

**OAKLAND COUNTY**

# Widow blasts Oakland prosecutors' handling of murder retrial



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The Detroit News

Oct. 30, 2025, 1:16 p.m. ET

The widow of a man killed in 2010 in Farmington Hills and her attorney say the Oakland County Prosecutor's Office is neglecting its duties in the [retrial of the man](#) convicted of killing her husband.

Genniver Jameel, the widow of Saif Jameel, said she is frustrated about what she sees as corruption in the prosecutor's office and courtroom maneuvers strip away the justice her family got in 2011 when Hayes Bacall was sentenced to life in prison for the first-degree murder of her husband. Bacall is in the process of being retried for Saif Jameel's murder after the Court of Appeals vacated his conviction in April.

"We are living through hell every single day -- grieving Saif while fighting a system that seems determined to silence us," Jameel told The Detroit News in a statement. "Instead of finding support and accountability through the court system, we have faced betrayal and corruption that has only deepened our suffering."

Hayes Bacall was [sentenced to life in prison without parole](#) in 2011 for the July 2010 murder of his nephew Saif Jameel. Prosecutors say Bacall walked into the gas station Jameel owned and shot him 12 times, then later told police he killed Jameel because Jameel owed him \$400,000.

The Oakland County Conviction Integrity Unit reviewed the case in 2022 and determined that prosecutorial misconduct related to lies the prosecutor told during

closing arguments, as well as witnesses recanting their testimony, resulted in a weak conviction.

Prosecutors and Bacall's attorneys agreed to move forward with a second-degree murder charge instead of the original first-degree murder charge in 2023, but new evidence has again come up, pausing justice for Saif Jameel again.

Prosecutors obtained recordings in May and July of two phone calls that one of the recanting witnesses, Samir Bacall, Saif's younger brother, had with his aunt. In the calls, Samir implies he lied during his recantation and was truthful in his original testimony. He expresses a desire for revenge on Genniver Jameel because she allegedly owes him money.

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Though prosecutors transcribed translations of the calls in time to include them in their response to Hayes Bacall's motion to dismiss the first-degree murder charge, prosecutors did not mention them in public court filings until days after Oakland County Circuit Court Judge Mary Ellen Brennan granted Hayes Bacall's motion Oct. 15 and dismissed the first-degree murder charge. Assistant Prosecutor David Williams said Brennan knew about the filings from off-the-record conversations, but they were not introduced to influence her decision on the first-degree murder charge.

The first mention of Samir's statements came in a motion for reconsideration of Brennan's decision filed after 5 p.m. Oct. 20, the day before Bacall was set to plead guilty to second-degree murder. The recordings call into question the validity of Samir's recantation and his motives for his original trial testimony, Assistant Prosecutor Shelbee Sanborn wrote in the motion for reconsideration.

Brennan said the late filing was "stunning" and said "I've never seen anything like this."

Sanborn during a hearing Oct. 21 told Brennan she had to work "very quickly" to get this motion filed and did it as soon as she could, but did not say why the information was not included in her response to Bacall's motion to dismiss the first-degree murder charge. Prosecutors filed the motion after The News inquired Oct. 16 about the recordings and why they weren't brought up.

Sanborn wrote in her motion that she did not have a chance to tell Brennan about the new evidence, including the recordings and another witness who could testify to premeditation, on Oct. 15 when Brennan ruled on the motion. Sanborn is asking Brennan to reconsider her ruling dismissing the first-degree murder charge for Bacall.

"The existence of the phone calls was never a secret. They were disclosed to the defense and we made the court aware of their existence," said Chief Assistant Prosecutor David Williams. "We didn't believe that the phone calls were relevant to the motion to dismiss, which is why we didn't attach them to our response."

Genniver Jameel's attorney, Pam Szydlak, said the prosecutor's office's conduct is "nothing short of alarming."

Jameel and Szydlak said Sanborn told them she would be fighting for the first-degree charge to remain in place, and would be mentioning the recordings in her response and at the hearing on Bacall's motion to dismiss the first-degree murder charge. Sanborn did not mention it, however, and argued only that prosecutors were not barred from proceeding with the first-degree case in her written response.

"The People were given a full and fair opportunity to defend against this motion, yet they failed to do so in any meaningful or competent way — all the while pretending they were fighting it," Szydlak said. "Rather than engage with real legal issues and the transcripts of Samir Bacall saying he lied in his recantation, they instead offered vague assertions, unsupported rhetoric, and outright neglect of its duty to the court and the interests of justice."

Williams said no one has denied Hayes Bacall shot and killed Saif Jameel, and the prosecutor's office has continued to fight to hold him accountable for his actions. Prosecutors are now seeking to have Bacall tried again for first-degree murder.

"Those recordings are attached to our motion for reconsideration, and the Judge has agreed to consider them," Williams said in a statement. "The Oakland County Prosecutor's Office has fully pursued a transparent and thorough review of the case against Hayes Bacall for the death of Saif Jameel."

Samir Bacall, Saif's younger brother, originally testified that Hayes Bacall had called him multiple times in the months before the shooting, saying he was going to kill Saif because of the money he owed him. Samir and Jameel's close friend Slieman Bashi said in 2022 that they lied during the trial about these statements, which was part of why prosecutors decided to reopen the case and [seek to overturn Bacall's conviction](#).

In the recorded conversation, Samir told his aunt "she harmed me," speaking of Genniver.

"Yes, but you don't go to seek your revenge on her by going and changing your testimony," the aunt said, according to a translated transcript of the phone call.

Samir talks mostly about seeking revenge on Genniver, because he says she sought revenge on him and took his money, but also said "I did not testify falsely, no, I didn't lie ... Geniver Geniver (sic) is the one who testified falsely, not I."

Bacall's attorney, Mark Krieger, said during a hearing Oct. 21 that he didn't think the recording changes anything and that Brennan should not change her ruling about the first-degree murder charge. He said Bacall was prepared that day to plead guilty to second-degree murder. Krieger did not respond for comment.

Brennan will issue a written ruling on Sanborn's motion for reconsideration. Bacall's next court date is Dec. 4.

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