  
11 Justin -- he comes to you and wants you to do an  
12 armed robbery and give a bad story --

13 RICHARD GLOSSIP: Armed robbery?

14 DETECTIVE BEMO: Well, he wants to  
15 rob the motel.

16 RICHARD GLOSSIP: That was back  
17 towards Christmas. He didn't have no money. He  
18 asked me -- he asked me. He said, "If I rob" -- he  
19 said, "If I robbed you, would you give them a  
20 different description?"

21 I said no.

22 DETECTIVE BEMO: Well, didn't he --  
23 well, in order to do that, wouldn't he --

24 RICHARD GLOSSIP: And then he told  
25 Deanna.

1 what was the name of the company?

2 RICHARD GLOSSIP: I have no idea.

3 DETECTIVE BEMO: Didn't they --

4 RICHARD GLOSSIP: See, they didn't  
5 check in as a company.

6 DETECTIVE BEMO: Wouldn't they list  
7 where they work on the --

8 RICHARD GLOSSIP: It might be on his  
9 card down there. Justin's card is still down there;  
10 Room 117, that card's still there. So they may have  
11 the name on there. I've never looked to notice.  
12 But it's a possibility, I guess.

13 But all I want to do is help right  
14 now and try to get myself out of this, because I'm a  
15 good guy, man. I really am.

16 DETECTIVE BEMO: Well, it's not as  
17 bad as it was, but it's still bad.

18 RICHARD GLOSSIP: Well, how do I go  
19 about getting myself out of the rest of it?

20 DETECTIVE BEMO: I don't know.

21 RICHARD GLOSSIP: 'Cause I never  
22 intended for Barry to ever get hurt. And --

23 DETECTIVE BEMO: Well, this isn't a  
24 question of Barry getting hurt.

25 RICHARD GLOSSIP: Well, no, I know.

1 DETECTIVE BEMO: It's a question of  
2 Barry being murdered in the worst way.

3 And, see, the thing about it is is  
4 that at least you're not looking at a first-degree  
5 murder charge.

6 RICHARD GLOSSIP: I want to get out  
7 of all of it, man. I don't want to lose her.

8 DETECTIVE BEMO: Well, you're not  
9 going to get out of all of it because what you did  
10 was break the law.

11 RICHARD GLOSSIP: I know.

12 What can I do, man? I'd be  
13 willing --

14 DETECTIVE BEMO: I have to admit to  
15 you, in all honesty, I still think you're holding  
16 back.

17 RICHARD GLOSSIP: I'm not.

18 DETECTIVE BEMO: You may not be, but  
19 I think you are.

20 But be that as it may, the only  
21 thing I can tell you is that we're going to have to  
22 go to the DA's office. We're going to have to talk  
23 to the district attorney about this.

24 RICHARD GLOSSIP: Okay.

25 DETECTIVE BEMO: It's not up to us.

1 We'll tell him what you've told us.

2 And it will be his decision as to what --

3 RICHARD GLOSSIP: Do I have to go to  
4 jail?

5 DETECTIVE BEMO: Yeah, you're going  
6 to have to go to jail tonight.

7 RICHARD GLOSSIP: Man, I'm not going  
8 to run. I don't want to lose her, man.

9 DETECTIVE BEMO: Hey, I can't take  
10 that chance.

11 RICHARD GLOSSIP: I swear to you,  
12 I won't run. That's the God's honest truth. I will  
13 show up anywhere you want me to. I'm not going to  
14 run, Bemo. I promise.

15 DETECTIVE BEMO: Let me tell you  
16 something: I don't have any choice in the matter.

17 RICHARD GLOSSIP: Man -- dude, I'm  
18 not going to run.

19 DETECTIVE BEMO: Just wait here.

20 RICHARD GLOSSIP: I've got nowhere  
21 to go.

22 DETECTIVE BEMO: Just wait here.

23 (End of interview.)

24

25

Detective: Okay, can I stop-

Deanna Wood: <Inaudible>.

Detective: -you right here? Remember where you're at, let me back up and ask you a question.

Deanna Wood: Huh-uh.

Detective: Now on this particular morning, what time did you rise? What time did you get out of bed on this particular morning?

Deanna Wood: Hum, <inaudible>, hum, when I got up-

Detective: Was it afternoon?

Deanna Wood: It was, it's always late.

Detective: Okay, when you, when you say late-

Deanna Wood: Cause we stay up so late cause we don't go to bed till like two or three o'clock in the morning sometimes.

Detective: Huh-uh.

Deanna Wood: And we sleep in really late. Billy, she watches the front desk while we're asleep.

Detective: Okay.

Deanna Wood: And <inaudible> evening and then we're up for the rest of the day.

Detective: On this particular day-

Deanna Wood: Huh-uh.

Detective: -that you go to, uh, Wal-Marts and the eyeglass place is that the day Barry showed up there?

Deanna Wood: Huh-uh.

Detective: Okay, and, and what-

Deanna Wood: And the last time I seen him it was at ten minutes to eight because he said, uh, if Donna calls, tell her I just left to go



**TAB 4**  
**Photographs**



















































































**TAB 5**  
**Affidavits**

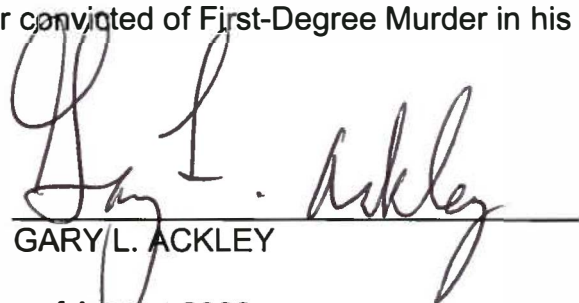
**AFFIDAVIT**

STATE OF OKLAHOMA            )  
  ) ss:  
COUNTY OF CLEVELAND        )

I, GARY L. ACKLEY, being of legal age and sound mind and being duly sworn, deposes and states:

1. I served as an Assistant District Attorney in the Oklahoma County District Attorney's Office from 1983 to 2015. During my time there, I prosecuted multiple cases, including the State's case against Richard Glossip in his 2004 retrial. My involvement in the case started sometime around October 2003, after the Oklahoma Court of Criminal Appeals had remanded the case back to Oklahoma County.
2. In the buildup to the second trial, Glossip's trial counsel approached the State on November 3, 2003, and suggested a plea deal wherein Glossip would plead guilty to an amended charge of Second-Degree Murder in exchange for a straight life sentence.
3. After a consultation with Wes Lane, who served as the district attorney at the time, as well as the office's homicide committee and the family of Barry Van Treese, the State countered Glossip's offer later that same day. The State offered a plea deal wherein Petitioner would plead guilty to First-Degree Murder but still receive a straight life sentence.
4. Glossip's counsel countered the State's offer with another offer of its own, under which Glossip would enter an Alford plea to Second-Degree Murder and a sentence of forty-five years. The State rejected this offer and no further plea negotiations were had. Glossip was later convicted of First-Degree Murder in his retrial and again sentenced to death.

Further Affiant sayeth not.

  
\_\_\_\_\_  
GARY L. ACKLEY

Subscribed and sworn to before me on this 10<sup>th</sup> day of August 2022.



  
\_\_\_\_\_  
Notary Public

My Commission Expires:

12/04/23  
Comm. # 19012102



**AFFIDAVIT**

STATE OF NEW JERSEY      )  
  ) ss:  
COUNTY OF ATLANTIC      )

I, LEIGHA JURASIK, being of legal age and sound mind and being duly sworn, deposes and states:

1.    I first became aware of Richard Glossip’s case in April of 2017, when I watched the documentary *Killing Richard Glossip* on the ID channel. I became interested in his case, as I was against the death penalty and involved in advocacy for people wrongfully convicted. I was empathetic toward him and his situation. I started writing Glossip letters in July 2017. After we exchanged a few letters, I gave him my phone number. We started talking over the phone and the relationship grew from there.
2.    At the time, I was 20 years old and Glossip was 54. We both began sharing our personal life stories with one another. I shared my life struggles with him, so he knew early on the tough spot I was in. Glossip also shared his life story with me. At first, I gave him small amounts of money, then it rapidly grew to higher amounts of money as the relationship progressed.
3.    Over time, I became further involved with Glossip’s case by running his Facebook page, where I advocated for him while he was on death row. I posted poems he wrote and pictures he drew. I was so active on social media that I drew the attention of an anti-death penalty rally. In March 2019, I participated in an anti-death penalty rally in Oklahoma City, where I spoke.
4.    My relationship with Glossip moved quickly. We were on the phone constantly and I visited him shortly thereafter in person. He told me he loved me during one of our first few phone calls with each other, and he started talking about marriage and a wedding very early on. During those conversations, Glossip told me that he would be getting out of prison soon. We married September 2018.
5.    Our relationship and communication was primarily over the phone. It got to where, I was able to tell if he was mad, sad, happy, or passive aggressive just by talking to him. He would throw temper tantrums and blow up at me if I did not do what he wanted. In those times, I would relent and go along with what he said. Glossip would threaten to harm himself or exclude me as a way of getting me to continue to support him. There were times, Glossip would even tell me he would kill himself, until I gave in to whatever demand he was making.

6. Looking back there were so many red flags in my relationship with him. He only thought of himself. Glossip was controlling and manipulative and used me for financial gain. He would ask for money that could be used on his books and his prison commissary account. He also asked me to put money on other inmates' books so they could buy things or make calls. In total, I estimate that I spent \$7,000 on Glossip and another \$1,000 on other inmates. I bought him a variety of things: soap, socks, shirts, and snacks. I was told by Glossip if I gave money to the other death row inmates, they would give him more time with the cell phone and he could call me.
7. I realized over time that the relationship was breaking down and I grew weary of his mind games. In time, I stopped taking his phone calls. I told him that this was not what I wanted. I was much younger than him and had realized that he was not going to be getting out anytime soon. So, I initiated talks about a divorce. He became extremely angry with me when I voiced the idea. In February of 2020, he called me nonstop and told me that he would kill himself on his birthday, if I did not relent on the idea of a divorce. We stopped talking, and two weeks later he called and said he was serving me with divorce papers.
8. He threatened me with alimony, and I told him I was not paying him. He stirred up animosity for me amongst his online following. My mother and I received death threats from some of them. Glossip also sent me a letter stating that I was going to jail and that police were going to investigate me. I became so scared and changed my phone number as a result of the harassment.
9. Looking back on that time in my life now, I realize I did not get anything out of the relationship. Glossip, on the other hand, got exactly what he wanted, which was financing for himself while in prison. I later learned that Glossip had moved on to some other woman to manipulate just as he had done with me.

Further Affiant sayeth not.

*Leigha Jurasiik*

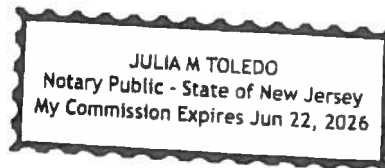
LEIGHA JURASIK

Subscribed and sworn to before me this 10 day of AUGUST 2022.

*Julia M. Toledo*  
 Notary Public

My Commission Expires:

0-22-2026  
 Comm. # 50163243







was made to feel guilty by Glossip for voicing my alarms. Glossip made ugly comments to me, suggesting that I need not worry whether he had anything to eat. I, of course, wanted him to eat, so I kept sending money.

6. In October of 2020, Glossip called me to say he had found a divorce attorney. Glossip's third wife, Leigha Jurasik, had asked him for a divorce a month or two earlier. Glossip requested that I find a way to pay the \$3,500 legal retainer fee on his behalf. Glossip was very desperate and anxious to get the divorce finalized, claiming to me that if he were executed before the divorce was final, Ms. Jurasik would get everything. During the course of this incident, Glossip smeared Ms. Jurasik's name to me. I came to believe that she was a crazed thief, drug addict, and alcoholic, as well as an all-around loathsome individual. Glossip related multiple stories of how terrible she was toward him, and I made it my duty to not only save him from execution but also from this supposedly horrible individual who likely would take advantage of him after his death. It was in these conversations, however, that I began to see how manipulative Glossip actually was.
7. It was not until January of 2021 that I ended my relationship with Glossip, having experienced his manipulation, lies, and rage firsthand. Glossip continued to call me into February of 2021, albeit with less regularity. I eventually stopped answering and, in time, blocked his calls. I was deeply traumatized by the realization of what I had allowed to continue for several months in my life.
8. In May of 2021, I made considerable efforts to review the evidence of Glossip's case, culminating with me taking a trip to Oklahoma. I walked away from that trip knowing I had been duped and that Glossip was guilty of the crime for which he had been convicted.
9. Also in May of 2021, I received a letter from Glossip. Still not mentally or emotionally well enough to bear what I suspected was another attempt to manipulate me, I placed the letter in a drawer and forgot about it for some time. It wasn't until August of that same year that I came back across the letter and read it. It was worse than I expected. The letter contained threats designed to intimidate me into taking down the social media pages I had managed for Glossip. He threatened to destroy my career and have me investigated by the Department of Corrections. While I did not believe most of the threats, I was concerned by one line from the letter: "I hope and pray you stop this before it gets to the point of no return."
10. As they say, when you know better, you do better. But in not knowing, I became the casualty of a subtle but disabling ploy executed by Glossip.

For years, Glossip has executed this plan on me and several other individuals. I am happy to say I am no longer controlled by his tactics.

11. In the countless hours that I spent speaking with Glossip, at no time did he ever express any remorse, empathy, or concern for Barry Van Treese or the Van Treese family. Furthermore, during his time on death row, I am unaware of Glossip participating in any activities aimed at improving either himself or contributing positively to his environment. As far as I am aware, the opposite is true; Glossip spent a considerable amount of time contriving ways to manipulate and con others for his selfish gain, the same behavior which landed him on death row.

Further Affiant sayeth not.

Melissa Ratliff  
Melissa Ratliff

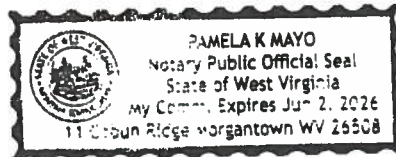
Subscribed and sworn to before me this 4<sup>th</sup> day of August, 2022.

Pamela K Mayo  
Notary Public

My Commission Expires:

June 2, 2026

Comm. # 294299



**TAB 6**  
**Reed Smith**  
**Documents**

# Responsible Business

ReedSmith

Driving progress  
through partnership  
Appx. 107

## Fighting the death penalty

Every year vulnerable people facing the death penalty are in desperate need of legal representation. We assist Amicus and Reprieve in helping these people.

A team of over 50 lawyers across our offices support Amicus on death penalty cases. Amicus provides assistance to lawyers representing individuals facing the death penalty in the United States. Lawyers working on capital cases are severely underfunded and our lawyers help by reviewing documents and preparing witness lists and chronologies.

---

“Amicus caseworkers have played a key part in many recent important cases, it should not be under-estimated the impact the work has on these cases; not only saving lives but also improving access to justice for many others.”

Margot Ravenscroft, Director of Amicus

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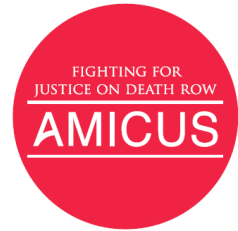
Reprieve provides free legal and investigative support to some of the world’s most vulnerable people: those facing death penalty, secret detention and assassination at the hands of powerful governments. Our lawyers assist Reprieve with its death penalty casework by doing research, as well as drafting amicus briefs and submissions.

---

“In my time at Reprieve there has rarely been a case we have worked on without the input of some brilliant lawyer/s tucked away in an office in a distant city. We rely on the idealism, passion and resource of pro bono lawyers and their firms to support some of our biggest cases. It’s my hope that this year we will finally see Kris Maharaj – an innocent man wrongly convicted and detained – walk free. If that happens, we will owe an inestimable amount of thanks to Reed Smith for the support it has shown us and him.”

Clive Stafford Smith, Founder and Director at Reprieve

---





annual report 2018

# OVERCOMING LEGAL BARRIERS *to justice*



**PENNSYLVANIA  
INNOCENCE  
PROJECT**

*Unlocking the Truth.  
Freeing the Innocent.*





Lance Felder, Donte Rollins, Marshall Hale, Kenneth Granger, and Gene Gilyard. Together, these men served over 100 years in prison for crimes they did not commit.

## EDUCATIONAL Institution Support

A core part of our mission is to provide clinical training and experience to students in the fields of law, communications, criminal justice, and forensic science, as well as undergraduate programs. Being housed at Temple University through Temple University Beasley School of Law in Philadelphia and at Duquesne University School of Law in Pittsburgh allows us to work with students on cases and all aspects of our work.

In 2018, we worked with interns and provided law clinics to students all over the Commonwealth and beyond. Their schools included:

- ◆ Drexel University Thomas R. Kline School of Law
- ◆ Duquesne University
- ◆ Duquesne University School of Law
- ◆ Penn State Dickinson Law
- ◆ Rutgers Law School
- ◆ Temple University
- ◆ Temple University Beasley School of Law
- ◆ University of Arizona
- ◆ University of Miami
- ◆ University of Pennsylvania
- ◆ University of Pennsylvania Law School
- ◆ University of Pittsburgh – Greensburg
- ◆ University of Pittsburgh School of Law
- ◆ University of Pittsburgh School of Social Work
- ◆ University of Toronto
- ◆ Villa Maria Academy
- ◆ Villanova University Charles Widger School of Law
- ◆ Widener Commonwealth Law

## PRO BONO & CORPORATE Partners

As a tiny public interest law firm, we would never be able to do the work that we do, or have the impact that we have, without the steadfast support and partnership of lawyers all along the Commonwealth and beyond. **In every case we take to court, or to a DA's office, we are accompanied by extraordinary, dedicated lawyers who volunteer their time and resources to help free our clients.** For their tireless efforts, we are immensely grateful.

- ◆ Ballard Spahr LLP
- ◆ Barley Snyder LLP
- ◆ Blank Rome LLP
- ◆ Boni, Zack & Snyder LLC
- ◆ Buchanan Ingersoll & Rooney PC
- ◆ Capital Blue Cross
- ◆ Chamberlain Hrdlicka Attorneys at Law
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*It is virtually self-evident to me now that no combination of procedural rules or substantive regulations ever can save the death penalty from its inherent constitutional deficiencies.*

— Justice Harry A. Blackmun

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### REED SMITH LLP

Reed Smith has been representing inmates on death row for twenty (20) years. The firm's attorneys are doing this work in Pennsylvania, Illinois, and Alabama, and are currently representing seven men on death row.

In the 1990's a team of Reed Smith Pittsburgh lawyers saved the life of Pennsylvania inmate Lawrence Christie in post-conviction proceedings. Mr. Christie's death sentence was modified to life in prison without parole after Reed Smith showed that his trial counsel had failed to present the available mitigation evidence.

Reed Smith began representing another Pennsylvania death-row inmate, Bradley Martin, in state post-conviction proceedings in 2000. At an evidentiary hearing on multiple claims of prior counsel's ineffectiveness, the trial court heard a dozen witnesses, vacated Mr. Martin's death sentence, and ordered a new sentencing hearing. The state appealed but the Supreme Court of Pennsylvania affirmed in August 2010.

In 2007 Reed Smith merged with Sachnoff & Weaver, a Chicago firm with a long history of death row representations in Illinois, at one point handling three cases simultaneously. One of those representations, that of inmate Samuel Morgan, began in 1995 and is an active Reed Smith case today. The Sachnoff lawyers had obtained a reversal of the client's death sentence from the Illinois Supreme Court. On remand, Reed Smith lawyers asserted a claim of actual innocence, now the subject of federal habeas proceedings.

Reed Smith New York lawyers began our fourth death penalty representation in 2007 representing William Kuenzel, an Alabama death row inmate. On appeal to the 11<sup>th</sup> Circuit Court of Appeals, Reed Smith obtained a reversal and reinstatement of the habeas petition, with a direction that, on remand, the district judge consider Mr. Kuenzel's claim of "actual innocence". This was significant because the 11<sup>th</sup> Circuit has not yet squarely held that the actual innocence exception applies to excuse a procedural bar under Section 2244(d).

Late in 2008, Reed Smith took on four additional death penalty representations in Alabama. The firm's appearance on behalf of these men came because each was only weeks away from losing all access to a judicial review of their claims.

Each of these four Alabama cases shared a procedural defect that helped compel Reed Smith to step in. The juries in each case had voted against the death penalty for life in prison without parole. However the trial judges had invoked Alabama's "judicial override" procedure to overturn these life sentences and imposed death sentences instead.

Reed Smith has also handled clemency proceedings in death penalty cases. In Virginia in 2005, the firm appeared at the 11<sup>th</sup> hour for inmate Robin Lovitt, whose execution was imminent. Reed Smith lawyers arranged a face-to-face meeting with Governor Warner on the day of the scheduled execution. The Governor granted the clemency petition, sparing Lovitt's life.

example, they failed to catch mistakes that the police made regarding the shower curtain).

- Defense counsel failed to call any witnesses in the guilt phase of the trial.

## **XXII. Parole Board Member's Conflict Of Interest Made The Clemency Hearing Fundamentally Unfair**

The investigation identified significant conflicts of interest that call into question the Oklahoma Pardon and Parole Board's impartiality in Glossip's clemency hearing. Glossip's clemency hearing before the Parole Board took place on October 24, 2014. The Parole Board members present at the hearing were Chairman Marc Dreyer, Vanessa Price, Patricia ("Patty") High, Richard Dugger, and Lynnell Harkins.<sup>1045</sup>

Nearly every member of the Parole Board had a prior law enforcement or prosecution background.<sup>1046</sup> Most troubling, however, was the participation of Assistant District Attorney High, who served as a senior criminal felony prosecutor in the Oklahoma County District Attorney's office for eighteen years. One of the lead prosecutors against Glossip, former Assistant District Attorney Smothermon, confirmed she "tried many cases with Patty."<sup>1047</sup> The fact that High did not recuse herself is particularly problematic given that she was in District Attorney Bob Macy's office during the same years Glossip was prosecuted, and worked closely on other cases with Smothermon.<sup>1048</sup> Upon hearing this fact of High's involvement in the Glossip clemency hearing, former District Attorney Gary Ackley acknowledged "it probably doesn't look good to have a former prosecutor from that office on the board to hear the clemency."<sup>1049</sup>

Board member High's lack of impartiality was evident as soon as Glossip appeared via videoconference. In the twenty minutes allotted for Glossip to appear before the Pardon and

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<sup>1045</sup> High was the senior criminal felony prosecutor in the Oklahoma County DA's office from 1989 to 2007. Glossip's first trial was in 1999, and his second in 2004. Price was the Division Director of the National Drug Court Institute. Dr. Dreyer was a former DEA Agent until he decided to go into ministry. .

<sup>1046</sup> Chairman Dreyer, appointed to the Parole Board by former Governor Mary Fallin in 2011, was a prior Drug Enforcement Administration Agent for eleven years. Price, also appointed by former Governor Fallin in 2014, was a police officer in Oklahoma City for twenty-two years. Similarly, Dugger, appointed to the Parole Board in 2004 by the Oklahoma Court of Criminal Appeals, served as a district attorney for the Second Judicial District in Western Oklahoma from 1972 to 1988 and 1991 to 2022.

<sup>1047</sup> May 2022 Reed Smith Interview of C. Smothermon.

<sup>1048</sup> *Id.*

<sup>1049</sup> June 2022 Reed Smith Interview of G. Ackley.

Parole Board, High asked Glossip 24 cross-examination-type questions about his after-the-fact conduct.<sup>1050</sup> Only one other board member asked questions of Glossip spanning less than forty-five seconds.<sup>1051</sup>

High's participation on the Parole Board in connection with Glossip's case, a case from Oklahoma County, seems inappropriate given her close ties to the Oklahoma County District Attorney's office and the lead prosecutor that tried Glossip. Additionally, prior to her appointment on the Parole Board by Governor Fallin in 2014, High served as a special prosecutor in death penalty cases at the Oklahoma County District Attorney's office. High served in this capacity at the Oklahoma District Attorney's Office during Glossip's first and second trials. Assistant District Attorney High's involvement with or knowledge of Glossip's case could have likely extended beyond the clemency hearing. Given these facts, High should have recused herself from Glossip's clemency hearing. At the very least, defense counsel should have raised this fact for the record and the Parole Board to consider.

We also note that Glossip was only allowed to attend his own 20-minute presentation via videoconference and was prohibited from observing the rest of the clemency hearing. The Oklahoma Death Penalty Review Commission's Report issued in 2017 offered four key recommendations.<sup>1052</sup> One such recommendation concerned the condemned inmate's right to listen to and watch the entire presentation of their clemency petition before the Parole Board.<sup>1053</sup> We agree with the Report's recommendation and finding that, "[g]iven the import of clemency proceedings on death row inmates, the entire capital clemency process should be accessible to condemned inmates. They should not be restricted to joining, via closed-circuit television, only a limited portion of their clemency hearing."<sup>1054</sup> The Commission further recognized the importance of providing condemned inmates the "full opportunity to witness and comprehend the entire proceedings and to advocate on their own behalf at their clemency hearing."<sup>1055</sup>

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<sup>1050</sup> October 24, 2014 Clemency Hearing Transcript, at part 4, pp. 3-8.

<sup>1051</sup> Chairman Dreyer asked Glossip two brief questions. *Id.* at 8.

<sup>1052</sup> The Report of the Oklahoma Death Penalty Review Commission at pp. 171-172 (2017).

<sup>1053</sup> *Id.* at 172.

<sup>1054</sup> *Id.*

<sup>1055</sup> *Id.*

Four years after the issuance of the Report, and seven years after Glossip's Clemency Hearing, Oklahoma enacted Administrative Code section § 515:10-5-3, providing the offender with the "option to listen to and watch, via one-way video transmission, the entire presentation of their clemency petition."<sup>1056</sup> Glossip's inability to attend all of his own clemency hearing was undoubtedly prejudicial as it prevented him from understanding the context of the proceedings and advocating on his behalf, as recognized by the Commission in 2017 and by the State of Oklahoma in 2021.

Former Assistant District Attorney High's failure to recuse herself, and her failure to notify the Board of her close ties to the lead prosecutor in Glossip's case raise serious concerns as to the overall fairness of the 2014 clemency hearing.

### **XXIII. Conclusion**

Based on the findings of this independent investigation, including the State's destruction of evidence, we conclude that the 2004 trial cannot be relied on to support a murder-for-hire conviction. Nor can it provide a basis for the government to take the life of Richard E. Glossip.

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<sup>1056</sup> O.A.C. § 515:10-5-3.



State's Claim<sup>1</sup>

## RS Investigation Findings

<p>Glossip told Jackie Williams, a housekeeper at the motel, not to clean any downstairs rooms, which would include room 102.<sup>14</sup> Williams had never before been given that type of instruction.<sup>15</sup></p>	<p>Williams told police that Sneed "made a point of telling her to clean the upstairs rooms only, that he would clean the downstairs rooms."<sup>16</sup> Williams did not change or correct her statement until May 2004, when speaking with prosecutor Gary Ackley.<sup>17</sup> Williams then claimed that Glossip, not Justin, gave her the instruction and that she "misspoke" to police.<sup>18</sup> It should be noted that Williams only worked at the motel for one month prior to murder; limited sample size and understanding of motel operating procedure.</p> <p>Even assuming the truth of her 2004 statement, this evidence would at most support a charge of accessory after the fact, and does not indicate or support a first degree murder charge.</p>
<p>Glossip told Kayla Pursley, a long-term resident of the motel who had asked about Room 102's broken window, that two drunks got into a fight inside the room, threw a footstool through the window and that he and Sneed threw them off the motel property. Glossip suggested a man Pursley observed at the Sinclair station earlier that morning was one of the drunks who broke the motel room's window.<sup>19</sup></p>	<p>While evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>
<p>When that same resident [Kayla Pursley] mentioned that she saw blood on the outside of the window to room 102, Glossip told her that someone got cut cleaning up the glass.<sup>20</sup></p>	<p>Despite being interviewed multiple times by police officers in January 1997, Pursley curiously did not share this information despite sharing other relevant information.<sup>21</sup> Pursley shared this information for the first time at the second trial.<sup>22</sup></p>
<p>Glossip was interviewed by homicide detectives in the early morning hours of January 8, 1997. During that interview, Glossip denied any involvement in, or prior knowledge of, the murder. However, Glossip told homicide detectives in a second interview on January 9<sup>th</sup> that Sneed appeared at his apartment early in the morning on January 7<sup>th</sup> and confessed to the murder. Glossip admitted his involvement in cleaning up the glass in front of room 102 and sealing up the broken window with plexiglass. He also admitted that he did not</p>	<p>During the second interview, Glossip denied that he was not forthcoming about Justin's statement to him about the murder in order to protect Sneed. Rather, Glossip said he initially lied to detectives because when Sneed told him about the murder, he felt like he "was involved in it, I should have done something right then" and that he did not want to lose his girlfriend over it.<sup>24</sup> Glossip maintained that he was not involved nor had knowledge prior to Justin telling him he killed Mr. Van Treese at 5 a.m. Jan. 7, 1997.<sup>25</sup></p>

<sup>14</sup> Trial 2 Testimony of J. Williams, Vol. 8 at p. 122.

<sup>15</sup> October 24, 2014 State's Clemency Packet for R. Glossip at 25; Trial 2 Testimony J. Williams, Vol. 8 at p. 123.

<sup>16</sup> January 8, 1997 Police Report of B. Weaver, at p. 2.

<sup>17</sup> G. Ackley Interview of J. William's Daughter (May 11, 2004).

<sup>18</sup> *Id.*

<sup>19</sup> October 24, 2014 State's Clemency Packet for R. Glossip at pp. 12, 25; Trial 2 Testimony of K. Pursley, Vol. 9 at pp. 45 -47.

<sup>20</sup> October 24, 2014 State's Clemency Packet for R. Glossip at pp. 12, 25, Trial 2 Testimony of K. Pursley, Vol. 7 at p. 54.

<sup>21</sup> May 14, 1997 Police Report of B. Bemo; January 7, 1997 Police Report of T. Brown.

<sup>22</sup> Trial 2 Testimony of K. Pursley, Vol. 9 at p. 53:4-55:11.

<sup>24</sup> State's Exhibit 2; Court's Exhibit 4.

<sup>25</sup> January 8, 1997 Police Interrogation Transcript of R. Glossip, at p. 64-65.

State's Claim<sup>1</sup>

RS Investigation Findings

<p>share any of this information with investigators, or anyone else for that matter, during the search for Mr. Van Treese.<sup>23</sup></p>	<p>While this evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>
<p>After Mr. Van Treese's vehicle was located, Glossip told Sgt. Tim Brown of the Oklahoma City Police Department (OCPD) that he last saw Mr. Van Treese walking through the motel parking lot at 7 a.m. that morning.<sup>26</sup> During a second conversation that night, Glossip told Sgt. Brown that Sneed said "that a couple of drunks had got in a fight and broke the window and that he had to take them off the property." Glossip stated that he saw Mr. Van Treese after the broken window incident.<sup>27</sup> Glossip later told Sgt. Brown that "everything started getting confused" and "[r]eally, the last time I remember seeing [Mr. Van Treese] is 8:00 the night before when he was picking up the payroll money" right before Mr. Van Treese left for Tulsa.<sup>28</sup> Glossip stated that he saw someone walking through the motel parking lot the morning of January 7th but he was not sure it was Mr. Van Treese.<sup>29</sup> When Sgt. Brown mentioned to Glossip his original statement about seeing Van Treese at 7 a.m., Glossip denied making that statement.<sup>30</sup></p>	<p>Claim disputed. Glossip told Tim Brown that "the story keeps getting turned around."<sup>31</sup></p> <p>While this evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>
<p>Sgt. Brown took Glossip into investigative detention. Once in the backseat of the patrol car, Glossip made the spontaneous statement, "Well, I guess I better tell you now," that he heard the glass breaking earlier that morning followed by Sneed banging on the side wall of his apartment. Glossip stated that he believed the entire time that Sneed had something to do with Mr. Van Treese's disappearance but did not want to say anything until he knew for sure. Glossip also stated that Sneed "had said something to him in the past about setting up a fake robbery."<sup>32</sup></p>	<p>While this evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>
<p>During a telephone conversation, Glossip told Ms. Van Treese sometime after 3 p.m. that the last time he saw Mr. Van Treese was between 7 and 7:30 a.m. on January 7<sup>th</sup>. Glossip said at that time Mr. Van Treese told him "he was going to buy supplies for the motel and he would be back later"<sup>33</sup> Glossip said Mr. Van Treese looked and</p>	<p>Evidence of accessory after the fact at most. There is no record of Ms. Van Treese sharing this information with the police as documented in the police reports made available to this investigation.</p> <p>While this evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>

<sup>23</sup> October 24, 2014 State's Clemency Packet for R. Glossip at p. 14.

<sup>26</sup> Trial 2 Testimony of T. Brown, Vol. 9 at p. 194.

<sup>27</sup> *Id.* at 206.

<sup>28</sup> *Id.* at 209.

<sup>29</sup> *Id.* at 215-217.

<sup>30</sup> October 24, 2014 State's Clemency Packet for R. Glossip at p. 13; Trial 2 Testimony of T. Brown, Vol. 9 at p. 219.

<sup>31</sup> January 7, 1997 Police Report of T. Brown.

<sup>32</sup> October 24, 2014 State's Clemency Packet for R. Glossip at p. 14; Trial 2 Testimony of T. Brown, Vol. 9 at p. 233.

<sup>33</sup> Trial 2 Testimony of D. Van Treese, Vol. 4 at p. 99.

State's Claim<sup>1</sup>

## RS Investigation Findings

<p>sounded fine.<sup>34</sup> Glossip told her that he would search all rooms at the motel for Mr. Van Treese.<sup>35</sup></p>	
<p>Glossip originally told Cliff Everhart during the search for Mr. Van Treese that Mr. Van Treese had arrived back at the motel from Tulsa around 2:30 or 3 a.m. on January 7th and had gone to bed.<sup>36</sup> Glossip also told Everhart that he had rented room 102 to a couple of drunk cowboys who eventually broke the window out.<sup>37</sup> Later in the evening, Glossip told Everhart that he last saw Mr. Van Treese at 7 a.m. that day when Mr. Van Treese left the motel.<sup>38</sup> In Everhart's presence, Glossip made it appear as though he had Sneed search the motel rooms for Mr. Van Treese.<sup>39</sup> Glossip also actively searched the motel grounds with Everhart that day to make it appear as though he did not know the location or condition of Mr. Van Treese.<sup>40</sup></p>	<p>Glossip tells police that he did not tell anyone that room 102 was rented out to two cowboys and that only Sneed made the claim.<sup>41</sup> Cliff Everhart told Officer Steadman that <u>he</u> had one of the maintenance man check every room in the motel for Mr. Van Treese.<sup>42</sup> Everhart also told Officer Tim Brown that <u>he</u> had the maintenance man check the rooms and they could not find Mr. Van Treese anywhere inside the motel.<sup>43</sup> Further, Everhart testified at the second trial that <u>he</u> asked Glossip and Sneed to check every room in the motel for Mr. Van Treese, including the storage room and laundry room.<sup>44</sup></p> <p>While this evidence may support a charge of accessory after the fact, this does not indicate or support a first degree murder charge.</p>
<p>On the evening of January 8, 1997, William Bender (manager of the Mr. Van Treese s Tulsa motel) spoke with Glossip by telephone. Glossip said the police believed he had killed Mr. Van Treese.<sup>45</sup> Glossip also said Mr. Van Treese was "beat to a bloody pulp. They found him cold as ice, dead as a doornail."<sup>46</sup> Bender testified that Glossip's demeanor when saying this was "[j]ust like we're having an every day conversation."<sup>47</sup> When Bender asked if Glossip had done it, Glossip responded no, he did not, but he knew who did.<sup>48</sup> Glossip did not mention who it was but said he was "in fear for his life."<sup>49</sup> Glossip also said if he had not been instructed by the police to stick</p>	<p>Evidence of accessory after the fact at most. Bender's testimony amounts to inadmissible hearsay.<sup>51</sup> Phone records from the Oklahoma City motel do not show any incoming calls from the Tulsa motel.<sup>52</sup></p>

<sup>34</sup> Trial 2 Testimony of D. Van Treese, Vol. 4 at p. 100.

<sup>35</sup> October 24, 2014 State's Clemency Packet for R. Glossip at p. 25; Trial 2 Testimony of D. Van Treese, Vol. 4 at p. 102.

<sup>36</sup> Trial 2 Testimony of C. Everhart, Vol. 11 at p. 182 -183.

<sup>37</sup> *Id.* at 188.

<sup>38</sup> *Id.* at 183.

<sup>39</sup> *Id.* at 185, 186.

<sup>40</sup> October 24, 2014 State's Clemency Packet for R. Glossip at p. 26; Trial 2 Testimony of C. Everhart, Vol. 11 at p. 187.

<sup>41</sup> Jan. 8, 1997 Interview Statement at p. 52.

<sup>42</sup> March 11, 1997 Police Report of B. Bemo.

<sup>43</sup> Trial 1 Testimony of M. Steadman, Vol. 3, at pp. 88:10-89:4, 100:10-21.

<sup>44</sup> Trial 2 Testimony of C. Everhart Vol. 11, at p. 185:8-13.

<sup>45</sup> Trial 2 Testimony of W. Bender, Vol. 8 at p. 87.

<sup>46</sup> *Id.* at 87, 88.

<sup>47</sup> *Id.* at 88.

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>51</sup> 12 OK Stat § 12-2802 (2014).

<sup>52</sup> State's Exhibit 80.

**TAB 7**  
**Video Appendix**

# **Gossip Video Appendix**

