

THE LETTER SEASON 1, EPISODE 8: MEETING THE MONSTER

Amy Donaldson: A warning to listeners. This podcast includes descriptions of gun violence and associated trauma. Please take care when listening.

Sy Snarr: It was February 18th, I remember, the day I went and visited him. We'd been writing back and forth for over a year, but I was still thinking, I'm actually going to see him. I'm going to be face to face with him. And I was just trying to do, like, this deep breathing. (Breathes in and out) You know, because I was nervous.

Amy Donaldson: In February 2020, the world was not yet familiar with the phrase 'social distancing' when Sy Snarr made a visit to the Central Utah Correctional Facility in rural Utah.

Sy Snarr: I looked out there and I said, that's him?! Because I hadn't seen him since he was 19 years old and I wouldn't have known him. If I had met him face to face on the street, I wouldn't have recognized him.

[THEME MUSIC]

Amy Donaldson: When Jorge Benvenuto sat down to write a letter to the family of the boy he'd shot to death as a teenager, he had no idea the chain of events that would follow. When he penned his apology, alone in a prison cell, he couldn't even imagine that it would lead to him hugging the mother of that young man. Nor did he have any inkling about the many ways the letter would reverberate through his own life and the lives of his family.

From KSL Podcasts, I'm Amy Donaldson, and this is The Letter. Episode 8 - Meeting the Monster.

Sy Snarr: (Rustling paper) "First letter here. These are all letters from Jorge."

Amy Donaldson: Sy sits on her sofa in a sea of letters, rifling through the pile in a panic.

Sy Snarr: Where's that first letter?

Amy Donaldson: She cannot find the one she cherishes most, the original letter from Jorge. It's that letter that started it all.

Sy Snarr: When we got that first letter, I said I'm gonna write him back.

Amy Donaldson: Sy was driving in the car with her close friend Dru Weggland Clark when she felt compelled to put her thoughts on paper.

Dru Clark: And she said, Okay, here goes, I'm gonna write a letter to Jorge.

Amy Donaldson: With her hands on the wheel, Sy dictated the words she wanted to send to Jorge, while Dru transcribed them from the passenger seat.

Dru Clark: I was on a scratch piece of paper hurriedly writing it because it just came flowing out.

Amy Donaldson (Talking to Dru): How did you feel listening to her response? What did you think of her response?

Dru Clark: I was astounded, amazed, the forgiveness, the love.

Amy Donaldson: Sy says it didn't take many words to convey what she really wanted Jorge to know.

Sy Snarr: It was not even full page, but I just told him how much I appreciated his letter. And I told him that, like him, I had gone through a change too towards my feelings. And I said, you know, I want you to know that I have forgiven you, and I know that Zach has forgiven you 100%.

Dru Clark: The part I remember most is, I know Zach has forgiven you, and he'll be the first to embrace you.

Amy Donaldson: About two weeks later, Sy and Ron received another letter. This one from Jorge's mother, Nelida.

Sy Snarr: She was kind of like taking responsibility - I wish I would have seen the warning signs and all this and just this really sweet, sweet apology letter. That's when I told Ron I'm going to write back to her, because I've always just felt for his mother. I did. I just thought, how is she coping with this?

Amy Donaldson: Unlike his wife, Ron had never felt that kinship with Jorge's mother. In fact, he'd never felt anything but hate and resentment for anyone connected to Jorge. In reading Nelida's letter, he was overcome with remorse.

Ron Snarr: I wrote a letter to her and basically said how sorry I was.

Amy Donaldson (talking to Ron): What were you most sorry about when it came to Nelida?

Ron Snarr: The way I treated her, what I told her, what I said to her - it's gotta be so hurtful. Why'd she give birth to a monster... and it was just awful. I said, here, I'm gonna write a little letter to her too, and I said, I am so sorry for the way I treated you and your family, and would you please forgive me?

Amy Donaldson: Sy took Ron's letter and put in an envelope with a letter she'd written. Thus began an exchange of letters between Sy, Nelida, and Jorge.

Sy Snarr: This is one that he had sent to his mother, for some reason he couldn't mail it, for her to forward to me. Dear Sy, I wanted you to know that the letter and messages that you have sent me since January have been very difficult for me to read. It is not what I expected. It was somehow easier for me in the past, when you and your family were angry at me and hated me. I understood that reaction. But the change of heart that you and your family have had and the forgiveness that you've expressed towards me have left me feeling humbled, undeserving of it, and without words to respond to you. I feel that I owe you and your family so much. I wish there was something I could do. I thought that was really sweet, too. That's his attitude. It's like he, I think he felt very undeserving of the forgiveness. And he's been very humbled by it.

Amy Donaldson: The correspondence continued, and line by line, they learned about each other's lives. With every shared story, the trust between them grew.

Sy Snarr: I had written him a letter telling him about Levi dying. I had never said anything about him dying. And then I just thought, you know, I'm just gonna be honest with what my life is. So I had told him about Levi's cancer. And he said, "I want to thank you for writing me that beautiful but very personal letter, I must admit that it was not easy for me to read, I kept feeling that I didn't have the right to have a glimpse into your life as well as your family's life, especially when you wrote about Levi, his illness, and how he and Zach were close to each other. I reread that portion of your letter over and over again, feeling sad and ashamed. I thought to myself, I'm responsible for a lot of the loss and suffering that this mother and her family have endured during their lives." I thought that was very sweet, what he said.

Amy Donaldson: The hand-written letters between Sy and Jorge opened up unanticipated possibilities.

Sy Snarr: It did, it opened a huge door of just a flood of just wonderfulness and happiness and blessings to me, joy. I really care about him, I do. It's really hard for him to grasp that he's really, you know, forgiven by us. And he has said in a letter to me, he says, I understand why Yvette hates me. She has every right. You know, he knows what he did, but he's very grateful for what's happened between us and our relationship. He says he really looks forward to my letters and I look forward to his. When I'm gone, I'll ask, did I get a letter? (laughs) Because I really like getting his letters. Some of them make me sad, just, you know, sad. I just, I so want him to have another chance. I just believe in second chances. I think everybody deserves a second chance.

[MUSIC ENDS]

Amy Donaldson: The exchanges began to create a ripple effect. And one of those ripples found me. Early in 2019, I learned about the letter from a friend of mine. His aunt, as it turned out, is Lianne Bell, whom you met in Episode 7. She's the woman who took Nelida to church just a few days after the shooting and then, 20 years later, delivered the letter from Jorge to Sy Snarr. Sy and Lianne agreed to meet me for lunch, and over sandwiches, they told me about the letter and its already widening impact. We talked about the possibility of sharing this story with

the world. In May of 2019, just a few months after receiving Jorge's apology letter, Sy sat down for an interview with me. But a couple of weeks later, she called and said she and Ron didn't want to participate in a podcast. They worried that subjecting this unique relationship to scrutiny from strangers might contaminate it. They worried about causing issues for Jorge and compromising the peace and joy they'd found in this new relationship. Throughout the first year of reporting this story, I wasn't sure there would even be a story to tell. Still, I felt compelled to reach out to Jorge's former attorneys. So, a few months after that lunch date, I called Mark Moffat one of the defense attorneys who first represented Jorge back in 1996. When I told him about the letter Jorge had written, it was almost as if he couldn't comprehend what I was telling him.

Mark Moffat: I was really surprised. I couldn't believe it. I just never thought Jorge would ever get to a place like that.

Amy Donaldson: Mark thought about how closed off Jorge had been when he represented him all those years ago. And then when Sy tried to meet with Jorge, he'd declined. Given all that had happened, Mark never expected Jorge would write a letter of apology.

Mark Moffat: So when he finally did it, and did it on his own, it's not like, you know, nobody's telling him to do this, I was really surprised. And then what was maybe more surprising to me was Sy's reaction to it and Ron's reaction and the family's reaction to the letter.

Amy Donaldson (talking to Mark): Why was that surprising?

Mark Moffat: Because my whole experience with the Snarr family was that they were very, very angry and unforgiving of what Jorge had done to their son. They hated him for it. They hated me and James and the defense team for what we did.

Amy Donaldson: A few weeks after I talked with Mark, he called and asked if I thought Sy might be willing to help him in a decades-long fight to abolish the death penalty in Utah. I gave him her number.

Mark Moffat: I reached out to Sy and you know, wanted to see if she would be interested. You know, what, how does she feel about the death penalty? And what were her thoughts about maybe becoming involved as part of some effort to maybe abolish the death penalty?

Amy Donaldson: Sy said she was interested, so they set up a meeting a few days later to talk about it in person. On a snowy day in December, 2019, Mark and his colleague Marina Lowe from the American Civil Liberties Union stepped onto the Snarr porch and rang the bell.

Mark Moffat: The meeting was in their living room. There's pictures of Zach and their other family members there.

Amy Donaldson: Mark came to the Snarrs' home thinking he might convince them to help abolish the death penalty in Utah, but the meeting took a turn he did not expect.

Mark Moffat: I'm hearing from Sy and I'm hearing from Ron about how this letter that Jorge Benvenuto wrote to them, changed their lives, and it changed their perspective of him. It changed how they felt about what had happened, about the death penalty.

Amy Donaldson: It would take some time for them to find out where this conversation would lead, but it was the first step on a path none of them could have ever anticipated. As they said their good-byes, Ron had another apology he felt he needed to deliver. He wrapped Mark in a hug.

Ron Snarr: I said, Mark, you did a hell of a job. You did a great job. I'm so sorry the way I treated you and what I said to you, and whatever else, I'm truly, truly sorry, and please forgive me. And he gave me a big hug. He says, I never thought I'd see this day, Ron Snarr.

Amy Donaldson: Something momentous had occurred in that house, but Mark wasn't quite sure what it all meant.

Mark Moffat: To be part of that, it was emotional for me. I mean, it kind of took a lot out of me. I'm walking out with Ron and we're talking and then he gives me a hug. And I was just blown away. I couldn't go back to work. I just remember going up to my house. It was cold outside, it was snowing. I went on a snowshoe walk with my dogs just because it was about all I could do at the time. It's one of the most profound experiences that I've had as a lawyer. It's emotional for me.

[MUSIC PLAYS IN CLEAR THEN ENDS]

Amy Donaldson: Almost a year had passed since that first letter reached the Snarrs, and Jorge and Sy continued to write. Their friendship still felt fragile, but her affection for him was something she was now willing to share in certain circumstances. Sy gave a talk in her church about forgiveness and how it had changed her life. Her son Trent called her afterwards to see how it went.

Sy Snarr: I said it was hard. I guess it went all right. I told him that my friend had recorded it. He said, well, I'd like to hear it. And I said okay, but you're gonna be surprised at a couple of things I say in it, you know. (laughs) He says, that's alright. So I emailed it to him and he said, Mom, I'm really proud of you. He said, I'm really proud of you and I'm so happy for you and Dad.

Amy Donaldson: In the talk, Sy said she was planning to go to the prison to meet Jorge face to face.

Sy Snarr: I had also in my talk, said, how I, you know, I'd always signed my letters sincerely, Sy, sincerely. And then one day, I just thought, I'm just gonna do it. So I signed it, love, Sy. And the

next one from him said sincerely, but the one after that he actually signed love, so we always sign our letters love. And I said to Trent, I said, well, did it surprise you that I'm going to the prison? He says, no, that doesn't surprise me. But he says, you know, I can forgive him and everything, but I don't know that I'd ever signed my letter 'love, Trent', because he's still the [expletive] that killed my brother. And I just says, yeah, he is. He is the one that killed your brother.

Amy Donaldson: Sy was ready to meet Jorge in person, but Ron wasn't quite there yet.

Sy Snarr: He was nervous, and he said tell me how it went.

Amy Donaldson: The only issue, she had no idea how to go about arranging a visit. But Mark Moffat had connections, and he helped her arrange a meeting. Sy didn't want to go alone, so she asked her friend, Dru - the one who helped her write her first letter to Jorge - to accompany her. On a cold day in February 2020, they made the 45-minute drive from the Snarr's second home in Mt. Pleasant to the Central Utah Correctional facility in the rural community of Gunnison.

Dru Clark: It was a frigid, frigid morning. And as we were driving in these two beautiful bald eagles were circling in the air, and I said Sy, there it is. It's Zach and Levi. Sy was incredibly anxious.

Sy Snarr: I admit, I was like, a little nervous because even though we had been writing, I hadn't talked to him on the phone or anything. But since we, we'd been riding back and forth for over a year, just over a year. But I was still thinking, I'm actually going to see him. I'm going to be face to face with him.

Amy Donaldson: After the break, Sy finally meets Jorge.

[COMMERCIAL BREAK]

Amy Donaldson: At the prison, Sy and Dru were greeted by Doug Fawsen, the Victim Services Coordinator for the Utah Department of Corrections.

Dru Clark: And Doug Fawsen said, now, I know Jorge very well, and he's very quiet, reserved, somewhat reticent. So if it's 15 minutes to 30 minutes, you know, that will be fine. We have the room reserved for two hours, but I highly doubt you will need that two hours.

Amy Donaldson: He led them to a room with large windows along all of the walls. There were a few tables in the visiting room, and they sat at a small circular table in the middle.

Dru Clark: And he asked Sy, you know, where do you want to sit? And she said, oh, I'd like to sit across from Jorge.

Amy Donaldson: Sy took deep, slow breaths to calm her nerves.

Sy Snarr: (Breathes in and out) And Doug Fawsen says, here he comes. And I looked out there and I said, that's him?! Because I hadn't seen him since he was 19 years old. And I wouldn't have known him. If I had met him face to face on the street, I wouldn't have recognized him.

Dru Clark: The door opened, and the guard brought in a 40-year-old, middle-aged, clean shaven man with the whitest whites - very white, clean clothing and Sy just exclaimed, I can't believe that's him. That's Jorge?! I can't believe it. And as he came through the door, Sy walked up and embraced him, and he embraced her. And I was standing behind Sy, and he said, I'm so sorry I took him from you. And Sy said, I know you are.

[MUSIC FADES OUT]

Dru Clark: As we sat down, Jorge and Sy looked at each other, locked in a gaze like a laser focus that I have never seen before, and did not divert their gaze I bet for 40 minutes.

[MUSIC]

Dru Clark: Sy immediately, you know, Sy's very open, honest, and she kind of opened up her heart, and she just expressed how thankful she was for the letter.

Sy Snarr: I told him, you know, what that letter had meant, how it literally gave me my life back - that first letter. And I actually asked him who had helped him write it because it was so beautifully written. And he said nobody helped me. He said nobody read it, and he said, actually I wrote you so many letters and just tore them up because none of them were good enough.

Amy Donaldson: Dru watched silently as Jorge and Sy exchanged details about their lives.

Dru Clark: She said, I've been dreaming about this, I've been waiting for this for so long, and he said, so have I. And Sy started asking questions about his childhood and when he, you know, was talking about his parents divorce, and Sy was being empathetic, like, how hard Jorge, you know, that's so hard. And he said, yes, but that's no excuse for what I did. I do not blame anyone but myself. And that's healing for the Snarrs; he takes full responsibility.

Amy Donaldson: As Dru watched the conversation unfold, she noticed a physical change had come over her friend.

Dru Clark: She was radiant - the bluest eyes. I mean, I've been with her all morning, all of a sudden her blouse took on this radiant - she was glowing. She expressed her, beyond forgiveness, the redemption for Jorge.

Amy Donaldson: Shortly after their visit, the Utah State Prison shut its doors to visitors because of the COVID-19 pandemic. But Sy and Jorge not only continued to write letters, they

began weekly phone calls. Those calls, usually on a Monday, are restricted to 15 minutes by prison officials.

Sy Snarr: He said, I feel like there's things you want to say to me that you didn't say because Doug Fawsen was in there and my friend was in there. And I said, no, I, you know, I didn't go in there to attack him or confront him. I didn't want to do that.

Amy Donaldson: In fact, Sy was only worried that she'd hurt Jorge by spending so much of their two-hour visit talking about her son.

Sy Snarr: I said, I'm really sorry that I sat there and talked about Zach so much. I didn't intend to, you know. And he said, no, he says, I'm glad you did. And he said, believe me, I remember every word you said in the hearings, and I know how special Zach was. And he says, and I think of him every day. This meant a lot to me when he said this. He said, wherever my thoughts are they always come back to Zachary. He calls him Zachary. And he says, there's never a day I don't think about him.

Amy Donaldson: The meeting between Sy and Jorge brought them closer than ever, and eventually, that affection extended to his whole family. By the Spring of 2020, the COVID-19 pandemic was closing everything from businesses to schools. But Jorge's mother Nelida - who left Utah years ago - was determined to see the Snarrs in person.

Sy Snarr: And I told her, I said, because I, you know, had been emailing her. And I said, I know I'm gonna want to hug you, but I won't, if you don't want me to. I'm leaving it up to you. Because she's been very, very careful with the pandemic, not even seeing her family or anything, and she wrote me back and she says, you know, I'm very cautious, and I don't even hug my immediate family, but you, dear Sy, I'm going to hug. It was, ah, it was the sweetest thing.

Amy Donaldson: Nelida flew out for just one day to see the Snarrs. She came with Jorge's older brother Pablo, his wife, and some of their children. As I said in episode 7, Jorge asked us not to contact his family for the podcast. We've respected that request.

Sy Snarr: Her son was carrying a big bouquet of flowers that she had bought me, and anyway, I just went and just wrapped my arms around her. And we just hugged and she said, I'm so sorry, I'm so sorry, I'm so sorry. It was really emotional, but no, that was a wonderful day. And we laughed. We cried, I mean, with her son and his family - cutest family ever! Oh, my gosh, I just love them all.

Amy Donaldson: That night, the Snarrs served dinner around a long, wooden table in their living room. On the wall behind it is a portrait of Zach holding his guitar and gazing off into the distance. Now, when Ron looks at the table, he thinks of that visit.

Ron Snarr: We're all sitting around that table, and I said, I'm so sorry for the way I treated you, and she said, there's no need to apologize. Yeah, I said, there is. I'm so, so sorry, and I gave her

a hug. So anyway, I look at that table and I think of the family around there. That was a good day in my life that I could hug his mother and apologize to her personally, you know, it's the first time I've actually seen her and been nice to her. That's what was really healing for me. And anything they need, I told them, anything they need and I can do for 'em, it's gonna' get done. Just know, all you gotta do is ask.

Sy Snarr: I hated to see them leave - just the feeling they brought into the house, our home here. I'm like, please don't ever leave. I love this feeling, you know? It was wonderful. It's just been the biggest blessing ever.

Amy Donaldson: Then Sy says something that shocks me.

Sy Snarr: I think they have suffered in ways more than we have.

Amy Donaldson: She says they lost a son too. The difference is, their loss was saturated in shame and guilt.

Sy Snarr: They carried the guilt of what he did. They were harassed for what he did. People weren't real nice to 'em for what he did. They left Utah. His mother's landlord made her move out because she was his mother, which I think is terrible. You know, she was devastated, devastated by what he did, and yet she's his mother. Of course, she's gonna support him and love him, you do. You don't ever just - a real mother, I think, never gives up on their kids, and she loves him and she's a wonderful woman.

Ron Snarr: She's an angel on earth. She really is, and what she's gone through has been horrific.

Amy Donaldson: Sy and Ron realized they were not the only ones who needed healing, and what started with one letter of apology continues to reverberate.

Sy Snarr: When all this happened, his brother sent us an email and said that he just feels like a huge weight, this dark cloud's been lifted, you know? Because they've carried it for all these years of what he did. And we don't want them to suffer anymore. We love them. I mean, we literally love this family. They're our family now.

Amy Donaldson: In the Spring of 2021, Sy and Ron were invited to the wedding of Jorge's niece, who was getting married in Utah. Ron asked the family, most of whom live out of state, to come stay at the Airbnb they own behind their house in Salt Lake City. Between the two homes is a beautiful garden and a patio draped with wisteria. There's a little fountain, and when the wind blows, you can hear the chimes they have hanging in a large cherry tree. It was here that the families sat together to eat.

Sy Snarr: Yeah, this is where we ate, out here under our pergola and that was nice. They really enjoyed our yard, I think. I just thought, Zach has got to be seeing this and he is so happy. I just

thought, look at this. Look at what's come around. I actually got a little - feeling emotional. I didn't say anything to them about it. But I thought this is like the most wonderful thing right here. These two families who came together through a horrible tragedy, horrible thing, and yet, here we are. And it was just a beautiful thing, to me, just a beautiful thing.

Amy Donaldson: And this is where the story could have ended with an unlikely friendship forged through pain, loss and forgiveness. But something almost more remarkable was still unfolding, and it took root back in that meeting between attorney Mark Moffat and the Snarrs in December of 2019. As they discussed Jorge, his background and how he'd changed after spending more than 20 years in prison, Sy said something that no one even considered a possibility.

Sy Snarr: I just said, I wish, I wish I could get him out of there.

Amy Donaldson: Not only had the Snarrs forgiven Jorge, they felt like he deserved a second chance at life outside of prison. And they wanted the man who'd defended him all those years ago to wage a new fight on behalf of them and Jorge. They wanted Mark Moffat to help their son's killer earn a chance at parole.

Sy Snarr: And he said, do you really feel that way? And I said, I do. And he said, well, there are some things you could do. Let me check into it. And I was like, so excited.

Amy Donaldson: Mark explores the possibilities after the break.

[COMMERCIAL BREAK]

Amy Donaldson: In the months after his meeting with the Snarrs, Mark began researching if there was any way to modify Jorge's sentence of life without the possibility of parole. In Utah, only the Board of Pardons and Parole has that power. Asking the board to commute a sentence, which means to reduce or change the original penalty, is extremely rare. And Mark didn't know of any cases in Utah or even around the country where the commutation of a sentence was requested by the victim's family. There wasn't really a template for what he'd been asked to do.

Mark Moffat: You can search the archives to try to find something like this. I don't think there's a situation like this that's ever existed.

Amy Donaldson: Mark reached out to Jorge and told him that the Snarrs wanted to seek a commutation hearing on his behalf. Jorge was overwhelmed and a little reluctant, but ultimately cooperative. But if Mark was going to make the case that Jorge deserved having his sentence commuted, he had to understand more about his past and what led him to commit such a horrific crime at 19. When Mark was first assigned to Jorge's case in 1996, he had a feeling that there was a lot of missing information about Jorge that was critical in deciding what kind of punishment he deserved. Now, he and some of his colleagues were going to get a second

chance. They spent hours interviewing Jorge and his family, as well as the Snarrs about their relationship with Jorge. Then they had the Herculean task of putting it all into words.

Mark Moffat: How do you convey the idea that they forgive and love the man who killed their son? How do you, how do you say that in a way that expresses it in the way that they feel it? It's really hard. (laughs) It's really hard.

Amy Donaldson: Once he pieced it all together into an early draft, he invited the Snarrs to his office to read it. It was August 27th, the day before the 25th anniversary of their son's murder.

Mark Moffat: All right, let me kind of explain to you what I got here. So this is a draft...

Amy Donaldson: Mark recorded part of the meeting on his phone at my request.

Mark Moffat: I've tried to figure out how to put it together because I've never done anything like this before ever.

Amy Donaldson: He confessed to the Snarrs that he was concerned that what they were about to read would be upsetting. Some of the letter to the Board was about them, but most of it was about Jorge. He told me later that he was worried about dredging up quote "the ugliness."

Mark Moffat: The question that everybody has struggled with, and I've thought about for years and years is, you know, how did he get to this place where he did this horrible thing? And I don't know that I have complete answers for it. But at least I know what he went through in his life. And I talk a lot about it. And my worry...

Sy Snarr: That's good.

Amy Donaldson: "That's good," Sy says, but Mark still wonders if they're prepared to hear what he's uncovered.

Mark Moffat: This is as much your story as it is his, and I worry that there's too much in here about Jorge, I don't want to offend you guys with it.

Amy Donaldson: Mark said it will probably change in future drafts, but for now the narrative ends at the point where Jorge shoots Zach and Yvette.

Mark Moffat: So, if you're ok with that, I'm going to give it to you to read.

Amy Donaldson: Mark told me that he turned off the recorder shortly after this because it was intensely personal and emotional for the Snarrs to read the details of Jorge's life and what led to the murder of their son. Producer Andrea Smardon made a separate visit to Mark's office to find out what he learned about Jorge.

Mark Moffat: I want to make it clear. I'm not trying to justify or excuse Jorge Benvenuto's behavior. And importantly, he'll be the first one to say there was no excuse for what he did, and there was no justification for what he did. And he's very freaked out very candidly about how people are going to perceive him, how people are going to perceive his friendship with the Snarrs. He's really worried that they're going to read the wrong things into what I'm doing, but this is information that the board should have.

Amy Donaldson: And I should say here, Jorge is not comfortable with the details about his family being included in this podcast. He told me in a letter that he worried about inflicting any more pain on his family, especially his mother. His actions, he has said repeatedly, are not a reflection on his family. But like Mark I think what he went through, including witnessing domestic violence as a child, is critical in understanding what might push a person to such an extreme, violent act.

Mark Moffat: Jorge was raised in Montevideo, Uruguay. Jorge was born into a society that was ruled by a military dictatorship. People were afraid to go outside. Friends of the family had disappeared with no trace. Children were warned not to go outside alone, for fear that they might disappear or be taken away. Jorge's father was a severe alcoholic. He was a musician who partied a lot, would come home drunk and would beat his wife in front of the children. The family walked around on eggshells. Jorge was left alone for significant periods of time. His mother was in a place where nurturing her children was a near impossible task because of the violence that she was experiencing in the home.

Amy Donaldson: In the mid 80's, Nelida left her husband and moved with Jorge to live with family in New York City. He was just 8-years-old, and she had to leave her older children in Uruguay for a few years.

Mark Moffat: And while he was in the United States, he was left alone for hours and hours and hours during the day because his mother had to work. He came to the United States not speaking any English whatsoever. He was bullied a great deal at a number of different schools. His mother moved from place to place to place.

Amy Donaldson: Mark thinks it may have been 12 times they moved. At first they stayed with family, but eventually, they lived on their own.

Mark Moffat: Jorge actually went to a private Catholic school for a period of time, and the bullying was somewhat better there, although it was still present. They didn't have the financial means to remain in the Catholic school, and he was going to be forced to go to a public school. They went to that school and it looked incredibly rough. He didn't want to go to that school. I believe that he never finished high school.

Amy Donaldson: Nelida hoped the move to Utah would provide the kind of support system they lacked in New York. But her hope for a better life never materialized for her youngest son. Jorge's life continued to spiral downward, and he felt more and more isolated.

Mark Moffat: There were a series of break ins, where people had come in and burglarized his apartment, stolen anything of value that he had. Those events had a significant impact on Jorge. And I think throughout all of this, from the time he was incredibly young, he struggled with depression. He struggled with feelings of lack of self worth. He felt as if he was a person without a place in the world, that his nationality had been taken away from him. His identity had been taken away from him. He didn't ever feel like he belonged. He was very much a loner. He didn't have friends and was actively entertaining suicide for a significant amount of time prior to the events in question in his case.

Amy Donaldson: Sy has repeatedly said in the last few years, if they'd gotten what they wanted in those first few months after Zach's murder, the death penalty for his killer, none of what's happening now would be possible. She understands today what she didn't when they were fighting in court against Mark Moffat and the defense team. All of those beautiful moments she now cherishes - they aren't hers if Jorge is executed.

Sy Snarr: You look at everybody on that side of the room and you think they're against you, they're against you. Well, they're not. You know, if I'd have been rational back then, I would have realized, you know, they're doing their job. Their job was really to save his life, and I'm so glad they did it.

Amy Donaldson: And for Mark Moffat, who has spent most of his adult life working to abolish the death penalty, what happened between the Snarrs and Jorge illustrates why.

Mark Moffat: People can change, and forgiveness for even the most horrible of acts is possible. I mean, real forgiveness. I mean, maybe everybody's cynical, and maybe nobody thinks that it's possible, but it is, and it's happened.

Amy Donaldson: The question is, what do we want from our criminal justice system? Is there room for concepts like forgiveness or redemption? And what should that look like for all involved? Because while the Snarrs want Jorge released from prison, Yvette, as you will hear later, feels differently.

Mark Moffat: What is the criminal justice system supposed to be? I mean, the criminal justice system is supposed to be a place where people are held accountable for what they've done. But it's also ideally a place where people can redeem themselves. It's a place where people can mature, it's a place where people can change and change in a positive way so that they don't affect society, again, in a negative way. And none of that would have been possible had Jorge been given the death penalty. And now that it has happened, it shows that it can happen. And if it can happen, then why are we executing people? Why do we want to remove the possibility of something like this happening?

Amy Donaldson: Once Sy and Ron began their efforts to try and modify Jorge's prison sentence, they saw a reason to participate in the podcast. As the impacts of Jorge's original

letter continued to ripple outward, they knew the story would attract media attention. Their hope was that the podcast would give people a more complete understanding of what happened. And, by this point, they felt their bond with Jorge and his family was strong enough to withstand any scrutiny. But there was still a critical voice missing, so last spring I wrote Jorge a letter. He wrote me back immediately, thanking me for taking the time to reach out to him. He didn't want to do an interview, but he did agree to answer some questions through letters. He explained that when he first heard about the podcast, he felt very conflicted. He understood that Ron and Sy wanted to participate, and he supports their decision, but he also worried that sharing this story with strangers would cause new pain for everyone. He worried about the Snarrs first and foremost. He wrote:

"I'm very grateful to the Snarr family for not only forgiving me, but also for how they have embraced me and helped me to move on too, which is something I didn't realize I needed as well. They've become like family to me. I've grown to love them. So it bothers me that they are being asked to relive painful memories, this nightmare that I caused them and what it may do to them."

Jorge also expressed concern for his own family.

"They received their fair share of negative attention, harassment and hate mail. This has always bothered me as they bear no responsibility for what I did. But people will always say, 'What kind of monster did they raise?'"

He was also concerned about the pain this might cause Yvette, who chose not to accept the letter. And lastly, he was concerned that the podcast would bring him attention, something that's extremely problematic in prison.

"Nothing good ever happens to inmates who are shown on TV," he wrote. "Anonymity is the best way to serve time."

Jorge said he spent 17 years in maximum security. While his family and friends went to school, got married, started families, he sat alone in a prison cell, day after day. Jorge said there wasn't one thing that caused him to write the letter to the Snarrs. Instead, he felt like he should do it for many years.

"I felt like I owed them at least an apology for what I had done," he said. "but I thought that I didn't have the words to do so, that I couldn't articulate it the way I wanted to."

Jorge told me that he worried that his inability to express himself would make an apology seem insincere. Other people advised him against it. They said it would cause more harm than good, that he'd already hurt them enough and that he should just leave them alone. And he agreed with all of that, but he also couldn't shake the feeling that he should reach out. While he was in maximum security, he said he struggled, as many people do, with how isolation creates an even darker and more resentful mental state.

“It hindered me from getting to the point in which I could contact them. Maybe that’s one of the reasons it took me so long. I always found a reason to put it off for another day.”

He was also still struggling with his own mental health issues.

“I’ve spent so much of my life caught up in my own unresolved issues that I couldn’t see anything or anyone else and what they were going through,” he wrote.

He said, he thought about Yvette and Zach everyday. He regretted not getting help. He regretted not recognizing that he needed help. He spent a few years trying to write apology letters, but he always ended up throwing them away.

“They were never good enough,” he wrote to me. “What does one say to those one has hurt so much? But I kept feeling that it was something I had to do.”

So he kept writing them, until he wrote the letter he ended up sending to his mom. She held it until Lianne was able to make contact with the Snarrs. While he waited, he thought about what might happen. At worst, he said, they’d reject it. The best case scenario he imagined, “The Snarr family would say, ‘Ok, you’ve said your peace, now never contact us again.’”

His first surprise came when Sy wrote back.

“To my amazement, Sy continued to write me, so I continued to write her.”

He was disappointed when he learned that Yvette didn’t want a letter from him, but he understood. Jorge wrote that as he exchanged letters with the Snarrs, he began to feel healing in ways he hadn’t known he was hurting.

“I carried around a lot of guilt over what I had done and communicating with them helped me too. It is difficult to describe on paper everything that has happened over the last two years, how one thing has led to the next in such an unexpected way. The Snarrs are truly amazing people.”

In another letter to me, he said, “I’m not the first inmate to have written to his victims with an apology. What has been amazing in this case, is the response by the Snarr family, which I’m still humbled by.”

In all the years since the murder, Sy had never seen the video where Jorge made his confession to police which you heard in episode 3. Before this podcast, nobody outside law enforcement or the judicial system had access to it, which isn’t unusual. But when I told her I’d watched it, Sy asked if she could see it. I took my laptop to her house and played it for her.

Amy Donaldson: That’s him.

Sy Snarr: That's Keith Stephens right?

Keith Stephens (on video): Basically this is going to be your only opportunity to speak for yourself.

Amy Donaldson: I'll admit that I was a little nervous to show Sy the video. Would it cause her pain? Would it disrupt the peace she had found in their relationship with Jorge? Would it change how she felt about the letter?

Sy Snarr: What'd he say?

Amy Donaldson (talking to Sy Snarr): The whole thing is really stupid. If I had to do it over, I wouldn't do that.

Amy Donaldson: But clearly, the man that Sy has been writing letters to - she doesn't see him as the same person who killed her son.

Sy Snarr: Wow, just a young boy. I just think he was too young to have that severe a sentence. He is a different person. I just think the whole thing is just so tragic. It's sad for Zach, for Yvette, for all of us, for Yvette's family. But it's sad for him, it's sad for his family. It just changed so many lives, put so many lives in a different direction, you know? And it's just something that never should have happened. It was just so senseless. I would love to just give him some kind of hope, you know? I don't know that they'll ever let him out. I don't know that ever would. But I would go to bat for him.

Amy Donaldson: Because commutation requests are so rarely granted, no one knows if Jorge even has a chance to earn parole from prison, but as Mark and his colleagues research how to make that request, Sy grows more nervous about the role she will have to play if the Board of Pardons grants Jorge a hearing.

Sy Snarr: I just hope I can convey what's in my heart. That's what I'm nervous about, that I won't be able to make them understand, because it's so important to me, and I just want this so bad. And I literally pray that I will be able to know what to say that's gonna' help him.

Amy Donaldson: Ron says it's taken him a while to get to the same place as his wife, but he's fully on board now.

Ron Snarr: I second everything my wife has said. I'd love to see him walk out of the Gunnison prison, and I'd take him to see his mother.

Amy Donaldson: But Sy and Ron have worried a lot about what other people will think about their efforts to have Jorge's sentence commuted. They worried about telling their friends and family and they worried about the impact it would have on Yvette.

Sy Snarr: You know, I've been very concerned how it would affect her. I did write her a letter because she, you know, I tried calling her - she didn't call me back. So I wrote her letter and told her what we're doing with this and why. And I just said, you know, I'm not gonna try to contact you anymore, but my door's always open. Our door is always open, because our whole family loves her. We just love her. But she hasn't chosen to do that. And, you know, I'd like to explain to her why we're doing it, but it's up to her. It's out of our hands, but we're doing what we know is right, and we're doing what we know Zach wants us to do. And we're doing what we want to do. We want this, we want it really bad.

Amy Donaldson: Meanwhile, Yvette still doesn't want to hear from Jorge. She does not want him in her life.

Yvette Rodier: I think that decision has been really solid for me. And I haven't second guessed it.

Amy Donaldson: And when she got a letter from Sy with an update, she asked her husband to read it.

Yvette Rodier: She sent a letter that Dave read, and then he gave me a little summary of it.

Amy Donaldson: Without knowing all the details, Yvette understands that the Snarrs want to help Jorge get out of prison.

Yvette Rodier: If there's an opportunity for me to oppose it, I will.

Amy Donaldson: Has it caused you any anxiety or do you feel badly about it, or fear about it?

Yvette Rodier: It's terrifying to me, I've never in my whole life, ever thought that he would be released. That's always been a really lovely comfort. So to think he could get out is really, really scary. And I think what I've worried most about or felt most fear about is disappointing the Snarrs. And I know, we have a difference of opinion, but I don't ever want them to think that that means I don't love them and don't care. And so that part, I think I worry more about that potential relationship being changed.

Amy Donaldson: Even while Yvette opposes what the Snarrs are doing, she feels nothing but empathy for them.

Yvette Rodier: They've lived this totally different life than I have, and their loss - I can never understand. And so the way that they want to move forward with this is - it's just different. And so I don't have any anger toward that opinion. It's the way that they have gone through this, and this is what they need to do. So I fully support that, like, absolutely, they should do that. And I think they would feel the same about - if I oppose it, then absolutely. I should oppose it. We haven't had a face to face to really, I guess, hash it out or anything, but just knowing them for all the years that I have, since I was what seventh or eighth grade, that they're just such great

people that it's okay to have difference of opinions. And I know, we'll always respect and love one another. And that's, it's kind of like - it's family.

Amy Donaldson: Yvette says she's been living in relative peace since she recovered from the federal courthouse shooting in 2014. She just hopes she can maintain it.

Yvette Rodier: Luckily, I haven't been afraid since I got through, kind of, the shooting stuff. I haven't had any major scary things. But yeah, I know it would come back really easily. That's something that seems to sneak up pretty quickly, and the fear can be pretty intense. I definitely think even if he does get released, I will still have the peace and closure that I have now. I think I will just - it will be an extra level of fear for a while. And then hopefully I work through that.

Amy Donaldson: Yvette says her healing is not tied to what happens to Jorge, and she wants to keep it that way.

Yvette Rodier: He's never been a part of my life or my peace or my anything. It's been really lucky for me that I really don't think about him. He has no influence or anything in my life so yeah, to have been able to cut him out of all of my healing and all of my moving forward, I think is helping a lot for this part.

Amy Donaldson: Saturday, August 28th, 2021, was the 25th anniversary of Zach's death. It is also the anniversary of the day Yvette was nearly killed, the day she was put on a path she didn't choose. I wondered what Sy and Ron would do, how they would spend the day. I wondered how the anniversary of the shooting impacted Yvette. I reached out to both of them. Yvette told me that the anniversary is different for her every year. She admitted that it's hard on her husband Dave because sometimes she's a mess and sometimes she's fine. In 2021, she was a mess. The couple planned to leave town the weekend of the anniversary, hoping that being far from Utah would ease the pain. But Dave's family decided to spread his step-mom's ashes on their property in Heber City, a small town on the backside of the Wasatch Mountains, that Saturday, the 28th. "I am having a much harder time than last year," she told me in an email. "I'm sad I didn't get to choose how to spend the day, but I also love my family. And we do all the things for our family, right?" That Thursday after the anniversary, the Snarrs invited me to their house to talk to them about how they'd gotten through the weekend.

Ron Snarr: Come on stinker, you've got guests.

Amy Donaldson (talking to Ron Snarr): Is he outside?

Amy Donaldson: but also to meet a new family member.

Amy Donaldson (talking to Ron Snarr): Oh my gosh, he's so cute

Ron Snarr: He is. He's the draw of the neighborhood.

Amy Donaldson: Otto Snarr, a Bernese Mountain Dog, does not want to leave the shade of the wisteria in the back.

Sy Snarr: Isn't he a doll? I love that dog. So amazing. He's the cutest. He's just 10 weeks. Look how big he is. Actually, we got him a week ago Tuesday. He's already gained four pounds. Look at the size of his paws! He's gonna' be huge.

Amy Donaldson (talking to Sy Snarr): So it looks like you're not regretting getting a puppy.

Sy Snarr: Are you kidding, we needed him! (laughs)

Amy Donaldson: Sy is laid up on the couch because of back problems, so I sit down next to her while Ron entertains the puppy with a toy that spins like a top.

Amy Donaldson (talking to the Snarrs): So I wanted to ask you what you guys end up doing Saturday?

Sy Snarr: Well, we were supposed to go to the cemetery. I couldn't even move. So Ron went to the cemetery. I did not. His mother emailed me, which was sweet and I emailed her. It's a hard day for both of us.

Amy Donaldson (talking to the Snarrs): Jorge's mom?

Sy Snarr: Yeah, for both families. It's a really tough day. It's, you know, you relive it - 25 years now, quarter of a century, unbelievable.

Amy Donaldson (talking to the Snarrs): What did the email say?

Sy Snarr: It was a text actually. She said, 'Dear Sy, I know how you and Ron must be feeling today. I'm fasting and praying for both of you.'

Amy Donaldson: Sy says she first wrote to Nelida on the anniversary three years ago.

Sy Snarr: I emailed her on August 28th and I just, I said, you know, this has to be a hard day for you too. I thought of her every August 28, how hard it must be for her too, and she wrote me back and said I have been crying all day today. And she does, just like I do, you know? We both lost sons that day in a weird sort of way, you know? So it's a tough day for them, it's a tough day for us.

Amy Donaldson (talking to the Snarrs): Did it feel different because of the relationship you have with the Benvenutos now?

Sy Snarr: Yeah, even holidays now. I mean, holidays used to be so hard, but you know, it's not as not as painful as it used to be. I don't know, there's just been so much healing take place, and there's so much love, instead of hatred and anger. You know, and I have felt a huge difference. I'm just so grateful for what's happened between our two families. It just means everything. It's made it better. It's just made it easier.

Amy Donaldson: And then suddenly, as we're talking, Sy's phone rings.

Sy Snarr: It's Jorge,

Amy Donaldson: Sy was so excited about the unexpected call, she didn't mention I was there.

Automated Voice: Hello, this is a free call from...

Jorge Benvenuto: Benvenuto

Amy Donaldson: My recorder was next to Sy on the couch, and it captured their phone call. I didn't plan to use it, but after listening to it, I felt it showed their relationship in a way that's difficult to capture in words.

Automated Voice: This call is from a correction facility and is subject to monitoring and recording.

Amy Donaldson: Later, Sy explained the situation to Jorge and they consented to us using the recording.

Sy Snarr: Jorge!

Jorge Benvenuto: Hi, how are you?

Sy Snarr: Oh, I'm okay. It's so good to hear from you. I haven't heard from you for a while. I've been worried about you.

Jorge Benvenuto: Yeah, I know, I was going to call this weekend and then all this stuff hit. I wrote you, I tried to get that letter out fast.

Sy Snarr: I got it. I got the letter. Yeah, I got it.

Jorge Benvenuto: Oh you did get it?

Sy Snarr: What's today? Thursday? I got it yesterday.

Jorge Benvenuto: Oh, good.

Sy Snarr: Yeah, I was so happy to get it.

Jorge Benvenuto: Good. Is this a good time? Are you busy?

Sy Snarr: Yes, yes. It's a good time.

Amy Donaldson: They talk for a while about Sy's health,

Jorge Benvenuto: You sound a little bit better than the last time we spoke.

Amy Donaldson: Jorge asks about Ron's health, and Sy gives him an update. They talk about how Ron has to pick up the slack around the house, including caring for the new puppy.

Sy Snarr: He's so cute and he's so sweet. We just love him so much.

Jorge Benvenuto: That's good, I'm glad you at least got that.

Sy Snarr: Oh, I am too. i It's actually helped having him here.

Amy Donaldson: Sy asks about his job at the prison. They catch up on the latest news from Mark Moffat and the letter he's working on to the Board of Pardons. Sy says she read a draft, and Jorge tells her it's now 24 pages long.

Sy Snarr: Yeah. Well, I'm glad you called. You know, your mom told me you've been there's been a lot of stuff happening and you're in lockdown a lot.

Jorge Benvenuto: Yeah

Sy Snarr: And I hate to think of your lockdown, I'll tell you that. That's hard.

Jorge Benvenuto: Have you been able to talk to my mom? Is she communicating back with you?

Sy Snarr: Oh, yeah. I talked to her on Tuesday. Ron and I both talked to her Tuesday. I think the week before I did not talk to her. I was having just..

Recording: You have 1 minute remaining

Sy Snarr: There goes my fast 15 minutes (laughs) it's fast.

Amy Donaldson: And this is where we leave you. The same way we began, a phone call between a mother and the man who killed her son, and a letter in the mail.

Jorge Benvenuto: OK, well, it's about to end. It was really nice talking to you.

Sy Snarr: Well, it was good. I'm so glad you called. I'll get a letter off to you this week, for sure.

Jorge Benvenuto: Ok, I'll be looking for it.

Sy Snarr: Alright. Well, you take care of yourself, Jorge.

Jorge Benvenuto: You take care and you get better, OK?

Sy Snarr: I will, sure love you. We'll see ya.

Jorge Benvenuto: Okay, love you. Take care, bye.

[MUSIC]

Amy Donaldson: This is not the end of the story. But it is where this story ends, at least for now. Attorney Mark Moffat is still planning to file a commutation request with the Utah Board of Pardons and Parole because the Snarrs believe Jorge deserves at least a chance at parole, and we will bring you any developments about that. But the law surrounding this is complicated, and that could take time to develop. But that's really what we want to leave you with. No story about the human experience is static. The stories change and evolve because the people change and evolve. And the people in this story are proof that we can heal from even the deepest wounds. We grieve because we love. So our grief doesn't really end, but it changes us. And sometimes in that transformation, we can find surprising gifts - or what some might call miracles.

[CREDITS]

Andrea Smardon: And now it's time to turn the mic over to listeners. I'm producer Andrea Smardon, and for the last bonus episode of the season, we're sharing some of the voicemails and messages we've received about how this podcast has impacted some of you.

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Amy Donaldson: The Letter is researched and reported by me, Amy Donaldson. It's written by myself and Andrea Smardon, who is also responsible for production and sound design. Mixing by Trent Sell.

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