

A Summary and Supplement to “When Eight is Enough”

How many “true” stories does it take to execute an innocent man?

Transcript summary and commentary written by Mr. Glossip’s Innocence Legal Defense team
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With the execution of Richard Glossip rapidly approaching, many questions have been raised over why the jury reached the verdict it did. There was no physical evidence linking Richard to the crime. The conviction was based solely upon statements given to the police by Justin Sneed, the man who confessed to the murder of Barry Van Treese. In May 1998, on the eve of Mr. Glossip’s first trial, Mr. Sneed signed an agreement with the District Attorney that spared Mr. Sneed from his own death sentence in exchange for “truthful testimony” in Richard Glossip’s trial. However, a thorough search through the many conflicting statements made by Mr. Sneed since the day of his arrest makes it impossible to know the truth.

This document presents for the first time, in comparison, at least 8 very different stories told by Justin Sneed. These varying accounts were taken directly from the transcript of his interview with the police, the official court records of his testimonies in the two trials, and statements that he had made to family members since the date of his arrest. These stories highlight exactly how the justice system has failed Richard Glossip, how innocent people can be put to death, and why no one should ever be put to death based on the word of just one person.

Story 1-“I don’t really know what to say about it”

When the interview with the police began, Justin Sneed stated he knew the manager of the Best Budget Inn as “Rich,” but he did not even know Richard Glossip’s last name. When first asked by Detectives Bemo and Cook about what happened at the Best Budget Inn on January 7, 1997, Sneed said that he really didn’t know what to say about the death of Barry Van Treese. He did recall that his brother Wes mentioned staging a robbery at one point to get money from Barry Van Treese, but “...it didn’t go no further than that.”

Story 2- “I didn’t kill Barry Van Treese”

After being pressed by the detectives following his initial denial of any knowledge, Sneed’s story changed and he said affirmatively that he did not kill Barry Van Treese. He claimed he didn’t really know him and had only met him a few times. The detectives implied that they wouldn’t believe Sneed if he said he acted alone and that he had better give someone else up. For the first time in the interrogation they told Sneed that they had Richard Glossip in custody and “...he is putting this all on you.”

Story 3- “I just meant to knock him out”

In this story Sneed described a plan to steal money from Van Treese and then how things went wrong once Sneed entered room 102. He admitted killing Van Treese but made it clear that he had no intention to do so. Sneed claimed that Richard told him Van Treese kept money in the car and that Richard would split the money with Sneed if Sneed took it from Barry’s car. Sneed then went on to state that he entered room 102 only with the intent to take Van Treese’s keys in order to take the money from

the car. Sneed stated he had no intent to kill Van Treese. However, as Sneed entered the room Van Treese unexpectedly woke up. Sneed stated he hit Van Treese only with the intent to knock him out but things got “out of control.” Sneed said how he got the keys from Barry’s pants which were on the couch, went to the car, took the money, and moved the car. He never explained to the police what plans, if any, he had to deal with Van Treese’s body. This lack of any plan, which runs through later versions, supports the fact that Sneed never planned to kill Barry Van Treese. Instead, he only planned to steal the money that was in the car.

Story 4- “Rich asked me to kill Barry, so he could run the motel.”

In Story 4, Sneed created an entirely new scenario. He began by stating “Actually, Rich asked me to kill Barry, so he could run the motel.” According to Sneed, D. Anna, Richard’s girlfriend, was working in the office and saw Barry drive up at 3am. Sneed claimed that Richard ran to Sneed’s room, woke him up, and told him to kill Barry in exchange for \$7000 and some extra money on-the-side for renting rooms. Sneed claimed that after he beat Barry and took the money, he met with Richard and the two of them split the money. They both went into room 102 to see if Van Treese was dead and then moved the car to the bank parking lot.

After hearing these various versions of the death of Barry Van Treese, detectives Bemo and Cook told Sneed that this story (number 4) would help him avoid the death penalty. In addition, there is evidence now that the two detectives took Justin Sneed from the interview room and continued to talk with him about the case. These conversations were not recorded and there is no way to know what was said. However, it appears they used this unrecorded time to drive home the importance of story number 4 over all others.

Sneed makes a deal to save his own life

In May of 1998, shortly before the start of Richard Glossip’s first trial, Sneed made a deal with the prosecution that if he testified against Glossip he would not face the death penalty and would instead receive a life sentence without parole. This required him to give “truthful” testimony. Obviously, it would have to conform in some way to Story 4 for this to help him. The stories he has given since he made this agreement do contain some of the same threads as Story 4, but also add critical new information that, if true, would certainly have been remembered by Sneed, and told to Bemo and Cook, in Story 4. For example, a plan to “melt” the body with Muriatic acid, or an order given by Richard to Sneed to kill Van Treese with a hammer months before the actual homicide, are not details one would easily forget when talking to the police.

Story 5- “Glossip told me to pick up trash bags, a hacksaw, and muriatic acid...”

The 5th story was given by Sneed at the first trial in 1998. He testified that prior to the murder, Glossip approached Sneed “several times” with the idea to kill Barry Van Treese, but Sneed never asked him why. Sneed stated that he used methamphetamines several days before, but not the day of, the murder. When asked what he would get in exchange for killing Barry Van Treese he gave various answers, including: \$7000; splitting \$4000; the money was never on his mind as he was just going along; nothing really; and he could manage one of the motels that Barry owned.

At trial Sneed also testified that Glossip woke him up (sometimes by phone, sometimes by knocking) at 3am and said words to the effect of “quick, go kill Barry” with a baseball bat which happened to be in Sneed’s room. Sneed claimed he then went to the Sinclair station across the street and purchased a coke and waited an hour before going into room 102 with a master key which he used as the motel maintenance man. He stated once he entered room 102, Van Treese woke up and, without saying anything, rushed him. Sneed testified that he hit Van Treese one time with the bat before Van Treese pushed into him. Sneed fell back into a chair and the bat struck and broke the window. Sneed said Van Treese then ran toward the door but Sneed was able to grab him from behind, trip him to the floor, and beat him to death. He claimed he then sat in the room with Barry, watching him take his last breaths, for 30 minutes.

Sneed testified he left room 102 and later in the morning both he and Richard returned to see if Van Treese was dead and to tape a shower curtain over the inside of the broken window. They left the room and Glossip told Sneed where the money was in the car. Sneed said he moved the car while Richard went back to his own room. Sneed then called Richard on the phone to come back down to Sneed’s room and count the money. Instead of giving Sneed all the money, Sneed claimed that they split it because “I was never in it for the money.”

Sneed stated Glossip then told him to go to the hardware store to buy Plexiglas to cover the outside of the broken window. In the meantime, Sneed said Richard returned to his own room to “take a nap” (despite the fact that there was a dead body in one of his motel rooms). Sneed testified that he waited until 8:30am before leaving to buy the Plexiglas and, for the first time, stated Richard also asked him to buy trash bags, a hacksaw, and muriatic acid. This information was not given to Detectives Bemo and Cook in Story 4. Sneed claimed during this first trial testimony that the acid would be used to “melt” the body, the saw to cut it up, and the trash bags to carry it away. Sneed claimed that even with all of this going on at the motel, Glossip was able to sleep until noon and then go to Walmart with his girlfriend. Sneed stated that the police came to the motel while Richard was away and, once he returned from Walmart, Richard told him twice to leave the motel.

Sneed then stated that the tumbler from the doorknob of room 102 was missing and explained that it fell out as he tried to break the key off in the lock to prevent anyone from entering the room that had a key. This was another new fact Sneed had not mentioned.

Story 6- “Now is the time to do it, take the hammer and do it”

The second trial took place in 2004. Sneed testified to a great many new “details” which he did not tell Bemo and Cook about in Story 4 or the jury in the first trial. The transcripts do not say why this is, but they do show the new prosecutor on the case met with Sneed and discussed his testimony at least twice in advance of the trial.

This 6th story began with Sneed stating that he could have gone back to live with his mother or his stepfather if things did not work out at the motel. It also said that, on the morning after the murder, Sneed went back to work for a roofing company making \$500.00 per week and living in an apartment. His old roofing crew was within walking distance of the Best Budget Inn and he knew right where to find them. Despite these many options, Sneed swore that he had nowhere to go if he were thrown out of the motel and so he had no option but to kill Barry Van Treese at Glossip’s behest.

Sneed testified that in the late summer of 1997 he quit working for the roofing company and lived at the Best Budget Inn where he hustled money for drugs. He stated that he used methamphetamine regularly, but claimed the last time he used the drug was the day before Christmas, not just two days before his crime as he previously testified. He claimed that Glossip came to him joking about pulling off a robbery as early as September 1996. He said that Richard wanted to run both motels owned by Barry Van Treese, and said he could con Van Treese's widow into letting him do it if Van Treese were dead. According to Sneed, the robbery discussions eventually turned to doing a "hit" on Barry. Sneed stated that he was promised various things, including at different times in the testimony: \$3500; \$5000; \$10,000; money from rooms rented on the side; \$10,000 again; all the money; half the money; and finally to split around \$4000.00 with Richard.

Just like in Story 5, Sneed added critical new details which he did not give to Bemo and Cook, or to the jury in the first trial. In this version Sneed stated that "sometime in November" Barry Van Treese was working with Sneed and Glossip in the "boiler room" at the motel, attempting to fix the wiring for a cable TV. Sneed testified that, at a point when Van Treese was crouched down close to the floor, Richard suddenly told Sneed to kill Van Treese with a hammer that happened to be nearby. "Now is the time to do it, take the hammer and do it." However, Sneed testified that he decided not to do so. He gave no explanation for why he could resist Mr. Glossip's orders in November but apparently not in January.

In the second trial Sneed also testified that prior to January 7, 1997, and despite Richard's supposed near constant talk with Sneed about killing Van Treese, Sneed decided not to because he did not take the talk seriously. However, in the early morning hours of January 7th, when Richard came into his room insisting that he kill Van Treese, Sneed inexplicably felt he had no choice but to follow these orders simply because of the way Richard "raised his voice."

In this testimony, Sneed also added another new wrinkle told for the first time. He stated that during the fight with Van Treese he took a pocket knife out of his back pocket, had time to open the knife using both hands (he is not clear where the baseball bat was at this point in time), and then stabbed Van Treese with the knife one time in the chest before losing control of the knife. When previously asked by both the police and the prosecutor whether he had stabbed Van Treese during the altercation, Sneed denied that he stabbed Barry Van Treese.

Sneed also testified for the first time that, following the murder, Richard entered room 102 and took a \$100 bill out of Barry's wallet. He continued that Richard then told Sneed to move the car and take the money from under the seat. Sneed stated that they later met in his room where Richard told Sneed that instead of Sneed getting all the money they would split it. Sneed stated he didn't mind as "he just didn't have any argument against it."

Story 6 contains many statements made by Sneed that he was never given an overall plan by Richard Glossip as to how the homicide or the clean-up was supposed to go. Instead, he testified that he was very suddenly told to kill Van Treese with the bat and then to return to Glossip for further instructions. He stated that Glossip then told him what to do next and, after he completed each separate act, Sneed stated that he simply returned to Richard for further orders.

Story 7- “There actually was a plan”

In the second trial Sneed testified that, after he left the police station with Bemo and Cook, he told the detectives that Richard actually did have a plan and apparently told Sneed about it. He said the plan was for Sneed to kill Van Treese, and that Richard agreed it was his (Richard’s) job to clean up the room after the homicide. However, according to Sneed, he told the police that Richard didn’t do a very good job with his end of the bargain. There is no way to know what other things he may have told the police after the tape was turned off, and what information about the case the detectives may have given to Sneed as they continued the conversation.

Story 8- “How high up does this go?”

In August, 2015, an investigator working for Mr. Glossip’s defense team talked with Justin Sneed’s mother. In this interview, his mother stated that in January 1997, just a few days after he was arrested, Justin Sneed wrote a letter to her from the jail. In this letter to his mother Justin talked about being involved in the murder and that there were others involved as well. According to his mother, Justin wrote in the letter, “You won’t believe who!”

His mother told the investigator that in the letter Justin made it sound like there were really powerful and important people involved in this crime and that his mother wondered at the time, “How high up does this go?” His mother told the investigator that she continues to believe there were other people involved in the murder.