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### Who killed Jackie Shireman?

More than 30 years after young Dubuque woman was brutally stabbed, the case remains unsolved

BY MATTHEW RYNO TH STAFF WRITER

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Jackie Shireman

She was a 21-year-old newlywed, a Sunday school teacher and an aspiring actress. It was just inside of 1975 when Jackie Shireman was cut down in the prime of her life at the hands of a killer who stabbed her 30 times -- a killer never convicted of the crime.

More than 30 years after the brutal unsolved murder, Shireman's family members remember a young woman with so much potential, so much to live for. They hope the Dubuque Police Department still thinks about her, too.

Shireman, a waitress, was found stabbed with a scissors and left for dead in the restaurant's walk-in cooler.

The investigation continues into the case, but there appears to be little progress and few new leads.

A trial returned no homicide conviction -- something that reportedly hit hard for Pat Egan, captain of the Police Department's criminal investigation division at the time. Some of Shireman's family members harbor anger about the trial, especially the witnesses who refused to testify.

The memories and the pain remain.

"We were playing cards with my best friend and her brother-in-law was there. And how, I don't know, but we got talking about this. We must have had a half-hour or an hour conversation about it all. We

always think about it," said Shireman's mother, Wilma Spear.

The following is the story of a long cold Dubuque murder, its lasting scars on a quiet family and their hope that the case will finally be solved.

#### Unanswered questions

It was nighttime, Jan. 4, 1975. Rick Spear, Shireman's brother, said he remembers visiting his sister and everything seemed fine. Around 6:40 p.m., about an hour later, Shireman reported to her boss that things had slowed down at the restaurant. The day was winding down after a busy afternoon.

But when customer Albert Fortier walked into Marino's Meal on a Bun around 7:45 p.m. and wanted a cup of coffee, something wasn't quite right.

After about 10 minutes of waiting, he poured himself a cup and looked around to pay. What he found was Jackie Shireman lying in a

Today, the Telegraph Herald brings you the first installment in our periodic series, "Unsolved Tri-State Mysteries."

TH reporters throughout the upcoming year will take a fresh look at some of the area's most notorious crimes -- cases that have long gone unsolved.

We begin with a fresh look at the gruesome murder of Jackie Shireman, reportedly stabbed 30 times with a scissors in a Dubuque restaurant in early 1975. One man accused of the crime was acquitted following a two-week trial in 1977. Shireman's family still holds out slim hope that justice will be served.

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pool of blood in the walk-in cooler. The tips of a pair of scissors used to repeatedly stab Shireman were bent from the force of the attack.

would like the TH to feature.

Two patrolmen arrived after an elderly couple flagged them down about 8 p.m.

In a recent TH interview, Rick Spear recalled arriving at the scene and how he had to be restrained from entering the restaurant. He also is critical of how the initial investigation was handled.

"I'm not exaggerating, there [were] 30 cops in that building when I got there," he said. "If there was any evidence there, they trampled over it. I think protocol would tell them to stay away."

Soon after the police arrived at the crime scene, Egan took the lead on the case and had about 10 officers and five agents from the Iowa Bureau of Criminal Investigation working overtime to find the killer.

Egan died late last year, and many of the officers working the case at the time have moved elsewhere, out of immediate contact, according to Dubuque Assistant Police Chief Terry Tobin.

Early in the investigation, things appeared hopeful, Egan said in a 1975 TH article. A witness told police she saw two men -- one about 20 years old and one about 35 years old -- leaving Marino's minutes after the estimated time of the homicide.

A little more than \$100 was missing from Marino's cash register. Investigators had trouble deciding whether the motive was robbery. Egan believed it was, and that Shireman might have resisted the robbery.

Wilma Spear disagrees robbery was the motive, or that her daughter would fight a robbery. In the Jan 5, 1975, edition of the TH, John Marino, the restaurant's owner, said he and Shireman previously had discussed what to do in the event of a robbery.

"I told her to lay out the carpet to the cash register," he said at the time.

Sources later told the TH a break in the case came two years later from information provided by local criminals.

But Dubuque County District Court Judge Robert Curnan remembers a lack of evidence in 1977, when a grand jury in Dubuque indicted Steven Moore in Shireman's death.

Moore was a 21-year-old Dubuquer serving a term of up to 10 years in the Iowa State Penitentiary on a burglary charge. During the trial, Moore openly spoke about burglaries he said he committed at the time, effectively giving him an alibi and deflecting the homicide charge.

"As time went on, Capt. Egan I think thought it was this guy the whole time. I wanted them to just be done with it," Wilma Spear said. "At the time they had a bunch of witnesses. But during the trial they all backed out."

One witness reneged on testimony and two witnesses refused to testify. Blood evidence found at the scene also did not link Moore. No footprints, fingerprints or palm prints matching Moore were found in the restaurant.

The jury, after about six hours, came back with a not-guilty verdict.

Spear said she was angry at the witnesses for not testifying and for potentially leading a case into trial with their earlier statements.

"When it was through, I met Capt. Egan on the street one time and told him, 'Would you please take all the stuff you got down at the police station and bury it out over by (the cemetery) with her ...' she said.

Following the trial, Egan told the TH a lot of things bothered him about the case.

"The main thing is the verdict, but that's life. That's our form of government," he said. "We have to live with it."

Capt. Mark Dalsing, head investigator of the Dubuque Police Department, said the case remains open, although he could not recall the last time any headway was made.

Dalsing said he makes it a policy to assign all new investigators to old cases to "see if a new perspective can help our case."

Much has changed over the past three decades, not the least of which are the advances in forensic science driven by DNA profiling.

"States have been tracking these advances and trying to resolve old cases," Dalsing said. "The accuracy is just incredible with this. It's made cases and broken cases."

However, Dalsing did not know if DNA tests could be used in this case.

Tobin said the accuracy of the blood samples taken in 1975 could impact the accuracy of a modern-day DNA test.

As police continue to examine cases whenever new information comes in, the Spear family continues to move forward with their lives. Addressing the ghosts of the past has not come easily, however.

### **The haunting memory**

Shireman was 21 years old, married for three months and on her way to a new path in life, Spear said.

"We started to get close again (with Jackie) -- that's what made it bad. I felt I wasn't with her as much as I should have been," the mother said.

A member of the first graduating class at Hempstead High School, Shireman had a love for theater, family members said. After high school, she was asked to perform in a play at Loras College. She also mentored children where she taught at her church's Sunday school and the children wrote her letters.

"She was an outgoing person," Spear said.

But the Spears were cautious in describing Shireman's friends, noting they had "rough" backgrounds.

Mixed with the warm memories are traumatic stories about the aftermath of the homicide.

"By the time we got back from the police station (upon hearing the news of Shireman's death), all my sisters and brothers were at my house," Wilma Spear said. "My husband, he was pounding the wall and cursing a blue streak. Then he would say to the pastor, 'I'm sorry,' and the pastor would say he would do the same thing. Then he'd go right back at it."

"Whereas I just kind of sat there -- I couldn't even cry."

Spear said her daughter's husband, James Shireman, would go to the cemetery and sit by Jackie's grave site.

"Finally our pastor told him, you don't have to go out there, she's not there. Then he didn't go out anymore."

Six months after the homicide, James Shireman drowned while swimming with friends off a Mississippi River sandbar south of East Dubuque, Ill. A Jo Daviess County Coroner's inquest ruled his death an accident.

While working on a project at Betty Jane Candies a few years after the murder, Spear recalled, "it hit me. I was in the building all by myself and I ran through all this stuff in my head. I had kind of blamed myself a lot."

Rick Spear, Jackie's brother, said a few years following the murder he quit his job as a salesman. Being alone with his thoughts was too much to handle at the time. Every major life and death marker -- birthdays, anniversaries -- brought all the painful memories back.

"I think what it would have been like for my sister. You think about it all the time -- you have flashes," he said.

### **Moving on**

Where the Marino's restaurant once stood, children can be seen happily going down a slide and playing with friends. A new generation of children at Prescott Elementary School seems oblivious to the gory past. A few years ago, the building that stood on the site where Shireman was killed was demolished to make room for the school.

Rick Spear said he's grateful for the children's ignorance about the crime. He said in some ways children in the Spear family remain isolated from the tragedy.

Thomas Spear Jr., Shireman's brother, was 11 at the time of his sister's death. He said he remembers bits and pieces.

"When I first came back from Kansas City, I stopped at her grave site. I told my younger son who was 15 at the time. He didn't even know about it," he said.

Once reticent about talking about the case, Wilma Spear said she now talks openly about it.

"I would tell anybody who would ever go through something like this to talk about it and not keep it bottled up," she said.

She credited her faith, family, co-workers at Betty Jane and members of her church for helping her out when she needed support.

"We had a neighbor who went up and down the street and took collections because they knew we didn't have any money. At that time, \$700 or \$800 was a lot of money," Spear said. "I didn't even know the neighbor

did this. She came to the door a few days later, and had a box. How far she walked, I didn't know."

She firmly believes her daughter is "in a better place," and believes punishment has come to the killer.

"I feel that the Lord took care of whoever done it," Spear said.

Thomas Spear -- though he remembers little -- wrote an essay about capital punishment in school after Jackie's death.

"I found your paper and read it," said Wilma Spear to her son, "and your teacher said, 'I know now why you feel the way you did.'"

Forgiveness doesn't come easy.

"I know as a Christian I'm supposed to say 'I forgive you,' but I don't know if I really could and mean it," Wilma Spear said.

As for the current investigation, members of the family are holding onto hope, however slight it might be.

"The longer it goes, the harder it seems the case will ever be closed," Rick Spear said. "I still hope they find someone or something that happened that would explain this a little better, other than what we've been told."

"I know there's someone out there who does know, and they're probably just afraid to come forward. Now they probably think it's too late," he added. "I can't see anybody, after 30 years, holding something like that in if they knew something, how they could possibly live or raise their family."

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