

Part 1

Brenda Sue Schaefer was raised by her parents, Essie and John Schaefer, in Louisville and throughout her entire life lived within the Kentuckiana area. She lived in St. Matthews through high school and attended lower school and middle school at Our Lady of Lourdes. Brenda attended Waggener High School where during her sophomore year she met the first love of her life, Utica, Indiana resident, Pete Van Pelt. They both quickly fell in love and Van Pelt, infatuated with Brenda, would be Brenda's first - and only - real highschool boyfriend. Brenda was naive, innocent, insecure and depended on Van Pelt for self confidence; he loved it. Van Pelt was very possessive of Brenda, controlled the money that was spent and made the decisions in the relationship. He was raised in a male dominated small town; he felt he had the right to control the relationship. Directly after Brenda graduated from Waggener High School, Van Pelt proposed. Despite their high school love for each other, their marriage was brief and ended in divorce (Hill 14).

Raised in a strict Catholic household, Brenda always followed her faith when it came to her moral beliefs. Throughout her interactions with Van Pelt in high school, she was very sexually modest. Brenda was a virgin when she married Van Pelt, but soon had problems in the bedroom. Van Pelt pushed for sex when they got married but Brenda, still very young, was very uncomfortable with sex and did not like to engage in sexual activity often. Later in their relationship Van Pelt urged Brenda to join him in therapy to help their sex life -- it had no impact on Brenda. Her Catholic guilt produced fears for her (Hill 33).

Due to many financial problems and arguments regarding Van Pelt's spending habits, the marriage ended after four short years. Van Pelt's annual income of \$8,600 as a Louisville police dispatcher was painfully low to support a family. Brenda and the Schaefer family had a laundry list of incidents in which Van Pelt was financially irresponsible, buying things he and Brenda could not afford. Van Pelt was also reported to have moments in which he would drink too much, use foul language, and smoke marijuana; actions that made Brenda uncomfortable (Hill 34).

The last year of their marriage was filled to the brim with arguments and bitterness. A divorce was in their future, but Brenda and her family struggled with the idea of divorce. The Catholic Church said married couples should stay together no matter what, but Brenda wanted out. Brenda was left no choice but to move back into the house on Warner Avenue where she grew up. "My father was against Brenda coming home," her sister Carolyn would say. "He said she made her bed. She ought to stay there and get it straightened out. Mom said, 'No, we can't do that'" (Hill 16). Brenda felt guilty and embarrassed, trapped by her father, the Church, and a bad marriage. She returned to her childhood home on Warner Avenue with only a few household furnishings and their Chevrolet. Very eager to become independent again, she moved into an apartment only to move back into her parents' house once more. She was damaged by the divorce, hardly dating, not going out. That would soon change for Brenda (Hill 17).

Jim Rush would be Brenda's next love whom she would meet at a TGI Friday's, a local restaurant and nightspot chain. Rush was a successful dentist, attractive, cared for Brenda and genuinely wanted her to be happy. The Schaefer family loved Jim and noticed his love for Brenda. Rush expressed his love repeatedly over the course of their eight year relationship. He

showered Brenda with sweetly written cards on every holiday and anniversary and once even rented a billboard near downtown Louisville to emphasize his feelings:

Brenda,
There Is Not Enough Room
Here For Me To Express
All My Love For You.

-Jim

They traveled to Hawaii and Florida together and would go on family trips with the rest of the Schaefers to Brown County, Indiana. Brenda loved Rush and wanted to marry him but there was one problem: he was a drunk. His drinking patterns upset Brenda -- getting drunk almost every weekend and drinking everyday -- Rush noticed her hesitation and was frustrated by Brenda's indecisiveness towards marrying (Hill 47-50).

In a letter, Jim told Brenda at the end of their eight year marriage that he was tired of the "pattern" that had been established; he was hurt by her criticism but always wanted to see her nonetheless. Brenda, being the indecisive person she was, could never decide whether there should be a final break with Jim. In the letter Jim established their problems in the bedroom, revealing sexual problems that plagued their relationship (Hill 47-50). The letter was heart wrenching to Brenda, resulting in the end of their eight year relationship. Although a next relationship seemed impossible for Brenda, it would come; and this time, would be the death of her.

Joyce Smallwood was Brenda's best friend. Smallwood and Schaefer were identical; both dark haired, very attractive women, both acting the same socially, emotionally, and physically. Brenda and Joyce were married young to dominant partners resulting in both having low self-esteem. Joyce eventually would say that her image of herself was so low that "I'd put makeup on just to go to the mailbox" (Hill 46). Both rebounding from bad marriages found an interest in older men who were financially stable. Smallwood would eventually begin to date a man by the name of Bob Davis right around the time Schaefer ended things with longtime boyfriend Jim Rush. Noticing Brenda's heartache, Joyce and Bob thought that the perfect solution would be a new date. Somebody older, established, wealthy and with character; somebody like Mel Ignatow, a longtime friend of Bob Davis. Smallwood suggested that Brenda get her mind off of the breakup and go on a double date. Brenda, desperate for any sort of pick-me-up, agreed (Hill 46).

Part 2

On a weekend night in September 1986, Brenda Schaeffer had her first date with Mel Ignatow accompanied by couple and friends Joyce Smallwood and Bob Davis. The group had driven up to Tartan's Landing, located in Prospect, Kentucky, to meet Ignatow for an early evening boat trip. Brenda enjoyed their date as did Ignatow; he invited her back for another ride on his boat the following evening. Although physically unattractive, Ignatow interested Brenda. Ignatow had a way of listening to her, giving her attention and seemed genuine, qualities she desperately wanted after her recent heartbreak. The fact that Ignatow was well-off financially also interested Brenda -- the boat, his Corvette, a comfortably sized home. Brenda was slightly materialistic (Hill 52).

Little did Brenda know, Ignatow would become increasingly protective and possessive of her. The Schaeffer family became hateful of Ignatow, thinking he controlled her and was narcissistic. Brenda confided in Smallwood about the bizarre sexual fantasies that Ignatow would talk about. Ignatow would often talk about having group sex, anal sex, strapping Brenda to the bed; Brenda would never fully consent to these things although he would talk about it persistently with her. Ignatow also convinced Brenda to take “sex tablets”, mysterious pills he did not fully explain, after taking them she had awakened naked having no recollection of the events that had happened. Because of this, Brenda began to worry about her safety with Mel but found it very difficult to simply walk away from him. Smallwood and the Schaeffer family would tell her to leave, but Brenda never did (Hill 56).

Throughout their two year relationship, Brenda worked as a secretary and assistant for dentist Dr. William Spalding. Brenda was a hard worker for the twelve years she worked for Spalding, rarely taking days off, working long hours if necessary. Spalding was fond of Brenda, he admired her hard working personality, illuminating appearance, and loved the Schaeffer family in general, but one thing Spalding disliked about Brenda was her ongoing relationship with Mel. Ignatow would often call Brenda at the office two or three times a day to complain to her or blow up over the phone about her being too social. Spalding noticed Ignatow’s controlling patterns and disliked him for this. Brenda deserved better and Spalding knew that (Hill 45).

Ignatow, a traveling salesman, would often take sales trips to Taiwan or China. It was during these trips he would schedule all of his and Brenda’s telephone calls in advance to the trip. Brenda had to call him or answer the phone at a specific time or else Mel would blow up if she were a minute late. Ignatow was infamously known for being an annoying salesman --

persistent, not easy to escape, wouldn't take no for an answer. These qualities followed him outside of the workplace and into his relationships with Brenda, coworkers and the Schaefer family (Hill 54).

It all made sense to Brenda. She needed to move on. Towards the end of their relationship, Brenda began to stick up for herself. She knew she wasn't happy. The summer before she went missing she met with Jim Rush multiple times to tell him the awful stories about Ignatow. Brenda couldn't keep up with his sexual needs or his aggressive desire to be with Brenda all day everyday. Jim Rush told her to leave him like everyone else did. On September 21, Brenda phoned Rush to inform him that she had broken up with Ignatow but was expected to see him the following week to give things back. Brenda would come up missing the following week (Hill 56).

Ignatow, devastated about the breakup, decided to contact an old lover of his, Mary Ann Shore. The two dated for years prior to Ignatow's relationship with Brenda, having a very romantic and exciting relationship. Shore was unattractive, desperate for attention and needed someone who could give her the security she wanted. Ignatow would often send her notes at work that were very sexual. Shore would have "sexercise" to remove her fatty tissue, of course conducted by Mel. Ignatow would also give Shore multiple choice quizzes that would reveal Shore's sexual preferences and tell stories of erotic and sexually disturbed people. In the end, Mel did not want her, he wanted sex. Shore was devastated, desperate to have Mel back. She would do anything for him. Even after the breakup the two would meet, talk, have sex even while Mel was in other relationships (Hill 56, 57). Being the jealous person Shore was, she

noticed how fond Mel was of Brenda. Shore hated this. Brenda was everything Shore wasn't, and Shore knew she could never win Ignatow back as long as Brenda was in the picture.

Part 3

On September 25, 1988 Brenda's car, a 1984 Buick Regal, was found abandoned along the westbound lane of Interstate 64 in the early morning. Jim Wesley, a Jefferson County Police Detective, had gotten the call about the car. Brenda had been reported missing the evening before after not coming home following her date with Ignatow. The missing-person's case was handed over to Wesley by the St. Matthews Police Department. After arriving on the scene Wesley evaluated the car: the car's right tire was flat, the car had been broken into, the radio was missing, small amounts of blood scattered on the back seat, and a handprint was on the back tail pipe; all evidence that it might be more than just a missing-persons case (Hill 22).

Jim Wesley would become the head investigator of the case. "I was involved from day one," Wesley told me in an over-the-phone interview. "Brenda was reported missing on September 25th, 1988. Her (Brenda's) brother, Tommy Schaefer, and his girlfriend Linda Love went to the St. Matthews Police Department to report Brenda was missing from her parent's house. I happened to be on duty with the Jefferson County Police as a homicide detective. A St. Matthews detective called me and said it was too big for a local department and handed it over to Jefferson County," Wesley continued. After investigating the car, Wesley made his way over to the Schaefer residence (Wesley).

Essie and John Schaefer had been up all night worried about the whereabouts of Brenda. Essie, desperate to find her daughter, had called former boyfriend of Brenda, Jim Rush, to help search for her during the early hours of that Sunday morning. Mike, Essie, Jim and Brenda's

brothers had no luck. Suspiciously enough, at around 4:17 a.m. Ignatow called the police to report that Brenda was missing. The next morning, everyone gathered in the Schaefer home to await news from the police. The most hysterical of them all -- crying, hopeless -- was Mel Ignatow (Hill 27). Wesley knew Ignatow was a prime suspect. After all, he was the last person reported to see her, and it was after the date with Mel that Brenda did not return home. Linda Love, Tommy Schaefer's girlfriend, had given Wesley a rundown of Ignatow's sexual behaviors with Brenda. Love had been told about them by Brenda while out to dinner - even more reason for Wesley to suspect Mel (Wesley).

Ignatow gave Wesley his version of what happened the night before during an interview conducted by Wesley and partner Bob Perkins in Mel's Jeffersontown home. Brenda had agreed to go on one final date with Mel to establish closure and return the jewelry. At around 3 p.m. Ignatow was picked up by Brenda. Normally he would be driving his Corvette but didn't drive due to reported tire problems. This didn't make sense because Mel was driving his Corvette the following morning (*WLKY*). They had driven around aimlessly and then to Oxmoor Shopping Center arriving about 6:30 p.m.; the couple then drove to Captain's Quarters around 9:00 p.m., and lastly, Brenda dropped Mel off at his mother's home around 11:30 p.m. Mel then told Wesley he went to Skyline Chili near Plainview Shopping Center around midnight and ordered spaghetti and chili with a soft drink. Wesley, being the clever detective he is, stopped by Skyline Chili and asked the manager if he had seen Mel Sunday morning. The manager told Wesley he didn't remember seeing him. On Monday morning, assistant Skyline Chili manager, Robert Longshore, told St. Matthews Police Department he had seen Mel that Sunday morning but no

trace of Brenda. St. Matthews detective Jim Ennis went through several neighborhoods in the area but nobody had seen Brenda (Hill 32, 33).

I asked Jim Wesley about the day of the first interview. “ I absolutely thought from the beginning Mel did it (killed Brenda). I met Mel that day of the reported crime and met with Mel in J-Town with my partner Bob Perkins. We developed a strategy outside the house but before we could knock on the door Mel came out of the house very excited to talk to the police. Mel knew a lot more than what he was telling.” Wesley continued about Mel’s suspicious character, “Mel tried to control any police or FBI interview. Mel wanted to ask more questions than he wanted to answer. He was firing off questions from day one. He was asking so many questions because he wanted to know what the police knew. Get inside their heads.” Concerning his experiences with Ignatow, Wesley continued, “He would always get on my nerves. Calling me by my first name all the time and acting like we were buds” (Wesley).

Part 4

At the beginning of the case there was no hard, physical evidence linking Mel to the disappearance of Brenda. Yet, due to his suspicious actions and stories regarding his past relationships, Jim Wesley couldn’t help but believe he was the prime suspect. Wesley would make it his number one priority to lock up Ignatow. Media was already developing a case against Mel. A newspaper article written in the *Courier Journal* by Ellie Brecher depicted Mel as “the last person to see her” and made Brenda and Mel sound like a dysfunctional couple (Cox). The article made the Louisville community hate Mel. Not only did Detective Wesley think that Mel was the killer, the majority of Louisville did. Mel would need a lawyer, and a good one at that. Enter Charlie Ricketts.

Ricketts graduated from Louisville's Bellarmine University with a psychology degree in 1965, and from University of Louisville School of Law in 1968. He used his degrees to land a job with the FBI, working as an agent in South Dakota, Minnesota and Washington, D.C. Ricketts also worked as an assistant commonwealth's attorney in Jefferson County as well as being a former president of the Louisville Bar Association (Hill 154). Mr. Ricketts was very helpful during our interview giving very thorough information and providing me with a television documentary to watch regarding the case.

Ricketts knew Ignatow well before the disappearance of Brenda. Ignatow had previously pled guilty to two counts of tax evasion in 1984. Mel served thirty days in prison as well as being fined \$2,500 (Hill 45). According to Ricketts, while Ignatow was serving his tax evasion sentence in 1984, Ignatow was still maintaining his job as a salesman. His boss never knew he went to jail and thought Mel was taking an extended vacation. Mel would call his boss from his "vacation" and even went to the stretch to send him a letter in jail that said, "Having a wonderful time here. Wish you could join."

I had the pleasure of meeting with Mr. Ricketts in his quaint St. Matthews office located just down the road from Trinity High School in Louisville. We discussed the day that Brenda went missing. "Mel called me on a Sunday morning about ten minutes before eight o'clock saying that he needed help. Brenda was missing. Mel wanted to talk to the police." Later that day Ricketts, the Jefferson County Police Department, and Ignatow met in Ricketts' office to take a recorded statement (Ricketts).

On the opposite side of the legal process, Scott Cox, was working as a prosecutor in the United States Attorney's office and was assigned to the investigation. Cox was only 27 years old

at the time. “It was not uncommon for young prosecutors to be given kidnapping cases to work with,” Cox told me in his Main Street. office during an interview. “Mel was just goofy,” Cox laughingly told me. “When he sat down his knees came up to his face.” Cox knew Mel was desperate to prove himself innocent. In Mel’s mind, the *Courier Journal* had slandered Mel’s reputation. “The best way for him to prove himself was to get in front of the Grand Jury. If he testified successfully it will make him look innocent” (Cox).

In October of 1989 Cox called Ricketts to suggest that Mel go in front of the Grand Jury. Ricketts was opposed, as no sane lawyer would let their client go in front of a federal grand jury; but Mel insisted he wanted to do it. Mel would do anything to clear his name. Ricketts told me in our interview, “I advised against it but wrote a letter for him to sign that he understood what he was agreeing to do. When you become a lawyer, the client is the boss” (Ricketts). In mid October 1989 Cox met with Ricketts and Ignatow to prepare Ignatow for the sort of questions he would be asked. Ignatow was in tears complaining about his horrible reputation caused by the *Courier Journal*. Cox was thrown off but proceeded with the meeting and worked with Ignatow (Cox).

In the American judicial system, the grand jury listens to evidence presented only by the prosecutors, to determine if there is enough evidence to issue an indictment against a potential defendant. The standard of proof is low--a grand jury must only believe there is probable cause to believe the defendant committed the crime and the defendant does not get to present proof on his or her behalf. This grand jury standard is so low and so favorable to the government, that a New York state appellate judge, Sol Wachtler, stated once in a 1985 *New York Daily News*

interview that government attorneys have so much influence with grand juries that they could persuade them to “indict a ham sandwich” (Black’s Law Dictionary).

October 16, 1989 was the date set for Ignatow’s grand jury appearance in the federal courthouse located at Sixth and Broadway. Cox assisted Ignatow into the grand jury room, taking note of how skinny and clumsy Ignatow looked. Ignatow’s testimony lasted almost four hours. Cox had a plan: start off with some inviting questions regarding Mel’s family and work history, but then hit him with questions regarding Brenda and his sex life with Mary Ann Shore:

Cox: “Have you all had sex this year?”

Ignatow: “Yes.”

Cox: “How many months from the time Ms. Schaefer disappeared in September of 1988 until you were sleeping with Ms. Shore?”

Ignatow: “Gosh... I don’t know... it was after the first of the year. I can’t remember exactly when... Not on a regular basis. We’d just see each other once in awhile. I think it was more a need on my part than anything else... an emotional and physical supportive type of thing.”

Ignatow was trying to win the jury’s sympathy. In a way he was feeling sorry for himself saying how he needed “support” from Mary Ann Shore. At that point he was up to his head in credit card debt, had no income, and was taking multiple medications for heart problems, blood pressure and high cholesterol (Hill 120). Ignatow didn’t have much going for him. Cox continued with the prosecution:

Cox: “Did you ever put a rag soaked with chloroform over Brenda’s mouth while she was sleeping?”

Ignatow: "... I have bad allergies and I take shots for it... you know, I get stopped up at night and I take a handkerchief or Kleenex to bed with me quite often, and Brenda gets stopped up occasionally..."

Cox: "Did you all put it on each other's faces, or did you put it on your own?"

Ignatow: "Oh no, just use it ourselves if we needed to. But, I mean, you know how you'll get playful sometimes..."

"He began to become nervous after I asked him about the chloroform. He was desperate to recover" according to Scott Cox (Cox). Ignatow continued with trying to win the jury's sympathy. He talked about his drinking problems, how he had been mixing his medications with alcohol. He had apparently been suicidal but found faith after joining Southeast Christian Church where he "found God." Cox starting digging a little deeper:

Cox: "Do you think God knows what happened to Brenda Schaefer?"

Ignatow: "God knows everything. He doesn't necessarily tell us everything, but yes."

Cox: "Did you kill her, Mel?"

Ignatow: "No. Absolutely not. I did not kill her. I would not have laid a finger on that woman."

Remember that throughout his entire testimony Mel was under oath. Mel saying that he didn't kill Brenda would later come back to haunt him. Mel testified well according to Cox, he seemed honest, straight forward. However, there was one other person who wanted to testify and her testimony would destroy Ignatow: Mary Ann Shore (Cox).

Part 5

Mary Ann Shore lived in a small home at 4921 Poplar Level Road. The house was quite snug with two small bedrooms, a living room, a kitchen, and a small area to eat. Just days after

Brenda's disappearance Jim Wesley would go to the Poplar Level home to question Mary Ann Shore. Wesley asked the obvious, her connection with Mel, last time she saw Brenda, and so on. Mary Ann Shore at that time provided very little to no helpful information regarding Mel. Shore explained that she had broken up with Ignatow back in 1984 due to Mel's lack of interest in marriage. Ignatow simply viewed Shore as an item of sex; no actual feelings were attached. Wesley described Shore as "extremely unattractive" and "could not see what Mel would ever see in her" (Wesley).

But just a few months after Mel's grand jury appearance, Shore would release information that would change the course of the entire case. On the afternoon of January 9, 1990, Shore and her lawyer, Jack Vittitow, spoke with prosecutor Cox. "Shore refused to talk to the FBI", said Scott Cox, "but she was eager to talk to us" (Cox). A few hours into the interview, Vittitow and Shore in one room, and Scott Cox and a few associates in another, Vittitow entered Cox's room. "What if Shore knows where the body is?" All jaws dropped to the floor (Cox). The case was broken wide open. However, Mary Ann Shore was known for being a liar; she would have to take them directly to the body (Hill 171).

"Shore told us everything she knew" said Scott Cox (Cox). "According to Shore, Brenda was raped, sodomized, and murdered in Shore's Poplar Level home. Mel gave a list to Mary Ann with all the things he needed to torture Brenda. Shore got all the supplies. Mel also dug the hole in advance. Mel had tied Brenda down to the coffee table, raped her, took her to the bedroom afterwards and killed her with chloroform. Days before the murder Mel scream tested the house, having Mary Ann scream as loud as she could while he stood outside. Mary Ann took photos of

Brenda head down from Mel. Shore and Mel folded her body up, tied it together, put her in a garbage bag, and placed her in the hole” (Cox).

Because of Shore’s dramatic confession, Mel was arrested a few hours later. Jim Wesley believed that if he could get Mary Ann to record herself speaking about the body on tape, that would be enough to arrest Mel. Wesley, his partner Louis Sharber, and Shore went to Mary Ann’s new apartment to arrange a meeting between Shore and Ignatow. They plan was for Wesley to hide behind a closet and come out and arrest Mel. Mary Ann called up Ignatow to arrange a meeting but Mel did not feel comfortable being in the apartment; he thought it might be bugged by the FBI. Mel agreed to meet Mary Ann in the Ehrler’s Ice Cream parking lot located at 3231 Poplar Level Road. Wesley and his team adjusted to Mel’s request and put a body microphone on Shore. All she needed to do was get Mel to admit he killed her or make references to her murder (Wesley).

At 4:40 p.m. Mel pulled into the Ehrler’s parking lot. Mary Ann Shore got out of her car and into his:

Shore: “The property has been sold.”

Ignatow: “Fine, it’s been sold. Who’s it been sold to?”

Shore: “I don’t know who it has been sold to.”

Ignatow: “So let it be sold.”

Shore: “But what if they dig it up?”

After five minutes of ranting by Ignatow:

Ignatow: “Believe me, that’s not shallow. That place we dug is not shallow, so don’t let it get you rattled.”

Jim Wesley and his team didn't actually know whether an arrest could be made. Did he say, "that place we dug", or "that place we got"? It was hard to understand over the muffled body microphone. Mel slipped away back into his Corvette and made his way back to his home. Wesley, Sharber, Shore, and FBI agent Deirdre Fike returned back to Shore's apartment (Wesley). Shore began to explain more about the torturing of Brenda. She explained that Mel was very unsatisfied with his sex life with Brenda. Mel thought she was cold and wanted to help her by bringing her to Shore's apartment for "sex-therapy class." Shore also mentioned that Brenda's grave had been dug well before her murder back in August. Shore explained how Mel wanted her to get involved in the sexual acts but Shore felt uncomfortable and didn't want to be there. The coffee table in Shore's house had been where Brenda was tied up, face down, being raped and sodomized. Shore led them into the bedroom and explained how Brenda was killed on the exact bed (Hill 154).

After deliberation and debate, Jim Wesley and Lt. Sharber decided to arrest Mel Ignatow. One thing needed to be done first: find the body. The location of the body was dependent on Mary Ann's word. Around 6:10 that night Jim Wesley, Lt. Sharber and their commander, Major Charles Topp, went back into the damp woods behind Shore's old home to develop a search warrant. After enough evidence had been gathered, Jim Wesley met up with prosecutors John Stewart and Jim Lesousky. The three drove to Judge Olga Peers' house to have her sign it. Finally after hours of videotaping, photographing and recording the potential crime scene the digging could start. At 10:00 p.m. seven men would begin digging; the crime scene illuminated by generator-powered lights. The working conditions were difficult, wet and

swampy. At 11:30 the search was called off (Hill 154). Although the body wasn't found, Wesley still wanted to make the arrest happen.

At 2:00 a.m. Wesley went to Judge Peers house to confirm that there was a warrant for Ignatow's arrest. Wesley was excited to make the arrest, all systems were go. Before the arrest was made Wesley and nine other authorities including Maury Berthon, Lewis Sharber and William Hickerson devised a game plan in the Plainview Center Kroger parking lot. At 2:30 a.m. Jim Wesley marched up to Mel Ignatow's door. "Open up! It's the police" (Wesley). Mel came to the door, immediately being placed in handcuffs. His mother, Virginia Ignatow, was in a dead panic and began to shout "I'll call Charlie Ricketts! I'll call Charlie Ricketts!" Mel Ignatow was finally arrested. While Mel was being escorted out of the house, Charlie was coaching Virginia Ignatow through the arrest (Wesley).

The county police conducted a thorough search of the house to find a fraternity paddle in the garage with a leather strap attached, a dirty spade, and a camera with film inside. All items were sent to headquarters to be processed, analyzed, and fingerprinted. Cash bail was set at \$500,000. Mel pled not guilty. This was the beginning of Mel Ignatow's murder trial.

Brenda's body was found the next day by a German shepherd dog named Bingo. The four year old shepherd was trained by Kentucky State Police Sergeant Fred Davidson and lived in Eastern Kentucky. Bingo was born in Germany and from the start had a great nose. He had found many bodies prior to finding Brenda's. After Bingo identified where the body was buried the county police and evidence technicians began to carefully dig again (Hill 160). Brenda's body was pulled up exactly how Shore had described: folded over, tied up inside a garbage bag.

Part 6

On January 11 the case moved to the office of Commonwealth's Attorney Ernie Jasmin. The county grand jury indicted Ignatow on charges of murder, kidnapping, sodomy, sexual abuse, robbery and tampering with evidence. Mary Ann Shore was indicted only on a charge of tampering with evidence. Mel awaited trial from time he was arrested until December 2, 1991 in prison. Because of all the media attention in Louisville, Ignatow and Ricketts requested a change of venue with an unbiased jury. The case would be moved to Covington, Kentucky (Hill 154).

Charlie Ricketts would tell me in an interview that the change of venue played a significant factor in the case. "Yes, the area of dominant influence in that market was Cincinnati, not Louisville. I took a poll that said 92% of people in Louisville were following the case, and 78% of those people made up their minds that Mel was guilty. Because of this we had to move the case" (Ricketts). Investigator Jim Wesley thought the change of venue affected the trial negatively. "I don't think there should've been a change of venue. The jury in Covington was not interested in the case since it was around Christmas time and it had nothing to do with the Covington community" (Wesley).

Ricketts filed for venue relocation on September 12, requesting that the trial be moved to Kenton County or the Kenton County jury be brought to Louisville. The Covington jury was composed of six women and eight men sitting inside the Kenton County Circuit Court, Division 1. Just days before Mel Ignatow's trial, Mary Ann Shore pled guilty to tampering with evidence before Jefferson County District Judge, Steve Ryan. Because Shore would need to testify in Ignatow's murder trial, her sentencing would be scheduled for February 3, 1992, prior to Mel's trial which would ultimately drag on over eleven days (Ricketts).

Ernie Jasmin, a middle aged African American man who was known for being a “Preacher for the Prosecution”, would be the prosecutor for Ignatow’s murder trial. Ernie Jasmin also served as Jefferson Circuit Court judge from 1992-1999, after Ignatow’s trial. My father, Steve Pence, would tell me about a case he had in front of then Judge Jasmin. According to my father, Judge Jasmin’s loud and boisterous voice is unforgettable. Judge Jasmin enjoyed running the courtroom and criticizing other lawyers for slacking or not trying their best (Hill 200).

Mel Ignatow’s jury would be an excellent representation of the white Kenton County community: a clerk, a housewife, a department store associate, a nurse, a city maintenance employee, a retired school principal, a food system manager, a quality-control supervisor, a truck driver, a secretary, an IRS employee, a land appraiser, and several machinists. Only one member of the jury, the city maintenance employee, was black (Hill 171).

Jasmin’s opening statement in the courtroom was very brief. He described Brenda’s physical appearance at the time of the disappearance as well as noting that the car was found the day after she had been reported missing, Jasmin further speculated that the tire had been popped while the car was stationary, and that the front driver’s seat had been adjusted to fit a large man. The bulk of Jasmin’s opening had addressed the tape recorded by Mary Ann Shore, and what Shore had seen and heard on September 24, 1988. Jasmin also claimed that based on Shore’s testimony, Ignatow had dug Brenda’s grave weeks prior to the murder. The prosecution also asserted that Shore was unaware there would be a murder and that Ignatow said he was just going to “scare Brenda.” Jasmin then led the jurors through the details of rape, sodomy, photography, murder, and burial of Brenda (Hill 188).

After Jasmin's opening statement, he proceeded to play the fifteen minute tape of Mary Ann and Mel. Jasmin also briefly talked about Brenda's missing jewelry, that Mel had reported it missing and went to Tom Schaefer to get insurance off of it. Jasmin ended his speech by saying "I expect you to find Mel Ignatow guilty, and afterward I would ask you to sentence the defendant to death." Obviously Jasmin believed Ignatow was guilty, and that he could prove it beyond a reasonable doubt (Hill 190).

Ricketts gave his opening statement afterward, hammering on the prosecution's arguments. He argued there was no physical evidence linking Mel Ignatow to the murder of Brenda. There were no fingerprints, pubic hair, blood, semen, or abrasions to tie Mel to this murder. Ricketts cleverly pointed out that the car was vandalized and it may have been the vandals who moved the car, not Ignatow. Ricketts mentioned that the public and media put pressure on the police department to come up with a suspect. He mentioned Brenda's employer, Dr. Spalding, who insisted that Brenda often work late hours. Dr. Spalding was portrayed as a possessive, jealous person by Ricketts. Ricketts also implied that Shore was not a reliable source due to her history of theft. All of Ricketts' claims received objections from Jasmin during his opening. This would be the main rhythm throughout the trial (Hill 171). Ricketts and Jasmin going back and forth, Wesley giving a four hour long testimony against Ignatow, then being cross examined by Ricketts. All evidence was there, Mel was going to prison; Jasmin was even stretching for the death penalty.

After all testimonies and evidence was presented over the eleven days, the jury finally came to a verdict. "We find the Defendant not guilty." What? After all the evidence? How could the jury be so blind? After all the evidence: the fraternity paddle, the testimonies against

Igantow, the tape between Mel and Shore, all the testimonies explaining his sexual lifestyle even prior to dating Brenda. Jim Wesley was dumbfounded with the verdict; absolute shock took over. “The tape that Mary Ann Shore had recorded was obvious and the jury couldn’t put two and two together” he explained. All Wesley wanted was to put Mel in jail, but here he was, getting away with murder. “The biggest disappointment of my career quite honestly was not putting him in jail”, Wesley continued (Wesley).

Although Mel was found “not guilty”, that does not necessarily mean that the jury didn’t think he killed Brenda. A not guilty verdict does not equate to “innocent”--it means simply that there was not enough evidence to convict him of her murder. In criminal cases (as opposed to civil cases where the standard of proof is preponderance of the evidence), the standard of proof is the highest known in the law--beyond a reasonable doubt. This is because, when a person’s liberty is at stake, the law wants to get it right. The term was first discussed by the United States Supreme Court in *Miles v. United States*, 103 U.S. 304 (1880), in which the Supremes opined on page 309: “A juror in a criminal case ought not to condemn unless the evidence excludes from his mind all reasonable doubt; unless he be so convinced by the evidence....of the defendant’s guilt that a prudent man would feel safe to act upon that conviction in matters of the highest concern and importance to his own dearest personal interests.” (Black’s Law Dictionary)

Since the defense attorney’s job is to plant seeds of reasonable doubt in the jurors’ minds, Charlie Ricketts was pleased with himself. He had done an excellent job of defending Mel. All of Ricketts’ hard work had paid off. I asked Ricketts a few more questions regarding his representation of Mel:

Pence: “Did it make a difference to you whether Mel was innocent or not?”

Ricketts: “Well I am human, and you don’t remove that part of your personality when you get a law degree. Mel always denied it but I wouldn’t have been as efficient if I would’ve known.”

But something was going to bring Mel’s high to an end. Something nobody would’ve ever expected to happen (Ricketts).

Part 7

Mel Ignatow had signed his Plainview home, 10500 Florian Road, over to Ricketts as consideration to satisfy his legal bills. Ricketts then sold the house to a couple, the Watkinses, who began to refurbish the house. In June of 1992 the couple began to hate the ugly chocolate-brown carpet that dominated the living room. They scheduled installation of a new carpet for the upcoming October. On Thursday October 1st, workers began to pull up the carpet under which, in a hard to reach corner, was an air vent. Located inside the air vent was a zipper storage bag containing three rolls of undeveloped film, as well as all of Brenda Schaefer’s missing jewelry: a ring, a necklace, a tennis bracelet. The Watkinses promptly called FBI agent Deirdre Fike (Hill 200).

Once Fike arrived the photos were immediately taken to the photo lab to develop. What they would see would change the course of the Brenda Sue Schaefer murder saga. The images showed Brenda Schaefer tied to a coffee table, gagged, in the exact position Mary Ann Shore had described (Hill 201). There were a total of 112 photographs, each one getting progressively more vile. In the background of each photo was a man’s torso, genitals, and legs. Whoever the photographer was, assuming it was Mary Ann Shore, they had done an excellent job to never show above the chest of the man. The FBI and Jefferson County Police knew they had their guy. There was just one problem: Mel had been acquitted of murder and because of the Double

Jeopardy Clause of the Fifth Amendment to the U.S. Constitution. Mel could not be tried twice for Brenda's murder (Hill 202).

The Double Jeopardy Clause of the Fifth Amendment provides protection from retrial on the same or similar charges after a case is concluded--a deadlocked jury or mistrial does not constitute conclusion. The 1997 movie *Midnight in the Garden of Good and Evil* (based on the 1994 nonfiction book of the same name by John Berendt) comes to mind--the story of Savannah antiques dealer Jim Williams who was tried a record four times for the same crime, the murder of a male prostitute-- due to verdicts being overturned on appeal and deadlocked juries--until he was finally acquitted the fourth time on grounds of self defense (Black's Law Dictionary).

After all evidence had been analyzed and confirmed, Fike, the FBI, and the Jefferson County Police Department headed to Mel's apartment to make an arrest. Mel had been under a low profile ever since the murder trial and was definitely not expecting this. Ignatow came out of his apartment, dressed very casually, and walked towards his car. The media had already heard about the photos, perhaps Ignatow found out and was trying to skip town. Fike dashed across the parking lot, handcuffing Ignatow and driving him downtown. According to Ignatow, he was just going to get some ice cream and he was doing nothing wrong (Wesley).

Fike took Ignatow directly to the Louisville FBI Headquarters where he was ordered to strip down completely naked. Ignatow threw a tantrum ordering that Agent Fike be removed from the room because he did not want a lady in the room. Ignatow was then shown a court order that insisted Mel strip down in front of Fike and be photographed. Once all the photos in various positions were taken, they were compared to the original photos found on 10500 Florian Road. The pictures matched up identically. Now Ignatow could possibly be going to prison, but not for

murder. Ignatow went in front of the federal grand jury and said “I did not kill Brenda Sue Schaefer” just months before the murder trial. Because he lied under oath, he would be charged with perjury (Hill 220).

While all this was going down at the FBI Headquarters, Ignatow’s attorney Charlie Ricketts was with another client at his office in Saint Matthews. Charlie’s secretary pulled him out of his meeting due to an emergency phone call. On the line, Mike Ignatow, Mel’s son. Mike, hysterically crying, begged Charlie to help him change his last name. Charlie, confused, asked why he wanted to change his last name. Mike said that Mel just admitted to murder at the FBI Headquarters. “I went white,” Charlie explained in our interview, “I was absolutely shocked” (Ricketts).

Having been finally nailed as a murderer, Mel Ignatow confessed to the murder of Brenda Sue Schaefer on October 2, 1992 in the U.S. Attorney’s Office in front the Schaefer family. He assured the Schaefer family that Brenda had “died peacefully.” The Schaefer family finally had the satisfaction of Mel admitting his monstrous act.. Mel later went into the federal court house and made his confession in front of Judge Johnstone. Ignatow was sentenced to eight years in prison for perjury (Ricketts).

Before Mel was taken away he made one last statement: “I assume total responsibility for what I did. What I did was wrong and horrible, and there are reasons, but I’m not going to get into that because there are no excuses. I just wanted to say to Brenda’s family that I am very sorry this happened. I know all the pain and sorrow and suffering I have caused you. I have felt it myself. And I want to apologize to my own family for the same reason. I want to also apologize to all the law-enforcement agencies and to the judicial system, local, county, state, and federal,

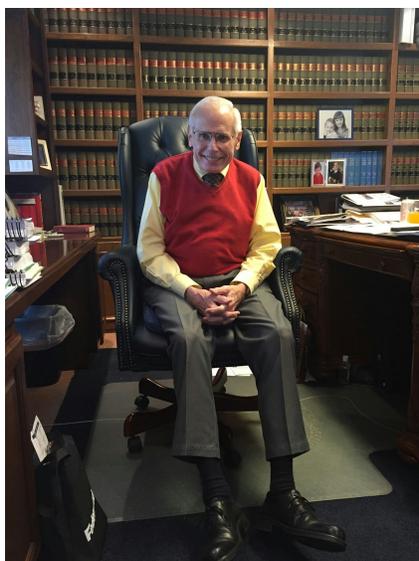
for all the grief and burden I've caused them. It was not my intent to do that. I just hope and pray that all of you will forgive me as I ask for forgiveness from God. And I hope that there's some unknown way that God will bring about some good from this. Because I know the Bible says in all things God works for the good of those who love." The Schaefers stared in disgust (Hill 225).

Mel served five of his eight year sentence due to the time he already spent in prison awaiting his murder trial. Ignatow served at the Federal Correctional Institution McKean near Bradford, Pennsylvania. Mary Ann Shore served her five years at Kentucky Correctional Institute for Women in Shelby County, Kentucky. She was released after three years for good behavior. Mary Ann Shore died at age 54 in 2004 from heart complications at Hospice & Palliative Care of Louisville's inpatient unit at Norton Healthcare Pavilion. Mel Ignatow died September 1, 2008 in his Bardstown Road apartment. Poetic justice took its toll; Mel Ignatow tripped and fell onto his glass coffee table and bled to death. He was found the next day. The Schaefers continued their life quietly. They embraced family after Brenda's confirmed murder and tried to live happily afterwards (Hill 227).

Photos



Scott Cox during our interview in his Main St. office.



Charlie Ricketts during our interview his St. Matthews office.



Charlie Ricketts and I during our interview.



Detective Jim Wesley (courtesy of louisville.ky.gov)