



1  
00:00:25,990 --> 00:00:23,910

[Music]

2  
00:00:28,710 --> 00:00:26,000

hello this is martin willis your host

3  
00:00:30,550 --> 00:00:28,720

welcome to the everything else show

4  
00:00:33,190 --> 00:00:30,560

it's going to be a great one tonight

5  
00:00:34,630 --> 00:00:33,200

um you know several months ago one of my

6  
00:00:36,069 --> 00:00:34,640

friends uh

7  
00:00:37,270 --> 00:00:36,079

contacted me and said hey you gotta

8  
00:00:39,990 --> 00:00:37,280

watch this

9  
00:00:40,869 --> 00:00:40,000

series on netflix it's really something

10  
00:00:43,510 --> 00:00:40,879

else

11  
00:00:45,510 --> 00:00:43,520

so i watched the first show of making a

12  
00:00:47,029 --> 00:00:45,520

murder and it was like wow you know it's

13  
00:00:48,389 --> 00:00:47,039

interesting but then i started to watch

14

00:00:50,069 --> 00:00:48,399

a second one

15

00:00:52,470 --> 00:00:50,079

and i

16

00:00:54,709 --> 00:00:52,480

was hooked i had to watch

17

00:00:56,549 --> 00:00:54,719

you know like once or twice a day i'd be

18

00:00:58,869 --> 00:00:56,559

tuning in and watching and i couldn't

19

00:01:01,670 --> 00:00:58,879

get over how many twists and turns

20

00:01:03,510 --> 00:01:01,680

of events that were uh stranger than

21

00:01:05,590 --> 00:01:03,520

fiction if you ask me i kept shaking my

22

00:01:07,270 --> 00:01:05,600

head and thinking how could this stuff

23

00:01:09,830 --> 00:01:07,280

really happen

24

00:01:11,030 --> 00:01:09,840

now i realize that there are two camps

25

00:01:13,270 --> 00:01:11,040

uh

26

00:01:16,550 --> 00:01:13,280

when it comes to this case the stephen

27

00:01:19,990 --> 00:01:16,560

avery case and uh one of them being that

28

00:01:23,429 --> 00:01:20,000

uh avery was framed for the uh teresa

29

00:01:25,749 --> 00:01:23,439

halbach murder back in 2005.

30

00:01:28,230 --> 00:01:25,759

and uh you know i got to tell you i was

31

00:01:29,590 --> 00:01:28,240

part of that camp uh as i was watching

32

00:01:32,710 --> 00:01:29,600

this series

33

00:01:35,270 --> 00:01:32,720

uh you know toward the end and camp two

34

00:01:36,950 --> 00:01:35,280

is the uh he done it camp

35

00:01:38,710 --> 00:01:36,960

and uh which i have to say that i've

36

00:01:40,870 --> 00:01:38,720

actually moved over to

37

00:01:43,990 --> 00:01:40,880

and that's only after i looked into this

38

00:01:45,990 --> 00:01:44,000

really deeply from all angles and we're

39

00:01:48,310 --> 00:01:46,000

going to talk about that

40

00:01:50,149 --> 00:01:48,320

tonight some of the things that changed

41

00:01:52,710 --> 00:01:50,159

my mind

42

00:01:54,870 --> 00:01:52,720

and i'm not here tonight to try to

43

00:01:57,109 --> 00:01:54,880

change anyone's mind at all

44

00:01:59,030 --> 00:01:57,119

just to talk about

45

00:02:01,749 --> 00:01:59,040

evidence things that have

46

00:02:04,630 --> 00:02:01,759

uh not planted evidence but just plain

47

00:02:05,670 --> 00:02:04,640

evidence that have you know has come out

48

00:02:08,389 --> 00:02:05,680

um

49

00:02:11,190 --> 00:02:08,399

and i've already been attacked by the

50

00:02:12,150 --> 00:02:11,200

uh avery's innocent uh camp and that's

51  
00:02:13,430 --> 00:02:12,160  
okay

52  
00:02:15,589 --> 00:02:13,440  
um

53  
00:02:17,589 --> 00:02:15,599  
you know we do have a chat room and uh

54  
00:02:19,750 --> 00:02:17,599  
the chat room here live if you'd like to

55  
00:02:21,830 --> 00:02:19,760  
join it and ask great questions that's

56  
00:02:22,949 --> 00:02:21,840  
wonderful but please keep it clean play

57  
00:02:24,630 --> 00:02:22,959  
nice

58  
00:02:28,550 --> 00:02:24,640  
tonight's guest

59  
00:02:31,510 --> 00:02:28,560  
is michael griezbaach and michael is

60  
00:02:33,509 --> 00:02:31,520  
a manitowoc county prosecutor

61  
00:02:36,550 --> 00:02:33,519  
and has been the assistant district

62  
00:02:39,589 --> 00:02:36,560  
attorney since 1991

63  
00:02:41,830 --> 00:02:39,599

he stresses that tonight's interview

64

00:02:44,710 --> 00:02:41,840

his books and his comments about avery

65

00:02:46,710 --> 00:02:44,720

related cases are his alone

66

00:02:49,110 --> 00:02:46,720

that he does not speak for any

67

00:02:52,470 --> 00:02:49,120

prosecutor's office or the wisconsin

68

00:02:55,350 --> 00:02:52,480

innocent innocence project where he was

69

00:02:58,229 --> 00:02:55,360

a former board member

70

00:03:00,550 --> 00:02:58,239

well with that i would like to introduce

71

00:03:04,710 --> 00:03:00,560

our guest tonight

72

00:03:10,149 --> 00:03:08,070

uh mike i would uh like for

73

00:03:11,350 --> 00:03:10,159

the person that has

74

00:03:14,309 --> 00:03:11,360

never really

75

00:03:17,190 --> 00:03:14,319

watched making a murderer um if you can

76

00:03:20,309 --> 00:03:17,200

just give a real quick um overview of

77

00:03:22,470 --> 00:03:20,319

going all the way back to the 1985 case

78

00:03:24,949 --> 00:03:22,480

but as quickly as you can the two-minute

79

00:03:28,070 --> 00:03:24,959

version if you can possibly do that on

80

00:03:29,589 --> 00:03:28,080

what happened uh with uh stephen

81

00:03:31,350 --> 00:03:29,599

avery to begin with which was an

82

00:03:33,270 --> 00:03:31,360

atrocities if you ask me

83

00:03:34,949 --> 00:03:33,280

like to okay i think it's can you hear

84

00:03:37,509 --> 00:03:34,959

me joseph

85

00:03:39,750 --> 00:03:37,519

i can mark you yes you hear me okay

86

00:03:41,910 --> 00:03:39,760

okay i'm so sorry about that i think

87

00:03:44,149 --> 00:03:41,920

we're on the same page now you were

88

00:03:46,390 --> 00:03:44,159

asking about a quick overview of the yes

89

00:03:50,550 --> 00:03:46,400

you did hear that okay

90

00:03:53,670 --> 00:03:50,560

okay i did all right so yes for those uh

91

00:03:56,309 --> 00:03:53,680

who don't know um the stephen avery case

92

00:04:00,869 --> 00:03:56,319

and really it's a 30-year saga at this

93

00:04:04,630 --> 00:04:00,879

point uh it started in 1985 and

94

00:04:08,550 --> 00:04:04,640

he was charged and convicted at trial of

95

00:04:11,030 --> 00:04:08,560

a brutal assault a rape and an attempted

96

00:04:13,509 --> 00:04:11,040

murder charge on the lake michigan

97

00:04:17,590 --> 00:04:13,519

shoreline here in manitou county

98

00:04:20,710 --> 00:04:17,600

uh in a summer day in 1985

99

00:04:23,350 --> 00:04:20,720

he spent 18 years in prison

100

00:04:26,070 --> 00:04:23,360

because of that conviction now six of

101  
00:04:29,189 --> 00:04:26,080  
those years six of the 18

102  
00:04:31,749 --> 00:04:29,199  
were actually the result of a concurrent

103  
00:04:33,749 --> 00:04:31,759  
uh sentence for a crime that he was

104  
00:04:36,870 --> 00:04:33,759  
rightfully convicted of

105  
00:04:38,629 --> 00:04:36,880  
uh that he pled into that was actually

106  
00:04:40,629 --> 00:04:38,639  
those who watch making a murderer will

107  
00:04:43,590 --> 00:04:40,639  
be familiar with it

108  
00:04:45,430 --> 00:04:43,600  
because it involved his ramming a

109  
00:04:47,670 --> 00:04:45,440  
a vehicle into

110  
00:04:49,430 --> 00:04:47,680  
a woman's vehicle his cousin actually i

111  
00:04:52,710 --> 00:04:49,440  
think a second cousin who lived up the

112  
00:04:54,950 --> 00:04:52,720  
road and then holding her at gunpoint

113  
00:04:57,350 --> 00:04:54,960

he pled guilty to that that was sort of

114

00:04:58,950 --> 00:04:57,360

passed off in the documentary making a

115

00:05:00,710 --> 00:04:58,960

murderer as

116

00:05:02,870 --> 00:05:00,720

a sort of

117

00:05:06,870 --> 00:05:02,880

awkward way of getting back at her

118

00:05:08,390 --> 00:05:06,880

because she spread some rumors uh

119

00:05:12,710 --> 00:05:08,400

notwithstanding that he had been

120

00:05:14,310 --> 00:05:12,720

basically stalking the woman for months

121

00:05:17,029 --> 00:05:14,320

including running

122

00:05:18,710 --> 00:05:17,039

out before her vehicle as it passed by

123

00:05:20,230 --> 00:05:18,720

or right after

124

00:05:21,430 --> 00:05:20,240

wearing nothing

125

00:05:23,270 --> 00:05:21,440

he was

126

00:05:24,550 --> 00:05:23,280

looking at her with binoculars over the

127

00:05:27,110 --> 00:05:24,560

time

128

00:05:27,990 --> 00:05:27,120

prior to this and many occasions

129

00:05:29,909 --> 00:05:28,000

and

130

00:05:32,150 --> 00:05:29,919

it's just an example that i'm sure we'll

131

00:05:33,830 --> 00:05:32,160

get into later but it's an example of

132

00:05:34,950 --> 00:05:33,840

sort of the distortion and making a

133

00:05:36,390 --> 00:05:34,960

murder

134

00:05:39,749 --> 00:05:36,400

the fact that

135

00:05:42,070 --> 00:05:39,759

a serious crime led to a six-year prison

136

00:05:44,550 --> 00:05:42,080

sentence uh for

137

00:05:47,830 --> 00:05:44,560

uh something that they passed off as

138

00:05:50,469 --> 00:05:47,840

really a poor reaction uh not knowing

139

00:05:53,189 --> 00:05:50,479

how to react to someone who he said at

140

00:05:54,150 --> 00:05:53,199

least on the show was spreading rumors

141

00:05:56,870 --> 00:05:54,160

um

142

00:06:00,550 --> 00:05:56,880

so he nevertheless you know whether it's

143

00:06:02,230 --> 00:06:00,560

frankly whether he's 12 or 18 uh 12 is

144

00:06:05,749 --> 00:06:02,240

an awful long time

145

00:06:07,670 --> 00:06:05,759

as well to sit in prison and he did

146

00:06:10,230 --> 00:06:07,680

two appeals went through

147

00:06:12,550 --> 00:06:10,240

uh both appeals failed

148

00:06:14,790 --> 00:06:12,560

um finally the wisconsin innocence

149

00:06:18,390 --> 00:06:14,800

project got ahold of the case and in

150

00:06:21,990 --> 00:06:18,400

2003 the wisconsin state crime lab uh

151

00:06:23,749 --> 00:06:22,000

conducted a test um at the

152

00:06:26,230 --> 00:06:23,759

after a motion by the wisconsin

153

00:06:27,189 --> 00:06:26,240

innocence project requested it

154

00:06:29,110 --> 00:06:27,199

um

155

00:06:30,790 --> 00:06:29,120

and fought by the district attorney at

156

00:06:35,110 --> 00:06:30,800

the time by the way

157

00:06:37,670 --> 00:06:35,120

um and uh the tests showed a dna test

158

00:06:40,390 --> 00:06:37,680

that there was really the last bit of

159

00:06:41,670 --> 00:06:40,400

physical evidence from that 1985 case it

160

00:06:45,110 --> 00:06:41,680

was a hair

161

00:06:48,150 --> 00:06:45,120

um located upon the victim uh

162

00:06:50,230 --> 00:06:48,160

at the time of the at the assault uh

163

00:06:51,909 --> 00:06:50,240

taken at the hospital and that here

164

00:06:53,110 --> 00:06:51,919

belonged to gregory allen the true

165

00:06:56,870 --> 00:06:53,120

assailant

166

00:06:58,629 --> 00:06:56,880

so uh myself and the d.a at the time

167

00:07:00,150 --> 00:06:58,639

very carefully reviewed the file you

168

00:07:02,870 --> 00:07:00,160

know we didn't want to re

169

00:07:05,350 --> 00:07:02,880

just release mr avery on the strength of

170

00:07:09,029 --> 00:07:05,360

one literally one hair

171

00:07:11,430 --> 00:07:09,039

um after a jury had found him guilty and

172

00:07:13,589 --> 00:07:11,440

uh his case was appealed and affirmed

173

00:07:14,550 --> 00:07:13,599

twice at the at the appellate court

174

00:07:16,790 --> 00:07:14,560

level

175

00:07:19,909 --> 00:07:16,800

and so we reviewed it um over the next

176  
00:07:22,469 --> 00:07:19,919  
couple days and found very quickly uh

177  
00:07:24,550 --> 00:07:22,479  
corroborated that there's no way

178  
00:07:27,430 --> 00:07:24,560  
that he committed this crime indeed it

179  
00:07:29,510 --> 00:07:27,440  
was a horrendous uh injustice

180  
00:07:32,309 --> 00:07:29,520  
um that he was convicted of that first

181  
00:07:34,870 --> 00:07:32,319  
crime we stipulated with the wisconsin

182  
00:07:37,990 --> 00:07:34,880  
innocence project to have mr avery

183  
00:07:39,589 --> 00:07:38,000  
released so that takes us up to 2003 i

184  
00:07:41,830 --> 00:07:39,599  
know this is getting kind of long but

185  
00:07:43,830 --> 00:07:41,840  
it's a long story and i'll try to

186  
00:07:45,830 --> 00:07:43,840  
shorten it up here but

187  
00:07:47,350 --> 00:07:45,840  
the rest of the story folks mostly know

188  
00:07:50,629 --> 00:07:47,360

about anyhow but

189

00:07:53,909 --> 00:07:50,639

uh 2003 he's exonerated he becomes sort

190

00:07:56,790 --> 00:07:53,919

of a folk hero in the state of wisconsin

191

00:07:59,670 --> 00:07:56,800

they had even named a crime reform bill

192

00:08:02,390 --> 00:07:59,680

after mr avery the avery bill

193

00:08:05,589 --> 00:08:02,400

that was due to be signed

194

00:08:07,670 --> 00:08:05,599

on the very day that teresa halbach

195

00:08:09,830 --> 00:08:07,680

a freelance photographer in wisconsin

196

00:08:13,990 --> 00:08:09,840

went missing

197

00:08:16,230 --> 00:08:14,000

on october 31st halloween of 2005.

198

00:08:19,189 --> 00:08:16,240

and uh within

199

00:08:22,790 --> 00:08:19,199

four or five five days actually of her

200

00:08:24,469 --> 00:08:22,800

disappearance her vehicle a rav 4

201  
00:08:27,270 --> 00:08:24,479  
was found on

202  
00:08:30,629 --> 00:08:27,280  
the avery salvage yard where stephen and

203  
00:08:33,269 --> 00:08:30,639  
his parents and a few of his brothers

204  
00:08:35,269 --> 00:08:33,279  
both lived and worked

205  
00:08:37,829 --> 00:08:35,279  
and the victim teresa habak's vehicle

206  
00:08:40,469 --> 00:08:37,839  
was found there partially concealed

207  
00:08:43,430 --> 00:08:40,479  
part of a hood of a different vehicle

208  
00:08:45,509 --> 00:08:43,440  
was over over it as well as some i think

209  
00:08:47,430 --> 00:08:45,519  
some boards and tree limbs and that sort

210  
00:08:51,430 --> 00:08:47,440  
of thing

211  
00:08:54,389 --> 00:08:51,440  
and as the investigation went on it it

212  
00:08:57,430 --> 00:08:54,399  
and of course this is the dispute but

213  
00:08:59,030 --> 00:08:57,440

uh it appears uh well i don't think

214

00:09:01,509 --> 00:08:59,040

there's any question that physical

215

00:09:03,269 --> 00:09:01,519

evidence a great deal deal of physical

216

00:09:04,470 --> 00:09:03,279

evidence uh

217

00:09:10,389 --> 00:09:04,480

uh

218

00:09:11,190 --> 00:09:10,399

avery was the assailant

219

00:09:13,269 --> 00:09:11,200

and

220

00:09:15,350 --> 00:09:13,279

after a

221

00:09:17,990 --> 00:09:15,360

very contentious trial

222

00:09:20,389 --> 00:09:18,000

uh a six-week long trial he was

223

00:09:23,030 --> 00:09:20,399

convicted

224

00:09:26,070 --> 00:09:23,040

of most charges the mutilation of the

225

00:09:28,389 --> 00:09:26,080

corpse charge was dismissed or found he

226

00:09:30,870 --> 00:09:28,399

was acquitted of that by the jury and a

227

00:09:31,910 --> 00:09:30,880

sex assault charge

228

00:09:34,389 --> 00:09:31,920

was

229

00:09:36,710 --> 00:09:34,399

withdrawn by the state after the state

230

00:09:38,389 --> 00:09:36,720

did not use a co-defendant brendan

231

00:09:40,550 --> 00:09:38,399

dassey's

232

00:09:43,110 --> 00:09:40,560

statement outlining

233

00:09:44,389 --> 00:09:43,120

his view or his rendition of what

234

00:09:47,030 --> 00:09:44,399

occurred

235

00:09:49,430 --> 00:09:47,040

with him and mr avery so that's what

236

00:09:51,590 --> 00:09:49,440

happened in 2005 he was convicted the

237

00:09:54,310 --> 00:09:51,600

case we thought was done here in

238

00:09:56,310 --> 00:09:54,320

manitowoc county um

239

00:09:57,350 --> 00:09:56,320

i mean there's been appeals there were

240

00:10:03,110 --> 00:09:57,360

appeals

241

00:10:05,990 --> 00:10:03,120

both stephen avery and brenda dassey

242

00:10:08,630 --> 00:10:06,000

so we thought we finally put this case

243

00:10:12,630 --> 00:10:08,640

to rest frankly um

244

00:10:15,030 --> 00:10:12,640

and in 2015 in december of 2015 of

245

00:10:18,630 --> 00:10:15,040

course uh this story

246

00:10:19,509 --> 00:10:18,640

uh was resurrected uh in a big way

247

00:10:21,910 --> 00:10:19,519

on

248

00:10:22,870 --> 00:10:21,920

netflix with the documentary making a

249

00:10:25,350 --> 00:10:22,880

murderer

250

00:10:28,230 --> 00:10:25,360

and since then uh it's really

251

00:10:30,550 --> 00:10:28,240

had a life of its own uh once again so

252

00:10:33,509 --> 00:10:30,560

that's sort of a thumbnail sketch i

253

00:10:36,470 --> 00:10:33,519

guess uh martin of of the events over

254

00:10:38,310 --> 00:10:36,480

this 30-year period yes yes and um you

255

00:10:40,470 --> 00:10:38,320

know from you know one of the questions

256

00:10:42,150 --> 00:10:40,480

i was going to ask you is you know if if

257

00:10:43,350 --> 00:10:42,160

this wrong

258

00:10:45,269 --> 00:10:43,360

conviction

259

00:10:48,790 --> 00:10:45,279

you know did not happen

260

00:10:51,350 --> 00:10:48,800

you know um what your thoughts on

261

00:10:52,949 --> 00:10:51,360

would be on you know what type of person

262

00:10:54,710 --> 00:10:52,959

steven avery would have been going

263

00:10:56,069 --> 00:10:54,720

through life you know he probably

264

00:10:57,190 --> 00:10:56,079

wouldn't have murdered anyone but who

265

00:10:59,110 --> 00:10:57,200

knows you know

266

00:11:00,949 --> 00:10:59,120

the thing with the cat is

267

00:11:03,190 --> 00:11:00,959

you know very disturbing

268

00:11:05,910 --> 00:11:03,200

um you know anytime i ever hear anything

269

00:11:08,069 --> 00:11:05,920

like that you know and

270

00:11:09,990 --> 00:11:08,079

yeah you're referring to the to an

271

00:11:12,069 --> 00:11:10,000

incident actually that the pro-avery

272

00:11:13,829 --> 00:11:12,079

folks get very upset if we even bring it

273

00:11:15,670 --> 00:11:13,839

up because

274

00:11:17,030 --> 00:11:15,680

they're saying just because that

275

00:11:20,230 --> 00:11:17,040

happened

276

00:11:23,350 --> 00:11:20,240

and the that being that stephen avery

277

00:11:25,430 --> 00:11:23,360

poured oil and gas on a cat and threw it

278

00:11:27,190 --> 00:11:25,440

in the fire and by at least some

279

00:11:29,190 --> 00:11:27,200

accounts

280

00:11:32,310 --> 00:11:29,200

when the cat jumped out of the fire

281

00:11:34,630 --> 00:11:32,320

stephen threw it back in

282

00:11:36,630 --> 00:11:34,640

the pro-avery folks will say unfair to

283

00:11:39,110 --> 00:11:36,640

bring that up and

284

00:11:40,870 --> 00:11:39,120

because it doesn't prove that he later

285

00:11:43,590 --> 00:11:40,880

committed murder of course it doesn't

286

00:11:45,750 --> 00:11:43,600

prove he later committed a murder

287

00:11:46,870 --> 00:11:45,760

but it does go to show

288

00:11:48,870 --> 00:11:46,880

somewhat

289

00:11:51,590 --> 00:11:48,880

of what he was like it should not be

290

00:11:54,389 --> 00:11:51,600

admitted and was not admitted in a trial

291

00:11:56,389 --> 00:11:54,399

you know but at this point this is a

292

00:11:59,350 --> 00:11:56,399

question that's hotly debated

293

00:12:02,389 --> 00:11:59,360

um it's a question um

294

00:12:03,829 --> 00:12:02,399

that has been been thrown out there by a

295

00:12:06,150 --> 00:12:03,839

very well

296

00:12:12,629 --> 00:12:08,790

healed company called if there is such a

297

00:12:14,629 --> 00:12:12,639

thing called netflix and a very uh

298

00:12:17,590 --> 00:12:14,639

sophisticated production

299

00:12:20,150 --> 00:12:17,600

of folks that have suggested um and

300

00:12:22,629 --> 00:12:20,160

really manipulated in my view and others

301  
00:12:24,550 --> 00:12:22,639  
views uh the view that stephen avery is

302  
00:12:27,110 --> 00:12:24,560  
innocent and

303  
00:12:31,110 --> 00:12:27,120  
they distorted that incident and to me

304  
00:12:34,150 --> 00:12:31,120  
it seems only fair uh to to show to shed

305  
00:12:36,389 --> 00:12:34,160  
the light on that incident uh as to how

306  
00:12:39,430 --> 00:12:36,399  
it actually occurred it wasn't some

307  
00:12:41,829 --> 00:12:39,440  
childish prank but we really do get a

308  
00:12:44,389 --> 00:12:41,839  
bit lost in some of the background

309  
00:12:47,190 --> 00:12:44,399  
information because uh when it's all

310  
00:12:50,389 --> 00:12:47,200  
said and done um of course his guilt or

311  
00:12:53,670 --> 00:12:50,399  
innocence rests on on the facts related

312  
00:12:55,430 --> 00:12:53,680  
to the homicide itself yes um but you

313  
00:12:58,150 --> 00:12:55,440

brought a broader question martin i

314

00:12:59,829 --> 00:12:58,160

think it seems to me it goes to um

315

00:13:02,069 --> 00:12:59,839

you know what kind of person was steven

316

00:13:05,030 --> 00:13:02,079

avery would stephen avery of

317

00:13:07,670 --> 00:13:05,040

have done this kind of act um

318

00:13:10,389 --> 00:13:07,680

if if there wasn't uh a wrongful

319

00:13:12,389 --> 00:13:10,399

conviction in 1985 perhaps if if that's

320

00:13:15,030 --> 00:13:12,399

somewhat what you're getting yes um you

321

00:13:16,069 --> 00:13:15,040

know i know it's just speculation and

322

00:13:17,670 --> 00:13:16,079

you know i mean

323

00:13:19,430 --> 00:13:17,680

i know there was some

324

00:13:20,710 --> 00:13:19,440

you know abuse

325

00:13:22,790 --> 00:13:20,720

you know and a lot of things that could

326

00:13:25,350 --> 00:13:22,800

never be admissible in court you know

327

00:13:28,790 --> 00:13:25,360

was um his past abuse

328

00:13:30,150 --> 00:13:28,800

um issues that have come up and uh

329

00:13:32,790 --> 00:13:30,160

and then also

330

00:13:35,030 --> 00:13:32,800

a um an interview

331

00:13:37,750 --> 00:13:35,040

i think it was last year sometime

332

00:13:38,949 --> 00:13:37,760

um with you know his former girlfriend

333

00:13:42,629 --> 00:13:38,959

that

334

00:13:45,430 --> 00:13:42,639

uh was pretty uh another bombshell

335

00:13:50,230 --> 00:13:48,389

well there's no question that um

336

00:13:52,150 --> 00:13:50,240

i mean you write it as speculation in

337

00:13:54,870 --> 00:13:52,160

terms of what he would have done it

338

00:13:57,030 --> 00:13:54,880

always is but there's no question that

339

00:13:59,509 --> 00:13:57,040

um stephen avery

340

00:14:01,590 --> 00:13:59,519

had a real propensity for violence i

341

00:14:03,670 --> 00:14:01,600

don't think even his most ardent

342

00:14:06,870 --> 00:14:03,680

supporters would say he didn't

343

00:14:09,269 --> 00:14:06,880

and a propensity for um

344

00:14:10,629 --> 00:14:09,279

for sexually acting out i guess that's

345

00:14:11,829 --> 00:14:10,639

the only way i can say it in an

346

00:14:15,750 --> 00:14:11,839

aggressive

347

00:14:18,230 --> 00:14:15,760

um unconsented to way

348

00:14:20,870 --> 00:14:18,240

you know and the the incident where he

349

00:14:22,870 --> 00:14:20,880

pulled over a woman at gunpoint that i

350

00:14:25,509 --> 00:14:22,880

described earlier and

351

00:14:28,949 --> 00:14:25,519

pretty clearly wanted her to get into

352

00:14:33,910 --> 00:14:31,430

after ramming her car this woman he had

353

00:14:36,949 --> 00:14:33,920

been basically stalking

354

00:14:39,670 --> 00:14:36,959

um in some pretty deviant weird uh

355

00:14:42,629 --> 00:14:39,680

details to it you know he was a pretty

356

00:14:44,629 --> 00:14:42,639

messed up fellow why you know that's

357

00:14:47,670 --> 00:14:44,639

another question and maybe that goes

358

00:14:48,949 --> 00:14:47,680

back generations um and maybe

359

00:14:51,269 --> 00:14:48,959

you know in some

360

00:14:52,550 --> 00:14:51,279

some theoretical sense it's not his

361

00:14:55,269 --> 00:14:52,560

fault

362

00:14:58,629 --> 00:14:55,279

but you know when you're an adult um and

363

00:15:01,030 --> 00:14:58,639

and time goes on and

364

00:15:03,509 --> 00:15:01,040

one of our judges used to say

365

00:15:05,910 --> 00:15:03,519

to cases where a person had a really

366

00:15:09,110 --> 00:15:05,920

tough childhood

367

00:15:10,790 --> 00:15:09,120

and including instances of abuse and

368

00:15:13,590 --> 00:15:10,800

neglect

369

00:15:14,710 --> 00:15:13,600

and then committed a sexual assault

370

00:15:17,030 --> 00:15:14,720

himself

371

00:15:18,949 --> 00:15:17,040

uh you know and the person would rely on

372

00:15:21,509 --> 00:15:18,959

what happened to him and say but judge

373

00:15:23,509 --> 00:15:21,519

this is what i experienced as a kid

374

00:15:25,910 --> 00:15:23,519

and it sounded harsh but the judge's

375

00:15:27,829 --> 00:15:25,920

line would be that in 75 cents i'll get

376

00:15:29,829 --> 00:15:27,839

you a cup of coffee

377

00:15:31,350 --> 00:15:29,839

and i think what he meant is you know we

378

00:15:33,269 --> 00:15:31,360

hear ya

379

00:15:36,069 --> 00:15:33,279

and we understand what you went through

380

00:15:38,150 --> 00:15:36,079

but it's not going to help in terms of

381

00:15:41,350 --> 00:15:38,160

the victim the new victim that you

382

00:15:44,629 --> 00:15:41,360

created and you have to figure out a way

383

00:15:47,030 --> 00:15:44,639

um to change is and easier said than

384

00:15:48,790 --> 00:15:47,040

done for all of us uh many of us

385

00:15:50,790 --> 00:15:48,800

fortunately grew up in

386

00:15:52,710 --> 00:15:50,800

you know families of

387

00:15:54,949 --> 00:15:52,720

loving and supportive families so it's

388

00:15:56,389 --> 00:15:54,959

really easy to say i see this all the

389

00:15:59,189 --> 00:15:56,399

time in court

390

00:16:01,430 --> 00:15:59,199

and i try to understand because you do

391

00:16:03,910 --> 00:16:01,440

have to understand

392

00:16:06,150 --> 00:16:03,920

but you also have to

393

00:16:08,949 --> 00:16:06,160

remember

394

00:16:11,670 --> 00:16:08,959

personal responsibility and especially

395

00:16:13,749 --> 00:16:11,680

in a case like this i mean this was as

396

00:16:16,230 --> 00:16:13,759

brutal as vicious

397

00:16:18,470 --> 00:16:16,240

of an act and this is close to jeffrey

398

00:16:19,670 --> 00:16:18,480

dahmer kind of stuff frankly

399

00:16:25,910 --> 00:16:19,680

um

400

00:16:29,350 --> 00:16:25,920

stephen avery yes but you mostly think

401  
00:16:31,749 --> 00:16:29,360  
or equally think frankly or should think

402  
00:16:34,790 --> 00:16:31,759  
of what a danger he is to others and

403  
00:16:37,590 --> 00:16:34,800  
what a tragedy this was to uh to this

404  
00:16:39,829 --> 00:16:37,600  
poor woman and her family absolutely um

405  
00:16:41,590 --> 00:16:39,839  
so would stephen avery have turned would

406  
00:16:43,269 --> 00:16:41,600  
he have been capable of this i don't

407  
00:16:46,230 --> 00:16:43,279  
know you know there is a

408  
00:16:48,550 --> 00:16:46,240  
step in my experience 29 years of doing

409  
00:16:49,430 --> 00:16:48,560  
this stuff and i've i've prosecuted

410  
00:16:52,949 --> 00:16:49,440  
several

411  
00:16:55,509 --> 00:16:52,959  
murder cases and sex assault cases and

412  
00:16:57,910 --> 00:16:55,519  
you name it you know and i've dealt with

413  
00:17:00,870 --> 00:16:57,920

some really cold people dealt with some

414

00:17:02,870 --> 00:17:00,880

really dangerous people

415

00:17:05,510 --> 00:17:02,880

but there's a line

416

00:17:07,189 --> 00:17:05,520

and only a few people it seems to me

417

00:17:09,909 --> 00:17:07,199

that we come across

418

00:17:12,630 --> 00:17:09,919

um are capable of crossing that line

419

00:17:14,390 --> 00:17:12,640

where it's such a vicious thing it's

420

00:17:16,230 --> 00:17:14,400

it's over the top

421

00:17:17,990 --> 00:17:16,240

uh and this crime

422

00:17:19,750 --> 00:17:18,000

that i believe stephen avery committed

423

00:17:20,630 --> 00:17:19,760

was over the top now whether he would

424

00:17:22,230 --> 00:17:20,640

have been

425

00:17:24,549 --> 00:17:22,240

over the tops

426

00:17:26,549 --> 00:17:24,559

not a very good description of it but it

427

00:17:29,350 --> 00:17:26,559

it just is something that few people

428

00:17:31,430 --> 00:17:29,360

it's so monstrous that very few people

429

00:17:32,870 --> 00:17:31,440

are capable of inflicting that kind of

430

00:17:34,870 --> 00:17:32,880

evil and pain

431

00:17:36,870 --> 00:17:34,880

on another person there's a lot of

432

00:17:39,430 --> 00:17:36,880

messed up people that do horrible things

433

00:17:41,669 --> 00:17:39,440

to to others to victims

434

00:17:45,110 --> 00:17:41,679

uh and i don't know you know whether

435

00:17:47,190 --> 00:17:45,120

stephen avery his prior crimes didn't as

436

00:17:48,870 --> 00:17:47,200

bad as they were they certainly didn't

437

00:17:51,750 --> 00:17:48,880

reach this level

438

00:17:53,590 --> 00:17:51,760

and you know is that because he did 18

439

00:17:57,029 --> 00:17:53,600

years in prison

440

00:18:00,070 --> 00:17:57,039

um 12 of which he

441

00:18:02,390 --> 00:18:00,080

shouldn't have done um

442

00:18:04,870 --> 00:18:02,400

i you know ultimately only he and

443

00:18:07,270 --> 00:18:04,880

brendan dassey were responsible but it's

444

00:18:09,990 --> 00:18:07,280

still a valid question to ask and and to

445

00:18:11,590 --> 00:18:10,000

ponder i think i've pondered it myself

446

00:18:13,350 --> 00:18:11,600

and a lot of folks don't like it when i

447

00:18:15,350 --> 00:18:13,360

pondered it yeah

448

00:18:17,830 --> 00:18:15,360

so well you know i could i could see

449

00:18:20,630 --> 00:18:17,840

where the wrongful conviction i mean the

450

00:18:23,510 --> 00:18:20,640

resentment that um you know is such a

451

00:18:25,990 --> 00:18:23,520

poison and can be to the brain

452

00:18:27,990 --> 00:18:26,000

you know um do they still call that bill

453

00:18:30,470 --> 00:18:28,000

that was signed the avery bill or did

454

00:18:33,270 --> 00:18:30,480

they change the name of that

455

00:18:34,950 --> 00:18:33,280

now they changed it to a very uh vanilla

456

00:18:37,350 --> 00:18:34,960

sounding name i think the criminal

457

00:18:38,230 --> 00:18:37,360

justice reform act or something like

458

00:18:39,029 --> 00:18:38,240

that

459

00:18:41,029 --> 00:18:39,039

uh

460

00:18:42,870 --> 00:18:41,039

you know stephen avery spoke and i i

461

00:18:45,350 --> 00:18:42,880

referenced this in the first book that

462

00:18:47,430 --> 00:18:45,360

the american bear association published

463

00:18:50,390 --> 00:18:47,440

that i did long before making a murderer

464

00:18:52,310 --> 00:18:50,400

by the way um called the innocent killer

465

00:18:54,390 --> 00:18:52,320

he spoke with a journalist from the

466

00:18:56,150 --> 00:18:54,400

milwaukee journal sentinel i think it

467

00:18:57,029 --> 00:18:56,160

was bill james

468

00:19:00,470 --> 00:18:57,039

um

469

00:19:02,870 --> 00:19:00,480

about a year after he was exonerated and

470

00:19:05,350 --> 00:19:02,880

which would be about a year before he

471

00:19:08,549 --> 00:19:05,360

murdered teresa halbach and avery was

472

00:19:10,789 --> 00:19:08,559

sort of reminiscing about uh the days in

473

00:19:12,870 --> 00:19:10,799

in prison that he spent almost as if he

474

00:19:14,310 --> 00:19:12,880

missed it uh he was

475

00:19:16,070 --> 00:19:14,320

he was uh

476

00:19:17,669 --> 00:19:16,080

speaking about how it used to be when

477

00:19:21,029 --> 00:19:17,679

he'd sit out in the prison yard and

478

00:19:22,390 --> 00:19:21,039

watch the jets fly by you know the the

479

00:19:24,630 --> 00:19:22,400

jet stream

480

00:19:28,070 --> 00:19:24,640

and that he just couldn't take it

481

00:19:29,750 --> 00:19:28,080

anymore uh some days uh it just gets to

482

00:19:32,230 --> 00:19:29,760

his head and he'd have to take a drive

483

00:19:34,470 --> 00:19:32,240

he said too much going on inside of his

484

00:19:36,390 --> 00:19:34,480

head i think was the word he used

485

00:19:39,669 --> 00:19:36,400

so you know you wonder and remember he

486

00:19:42,549 --> 00:19:39,679

moved into an ice chamber

487

00:19:44,710 --> 00:19:42,559

shortly after in that that confined

488

00:19:47,590 --> 00:19:44,720

setting uh

489

00:19:50,549 --> 00:19:47,600

you you just wonder if that hadn't kind

490

00:19:51,669 --> 00:19:50,559

of become his home and the deterrence

491

00:19:54,150 --> 00:19:51,679

that

492

00:19:56,230 --> 00:19:54,160

the idea of sitting spending the rest of

493

00:19:58,549 --> 00:19:56,240

your life in prison would have for some

494

00:20:01,029 --> 00:19:58,559

folks and hopefully most people

495

00:20:02,870 --> 00:20:01,039

um it may have not have been there with

496

00:20:04,789 --> 00:20:02,880

stephen avery because

497

00:20:07,430 --> 00:20:04,799

he kind of knew he was destined to go

498

00:20:09,669 --> 00:20:07,440

back there i think and uh this speaks

499

00:20:12,150 --> 00:20:09,679

also to the issue of some people

500

00:20:14,470 --> 00:20:12,160

say well why would someone you know on

501

00:20:16,310 --> 00:20:14,480

the cusp of making millions

502

00:20:18,310 --> 00:20:16,320

uh wouldn't have been 36 million but it

503

00:20:20,549 --> 00:20:18,320

very well might have been you know five

504

00:20:23,190 --> 00:20:20,559

six seven million uh why would someone

505

00:20:25,190 --> 00:20:23,200

like that throw it all away uh by

506

00:20:28,070 --> 00:20:25,200

murdering someone well

507

00:20:31,909 --> 00:20:28,080

you know a couple reasons stephen avery

508

00:20:33,909 --> 00:20:31,919

uh maybe was going home and uh equally

509

00:20:35,590 --> 00:20:33,919

uh important i think and maybe even more

510

00:20:37,669 --> 00:20:35,600

to the point is stephen avery couldn't

511

00:20:40,630 --> 00:20:37,679

help himself um

512

00:20:42,630 --> 00:20:40,640

even in that that two-year span prior to

513

00:20:45,110 --> 00:20:42,640

the murder of teresa halbach he had

514

00:20:47,029 --> 00:20:45,120

involved himself in

515

00:20:49,669 --> 00:20:47,039

some very serious criminal activity

516

00:20:52,149 --> 00:20:49,679

including a sex assault that was pending

517

00:20:55,830 --> 00:20:52,159

in brown county uh

518

00:20:57,909 --> 00:20:55,840

yeah yeah and also the jody stakowski

519

00:21:01,669 --> 00:20:57,919

incident that was a referred charge

520

00:21:04,310 --> 00:21:01,679

police reports where ms stakowski

521

00:21:05,270 --> 00:21:04,320

uh described to the police how stephen

522

00:21:09,510 --> 00:21:05,280

uh

523

00:21:11,029 --> 00:21:09,520

passed out

524

00:21:12,549 --> 00:21:11,039

he dragged her out of the house

525

00:21:16,310 --> 00:21:12,559

threatened to kill her

526

00:21:17,270 --> 00:21:16,320

um i mean this was a violent um messed

527

00:21:20,310 --> 00:21:17,280

up

528

00:21:24,549 --> 00:21:20,320

fella after he got out of prison

529

00:21:26,230 --> 00:21:24,559

and uh so it should really not have been

530

00:21:29,029 --> 00:21:26,240

uh

531

00:21:31,190 --> 00:21:29,039

you know the argument that

532

00:21:32,950 --> 00:21:31,200

that why would someone throw that away

533

00:21:35,029 --> 00:21:32,960

when he had everything going for him

534

00:21:36,470 --> 00:21:35,039

well steven avery never had everything

535

00:21:38,870 --> 00:21:36,480

going for him

536

00:21:40,789 --> 00:21:38,880

uh in his life and the prospect of

537

00:21:43,510 --> 00:21:40,799

making all that money didn't change you

538

00:21:45,909 --> 00:21:43,520

know a lot of times there's um there's a

539

00:21:48,710 --> 00:21:45,919

fear that's involved with

540

00:21:49,909 --> 00:21:48,720

a success or a windfall

541

00:21:52,310 --> 00:21:49,919

and that

542

00:21:55,430 --> 00:21:52,320

and it's a gripping fear

543

00:21:56,789 --> 00:21:55,440

and you hear a lot of times about people

544

00:21:59,669 --> 00:21:56,799

that have

545

00:22:00,950 --> 00:21:59,679

sabotaged themselves on the cusp of

546

00:22:03,270 --> 00:22:00,960

success

547

00:22:06,149 --> 00:22:03,280

because of fear related issues and you

548

00:22:08,310 --> 00:22:06,159

know i mean um only he really knows that

549

00:22:11,110 --> 00:22:08,320

but uh you know that

550

00:22:13,590 --> 00:22:11,120

it's an interesting psychology because i

551  
00:22:14,390 --> 00:22:13,600  
sure you do do hear stories like that

552  
00:22:18,789 --> 00:22:14,400  
they

553  
00:22:20,470 --> 00:22:18,799  
of actually being successful and then

554  
00:22:23,990 --> 00:22:20,480  
you think of all the people who throw

555  
00:22:26,870 --> 00:22:24,000  
away um success too of course

556  
00:22:30,230 --> 00:22:26,880  
that's right um so your involvement i

557  
00:22:32,310 --> 00:22:30,240  
know you mentioned earlier the 1985

558  
00:22:34,390 --> 00:22:32,320  
you know the innocence project you were

559  
00:22:36,149 --> 00:22:34,400  
involved in that which is great because

560  
00:22:37,750 --> 00:22:36,159  
it is that was such a horrific thing

561  
00:22:40,310 --> 00:22:37,760  
that happened and we i want to talk a

562  
00:22:42,630 --> 00:22:40,320  
little bit about how that was handled in

563  
00:22:45,270 --> 00:22:42,640

and so poorly and everything did you

564

00:22:48,149 --> 00:22:45,280

have any involvement at all in the uh

565

00:22:53,110 --> 00:22:51,190

uh the only involvement i had was uh

566

00:22:55,350 --> 00:22:53,120

that i was on call as one of the

567

00:22:57,510 --> 00:22:55,360

prosecutors i think i was uncle i was

568

00:23:00,470 --> 00:22:57,520

either on call or the d.a

569

00:23:03,190 --> 00:23:00,480

who was my campaign manager when i had

570

00:23:04,950 --> 00:23:03,200

run for d.a it's a long story not too

571

00:23:08,870 --> 00:23:04,960

relevant but i had actually won an

572

00:23:10,950 --> 00:23:08,880

election not taken office and then

573

00:23:12,870 --> 00:23:10,960

my friend and campaign manager was

574

00:23:16,310 --> 00:23:12,880

appointed by the governor

575

00:23:19,270 --> 00:23:16,320

uh to take the term that i won uh mark

576

00:23:22,070 --> 00:23:19,280

rohr and i stayed on as his assistant

577

00:23:23,909 --> 00:23:22,080

d.a mark really didn't have

578

00:23:25,909 --> 00:23:23,919

much in the way well no prosecutor

579

00:23:28,630 --> 00:23:25,919

experience and in the early days which

580

00:23:29,590 --> 00:23:28,640

is when the avery case happened

581

00:23:46,950 --> 00:23:29,600

i

582

00:23:49,350 --> 00:23:46,960

forget um

583

00:23:52,390 --> 00:23:49,360

at that point um

584

00:23:55,669 --> 00:23:52,400

teresa was listed as a missing person it

585

00:23:57,510 --> 00:23:55,679

was not you know a homicide uh

586

00:24:00,789 --> 00:23:57,520

investigation at that point there was

587

00:24:02,470 --> 00:24:00,799

certainly concern um that there was

588

00:24:05,029 --> 00:24:02,480

you know she had been missing by that

589

00:24:07,350 --> 00:24:05,039

point for four or five five days i

590

00:24:08,710 --> 00:24:07,360

believe and obviously there was a huge

591

00:24:10,630 --> 00:24:08,720

concern but

592

00:24:12,549 --> 00:24:10,640

it was not a technical

593

00:24:14,950 --> 00:24:12,559

criminal investigation at that point it

594

00:24:17,590 --> 00:24:14,960

was a missing person investigation

595

00:24:19,510 --> 00:24:17,600

but once they found the vehicle

596

00:24:21,990 --> 00:24:19,520

they needed assistance

597

00:24:23,350 --> 00:24:22,000

from the prosecutors in the county where

598

00:24:26,149 --> 00:24:23,360

um

599

00:24:28,470 --> 00:24:26,159

where the property was that needed to be

600

00:24:29,830 --> 00:24:28,480

looked at and we

601  
00:24:32,230 --> 00:24:29,840  
assisted with

602  
00:24:33,510 --> 00:24:32,240  
search warrants and that sort of thing

603  
00:24:37,029 --> 00:24:33,520  
um

604  
00:24:41,110 --> 00:24:37,039  
that night what had been kind of a crisp

605  
00:24:44,549 --> 00:24:41,120  
fall beautiful clear day

606  
00:24:47,510 --> 00:24:44,559  
that night turned into this driving cold

607  
00:24:50,789 --> 00:24:47,520  
windy rain uh there was a mobile crime

608  
00:24:52,950 --> 00:24:50,799  
lab there unit uh from the crime lab the

609  
00:24:55,190 --> 00:24:52,960  
wisconsin crime lab there and they had

610  
00:24:57,830 --> 00:24:55,200  
these uh i guess i'll never forget that

611  
00:24:59,110 --> 00:24:57,840  
that image in my mind they had this

612  
00:25:01,190 --> 00:24:59,120  
plastic

613  
00:25:03,510 --> 00:25:01,200

kind of covering to keep this heavy

614

00:25:04,789 --> 00:25:03,520

driving cold rain

615

00:25:06,950 --> 00:25:04,799

away

616

00:25:09,110 --> 00:25:06,960

and it was flapping in the wind and

617

00:25:10,310 --> 00:25:09,120

there were you know police dogs barking

618

00:25:16,549 --> 00:25:10,320

and

619

00:25:18,870 --> 00:25:16,559

um i can just hear by the way as i'm

620

00:25:21,190 --> 00:25:18,880

saying this all the reddit folks the

621

00:25:22,870 --> 00:25:21,200

pro-avery folks uh dreaming up more

622

00:25:25,350 --> 00:25:22,880

conspiracy theories

623

00:25:28,870 --> 00:25:25,360

uh as i'm describing this

624

00:25:31,110 --> 00:25:28,880

uh but we we got out uh we as you know

625

00:25:33,909 --> 00:25:31,120

we uh as you might not know i don't know

626

00:25:36,149 --> 00:25:33,919

but we we removed ourselves uh the

627

00:25:38,870 --> 00:25:36,159

district attorney's office from

628

00:25:40,630 --> 00:25:38,880

the case uh we felt we had a conflict of

629

00:25:43,350 --> 00:25:40,640

interest um

630

00:25:46,149 --> 00:25:43,360

and made that call due to the fact that

631

00:25:47,750 --> 00:25:46,159

uh the county uh was being sued in the

632

00:25:51,269 --> 00:25:47,760

wrongful conviction

633

00:25:53,909 --> 00:25:51,279

lawsuit and the prior d.a nothing to do

634

00:25:57,110 --> 00:25:53,919

with us but the prior d.a was named

635

00:25:58,789 --> 00:25:57,120

personally in the lawsuit as well so

636

00:26:00,710 --> 00:25:58,799

i think people recognize that it was

637

00:26:02,470 --> 00:26:00,720

good call for us to get out and we got

638

00:26:04,070 --> 00:26:02,480

completely out

639

00:26:06,549 --> 00:26:04,080

once it was clear that this was a

640

00:26:08,070 --> 00:26:06,559

homicide investigation

641

00:26:08,950 --> 00:26:08,080

of course the sheriff's department did

642

00:26:13,990 --> 00:26:08,960

not

643

00:26:15,990 --> 00:26:14,000

completely out and

644

00:26:17,350 --> 00:26:16,000

i've taken a bit of a

645

00:26:19,990 --> 00:26:17,360

certain amount of heat from our

646

00:26:22,549 --> 00:26:20,000

sheriff's department for suggesting in

647

00:26:24,149 --> 00:26:22,559

interviews over the last year that

648

00:26:26,549 --> 00:26:24,159

they should have you know either have a

649

00:26:27,430 --> 00:26:26,559

conflict or you don't and you can't be

650

00:26:29,990 --> 00:26:27,440

half

651  
00:26:31,750 --> 00:26:30,000  
in and uh despite

652  
00:26:33,909 --> 00:26:31,760  
good reasons uh

653  
00:26:36,310 --> 00:26:33,919  
for their remaining um

654  
00:26:39,029 --> 00:26:36,320  
in terms of manpower and who had

655  
00:26:41,190 --> 00:26:39,039  
evidence texts and who didn't and what

656  
00:26:42,149 --> 00:26:41,200  
precautions they put in

657  
00:26:44,870 --> 00:26:42,159  
to

658  
00:26:46,789 --> 00:26:44,880  
prevent later accusations of evidence

659  
00:26:48,310 --> 00:26:46,799  
planning

660  
00:26:50,310 --> 00:26:48,320  
none of that works

661  
00:26:52,390 --> 00:26:50,320  
you just you either have a conflict or

662  
00:26:53,830 --> 00:26:52,400  
you don't you don't take half measures

663  
00:26:56,390 --> 00:26:53,840

and they should have completely

664

00:26:58,789 --> 00:26:56,400

withdrawn from from the scene right yes

665

00:27:00,710 --> 00:26:58,799

um the key is you know one of the tricky

666

00:27:01,510 --> 00:27:00,720

things we have a couple of questions in

667

00:27:06,310 --> 00:27:01,520

the

668

00:27:08,950 --> 00:27:06,320

think is a really good one and that is

669

00:27:13,909 --> 00:27:08,960

why was there not even a single trace of

670

00:27:18,470 --> 00:27:16,070

you know that's probably the

671

00:27:20,789 --> 00:27:18,480

the number one uh

672

00:27:22,390 --> 00:27:20,799

question that bothers people and i think

673

00:27:25,750 --> 00:27:22,400

reasonably so

674

00:27:27,110 --> 00:27:25,760

um that bothers people who

675

00:27:29,430 --> 00:27:27,120

you know who are looking at this

676  
00:27:30,230 --> 00:27:29,440  
objectively everything bothers people

677  
00:27:34,390 --> 00:27:30,240  
who

678  
00:27:37,590 --> 00:27:34,400  
that the police planted evidence ahead

679  
00:27:39,669 --> 00:27:37,600  
of time and then they just see the rest

680  
00:27:42,230 --> 00:27:39,679  
of the evidence and the facts and

681  
00:27:42,950 --> 00:27:42,240  
inferences are colored by that thinking

682  
00:27:45,830 --> 00:27:42,960  
but

683  
00:27:47,590 --> 00:27:45,840  
you know people who are just

684  
00:27:48,250 --> 00:27:47,600  
they don't have an iron in the in the

685  
00:27:49,830 --> 00:27:48,260  
fire

686  
00:27:51,430 --> 00:27:49,840  
[Music]

687  
00:27:53,110 --> 00:27:51,440  
they are bothered by that and it's

688  
00:27:55,269 --> 00:27:53,120

reasonable um

689

00:27:56,630 --> 00:27:55,279

there's a few things i would say to that

690

00:27:58,070 --> 00:27:56,640

um

691

00:28:00,149 --> 00:27:58,080

for one thing

692

00:28:03,350 --> 00:28:00,159

brendan dassey and we'll get to that i'm

693

00:28:04,549 --> 00:28:03,360

sure but brendan's statement about where

694

00:28:06,789 --> 00:28:04,559

exactly

695

00:28:08,470 --> 00:28:06,799

the events occurred and which events

696

00:28:10,230 --> 00:28:08,480

occurred where

697

00:28:12,389 --> 00:28:10,240

meaning

698

00:28:15,669 --> 00:28:12,399

the bedroom avery's bedroom and the

699

00:28:19,510 --> 00:28:15,679

trailer versus the garage

700

00:28:20,549 --> 00:28:19,520

what order of events uh the sequence of

701

00:28:21,990 --> 00:28:20,559

events

702

00:28:24,470 --> 00:28:22,000

um

703

00:28:27,269 --> 00:28:24,480

even who did what and exactly what

704

00:28:29,350 --> 00:28:27,279

happened there there was uh you know

705

00:28:30,389 --> 00:28:29,360

some variants of a fair amount of

706

00:28:32,950 --> 00:28:30,399

variants

707

00:28:35,750 --> 00:28:32,960

there and i don't think anyone

708

00:28:37,750 --> 00:28:35,760

can say with any level of certitude

709

00:28:40,149 --> 00:28:37,760

exactly where theresa hobach was

710

00:28:42,950 --> 00:28:40,159

murdered whether it was in whether she

711

00:28:45,110 --> 00:28:42,960

finally was was murdered the the most

712

00:28:46,950 --> 00:28:45,120

violent act whether it was in the

713

00:28:48,149 --> 00:28:46,960

bedroom or the garage

714

00:28:51,190 --> 00:28:48,159

um

715

00:28:53,029 --> 00:28:51,200

it it there are

716

00:28:55,029 --> 00:28:53,039

there are different ways frankly that

717

00:28:57,190 --> 00:28:55,039

what he said even in the bedroom could

718

00:28:59,750 --> 00:28:57,200

have occurred and for there not to be

719

00:29:00,950 --> 00:28:59,760

any physical evidence left behind

720

00:29:03,350 --> 00:29:00,960

um

721

00:29:05,430 --> 00:29:03,360

you know people have this sense that

722

00:29:08,149 --> 00:29:05,440

blood spatter would be all over the

723

00:29:11,830 --> 00:29:08,159

walls and such if if

724

00:29:13,830 --> 00:29:11,840

he he took a knife like he said and cut

725

00:29:16,230 --> 00:29:13,840

her throat

726

00:29:17,830 --> 00:29:16,240

i believe there was testimony in child

727

00:29:21,669 --> 00:29:17,840

that it wasn't

728

00:29:23,350 --> 00:29:21,679

the kind of cut that was a deep cut

729

00:29:26,230 --> 00:29:23,360

you know they're just it's just a fact

730

00:29:29,110 --> 00:29:26,240

there are different types of injuries by

731

00:29:32,470 --> 00:29:29,120

knives was she

732

00:29:34,789 --> 00:29:32,480

strangled ahead of time like a recent

733

00:29:37,430 --> 00:29:34,799

jailhouse informant that frankly sounded

734

00:29:40,310 --> 00:29:37,440

pretty credible to me

735

00:29:41,830 --> 00:29:40,320

said to a newspaper reporter a couple

736

00:29:43,909 --> 00:29:41,840

months ago

737

00:29:46,149 --> 00:29:43,919

if she was strangled ahead of time by

738

00:29:49,269 --> 00:29:46,159

stephen avery and then

739

00:29:53,430 --> 00:29:49,279

as sick as this sounds they had sex with

740

00:29:55,590 --> 00:29:53,440

a corpse for 45 minutes when brendan

741

00:29:57,430 --> 00:29:55,600

would have uh cut her throat there

742

00:30:00,149 --> 00:29:57,440

wouldn't be much pressure blood pressure

743

00:30:02,710 --> 00:30:00,159

and there wouldn't be much blood uh in

744

00:30:04,470 --> 00:30:02,720

in the house there's also evidence

745

00:30:07,430 --> 00:30:04,480

brendan's statement at one point was

746

00:30:09,669 --> 00:30:07,440

that the bed bedding was taken out by

747

00:30:13,350 --> 00:30:09,679

stephen and thrown into the fire wrapped

748

00:30:17,190 --> 00:30:13,360

up blankets and sheets or whatever

749

00:30:19,430 --> 00:30:17,200

they also had uh five days to clean and

750

00:30:23,110 --> 00:30:19,440

it was bleach found

751  
00:30:23,990 --> 00:30:23,120  
in the house it was very clean uh police

752  
00:30:26,470 --> 00:30:24,000  
said

753  
00:30:30,070 --> 00:30:26,480  
uh it's incontrovertible that there was

754  
00:30:32,870 --> 00:30:30,080  
bleach on brenda dassey's jeans that

755  
00:30:35,909 --> 00:30:32,880  
both he and i believe stephen

756  
00:30:38,070 --> 00:30:35,919  
admitted that together they

757  
00:30:40,950 --> 00:30:38,080  
wiped down a

758  
00:30:43,029 --> 00:30:40,960  
a red stain or a dark brown or reddish

759  
00:30:45,669 --> 00:30:43,039  
stain in the garage

760  
00:30:47,990 --> 00:30:45,679  
that very night

761  
00:30:51,350 --> 00:30:48,000  
the night after the

762  
00:30:53,990 --> 00:30:51,360  
teresa was killed in the in the place

763  
00:30:56,789 --> 00:30:54,000

and the position the part of the garage

764

00:30:58,710 --> 00:30:56,799

where brendan said stephen shot her i

765

00:31:00,950 --> 00:30:58,720

mean just think about that for a second

766

00:31:03,350 --> 00:31:00,960

mark you know that's evidence right

767

00:31:04,389 --> 00:31:03,360

there of of trying to get rid of

768

00:31:07,669 --> 00:31:04,399

evidence

769

00:31:10,070 --> 00:31:07,679

uh of a of a murder of a crime there's

770

00:31:12,789 --> 00:31:10,080

no question that was blood uh the

771

00:31:14,789 --> 00:31:12,799

lubinol testing tested positive in that

772

00:31:19,190 --> 00:31:14,799

area just where he said he

773

00:31:20,549 --> 00:31:19,200

cleaned up wiped down uh

774

00:31:23,110 --> 00:31:20,559

the

775

00:31:25,350 --> 00:31:23,120

stain with bleach

776

00:31:27,990 --> 00:31:25,360

it didn't test for blood because it can

777

00:31:29,750 --> 00:31:28,000

test for blood or bleach but it matched

778

00:31:30,870 --> 00:31:29,760

where he said they

779

00:31:33,110 --> 00:31:30,880

wiped

780

00:31:35,590 --> 00:31:33,120

this stain and and i don't think anybody

781

00:31:37,669 --> 00:31:35,600

doubts that it was blood uh what is

782

00:31:40,149 --> 00:31:37,679

steven avery and brendan dassey doing

783

00:31:42,789 --> 00:31:40,159

together that night not just at the fire

784

00:31:45,669 --> 00:31:42,799

where the bones were discovered

785

00:31:48,149 --> 00:31:45,679

a raging fire in this big burn pit this

786

00:31:50,870 --> 00:31:48,159

isn't just a small you know pit it's a

787

00:31:52,470 --> 00:31:50,880

probably a 10 foot by 10 foot area

788

00:31:54,470 --> 00:31:52,480

and what are they doing together

789

00:31:57,029 --> 00:31:54,480

cleaning the garage that night isn't

790

00:31:58,710 --> 00:31:57,039

that odd with bleach in the exact spot

791

00:32:01,590 --> 00:31:58,720

where the bullets or the area where the

792

00:32:04,070 --> 00:32:01,600

bullet was found uh two bullets one with

793

00:32:07,269 --> 00:32:04,080

teresa's dna on it

794

00:32:09,110 --> 00:32:07,279

and in in and with uh with the testing

795

00:32:10,870 --> 00:32:09,120

done the luminal testing showing

796

00:32:12,830 --> 00:32:10,880

confirming their statement that they

797

00:32:14,549 --> 00:32:12,840

were cleaning with

798

00:32:17,269 --> 00:32:14,559

bleach so

799

00:32:20,149 --> 00:32:17,279

you know the other part of this is

800

00:32:21,909 --> 00:32:20,159

we've all watched too much csi um i

801  
00:32:24,070 --> 00:32:21,919  
haven't i don't watch crime shows to

802  
00:32:25,590 --> 00:32:24,080  
tell you the truth i do i'm too involved

803  
00:32:27,509 --> 00:32:25,600  
in it during the day but so many people

804  
00:32:29,669 --> 00:32:27,519  
have and there is this sense that

805  
00:32:31,909 --> 00:32:29,679  
physical evidence will be found

806  
00:32:33,909 --> 00:32:31,919  
everywhere a crime occurs and it's just

807  
00:32:36,710 --> 00:32:33,919  
not the case especially if five days

808  
00:32:39,430 --> 00:32:36,720  
have gone by right well i i want to

809  
00:32:40,789 --> 00:32:39,440  
continue a little bit uh more on

810  
00:32:43,590 --> 00:32:40,799  
on this

811  
00:32:45,750 --> 00:32:43,600  
particular part of it but i want to

812  
00:32:47,990 --> 00:32:45,760  
give this question that's up in the

813  
00:32:50,389 --> 00:32:48,000

message board uh ken

814

00:32:53,029 --> 00:32:50,399

peterson told the coroner to her face

815

00:32:54,870 --> 00:32:53,039

that she was not welcome on the scene

816

00:32:57,350 --> 00:32:54,880

where does he get the authority to do

817

00:32:59,430 --> 00:32:57,360

this

818

00:33:01,430 --> 00:32:59,440

okay i don't know that ken peterson told

819

00:33:03,990 --> 00:33:01,440

her that i thought that was someone else

820

00:33:06,389 --> 00:33:04,000

but yeah you know if i'm wrong i'm wrong

821

00:33:09,029 --> 00:33:06,399

um there was a uh

822

00:33:11,269 --> 00:33:09,039

you know by that point the county

823

00:33:13,830 --> 00:33:11,279

the d.a the

824

00:33:15,590 --> 00:33:13,840

one of the offices in manitowoc county

825

00:33:17,350 --> 00:33:15,600

the district attorney's office had

826

00:33:18,710 --> 00:33:17,360

already removed itself

827

00:33:21,750 --> 00:33:18,720

uh as

828

00:33:24,230 --> 00:33:21,760

because there was a conflict of interest

829

00:33:27,029 --> 00:33:24,240

the sheriff's department decided to stay

830

00:33:28,950 --> 00:33:27,039

but thought they were staying

831

00:33:31,909 --> 00:33:28,960

in such a manner that they would avoid

832

00:33:35,190 --> 00:33:34,230

i don't know who told the coroner that

833

00:33:37,350 --> 00:33:35,200

but

834

00:33:39,669 --> 00:33:37,360

i do know that the message to the

835

00:33:42,389 --> 00:33:39,679

coroner was that

836

00:33:44,950 --> 00:33:42,399

this is a conflict case for manitoba

837

00:33:47,269 --> 00:33:44,960

county and the calumet county

838

00:33:49,190 --> 00:33:47,279

authorities including

839

00:33:51,590 --> 00:33:49,200

and the man i believe the milwaukee

840

00:33:53,669 --> 00:33:51,600

county medical examiner came up

841

00:33:55,590 --> 00:33:53,679

that other folks were going to be doing

842

00:33:57,509 --> 00:33:55,600

the case and

843

00:33:59,269 --> 00:33:57,519

there had been some

844

00:34:01,350 --> 00:33:59,279

i don't even remember all the details

845

00:34:02,950 --> 00:34:01,360

but there had been some

846

00:34:05,430 --> 00:34:02,960

[Music]

847

00:34:07,830 --> 00:34:05,440

conflict before this

848

00:34:08,950 --> 00:34:07,840

between with the coroner the former

849

00:34:10,629 --> 00:34:08,960

coroner

850

00:34:13,430 --> 00:34:10,639

um and i don't you know i don't want to

851  
00:34:15,829 --> 00:34:13,440  
get into rumors and details but i i can

852  
00:34:17,669 --> 00:34:15,839  
assure you that there's just one more

853  
00:34:20,790 --> 00:34:17,679  
thing that was

854  
00:34:23,990 --> 00:34:20,800  
thrown out there with little bearing if

855  
00:34:26,869 --> 00:34:24,000  
any uh to to what happened that day yes

856  
00:34:29,190 --> 00:34:26,879  
um and another comment came up

857  
00:34:31,349 --> 00:34:29,200  
that pit is right next to the garage yet

858  
00:34:33,589 --> 00:34:31,359  
there's no charring sign of any big fire

859  
00:34:34,629 --> 00:34:33,599  
close to the garage

860  
00:34:38,629 --> 00:34:34,639  
is there

861  
00:34:40,950 --> 00:34:38,639  
any truth to that are you aware of that

862  
00:34:44,869 --> 00:34:40,960  
well the pitting is behind his trailer

863  
00:34:46,470 --> 00:34:44,879

and it's you know close um i have a fire

864

00:34:48,950 --> 00:34:46,480

pit probably with

865

00:34:51,109 --> 00:34:48,960

against code i'm sure but it's probably

866

00:34:53,109 --> 00:34:51,119

eight feet from my uh

867

00:34:55,750 --> 00:34:53,119

from my garage and the fire pit of

868

00:34:56,550 --> 00:34:55,760

stephen area was nowhere near that close

869

00:34:58,470 --> 00:34:56,560

so

870

00:35:00,230 --> 00:34:58,480

um

871

00:35:03,589 --> 00:35:00,240

i don't think anybody's questioning that

872

00:35:05,750 --> 00:35:03,599

there was a a very uh

873

00:35:07,589 --> 00:35:05,760

it a lot of combustion occurred there

874

00:35:08,630 --> 00:35:07,599

there look at all of the look at the

875

00:35:09,589 --> 00:35:08,640

pictures

876

00:35:10,710 --> 00:35:09,599

and

877

00:35:13,750 --> 00:35:10,720

uh

878

00:35:16,470 --> 00:35:13,760

it's not that it was just charred things

879

00:35:19,030 --> 00:35:16,480

brought that as the defense would say

880

00:35:20,870 --> 00:35:19,040

thrown in there it was clear that even

881

00:35:22,950 --> 00:35:20,880

if you assumed things were thrown in

882

00:35:26,230 --> 00:35:22,960

there that there had been a major

883

00:35:28,069 --> 00:35:26,240

uh fire yes and how come um

884

00:35:31,670 --> 00:35:28,079

making a murderer

885

00:35:32,870 --> 00:35:31,680

they didn't talk about certain evidence

886

00:35:36,550 --> 00:35:32,880

such as

887

00:35:39,109 --> 00:35:36,560

um her phone and her pda and her

888

00:35:41,510 --> 00:35:39,119

uh the contents of her purse were all

889

00:35:44,230 --> 00:35:41,520

found in a burn barrel i mean that is

890

00:35:47,109 --> 00:35:44,240

that true i mean

891

00:35:50,310 --> 00:35:47,119

that is true and it's also true uh not

892

00:35:51,430 --> 00:35:50,320

only that it's true that um a family

893

00:35:54,710 --> 00:35:51,440

friend

894

00:35:58,069 --> 00:35:54,720

a fellow by the name of robert fabian

895

00:36:00,950 --> 00:35:58,079

told police that when he came up to the

896

00:36:02,790 --> 00:36:00,960

area where stephen avery was uh his

897

00:36:05,270 --> 00:36:02,800

trailer in the garage

898

00:36:07,829 --> 00:36:05,280

that stephen was

899

00:36:11,030 --> 00:36:07,839

was throwing a plastic bag with

900

00:36:13,910 --> 00:36:11,040

something in the in the fire barrel

901  
00:36:16,390 --> 00:36:13,920  
and smelled i believe he smelled plastic

902  
00:36:18,470 --> 00:36:16,400  
so not only were those belongings of

903  
00:36:19,589 --> 00:36:18,480  
theresa found in that barrel but stephen

904  
00:36:23,190 --> 00:36:19,599  
was seen

905  
00:36:27,030 --> 00:36:23,200  
um after the murder but before the fire

906  
00:36:29,670 --> 00:36:27,040  
uh throwing items into the uh the barrel

907  
00:36:31,829 --> 00:36:29,680  
yeah making murder left that out and

908  
00:36:35,190 --> 00:36:31,839  
an incredible amount of other

909  
00:36:37,990 --> 00:36:35,200  
information out including the dna

910  
00:36:41,670 --> 00:36:38,000  
uh probably skin cell dna under the hood

911  
00:36:43,910 --> 00:36:41,680  
latch of theresa hawbach's vehicle

912  
00:36:46,230 --> 00:36:43,920  
they left out

913  
00:36:49,589 --> 00:36:46,240

the inconsistent statements of stephen

914

00:36:50,630 --> 00:36:49,599

avery he actually told his brother

915

00:36:51,430 --> 00:36:50,640

that

916

00:36:55,510 --> 00:36:51,440

the

917

00:36:58,710 --> 00:36:55,520

photographer never showed up that day um

918

00:37:00,550 --> 00:36:58,720

and he then uh changed that story after

919

00:37:03,430 --> 00:37:00,560

the police knew that she did show up

920

00:37:06,069 --> 00:37:03,440

there that day he he told him well oh

921

00:37:08,230 --> 00:37:06,079

yeah she showed up that's right um but

922

00:37:10,069 --> 00:37:08,240

she i never had contact with her i just

923

00:37:12,950 --> 00:37:10,079

saw her out the window

924

00:37:15,270 --> 00:37:12,960

and after a while that changed

925

00:37:17,349 --> 00:37:15,280

to stephen avery saying well i guess i

926

00:37:19,349 --> 00:37:17,359

did talk to her i had to

927

00:37:21,990 --> 00:37:19,359

pay her whatever he did and then i saw

928

00:37:24,390 --> 00:37:22,000

her leave so three very separate stories

929

00:37:27,349 --> 00:37:24,400

that was never brought into uh making a

930

00:37:29,990 --> 00:37:27,359

murderer um the the uh

931

00:37:32,069 --> 00:37:30,000

the uh hood latch dna was never brought

932

00:37:34,230 --> 00:37:32,079

so much was manipulated

933

00:37:36,630 --> 00:37:34,240

and you know it gets to the point martin

934

00:37:38,950 --> 00:37:36,640

where there actually were

935

00:37:40,790 --> 00:37:38,960

portions of testimony of witnesses

936

00:37:43,829 --> 00:37:40,800

edited out

937

00:37:47,109 --> 00:37:43,839

and spliced into answers of those

938

00:37:49,270 --> 00:37:47,119

witnesses to different questions

939

00:37:51,750 --> 00:37:49,280

specifically with regard to andy coburn

940

00:37:54,150 --> 00:37:51,760

they tried to officer coburn they tried

941

00:37:55,910 --> 00:37:54,160

to suggest that he saw the vehicle two

942

00:37:57,670 --> 00:37:55,920

days

943

00:38:01,349 --> 00:37:57,680

before

944

00:38:03,589 --> 00:38:01,359

it was located at the avery salvador

945

00:38:05,430 --> 00:38:03,599

and you know must have just seen it out

946

00:38:07,910 --> 00:38:05,440

there and therefore police must have

947

00:38:11,589 --> 00:38:07,920

planted the car within the intervening

948

00:38:16,069 --> 00:38:11,599

two days they suggested that uh

949

00:38:17,990 --> 00:38:16,079

by manipulating a dispatch call

950

00:38:19,910 --> 00:38:18,000

between colburn and the dispatcher a

951

00:38:23,430 --> 00:38:19,920

harmless call really

952

00:38:25,589 --> 00:38:23,440

um where he was confirming a plate

953

00:38:27,510 --> 00:38:25,599

number that it belonged to teresa

954

00:38:28,950 --> 00:38:27,520

halbach and what the plate number was

955

00:38:31,190 --> 00:38:28,960

and what kind of

956

00:38:33,510 --> 00:38:31,200

vehicle and what color it was and by

957

00:38:36,069 --> 00:38:33,520

manipulating and editing out

958

00:38:37,910 --> 00:38:36,079

his testimony from a different question

959

00:38:38,790 --> 00:38:37,920

to that question they made it look as

960

00:38:40,230 --> 00:38:38,800

though

961

00:38:43,270 --> 00:38:40,240

uh

962

00:38:46,230 --> 00:38:43,280

he was up to no good and that he had

963

00:38:47,990 --> 00:38:46,240

he had seen the car that very day

964

00:38:50,310 --> 00:38:48,000

there were other instances similar to

965

00:38:51,430 --> 00:38:50,320

that as well

966

00:38:52,470 --> 00:38:51,440

it's a

967

00:38:54,950 --> 00:38:52,480

you know

968

00:38:57,100 --> 00:38:54,960

it really was i guess this is becoming

969

00:38:58,550 --> 00:38:57,110

an overused phrase but

970

00:39:00,310 --> 00:38:58,560

[Music]

971

00:39:02,550 --> 00:39:00,320

not only fake news but i think

972

00:39:04,950 --> 00:39:02,560

alternative facts kellyanne conway's

973

00:39:08,630 --> 00:39:04,960

alternative facts actually fit

974

00:39:11,910 --> 00:39:08,640

fit better um or or good old propaganda

975

00:39:13,270 --> 00:39:11,920

um and really good propaganda because

976

00:39:15,430 --> 00:39:13,280

you know i don't know

977

00:39:19,270 --> 00:39:15,440

i don't know if you watched it um

978

00:39:21,109 --> 00:39:19,280

but it was an engrossing show and music

979

00:39:23,589 --> 00:39:21,119

and emotion

980

00:39:25,910 --> 00:39:23,599

and uh suspense

981

00:39:26,790 --> 00:39:25,920

those kinds of things really draw people

982

00:39:29,510 --> 00:39:26,800

in

983

00:39:31,829 --> 00:39:29,520

and you can do a lot

984

00:39:34,950 --> 00:39:31,839

with fact patterns and inferences by

985

00:39:38,150 --> 00:39:34,960

manipulating them when you have emotion

986

00:39:40,390 --> 00:39:38,160

and you have so much distrust of police

987

00:39:42,470 --> 00:39:40,400

and prosecutors some of it

988

00:39:43,430 --> 00:39:42,480

with good reason you know in the culture

989

00:39:46,310 --> 00:39:43,440

today

990

00:39:49,270 --> 00:39:46,320

i mean there have been 350 plus wrongful

991

00:39:51,030 --> 00:39:49,280

convictions and about half of them

992

00:39:53,349 --> 00:39:51,040

um

993

00:39:55,670 --> 00:39:53,359

one of the causes in about half of them

994

00:39:57,349 --> 00:39:55,680

or a factor is police or prosecutor

995

00:39:59,270 --> 00:39:57,359

misconduct so

996

00:40:01,990 --> 00:39:59,280

you know i'm not approaching this saying

997

00:40:04,550 --> 00:40:02,000

that police and prosecutors are are

998

00:40:09,430 --> 00:40:07,990

innocent of wrongdoing it's an exception

999

00:40:11,430 --> 00:40:09,440

not a rule

1000

00:40:13,750 --> 00:40:11,440

but there's no question

1001

00:40:16,870 --> 00:40:13,760

that uh police and prosecutors are

1002

00:40:19,829 --> 00:40:16,880

capable of some really rotten stuff um

1003

00:40:23,270 --> 00:40:19,839

witnessed the first case in the in the

1004

00:40:25,910 --> 00:40:23,280

avery's 1985 wrongful conviction

1005

00:40:28,550 --> 00:40:25,920

but you know they chose the wrong case

1006

00:40:30,790 --> 00:40:28,560

uh made a great story for them

1007

00:40:33,589 --> 00:40:30,800

uh to make it uh

1008

00:40:35,270 --> 00:40:33,599

seem as though the police uh

1009

00:40:37,190 --> 00:40:35,280

that lightning struck twice and the

1010

00:40:39,589 --> 00:40:37,200

police wrongly convicted him a second

1011

00:40:40,870 --> 00:40:39,599

time planted evidence that's that's

1012

00:40:44,230 --> 00:40:40,880

pretty uh

1013

00:40:46,790 --> 00:40:44,240

you know that's pretty sexy story uh for

1014

00:40:48,550 --> 00:40:46,800

for the making a murder folks to uh to

1015

00:40:50,390 --> 00:40:48,560

throw out there and that's what they did

1016

00:40:52,470 --> 00:40:50,400

by a lot of money i'll tell you when i

1017

00:40:53,750 --> 00:40:52,480

watched you know i watched the series

1018

00:40:54,630 --> 00:40:53,760

all the way through

1019

00:40:56,630 --> 00:40:54,640

um

1020

00:40:58,230 --> 00:40:56,640

i had a lot of discussions with other

1021

00:41:00,950 --> 00:40:58,240

people that were you know friends that

1022

00:41:02,470 --> 00:41:00,960

were watching it and um you know a lot

1023

00:41:05,190 --> 00:41:02,480

of us were

1024

00:41:06,790 --> 00:41:05,200

in the camp that you know he was framed

1025

00:41:08,710 --> 00:41:06,800

you know i mean i i really thought that

1026

00:41:11,190 --> 00:41:08,720

especially with the key magically

1027

00:41:13,030 --> 00:41:11,200

showing up um and i understand that you

1028

00:41:14,630 --> 00:41:13,040

know part of the the bookcase like

1029

00:41:16,710 --> 00:41:14,640

separated in the back and that's

1030

00:41:18,950 --> 00:41:16,720

possibly where it was hanging out i

1031

00:41:21,589 --> 00:41:18,960

don't really know but you know my first

1032

00:41:23,910 --> 00:41:21,599

thought was well they probably planted

1033

00:41:25,430 --> 00:41:23,920

the key they probably knew they had them

1034

00:41:27,910 --> 00:41:25,440

and they just wanted stronger evidence

1035

00:41:30,470 --> 00:41:27,920

that was actually my thoughts um when i

1036

00:41:31,670 --> 00:41:30,480

first uh when i first saw that and you

1037

00:41:33,589 --> 00:41:31,680

know uh

1038

00:41:35,430 --> 00:41:33,599

and like they just wanted to build a

1039

00:41:37,270 --> 00:41:35,440

stronger case that they knew they had

1040

00:41:38,710 --> 00:41:37,280

him anyway that type of thing that was

1041

00:41:39,510 --> 00:41:38,720

my thoughts but

1042

00:41:40,390 --> 00:41:39,520

um

1043

00:41:42,870 --> 00:41:40,400

but

1044

00:41:45,910 --> 00:41:42,880

uh you know as i really started to look

1045

00:41:48,150 --> 00:41:45,920

into this more um it just

1046

00:41:49,030 --> 00:41:48,160

you know it's hard to have an opinion

1047

00:41:52,150 --> 00:41:49,040

and

1048

00:41:54,069 --> 00:41:52,160

um when half of the world has the other

1049

00:41:55,910 --> 00:41:54,079

opinion you know

1050

00:41:57,670 --> 00:41:55,920

uh i'm sure you're you're dealing with

1051

00:41:59,030 --> 00:41:57,680

that now have you

1052

00:42:01,190 --> 00:41:59,040

had any

1053

00:42:02,630 --> 00:42:01,200

uh you know just go off topic a little

1054

00:42:05,270 --> 00:42:02,640

bit here have you had any personal

1055

00:42:09,510 --> 00:42:06,950

early on uh

1056

00:42:11,510 --> 00:42:09,520

all the prosecutors in our office had

1057

00:42:13,910 --> 00:42:11,520

you know a threat that someone was

1058

00:42:15,270 --> 00:42:13,920

showing up in manitowoc and was gonna

1059

00:42:17,270 --> 00:42:15,280

gonna

1060

00:42:18,790 --> 00:42:17,280

take out all the prosecutors or some

1061

00:42:21,270 --> 00:42:18,800

nonsense and

1062

00:42:23,349 --> 00:42:21,280

we never you know

1063

00:42:33,589 --> 00:42:23,359

really

1064

00:42:36,230 --> 00:42:33,599

as very very uh realistic that there was

1065

00:42:38,390 --> 00:42:36,240

a bomb threat called into the sheriff's

1066

00:42:39,990 --> 00:42:38,400

department which is right next to the

1067

00:42:42,630 --> 00:42:40,000

courthouse and it was a fairly

1068

00:42:44,390 --> 00:42:42,640

sophisticated um

1069

00:42:47,910 --> 00:42:44,400

type of threat the the

1070

00:42:51,349 --> 00:42:47,920

the uh route uh the calling route or

1071

00:42:53,430 --> 00:42:51,359

whatever the terminology is uh was such

1072

00:42:54,150 --> 00:42:53,440

that it was really hard to trace who did

1073

00:42:56,550 --> 00:42:54,160

it

1074

00:43:00,390 --> 00:42:56,560

um there was and

1075

00:43:01,589 --> 00:43:00,400

uh yeah an investigation uh of that and

1076

00:43:03,910 --> 00:43:01,599

um

1077

00:43:06,710 --> 00:43:03,920

and they were you know most of what i've

1078

00:43:08,150 --> 00:43:06,720

dealt with though is just a lot of venom

1079

00:43:10,390 --> 00:43:08,160

um

1080

00:43:12,470 --> 00:43:10,400

and i'm i

1081

00:43:14,950 --> 00:43:12,480

you know it to me it's more of an

1082

00:43:18,790 --> 00:43:14,960

interest in how people's

1083

00:43:19,589 --> 00:43:18,800

minds work how there's the psychology of

1084

00:43:23,829 --> 00:43:19,599

uh

1085

00:43:26,150 --> 00:43:23,839

what happens when we we

1086

00:43:27,430 --> 00:43:26,160

make something so close to our belief

1087

00:43:29,910 --> 00:43:27,440

kind of a

1088

00:43:33,510 --> 00:43:29,920

i mean make something make a belief of

1089

00:43:34,470 --> 00:43:33,520

ours a part of our our identity

1090

00:43:37,510 --> 00:43:34,480

i think

1091

00:43:39,109 --> 00:43:37,520

any ideology taken to an extreme

1092

00:43:41,190 --> 00:43:39,119

where it becomes

1093

00:43:43,670 --> 00:43:41,200

kind of part of our being

1094

00:43:45,349 --> 00:43:43,680

it keeps us i think and we're all

1095

00:43:47,430 --> 00:43:45,359

susceptible to it

1096

00:43:50,550 --> 00:43:47,440

from seeing things rationally and

1097

00:43:53,430 --> 00:43:50,560

objectively and it also really makes us

1098

00:43:56,550 --> 00:43:53,440

nasty and intolerant

1099

00:43:58,870 --> 00:43:56,560

of of opposite views you know because

1100

00:44:00,950 --> 00:43:58,880

it's part of our identity we we attach

1101

00:44:02,950 --> 00:44:00,960

ourselves to it so much i think

1102

00:44:06,309 --> 00:44:02,960

in a weird way that's happened in this

1103

00:44:08,309 --> 00:44:06,319

case um some people on both sides but i

1104

00:44:10,630 --> 00:44:08,319

think mostly on the side where the

1105

00:44:11,829 --> 00:44:10,640

emotion of making a murder hit

1106

00:44:14,150 --> 00:44:11,839

um

1107

00:44:16,630 --> 00:44:14,160

that that these that stephen avery was

1108

00:44:18,069 --> 00:44:16,640

only convicted again and if you really

1109

00:44:20,630 --> 00:44:18,079

believe that

1110

00:44:22,390 --> 00:44:20,640

and if you really think that the police

1111

00:44:25,349 --> 00:44:22,400

set this guy up again

1112

00:44:26,950 --> 00:44:25,359

um you know the anger is justified but

1113

00:44:29,270 --> 00:44:26,960

it it

1114

00:44:31,829 --> 00:44:29,280

it's a good example of how we can fool

1115

00:44:33,829 --> 00:44:31,839

ourselves in my opinion um

1116

00:44:35,190 --> 00:44:33,839

people will say i'm really arrogant for

1117

00:44:36,470 --> 00:44:35,200

making that

1118

00:44:39,270 --> 00:44:36,480

comment but

1119

00:44:43,430 --> 00:44:39,280

you know i think psychology uh it's the

1120

00:44:47,750 --> 00:44:43,440

way it's done uh i mean it it's it's uh

1121

00:44:49,829 --> 00:44:47,760

it it's clearly a part of our psychology

1122

00:44:52,069 --> 00:44:49,839

look at the political discussions people

1123

00:44:53,109 --> 00:44:52,079

have when their ideology kind of blinds

1124

00:44:55,109 --> 00:44:53,119

them

1125

00:44:57,670 --> 00:44:55,119

uh to to anything and i think there's

1126

00:45:00,230 --> 00:44:57,680

some commonalities there um now

1127

00:45:04,150 --> 00:45:00,240

lancaster says in the chat room page

1128

00:45:06,390 --> 00:45:04,160

three of the mtso report shows the rav

1129

00:45:07,910 --> 00:45:06,400

four in their possession on november

1130

00:45:09,910 --> 00:45:07,920

third

1131

00:45:12,710 --> 00:45:09,920

uh are you familiar with that is this

1132

00:45:15,030 --> 00:45:12,720

just a typo or is this

1133

00:45:17,510 --> 00:45:15,040

yeah i'm familiar with it that's one of

1134

00:45:19,190 --> 00:45:17,520

thousands of uh

1135

00:45:21,270 --> 00:45:19,200

you know portions of different

1136

00:45:23,670 --> 00:45:21,280

conspiracy theories

1137

00:45:26,950 --> 00:45:23,680

uh there's thousands of pages in the

1138

00:45:28,150 --> 00:45:26,960

police reports and um there's entries

1139

00:45:30,550 --> 00:45:28,160

that may

1140

00:45:33,190 --> 00:45:30,560

uh relate to when

1141

00:45:35,990 --> 00:45:33,200

the person was first being missing

1142

00:45:38,390 --> 00:45:36,000

uh this is these is a i believe it's a

1143

00:45:40,790 --> 00:45:38,400

data sheet uh the top of the police

1144

00:45:43,270 --> 00:45:40,800

report the body of the police report

1145

00:45:45,270 --> 00:45:43,280

itself is very clear on when

1146

00:45:47,750 --> 00:45:45,280

uh things occurred

1147

00:45:48,630 --> 00:45:47,760

i've seen data sheets on police reports

1148

00:45:52,790 --> 00:45:48,640

have

1149

00:45:55,190 --> 00:45:52,800

uh dates that are incorrect

1150

00:45:57,430 --> 00:45:55,200

so i don't i don't even you know i think

1151  
00:45:59,829 --> 00:45:57,440  
the problem is if you start picking

1152  
00:46:01,109 --> 00:45:59,839  
apart these little things you can take

1153  
00:46:01,990 --> 00:46:01,119  
anything

1154  
00:46:10,790 --> 00:46:02,000  
and

1155  
00:46:13,270 --> 00:46:10,800  
pages of police reports

1156  
00:46:17,270 --> 00:46:13,280  
in a six-week long trial

1157  
00:46:18,710 --> 00:46:17,280  
and a search of this property and you

1158  
00:46:21,349 --> 00:46:18,720  
can

1159  
00:46:25,190 --> 00:46:21,359  
find something wrong or find something

1160  
00:46:28,390 --> 00:46:25,200  
suspicious and you can probably do that

1161  
00:46:30,470 --> 00:46:28,400  
you know find 50 suspicious things but

1162  
00:46:32,069 --> 00:46:30,480  
to believe the conspiracy

1163  
00:46:36,069 --> 00:46:32,079

you have to ignore

1164

00:46:39,190 --> 00:46:36,079

um all the the the more realistic the

1165

00:46:41,589 --> 00:46:39,200

the obvious things and uh

1166

00:46:43,829 --> 00:46:41,599

you know i don't at some point um it's

1167

00:46:46,069 --> 00:46:43,839

not even worth um

1168

00:46:47,829 --> 00:46:46,079

addressing a lot of the the theories

1169

00:46:50,470 --> 00:46:47,839

because they're just so

1170

00:46:51,510 --> 00:46:50,480

they're so off the mark they're so

1171

00:46:56,230 --> 00:46:51,520

minor

1172

00:46:57,750 --> 00:46:56,240

and uh they they're just senseless um

1173

00:47:01,349 --> 00:46:57,760

and that's one of them i mean it's a

1174

00:47:02,550 --> 00:47:01,359

date on a data sheet uh

1175

00:47:04,550 --> 00:47:02,560

so

1176  
00:47:06,950 --> 00:47:04,560  
you know we're we're to believe that all

1177  
00:47:11,589 --> 00:47:06,960  
of this was a setup because of

1178  
00:47:12,630 --> 00:47:11,599  
uh one date uh one digit on uh one

1179  
00:47:14,950 --> 00:47:12,640  
column

1180  
00:47:16,390 --> 00:47:14,960  
of the front of an incident report it

1181  
00:47:19,670 --> 00:47:16,400  
just doesn't make it okay i'd like to

1182  
00:47:21,190 --> 00:47:19,680  
talk about dassey a little bit now

1183  
00:47:26,470 --> 00:47:21,200  
and

1184  
00:47:28,390 --> 00:47:26,480  
fact that you know he was just a kid um

1185  
00:47:32,950 --> 00:47:28,400  
you know he had a little bit of a

1186  
00:47:34,790 --> 00:47:32,960  
uh had a little bit of a low i lower iq

1187  
00:47:38,069 --> 00:47:34,800  
um and someone like that can be

1188  
00:47:39,990 --> 00:47:38,079

manipulated and clearly in the um the

1189

00:47:42,630 --> 00:47:40,000

way he was interrogated

1190

00:47:45,030 --> 00:47:42,640

um you can see manipulation going on

1191

00:47:48,150 --> 00:47:45,040

there but he also said

1192

00:47:49,670 --> 00:47:48,160

some things that uh for instance when he

1193

00:47:51,349 --> 00:47:49,680

brought the envelope over to his uncle

1194

00:47:52,950 --> 00:47:51,359

knocked on the door his uncle came and

1195

00:47:55,109 --> 00:47:52,960

was all sweaty and everything like that

1196

00:47:55,990 --> 00:47:55,119

that you know right off the bat that

1197

00:47:58,390 --> 00:47:56,000

that

1198

00:48:00,150 --> 00:47:58,400

sounds of some type of truth

1199

00:48:01,990 --> 00:48:00,160

um you know he said of a couple of other

1200

00:48:03,510 --> 00:48:02,000

things that were not you know that he

1201

00:48:04,390 --> 00:48:03,520

gave up freely

1202

00:48:07,510 --> 00:48:04,400

um

1203

00:48:09,750 --> 00:48:07,520

but uh i'm sure that the people that

1204

00:48:11,670 --> 00:48:09,760

interrogated him you know wish they had

1205

00:48:12,790 --> 00:48:11,680

more patience and had done things

1206

00:48:14,390 --> 00:48:12,800

differently

1207

00:48:15,190 --> 00:48:14,400

um do you think

1208

00:48:16,069 --> 00:48:15,200

that

1209

00:48:26,870 --> 00:48:16,079

he

1210

00:48:29,670 --> 00:48:26,880

is not going to be let out uh

1211

00:48:33,589 --> 00:48:29,680

at this point but do you think um

1212

00:48:35,829 --> 00:48:33,599

how do you feel about all that situation

1213

00:48:38,790 --> 00:48:35,839

well a couple of things um

1214

00:48:41,430 --> 00:48:38,800

there's a lot he said that rings true um

1215

00:48:43,670 --> 00:48:41,440

aladdi said does not sound like it makes

1216

00:48:44,390 --> 00:48:43,680

sense um so you have to sort of parse it

1217

00:48:47,670 --> 00:48:44,400

out

1218

00:48:50,230 --> 00:48:47,680

um we know that he denied several things

1219

00:48:53,109 --> 00:48:50,240

um even early on when he spoke with

1220

00:48:55,030 --> 00:48:53,119

police up in critics where

1221

00:48:56,790 --> 00:48:55,040

he and avery were

1222

00:48:58,150 --> 00:48:56,800

after the car was founder on that

1223

00:49:00,870 --> 00:48:58,160

weekend

1224

00:49:04,710 --> 00:49:00,880

they both denied being uh together at a

1225

00:49:07,190 --> 00:49:04,720

at a fire they both denied being uh

1226

00:49:09,349 --> 00:49:07,200

at any uh fire in the fire pit that

1227

00:49:11,270 --> 00:49:09,359

night and that makes it wonder right off

1228

00:49:13,030 --> 00:49:11,280

the bat or at least it should why you

1229

00:49:14,790 --> 00:49:13,040

know because it became obvious through

1230

00:49:16,549 --> 00:49:14,800

other witnesses

1231

00:49:19,030 --> 00:49:16,559

and even through brendan's later

1232

00:49:20,309 --> 00:49:19,040

statement himself uh that they were at a

1233

00:49:22,710 --> 00:49:20,319

fire so

1234

00:49:24,549 --> 00:49:22,720

you know that people should pause right

1235

00:49:26,549 --> 00:49:24,559

there and think what does that mean that

1236

00:49:30,950 --> 00:49:26,559

they lied about that

1237

00:49:33,270 --> 00:49:30,960

um and and several other uh things that

1238

00:49:35,829 --> 00:49:33,280

he was not being truthful with i think

1239

00:49:36,710 --> 00:49:35,839

that means more than a digit a misplaced

1240

00:49:38,870 --> 00:49:36,720

digit

1241

00:49:40,549 --> 00:49:38,880

or a different reference

1242

00:49:41,910 --> 00:49:40,559

in a data sheet

1243

00:49:43,990 --> 00:49:41,920

but anyhow

1244

00:49:46,630 --> 00:49:44,000

he also told his mother that some of

1245

00:49:48,630 --> 00:49:46,640

what he told the police was true and you

1246

00:49:51,510 --> 00:49:48,640

have to kind of look through

1247

00:49:54,630 --> 00:49:51,520

and watch all these videotapes but

1248

00:49:58,390 --> 00:49:54,640

talk about ringing true you know it's

1249

00:50:02,069 --> 00:49:58,400

it's him and his mother speaking and the

1250

00:50:05,270 --> 00:50:02,079

tone of his voice as she says you know

1251

00:50:07,109 --> 00:50:05,280

uh barbianda brendan's mother

1252

00:50:08,870 --> 00:50:07,119

you know outraged that he could have

1253

00:50:11,430 --> 00:50:08,880

been involved in this and that stephen

1254

00:50:13,829 --> 00:50:11,440

did this brendan you know

1255

00:50:15,990 --> 00:50:13,839

is any of this is this true did you do

1256

00:50:18,150 --> 00:50:16,000

this you know what you told the police

1257

00:50:20,870 --> 00:50:18,160

and he says well some of it

1258

00:50:22,309 --> 00:50:20,880

you know so there there's

1259

00:50:23,910 --> 00:50:22,319

there's pretty clear

1260

00:50:25,750 --> 00:50:23,920

and in addition to all the other

1261

00:50:28,790 --> 00:50:25,760

evidence including the the helping

1262

00:50:30,549 --> 00:50:28,800

stephen uh clean the garage and the

1263

00:50:32,470 --> 00:50:30,559

bleach stains that

1264

00:50:33,910 --> 00:50:32,480

were on his pants

1265

00:50:36,710 --> 00:50:33,920

and the fact that they were together in

1266

00:50:39,270 --> 00:50:36,720

the fires it's pretty clear in my mind

1267

00:50:41,109 --> 00:50:39,280

that brendan was in some way involved we

1268

00:50:43,109 --> 00:50:41,119

don't know exactly

1269

00:50:44,309 --> 00:50:43,119

exactly what he did and how he did i

1270

00:50:45,190 --> 00:50:44,319

have my

1271

00:50:47,190 --> 00:50:45,200

um

1272

00:50:49,670 --> 00:50:47,200

you know uh

1273

00:50:51,829 --> 00:50:49,680

belief that he was but that's really

1274

00:50:53,670 --> 00:50:51,839

kind of a separate question then where

1275

00:50:55,430 --> 00:50:53,680

it's at legally it's not whether his

1276  
00:50:57,910 --> 00:50:55,440  
confession was

1277  
00:51:00,069 --> 00:50:57,920  
false it's whether the

1278  
00:51:02,790 --> 00:51:00,079  
interrogation was

1279  
00:51:04,630 --> 00:51:02,800  
coercive was

1280  
00:51:06,470 --> 00:51:04,640  
was it an involuntary statement could

1281  
00:51:10,470 --> 00:51:06,480  
the police have done it

1282  
00:51:12,950 --> 00:51:10,480  
different you know um the the uh

1283  
00:51:15,349 --> 00:51:12,960  
the law on whether a confession is

1284  
00:51:17,910 --> 00:51:15,359  
voluntary or not isn't the black and

1285  
00:51:19,270 --> 00:51:17,920  
white kind of thing so the anger that's

1286  
00:51:21,750 --> 00:51:19,280  
been expressed

1287  
00:51:23,430 --> 00:51:21,760  
specifically at the two officers who did

1288  
00:51:24,950 --> 00:51:23,440

the interrogation

1289

00:51:26,549 --> 00:51:24,960

and you have people saying they're the

1290

00:51:28,870 --> 00:51:26,559

ones who are going to be next on a

1291

00:51:30,710 --> 00:51:28,880

wrongful conviction when lawsuit when

1292

00:51:32,870 --> 00:51:30,720

brendan dassey gets up

1293

00:51:35,430 --> 00:51:32,880

it's nonsense um

1294

00:51:37,829 --> 00:51:35,440

two courts um

1295

00:51:40,150 --> 00:51:37,839

a state court and the wisconsin court of

1296

00:51:42,549 --> 00:51:40,160

appeals said as the law stood at that

1297

00:51:43,510 --> 00:51:42,559

time and as it stands now

1298

00:51:46,470 --> 00:51:43,520

um

1299

00:51:48,710 --> 00:51:46,480

that what they did uh

1300

00:51:50,549 --> 00:51:48,720

maybe not you know a pretty thing to

1301

00:51:52,950 --> 00:51:50,559

watch or maybe not a

1302

00:51:53,910 --> 00:51:52,960

the way we'd like to have things done it

1303

00:51:57,510 --> 00:51:53,920

wasn't

1304

00:51:59,990 --> 00:51:57,520

against the law it was considered uh to

1305

00:52:06,549 --> 00:52:04,069

fair tactics in in questioning now

1306

00:52:08,390 --> 00:52:06,559

should they have done it different um i

1307

00:52:11,109 --> 00:52:08,400

don't know that they would have

1308

00:52:13,190 --> 00:52:11,119

gotten much further with brendan dassey

1309

00:52:17,109 --> 00:52:13,200

they look at it as

1310

00:52:21,589 --> 00:52:19,109

and that is one way to look at all those

1311

00:52:24,870 --> 00:52:21,599

videotapes if you watch them is a person

1312

00:52:27,430 --> 00:52:24,880

who's who's first of all lying up north

1313

00:52:29,829 --> 00:52:27,440

uh clear-cut saying what you know

1314

00:52:33,270 --> 00:52:29,839

something that isn't true so then

1315

00:52:35,750 --> 00:52:33,280

um you gradually as the police believe

1316

00:52:38,549 --> 00:52:35,760

you know bring out us a reluctant

1317

00:52:40,710 --> 00:52:38,559

witness to admit what occurred that's

1318

00:52:42,870 --> 00:52:40,720

that's one way to look at that videotape

1319

00:52:44,390 --> 00:52:42,880

those videotape confessions and i think

1320

00:52:46,150 --> 00:52:44,400

there's a lot to it

1321

00:52:48,549 --> 00:52:46,160

the other way to look at it is the

1322

00:52:51,829 --> 00:52:48,559

police are just manipulating them so

1323

00:52:53,510 --> 00:52:51,839

badly and inferring promises

1324

00:52:55,990 --> 00:52:53,520

of leniency

1325

00:52:58,390 --> 00:52:56,000

um and

1326  
00:53:00,630 --> 00:52:58,400  
making things up and acting like their

1327  
00:53:03,109 --> 00:53:00,640  
pal his pal

1328  
00:53:05,190 --> 00:53:03,119  
and taking advantage of him to the point

1329  
00:53:07,990 --> 00:53:05,200  
where

1330  
00:53:10,630 --> 00:53:08,000  
you can't even rely on what he said

1331  
00:53:12,950 --> 00:53:10,640  
and it's not the kind of questioning we

1332  
00:53:15,109 --> 00:53:12,960  
should allow because

1333  
00:53:15,910 --> 00:53:15,119  
of the constitution we you know we have

1334  
00:53:21,589 --> 00:53:15,920  
a

1335  
00:53:24,150 --> 00:53:21,599  
of

1336  
00:53:26,950 --> 00:53:24,160  
people confessions and now uh it's to

1337  
00:53:28,630 --> 00:53:26,960  
coerce psychologically confessions out

1338  
00:53:31,990 --> 00:53:28,640

of people and

1339

00:53:33,910 --> 00:53:32,000

with brendan dassey's makeup i mean

1340

00:53:38,309 --> 00:53:33,920

i understand

1341

00:53:40,549 --> 00:53:38,319

completely and can agree with much of it

1342

00:53:43,109 --> 00:53:40,559

there's a great deal of sympathy for him

1343

00:53:44,549 --> 00:53:43,119

when i give presentations i gave one to

1344

00:53:46,870 --> 00:53:44,559

the wisconsin court reporters

1345

00:53:49,109 --> 00:53:46,880

association a couple weeks ago

1346

00:53:50,390 --> 00:53:49,119

and the sympathy for brendan dassey is

1347

00:53:53,990 --> 00:53:50,400

amazing

1348

00:53:56,470 --> 00:53:54,000

and including not just the

1349

00:53:57,270 --> 00:53:56,480

the sympathy for how it

1350

00:54:00,790 --> 00:53:57,280

he

1351

00:54:02,710 --> 00:54:00,800

confessing and

1352

00:54:05,349 --> 00:54:02,720

uh there was one woman in the audience

1353

00:54:08,150 --> 00:54:05,359

who actually um went to grade school

1354

00:54:10,549 --> 00:54:08,160

with him and uh when he was in fifth

1355

00:54:11,670 --> 00:54:10,559

grade i believe she

1356

00:54:13,670 --> 00:54:11,680

was

1357

00:54:15,589 --> 00:54:13,680

sort of his tutor helped him learn how

1358

00:54:16,790 --> 00:54:15,599

to read and she spoke about him as

1359

00:54:18,870 --> 00:54:16,800

someone who

1360

00:54:21,349 --> 00:54:18,880

i think she called him a sweet kid a kid

1361

00:54:24,790 --> 00:54:21,359

that everybody picked on and not a bad

1362

00:54:27,109 --> 00:54:24,800

kid this is a kid without a prior record

1363

00:54:29,870 --> 00:54:27,119

but you know where the law should

1364

00:54:32,069 --> 00:54:29,880

develop if it should develop on

1365

00:54:33,589 --> 00:54:32,079

voluntariness um

1366

00:54:36,150 --> 00:54:33,599

this case we'll see what the seventh

1367

00:54:38,150 --> 00:54:36,160

circuit court of appeals does if they

1368

00:54:40,710 --> 00:54:38,160

just sort of follow the letter of the

1369

00:54:43,589 --> 00:54:40,720

law as it stands

1370

00:54:45,750 --> 00:54:43,599

meaning there was no explicit promise of

1371

00:54:47,030 --> 00:54:45,760

leniency to him therefore it was

1372

00:54:49,190 --> 00:54:47,040

voluntary

1373

00:54:53,349 --> 00:54:49,200

therefore it's not suppressed therefore

1374

00:54:55,910 --> 00:54:53,359

he remains in prison they could do that

1375

00:54:58,150 --> 00:54:55,920

the strict constructionist people the

1376

00:54:59,990 --> 00:54:58,160

the conservative jurists the people who

1377

00:55:01,430 --> 00:55:00,000

don't think judges

1378

00:55:03,589 --> 00:55:01,440

should be

1379

00:55:05,349 --> 00:55:03,599

they would consider it judicial activism

1380

00:55:08,069 --> 00:55:05,359

if if

1381

00:55:10,630 --> 00:55:08,079

if the courts rule otherwise

1382

00:55:13,510 --> 00:55:10,640

those folks would be very happy if uh

1383

00:55:15,750 --> 00:55:13,520

that the court of appeals just kind of

1384

00:55:18,549 --> 00:55:15,760

looks at it in a very strict sense

1385

00:55:20,549 --> 00:55:18,559

another way to do it is to you know the

1386

00:55:22,950 --> 00:55:20,559

law does develop somewhat and is it

1387

00:55:26,069 --> 00:55:22,960

always just the legislature

1388

00:55:28,470 --> 00:55:26,079

if a court looks at it and and really

1389

00:55:30,630 --> 00:55:28,480

uh thinks it through and says that

1390

00:55:34,790 --> 00:55:30,640

ultimately even though the words the

1391

00:55:36,710 --> 00:55:34,800

magic words uh of an explicit promise

1392

00:55:39,750 --> 00:55:36,720

uh those words weren't uttered to

1393

00:55:42,549 --> 00:55:39,760

brendan dassey but it's the

1394

00:55:44,630 --> 00:55:42,559

functional equivalent of it uh

1395

00:55:48,309 --> 00:55:44,640

and in fact in some ways i think it's

1396

00:55:50,789 --> 00:55:48,319

worse than one quick explicit promise

1397

00:55:52,950 --> 00:55:50,799

when when you watch those tapes and

1398

00:55:55,829 --> 00:55:52,960

we're on your side brendan and you know

1399

00:55:57,589 --> 00:55:55,839

we put your put my hand on your on your

1400

00:55:58,870 --> 00:55:57,599

knee and say i've got a son just like

1401

00:56:01,190 --> 00:55:58,880

yours and i don't think you have

1402

00:56:04,870 --> 00:56:01,200

anything to worry about and

1403

00:56:06,309 --> 00:56:04,880

uh as long as you tell the truth i

1404

00:56:09,750 --> 00:56:06,319

you know i think you could tell where

1405

00:56:11,270 --> 00:56:09,760

i'm coming from a little bit in terms of

1406

00:56:14,230 --> 00:56:11,280

uh

1407

00:56:15,990 --> 00:56:14,240

confession law but that's just my thing

1408

00:56:17,510 --> 00:56:16,000

my opinion it's certainly not the

1409

00:56:19,510 --> 00:56:17,520

opinion of the attorney general who's

1410

00:56:21,829 --> 00:56:19,520

got the case

1411

00:56:23,589 --> 00:56:21,839

and uh probably not the opinion of most

1412

00:56:25,109 --> 00:56:23,599

prosecutors but

1413

00:56:27,829 --> 00:56:25,119

whether regardless of the brennan and

1414

00:56:30,870 --> 00:56:27,839

dassey case it's very bothersome to me

1415

00:56:33,990 --> 00:56:30,880

um when police

1416

00:56:37,270 --> 00:56:34,000

over manipulate uh a defendant on a

1417

00:56:39,349 --> 00:56:37,280

confession now if it's a seasoned

1418

00:56:41,829 --> 00:56:39,359

uh criminal who's been in front of

1419

00:56:43,990 --> 00:56:41,839

police you know a dozen times and who

1420

00:56:45,589 --> 00:56:44,000

knows how to talk their way around

1421

00:56:46,390 --> 00:56:45,599

police

1422

00:56:48,390 --> 00:56:46,400

and

1423

00:56:50,870 --> 00:56:48,400

that's one thing but this is this is a

1424

00:56:52,710 --> 00:56:50,880

kid with no prior record that

1425

00:56:55,030 --> 00:56:52,720

basically uh

1426  
00:56:57,510 --> 00:56:55,040  
spent most of the time sort of looking

1427  
00:56:59,750 --> 00:56:57,520  
down and giving short answers and

1428  
00:57:02,069 --> 00:56:59,760  
thought he could go home

1429  
00:57:04,069 --> 00:57:02,079  
or go back to school after he confessed

1430  
00:57:06,390 --> 00:57:04,079  
to a murderer

1431  
00:57:09,270 --> 00:57:06,400  
so we shall see what the court does

1432  
00:57:11,030 --> 00:57:09,280  
that's what really counts yes um yes now

1433  
00:57:14,710 --> 00:57:11,040  
how does his

1434  
00:57:18,230 --> 00:57:14,720  
how did his court case line up with uh

1435  
00:57:21,109 --> 00:57:18,240  
with stephen avery's court case

1436  
00:57:22,470 --> 00:57:21,119  
his case was tried after avery's case

1437  
00:57:26,570 --> 00:57:22,480  
and of course it was the same

1438  
00:57:27,910 --> 00:57:26,580

prosecutors and there's been a lot of um

1439

00:57:30,630 --> 00:57:27,920

[Music]

1440

00:57:33,190 --> 00:57:30,640

dispute and a lot of consternation over

1441

00:57:36,309 --> 00:57:33,200

the fact that the state's theory

1442

00:57:38,069 --> 00:57:36,319

in the two cases uh differed uh or at

1443

00:57:41,190 --> 00:57:38,079

least seemed to differ

1444

00:57:43,430 --> 00:57:41,200

that in the one case um in in the avery

1445

00:57:45,510 --> 00:57:43,440

trial there was no indication that there

1446

00:57:47,109 --> 00:57:45,520

was a co-defendant um

1447

00:57:49,510 --> 00:57:47,119

or that or

1448

00:57:51,190 --> 00:57:49,520

where the uh murder occurred or the or

1449

00:57:53,030 --> 00:57:51,200

the brennan dassey

1450

00:57:54,470 --> 00:57:53,040

uh statement as to how the murder

1451  
00:57:55,829 --> 00:57:54,480  
occurred none of that came into the

1452  
00:57:57,910 --> 00:57:55,839  
avery case

1453  
00:58:00,309 --> 00:57:57,920  
uh but in the dassey case it was

1454  
00:58:02,950 --> 00:58:00,319  
primarily brendan's uh confession

1455  
00:58:04,710 --> 00:58:02,960  
britney dassey's confession as to how he

1456  
00:58:05,829 --> 00:58:04,720  
and stephen avery raped and killed

1457  
00:58:10,150 --> 00:58:05,839  
theresa

1458  
00:58:12,230 --> 00:58:10,160  
have two very different

1459  
00:58:13,510 --> 00:58:12,240  
versions presented by the state by the

1460  
00:58:15,990 --> 00:58:13,520  
prosecution

1461  
00:58:19,109 --> 00:58:16,000  
and that upsets people um what they're

1462  
00:58:22,230 --> 00:58:19,119  
what they're missing i think is that um

1463  
00:58:23,750 --> 00:58:22,240

in a trial the prosecution and the

1464

00:58:27,030 --> 00:58:23,760

defense

1465

00:58:31,270 --> 00:58:27,040

is limited to the evidence to what the

1466

00:58:34,150 --> 00:58:31,280

evidence was and the admissible evidence

1467

00:58:35,829 --> 00:58:34,160

so in stephen avery's case

1468

00:58:38,069 --> 00:58:35,839

brendan dassey's confession was not

1469

00:58:40,710 --> 00:58:38,079

admissible it would have been hearsay

1470

00:58:41,750 --> 00:58:40,720

unless he took the stand

1471

00:58:44,150 --> 00:58:41,760

but

1472

00:58:46,069 --> 00:58:44,160

he would not agree to a deal the parties

1473

00:58:48,630 --> 00:58:46,079

did not cut a deal so the state could

1474

00:58:50,549 --> 00:58:48,640

not use him to testify against avery so

1475

00:58:51,510 --> 00:58:50,559

kratz didn't have

1476

00:58:53,910 --> 00:58:51,520

um

1477

00:58:56,390 --> 00:58:53,920

or the other two prosecutors did not

1478

00:58:58,549 --> 00:58:56,400

have uh brennan's confession there was

1479

00:59:00,470 --> 00:58:58,559

there could be no evidence

1480

00:59:03,109 --> 00:59:00,480

admitted at that trial with regard to

1481

00:59:05,990 --> 00:59:03,119

the to where the crime occurred or that

1482

00:59:08,069 --> 00:59:06,000

it even involves somebody else

1483

00:59:10,390 --> 00:59:08,079

i think i would have had i've been

1484

00:59:13,109 --> 00:59:10,400

trying the case sort of suggested to the

1485

00:59:14,950 --> 00:59:13,119

jury i don't believe kratz did this that

1486

00:59:17,430 --> 00:59:14,960

you know we're not saying

1487

00:59:19,270 --> 00:59:17,440

um exactly how the murder occurred we're

1488

00:59:20,789 --> 00:59:19,280

not even saying that steven avery was

1489

00:59:23,030 --> 00:59:20,799

the only one

1490

00:59:25,270 --> 00:59:23,040

who committed this murder but what

1491

00:59:27,109 --> 00:59:25,280

you're here to listen to ladies and

1492

00:59:29,190 --> 00:59:27,119

gentlemen is the evidence as to whether

1493

00:59:30,630 --> 00:59:29,200

stephen avery whether he did it alone or

1494

00:59:33,430 --> 00:59:30,640

did it with others

1495

00:59:36,069 --> 00:59:33,440

uh committed the crime um he may have

1496

00:59:37,349 --> 00:59:36,079

said that i don't know but the point is

1497

00:59:39,990 --> 00:59:37,359

um

1498

00:59:41,109 --> 00:59:40,000

it's it's an odd thing you know it it

1499

00:59:45,510 --> 00:59:41,119

it's

1500

00:59:47,910 --> 00:59:45,520

that that evidence is sometimes not

1501  
00:59:49,910 --> 00:59:47,920  
admissible even though it seems pretty

1502  
00:59:51,349 --> 00:59:49,920  
clear and you can end up if you have

1503  
00:59:53,589 --> 00:59:51,359  
co-defendants

1504  
00:59:56,069 --> 00:59:53,599  
with different versions presented to the

1505  
01:00:00,710 --> 00:59:58,309  
it would bother me as a prosecutor to

1506  
01:00:02,230 --> 01:00:00,720  
some extent if i didn't try to at least

1507  
01:00:03,589 --> 01:00:02,240  
hint around

1508  
01:00:05,670 --> 01:00:03,599  
that

1509  
01:00:07,589 --> 01:00:05,680  
there's there's some information other

1510  
01:00:10,950 --> 01:00:07,599  
information in every case that you're

1511  
01:00:15,190 --> 01:00:13,030  
you know you need to look at only what

1512  
01:00:16,390 --> 01:00:15,200  
we have in front of you but

1513  
01:00:19,270 --> 01:00:16,400

you you

1514

01:00:20,630 --> 01:00:19,280

necessarily don't know the entire story

1515

01:00:23,589 --> 01:00:20,640

and that's okay

1516

01:00:26,309 --> 01:00:23,599

we don't have to tell them and we can't

1517

01:00:27,910 --> 01:00:26,319

tell them uh the entire

1518

01:00:29,990 --> 01:00:27,920

story for the protection of the

1519

01:00:32,470 --> 01:00:30,000

defendant frankly as to to what's

1520

01:00:33,829 --> 01:00:32,480

admissible and what's not so again

1521

01:00:39,349 --> 01:00:33,839

that's a

1522

01:00:42,470 --> 01:00:39,359

it has been taken way out of proportion

1523

01:00:45,030 --> 01:00:42,480

and somehow looked at by pro avery and

1524

01:00:46,870 --> 01:00:45,040

pro dassey folks as a sign that

1525

01:00:48,789 --> 01:00:46,880

you know the prosecution doesn't believe

1526

01:00:49,670 --> 01:00:48,799

its own theory or

1527

01:00:51,750 --> 01:00:49,680

was

1528

01:00:53,990 --> 01:00:51,760

that they're just making it all up not

1529

01:00:56,069 --> 01:00:54,000

the case there's a good legal reason for

1530

01:00:59,750 --> 01:00:56,079

for what you know i do feel i do feel

1531

01:01:01,190 --> 01:00:59,760

bad for brendan um only because i think

1532

01:01:02,549 --> 01:01:01,200

that

1533

01:01:05,829 --> 01:01:02,559

you know i think it was totally

1534

01:01:07,750 --> 01:01:05,839

manipulated by his uncle basically is

1535

01:01:10,870 --> 01:01:07,760

how i'm thinking about the whole

1536

01:01:12,630 --> 01:01:10,880

situation um and i do feel bad for the

1537

01:01:14,870 --> 01:01:12,640

way he was interrogated

1538

01:01:18,230 --> 01:01:14,880

but if he actually did have a hand in

1539

01:01:20,630 --> 01:01:18,240

this then i i i don't feel so

1540

01:01:22,870 --> 01:01:20,640

uh i don't feel that

1541

01:01:25,030 --> 01:01:22,880

um he should get out on a constitutional

1542

01:01:27,190 --> 01:01:25,040

right but

1543

01:01:30,150 --> 01:01:27,200

what are your thoughts on that i mean

1544

01:01:32,069 --> 01:01:30,160

he could be released right well he has

1545

01:01:35,030 --> 01:01:32,079

yeah he could be and he absolutely

1546

01:01:35,910 --> 01:01:35,040

should get out on a constitutional rate

1547

01:01:39,750 --> 01:01:35,920

if

1548

01:01:41,510 --> 01:01:39,760

his constitutional right was violated

1549

01:01:44,630 --> 01:01:41,520

under the law so that it should be

1550

01:01:47,430 --> 01:01:44,640

suppressed um you have to and it's

1551

01:01:49,990 --> 01:01:47,440

difficult you know but people in the law

1552

01:01:52,230 --> 01:01:50,000

and i think the

1553

01:01:54,789 --> 01:01:52,240

people have to be able to have a couple

1554

01:01:57,109 --> 01:01:54,799

things going on um in their minds at the

1555

01:02:00,390 --> 01:01:57,119

same time sometimes

1556

01:02:02,470 --> 01:02:00,400

um in terms of this um

1557

01:02:04,230 --> 01:02:02,480

you know i i think brenda dassey did

1558

01:02:06,710 --> 01:02:04,240

have some involvement and it may be

1559

01:02:09,430 --> 01:02:06,720

close to what his involvement was and if

1560

01:02:12,069 --> 01:02:09,440

that what he said his involvement was uh

1561

01:02:14,710 --> 01:02:12,079

in the one confession that they used

1562

01:02:15,510 --> 01:02:14,720

against him and if that's the case

1563

01:02:17,670 --> 01:02:15,520

um

1564

01:02:20,309 --> 01:02:17,680

you know you can feel sorry for someone

1565

01:02:22,069 --> 01:02:20,319

because like you said uh when you're

1566

01:02:24,789 --> 01:02:22,079

role models uh

1567

01:02:27,349 --> 01:02:24,799

your uncle steven avery um and we really

1568

01:02:30,390 --> 01:02:27,359

haven't gone much into his character but

1569

01:02:32,549 --> 01:02:30,400

um when when that's who is your role

1570

01:02:34,309 --> 01:02:32,559

model and brendan dassey was a shy kid

1571

01:02:35,910 --> 01:02:34,319

he hung around with his uncle a lot he

1572

01:02:38,230 --> 01:02:35,920

didn't have a lot of friends

1573

01:02:39,829 --> 01:02:38,240

and he looks up to him and he's a

1574

01:02:41,349 --> 01:02:39,839

confused kid

1575

01:02:45,030 --> 01:02:41,359

so you can

1576

01:02:45,829 --> 01:02:45,040

feel bad for him and feel bad that he he

1577

01:02:48,230 --> 01:02:45,839

did

1578

01:02:50,230 --> 01:02:48,240

that he was manipulated but also given

1579

01:02:52,309 --> 01:02:50,240

what occurred if it's true

1580

01:02:53,990 --> 01:02:52,319

that he did what he said he did and i

1581

01:02:57,190 --> 01:02:54,000

think it probably is

1582

01:02:59,430 --> 01:02:57,200

in the way he said it uh was

1583

01:03:01,190 --> 01:02:59,440

something should have gone off it seems

1584

01:03:02,390 --> 01:03:01,200

to me um

1585

01:03:05,270 --> 01:03:02,400

you know in his mind

1586

01:03:08,309 --> 01:03:05,280

when he when he's actually doing what he

1587

01:03:11,109 --> 01:03:08,319

said he did you know raping a woman who

1588

01:03:14,069 --> 01:03:11,119

is tied up screaming for help

1589

01:03:16,630 --> 01:03:14,079

and then taking a knife to her

1590

01:03:18,150 --> 01:03:16,640

and then helping his uncle burn her body

1591

01:03:21,670 --> 01:03:18,160

i mean

1592

01:03:23,750 --> 01:03:21,680

regardless of who you are unless you're

1593

01:03:25,670 --> 01:03:23,760

to the point where legally you're not

1594

01:03:27,910 --> 01:03:25,680

responsible because of

1595

01:03:29,990 --> 01:03:27,920

mental disease and defects such that you

1596

01:03:31,270 --> 01:03:30,000

could not understand the wrongfulness of

1597

01:03:33,190 --> 01:03:31,280

your conduct

1598

01:03:35,349 --> 01:03:33,200

or that you

1599

01:03:38,150 --> 01:03:35,359

couldn't could not conform your conduct

1600

01:03:40,870 --> 01:03:38,160

to the law that's the insanity play

1601  
01:03:43,510 --> 01:03:40,880  
short of that you know there

1602  
01:03:45,349 --> 01:03:43,520  
that's a part taking in in a really

1603  
01:03:48,069 --> 01:03:45,359  
serious crime so while you can feel

1604  
01:03:51,349 --> 01:03:48,079  
sorry for somebody you also have to keep

1605  
01:03:52,630 --> 01:03:51,359  
in mind uh free will and that he didn't

1606  
01:03:55,750 --> 01:03:52,640  
stop

1607  
01:03:58,390 --> 01:03:55,760  
and that teresa halbach's a real person

1608  
01:04:02,630 --> 01:03:58,400  
uh and frankly a wonderful person

1609  
01:04:04,710 --> 01:04:02,640  
and has a family and we can't uh

1610  
01:04:07,750 --> 01:04:04,720  
you know in a justice system

1611  
01:04:11,270 --> 01:04:07,760  
have a situation where we feel bad and

1612  
01:04:13,589 --> 01:04:11,280  
therefore one's not culpable

1613  
01:04:15,990 --> 01:04:13,599

but at the same at the same time you

1614

01:04:18,390 --> 01:04:16,000

know that goes to sentencing obviously

1615

01:04:21,109 --> 01:04:18,400

he was not as culpable

1616

01:04:24,069 --> 01:04:21,119

as steven avery and the penalty and it

1617

01:04:26,789 --> 01:04:24,079

wasn't given as life without capacity

1618

01:04:29,349 --> 01:04:26,799

possibility of parole uh like it could

1619

01:04:31,589 --> 01:04:29,359

have been he's eligible for parole i

1620

01:04:34,150 --> 01:04:31,599

think when he's 55 or something and that

1621

01:04:35,510 --> 01:04:34,160

assumes he doesn't get out he might and

1622

01:04:37,910 --> 01:04:35,520

there's some people who think it could

1623

01:04:40,789 --> 01:04:37,920

have been a the judge could have set the

1624

01:04:43,029 --> 01:04:40,799

pro eligibility date earlier

1625

01:04:45,029 --> 01:04:43,039

because of what you just said

1626  
01:04:46,390 --> 01:04:45,039  
because he was manipulated by his uncle

1627  
01:04:48,549 --> 01:04:46,400  
never would have done this there's no

1628  
01:04:50,470 --> 01:04:48,559  
question

1629  
01:04:53,270 --> 01:04:50,480  
but if

1630  
01:04:54,789 --> 01:04:53,280  
you know if they it's deemed

1631  
01:04:58,630 --> 01:04:54,799  
by

1632  
01:05:01,109 --> 01:04:58,640  
seven judges or well three judges right

1633  
01:05:02,390 --> 01:05:01,119  
now on a panel in chicago

1634  
01:05:03,430 --> 01:05:02,400  
uh

1635  
01:05:06,150 --> 01:05:03,440  
and

1636  
01:05:08,069 --> 01:05:06,160  
you know we we place this kind of magic

1637  
01:05:09,750 --> 01:05:08,079  
power in them because three other judges

1638  
01:05:12,710 --> 01:05:09,760

on a different court of appeals panel

1639

01:05:14,630 --> 01:05:12,720

might might rule different and

1640

01:05:16,470 --> 01:05:14,640

a seven judge panel might rule different

1641

01:05:18,390 --> 01:05:16,480

and the u.s supreme court might rule

1642

01:05:19,349 --> 01:05:18,400

different but if

1643

01:05:27,029 --> 01:05:19,359

uh

1644

01:05:29,510 --> 01:05:27,039

they believe and they issue

1645

01:05:30,390 --> 01:05:29,520

a decision saying that

1646

01:05:33,270 --> 01:05:30,400

um

1647

01:05:34,630 --> 01:05:33,280

that his co his confession was not

1648

01:05:37,109 --> 01:05:34,640

voluntary

1649

01:05:39,589 --> 01:05:37,119

we have to accept that and

1650

01:05:43,349 --> 01:05:39,599

if it was an obvious call that not being

1651

01:05:46,230 --> 01:05:43,359

voluntary we absolutely

1652

01:05:49,109 --> 01:05:46,240

must accept as as citizens you know the

1653

01:05:50,340 --> 01:05:49,119

idea that even though someone commits a

1654

01:05:52,549 --> 01:05:50,350

crime like this

1655

01:05:55,029 --> 01:05:52,559

[Music]

1656

01:05:57,750 --> 01:05:55,039

they go free because there's a larger

1657

01:06:00,150 --> 01:05:57,760

issue at stake

1658

01:06:01,910 --> 01:06:00,160

all of our rights are constitutional

1659

01:06:04,549 --> 01:06:01,920

rights

1660

01:06:05,910 --> 01:06:04,559

that go back hundreds of years right

1661

01:06:09,270 --> 01:06:05,920

right now

1662

01:06:12,870 --> 01:06:09,280

um let's get back to the stephen avery

1663

01:06:15,029 --> 01:06:12,880

case and teresa halbach um

1664

01:06:17,670 --> 01:06:15,039

what is the what would you consider the

1665

01:06:18,549 --> 01:06:17,680

strongest foothold or

1666

01:06:20,069 --> 01:06:18,559

used

1667

01:06:23,029 --> 01:06:20,079

most of all

1668

01:06:24,630 --> 01:06:23,039

as far as the stephen avery supporter

1669

01:06:26,069 --> 01:06:24,640

you know that think he's innocent what

1670

01:06:29,430 --> 01:06:26,079

is her strongest

1671

01:06:31,349 --> 01:06:29,440

case that you're aware of

1672

01:06:33,829 --> 01:06:31,359

well i think the key

1673

01:06:35,990 --> 01:06:33,839

i think people focus on the key and like

1674

01:06:40,309 --> 01:06:36,000

like you were you questioned earlier the

1675

01:06:41,910 --> 01:06:40,319

lack of blood but the key um

1676

01:06:44,309 --> 01:06:41,920

uh you know the lack of blood mostly

1677

01:06:46,789 --> 01:06:44,319

goes to the dasty case but forget about

1678

01:06:48,549 --> 01:06:46,799

dassey's confession again for a minute

1679

01:06:49,670 --> 01:06:48,559

and you're left with

1680

01:06:52,950 --> 01:06:49,680

um

1681

01:06:54,950 --> 01:06:52,960

uh what else people might point to and

1682

01:06:55,910 --> 01:06:54,960

logically point to is this just looks

1683

01:07:02,470 --> 01:06:55,920

too

1684

01:07:05,510 --> 01:07:02,480

you know if if it's just as you see it

1685

01:07:07,910 --> 01:07:05,520

in making a murderer and you you're told

1686

01:07:09,990 --> 01:07:07,920

uh that there were whatever five or six

1687

01:07:11,430 --> 01:07:10,000

searches and this is the seventh search

1688

01:07:12,710 --> 01:07:11,440

and you're shown

1689

01:07:14,710 --> 01:07:12,720

this key

1690

01:07:16,789 --> 01:07:14,720

uh with a camera

1691

01:07:20,870 --> 01:07:16,799

zooming in

1692

01:07:23,190 --> 01:07:20,880

plain plainly visible on the floor

1693

01:07:26,309 --> 01:07:23,200

and you're told that it was two

1694

01:07:28,789 --> 01:07:26,319

manitowoc officers that found the key

1695

01:07:30,309 --> 01:07:28,799

despite the other jurisdiction having

1696

01:07:32,789 --> 01:07:30,319

searched uh

1697

01:07:35,829 --> 01:07:32,799

the bedroom several times earlier

1698

01:07:37,910 --> 01:07:35,839

and you're shown um

1699

01:07:40,870 --> 01:07:37,920

you're not shown the explanation that

1700

01:07:42,789 --> 01:07:40,880

they gave for the finding of the key

1701

01:07:44,630 --> 01:07:42,799

and you're only shown

1702

01:07:48,069 --> 01:07:44,640

the calumet county

1703

01:07:50,069 --> 01:07:48,079

officer uh in his testimony on making a

1704

01:07:52,950 --> 01:07:50,079

murder when he suggests you know

1705

01:07:57,029 --> 01:07:52,960

anything's possible but you're not shown

1706

01:07:59,829 --> 01:07:57,039

um the rest of his testimony which which

1707

01:08:01,510 --> 01:07:59,839

really bolstered lincoln coburn's claim

1708

01:08:03,829 --> 01:08:01,520

that he was there the whole time and he

1709

01:08:05,829 --> 01:08:03,839

definitely would have noticed given the

1710

01:08:08,150 --> 01:08:05,839

size of the room and the relative

1711

01:08:09,670 --> 01:08:08,160

positioning of the three officers had

1712

01:08:11,990 --> 01:08:09,680

they planted the key

1713

01:08:14,309 --> 01:08:12,000

you know it it

1714

01:08:17,269 --> 01:08:14,319

it is something you walk away with

1715

01:08:20,149 --> 01:08:17,279

though if that's all you see as um

1716

01:08:22,070 --> 01:08:20,159

as something that you think that's just

1717

01:08:23,110 --> 01:08:22,080

it's obviously planted

1718

01:08:25,349 --> 01:08:23,120

um

1719

01:08:27,829 --> 01:08:25,359

i can't tell you no one can tell you

1720

01:08:30,870 --> 01:08:27,839

with absolute certainty other than jim

1721

01:08:33,030 --> 01:08:30,880

coburn and andy link uh andy coburn and

1722

01:08:35,269 --> 01:08:33,040

jim link the two officers

1723

01:08:39,910 --> 01:08:35,279

uh who are accused of planning the key

1724

01:08:42,309 --> 01:08:39,920

that it wasn't planted um but

1725

01:08:45,990 --> 01:08:42,319

not only do i believe it wasn't planted

1726

01:08:48,070 --> 01:08:46,000

and it's not just because i know them

1727

01:08:51,829 --> 01:08:48,080

and know them to be incredibly honorable

1728

01:08:53,990 --> 01:08:51,839

officers but it's because of the details

1729

01:08:56,229 --> 01:08:54,000

of what they were there to do and what

1730

01:08:57,829 --> 01:08:56,239

making a murderer left out

1731

01:09:00,390 --> 01:08:57,839

i think there's a picture that i sent

1732

01:09:01,990 --> 01:09:00,400

you but that bookcase making a murder

1733

01:09:04,309 --> 01:09:02,000

never showed the backing of that

1734

01:09:07,669 --> 01:09:04,319

bookcase and that

1735

01:09:09,990 --> 01:09:07,679

it did come apart the back uh

1736

01:09:12,470 --> 01:09:10,000

the sort of cheap paneling on the back

1737

01:09:14,470 --> 01:09:12,480

of the bookcase where there's a slip and

1738

01:09:17,030 --> 01:09:14,480

where the key could easily have

1739

01:09:19,990 --> 01:09:17,040

dropped from and where the officers

1740

01:09:22,229 --> 01:09:20,000

testified that was what the state of it

1741

01:09:24,070 --> 01:09:22,239

after they pulled it off the wall and

1742

01:09:25,110 --> 01:09:24,080

shoved these things back

1743

01:09:26,950 --> 01:09:25,120

um

1744

01:09:28,709 --> 01:09:26,960

so there's an explanation that wasn't

1745

01:09:30,149 --> 01:09:28,719

shown and the

1746

01:09:32,630 --> 01:09:30,159

the other thing is

1747

01:09:34,550 --> 01:09:32,640

the scope of their search of the bedroom

1748

01:09:37,510 --> 01:09:34,560

at that point wasn't

1749

01:09:40,309 --> 01:09:37,520

um it was very very specific they were

1750

01:09:42,149 --> 01:09:40,319

sent back that search warrant was uh

1751

01:09:42,950 --> 01:09:42,159

specifically for

1752

01:09:45,590 --> 01:09:42,960

um

1753

01:09:47,669 --> 01:09:45,600

items like pornography and i think

1754

01:09:51,749 --> 01:09:47,679

handcuffs or any

1755

01:09:54,149 --> 01:09:51,759

any items of bondage suggesting bondage

1756

01:09:56,310 --> 01:09:54,159

and the idea was if there's hardcore

1757

01:09:57,680 --> 01:09:56,320

porn in avery's bedroom or somewhere in

1758

01:09:59,189 --> 01:09:57,690

the residence

1759

01:10:01,510 --> 01:09:59,199

[Music]

1760

01:10:03,270 --> 01:10:01,520

having to do with bondage that that

1761

01:10:06,070 --> 01:10:03,280

might corroborate

1762

01:10:07,669 --> 01:10:06,080

or suggest how

1763

01:10:08,470 --> 01:10:07,679

a rape and murder might have occurred

1764

01:10:14,950 --> 01:10:08,480

and

1765

01:10:17,189 --> 01:10:14,960

it was very specific to those types of

1766

01:10:20,070 --> 01:10:17,199

items so they weren't in there looking

1767

01:10:21,990 --> 01:10:20,080

and searching for major items of you

1768

01:10:23,910 --> 01:10:22,000

know blood or

1769

01:10:24,790 --> 01:10:23,920

keys or weapons that had already been

1770

01:10:27,590 --> 01:10:24,800

done

1771

01:10:29,590 --> 01:10:27,600

it was a very specific detailed search

1772

01:10:32,709 --> 01:10:29,600

so other officers wouldn't have gone

1773

01:10:34,870 --> 01:10:32,719

through all of the contents of avery's

1774

01:10:37,110 --> 01:10:34,880

bookcase um and they did find

1775

01:10:39,110 --> 01:10:37,120

pornography in these pamphlets and

1776

01:10:40,950 --> 01:10:39,120

binders in the bookcase

1777

01:10:42,790 --> 01:10:40,960

and they were shoving them back in

1778

01:10:45,350 --> 01:10:42,800

colburn shoved it back in frankly i

1779

01:10:46,630 --> 01:10:45,360

think he was kind of disgusted by some

1780

01:10:49,750 --> 01:10:46,640

of what he saw

1781

01:10:52,870 --> 01:10:49,760

and uh and he believes that's when the

1782

01:10:53,910 --> 01:10:52,880

key fell out from behind uh this

1783

01:10:55,669 --> 01:10:53,920

paneling

1784

01:10:57,750 --> 01:10:55,679

which by the way is a perfect place for

1785

01:10:59,990 --> 01:10:57,760

avery to hide the key so the last thing

1786

01:11:02,790 --> 01:11:00,000

he had to do was crush the car

1787

01:11:05,270 --> 01:11:02,800

and you need the key to move the car

1788

01:11:10,709 --> 01:11:08,310

tucking it in between this uh backing

1789

01:11:12,790 --> 01:11:10,719

this paneling and the bookcase in his

1790

01:11:16,149 --> 01:11:12,800

bedroom would be a

1791

01:11:18,149 --> 01:11:16,159

a fine place a logical place for him to

1792

01:11:19,590 --> 01:11:18,159

to hide the key none of that was

1793

01:11:21,270 --> 01:11:19,600

explained though in making a murder and

1794

01:11:22,950 --> 01:11:21,280

that's my problem with it you know i

1795

01:11:25,189 --> 01:11:22,960

can't prove

1796

01:11:27,669 --> 01:11:25,199

with a hundred percent certainty you

1797

01:11:29,510 --> 01:11:27,679

can't prove a negative

1798

01:11:32,390 --> 01:11:29,520

but you should at least the public

1799

01:11:35,030 --> 01:11:32,400

should get the other side of it and

1800

01:11:37,270 --> 01:11:35,040

not just an edited and manipulated

1801  
01:11:38,229 --> 01:11:37,280  
version of what the creators of making a

1802  
01:11:41,110 --> 01:11:38,239  
murderer

1803  
01:11:43,430 --> 01:11:41,120  
want uh want the public to believe yes i

1804  
01:11:45,990 --> 01:11:43,440  
i i did put that image up anyone

1805  
01:11:48,709 --> 01:11:46,000  
watching youtube um can see you know the

1806  
01:11:51,110 --> 01:11:48,719  
images as we go along here now did did

1807  
01:11:53,110 --> 01:11:51,120  
he actually have a plan

1808  
01:11:54,470 --> 01:11:53,120  
that you're aware of any way to document

1809  
01:11:55,990 --> 01:11:54,480  
that he had a plan to have that car

1810  
01:11:58,229 --> 01:11:56,000  
crushed

1811  
01:12:00,470 --> 01:11:58,239  
at the yard

1812  
01:12:04,149 --> 01:12:00,480  
well he didn't talk to the police he you

1813  
01:12:06,630 --> 01:12:04,159

know he um well he denied involvement so

1814

01:12:10,550 --> 01:12:06,640

there's no version of what he did

1815

01:12:13,910 --> 01:12:10,560

of what he's uh his involvement um

1816

01:12:17,189 --> 01:12:13,920

but um i think it's a fair inference

1817

01:12:18,950 --> 01:12:17,199

that uh that was the next step um the

1818

01:12:22,550 --> 01:12:18,960

vehicle was found

1819

01:12:24,790 --> 01:12:22,560

just up that drive um

1820

01:12:28,229 --> 01:12:24,800

from the car crusher

1821

01:12:29,510 --> 01:12:28,239

um if you think about how this this

1822

01:12:31,990 --> 01:12:29,520

you know

1823

01:12:34,229 --> 01:12:32,000

logically would have happened uh you you

1824

01:12:36,870 --> 01:12:34,239

need to get rid of evidence assume avery

1825

01:12:39,590 --> 01:12:36,880

and dassey did it like dassey said

1826

01:12:43,030 --> 01:12:39,600

you need to get rid of obviously all the

1827

01:12:46,070 --> 01:12:43,040

evidence um before police are there so

1828

01:12:50,550 --> 01:12:46,080

you you gotta you start with the body um

1829

01:12:52,950 --> 01:12:50,560

you you must dispose of the body and lo

1830

01:12:54,470 --> 01:12:52,960

and behold there's a a very large fire

1831

01:12:57,830 --> 01:12:54,480

that night where the two of them are

1832

01:12:59,350 --> 01:12:57,840

there and bones found the next day

1833

01:13:01,430 --> 01:12:59,360

and um

1834

01:13:03,110 --> 01:13:01,440

and uh

1835

01:13:05,910 --> 01:13:03,120

and then you get rid of

1836

01:13:07,350 --> 01:13:05,920

bleach or you get rid of blood stains in

1837

01:13:08,950 --> 01:13:07,360

the garage

1838

01:13:11,750 --> 01:13:08,960

um you

1839

01:13:13,830 --> 01:13:11,760

hide the car because that's other

1840

01:13:16,149 --> 01:13:13,840

evidence obviously that teresa holdback

1841

01:13:18,149 --> 01:13:16,159

was there police would show up and there

1842

01:13:20,709 --> 01:13:18,159

her vehicle would be that's not what you

1843

01:13:22,390 --> 01:13:20,719

want to have seen if you're the killer

1844

01:13:25,669 --> 01:13:22,400

so it would make sense that he would

1845

01:13:28,870 --> 01:13:25,679

hide the car and the the

1846

01:13:31,430 --> 01:13:28,880

lack of uh or the fact that he had not

1847

01:13:33,510 --> 01:13:31,440

yet uh gotten around

1848

01:13:34,550 --> 01:13:33,520

the car crushing the car removing the

1849

01:13:36,790 --> 01:13:34,560

car

1850

01:13:39,669 --> 01:13:36,800

uh makes sense that would be the last

1851  
01:13:40,709 --> 01:13:39,679  
and the most difficult thing to do um

1852  
01:13:43,189 --> 01:13:40,719  
when you

1853  
01:13:44,630 --> 01:13:43,199  
apparently in a salvage are or anywhere

1854  
01:13:47,430 --> 01:13:44,640  
where you do this

1855  
01:13:50,390 --> 01:13:47,440  
you need to first of all take the engine

1856  
01:13:52,310 --> 01:13:50,400  
black out so it's not an easy process

1857  
01:13:55,990 --> 01:13:52,320  
you have to lift the thing up with a

1858  
01:13:58,310 --> 01:13:56,000  
forklift the the body of the car

1859  
01:13:59,110 --> 01:13:58,320  
and it's very noisy

1860  
01:14:00,550 --> 01:13:59,120  
it

1861  
01:14:01,750 --> 01:14:00,560  
is something that would have attracted

1862  
01:14:05,030 --> 01:14:01,760  
the attention

1863  
01:14:07,110 --> 01:14:05,040

you know the public their um customers

1864

01:14:08,470 --> 01:14:07,120

as well as his family members who are

1865

01:14:11,110 --> 01:14:08,480

working there you'd think they would

1866

01:14:11,990 --> 01:14:11,120

wonder what a relatively new rav4 was

1867

01:14:13,910 --> 01:14:12,000

doing

1868

01:14:15,990 --> 01:14:13,920

you know in the car crashers so the

1869

01:14:17,910 --> 01:14:16,000

theory is and it can be no more than a

1870

01:14:19,990 --> 01:14:17,920

theory you know but i think it's a

1871

01:14:22,790 --> 01:14:20,000

logical theory um

1872

01:14:24,070 --> 01:14:22,800

is that that was the next thing to do

1873

01:14:26,070 --> 01:14:24,080

um

1874

01:14:27,430 --> 01:14:26,080

but the car was found before he could

1875

01:14:29,270 --> 01:14:27,440

get to it

1876

01:14:31,830 --> 01:14:29,280

it's believed that he was going to be

1877

01:14:33,270 --> 01:14:31,840

coming back the next day

1878

01:14:36,149 --> 01:14:33,280

from up north

1879

01:14:38,709 --> 01:14:36,159

which would have been a sunday i believe

1880

01:14:40,550 --> 01:14:38,719

which would have been a time that he

1881

01:14:43,510 --> 01:14:40,560

would have been able to dispose of the

1882

01:14:45,030 --> 01:14:43,520

car

1883

01:14:47,750 --> 01:14:45,040

it's a theory that makes a lot more

1884

01:14:50,790 --> 01:14:47,760

sense i think than than the conspiracy

1885

01:14:53,110 --> 01:14:50,800

theories but again the the people who

1886

01:14:55,510 --> 01:14:53,120

are convinced that police set them up

1887

01:14:56,550 --> 01:14:55,520

and i'm part of this conspiracy to cover

1888

01:14:59,189 --> 01:14:56,560

it up

1889

01:15:01,350 --> 01:14:59,199

they'll say i'm just speculating but um

1890

01:15:04,149 --> 01:15:01,360

you need to you know we're not we're

1891

01:15:06,390 --> 01:15:04,159

talking about one bit and like i i

1892

01:15:07,430 --> 01:15:06,400

really uh most prosecutors i think try

1893

01:15:09,430 --> 01:15:07,440

to

1894

01:15:12,709 --> 01:15:09,440

[Music]

1895

01:15:14,550 --> 01:15:12,719

focus a jury's attention um on during

1896

01:15:16,310 --> 01:15:14,560

closing argument is

1897

01:15:18,709 --> 01:15:16,320

that's the whole point you know if you

1898

01:15:20,550 --> 01:15:18,719

only focus on one thing

1899

01:15:23,110 --> 01:15:20,560

and you forget

1900

01:15:25,189 --> 01:15:23,120

all of the other pieces of the evidence

1901

01:15:26,870 --> 01:15:25,199

you can have doubt or you can think boy

1902

01:15:28,870 --> 01:15:26,880

that prosecutor is just speculating

1903

01:15:31,110 --> 01:15:28,880

about what happened on that you know on

1904

01:15:34,790 --> 01:15:31,120

this specific piece so it must all be

1905

01:15:37,350 --> 01:15:34,800

bunk you know but you can't ignore um it

1906

01:15:40,950 --> 01:15:37,360

seems to me if you're trying to

1907

01:15:43,030 --> 01:15:40,960

rationaly analyze a set of facts you

1908

01:15:44,790 --> 01:15:43,040

can't ignore all the other facts and

1909

01:15:45,590 --> 01:15:44,800

inferences that

1910

01:15:48,149 --> 01:15:45,600

that

1911

01:15:50,070 --> 01:15:48,159

in this case point so clearly

1912

01:15:51,669 --> 01:15:50,080

to avery's guilt and

1913

01:15:53,510 --> 01:15:51,679

we haven't really talked about a lot of

1914

01:15:55,030 --> 01:15:53,520

that but there is a lot

1915

01:15:57,669 --> 01:15:55,040

um

1916

01:16:00,149 --> 01:15:57,679

a huge amount of of evidence pointing to

1917

01:16:01,510 --> 01:16:00,159

his guilt in addition to just the the

1918

01:16:04,870 --> 01:16:01,520

physical evidence

1919

01:16:07,189 --> 01:16:04,880

um which alone is incredibly damning you

1920

01:16:08,870 --> 01:16:07,199

know for instance the blood that people

1921

01:16:09,669 --> 01:16:08,880

see and i think one of the photos you

1922

01:16:12,310 --> 01:16:09,679

have

1923

01:16:15,030 --> 01:16:12,320

is the blood in the rav4

1924

01:16:19,030 --> 01:16:15,040

and i think there's also a photo of a

1925

01:16:23,830 --> 01:16:20,470

okay great

1926

01:16:26,709 --> 01:16:23,840

um that cut is on his right

1927

01:16:28,630 --> 01:16:26,719

middle finger on the i think it's on the

1928

01:16:29,350 --> 01:16:28,640

left side i don't have the youtube up

1929

01:16:31,030 --> 01:16:29,360

but

1930

01:16:33,510 --> 01:16:31,040

try to uh

1931

01:16:36,149 --> 01:16:33,520

you know viewers if act like you're you

1932

01:16:38,870 --> 01:16:36,159

have your keys and you're starting your

1933

01:16:41,750 --> 01:16:38,880

car you put your key in the ignition

1934

01:16:44,630 --> 01:16:41,760

and you're turning the ignition and if

1935

01:16:45,669 --> 01:16:44,640

you see where some of that blood is

1936

01:16:51,830 --> 01:16:45,679

it

1937

01:16:56,630 --> 01:16:51,840

that

1938

01:16:58,149 --> 01:16:56,640

there but you have evidence clear-cut

1939

01:16:59,990 --> 01:16:58,159

evidence of

1940

01:17:02,550 --> 01:17:00,000

active bleeding what would have been

1941

01:17:04,229 --> 01:17:02,560

active bleeding at the time because it's

1942

01:17:06,070 --> 01:17:04,239

a wound that

1943

01:17:08,790 --> 01:17:06,080

dassey said occurred that night that

1944

01:17:11,270 --> 01:17:08,800

avery got that night i think when when

1945

01:17:15,110 --> 01:17:13,270

i think shortly after the murder during

1946

01:17:16,630 --> 01:17:15,120

the disposal maybe when they were

1947

01:17:18,630 --> 01:17:16,640

putting theresa

1948

01:17:20,630 --> 01:17:18,640

theresa's body in the rav4 but that he

1949

01:17:23,510 --> 01:17:20,640

got that cut that night and then you

1950

01:17:25,990 --> 01:17:23,520

have this blood in the location where it

1951

01:17:28,229 --> 01:17:26,000

was i mean that's incredibly powerful

1952

01:17:30,790 --> 01:17:28,239

evidence to me

1953

01:17:34,070 --> 01:17:30,800

especially when it's been debunked that

1954

01:17:37,750 --> 01:17:34,080

that blood came from the blood vial

1955

01:17:40,630 --> 01:17:37,760

um because there was no edta in it in

1956

01:17:41,910 --> 01:17:40,640

the preservative that would be in a vial

1957

01:17:45,030 --> 01:17:41,920

um

1958

01:17:46,709 --> 01:17:45,040

and and i know the avery uh supporters

1959

01:17:48,550 --> 01:17:46,719

will say that that test wasn't

1960

01:17:50,630 --> 01:17:48,560

sufficient but you know we've been

1961

01:17:53,110 --> 01:17:50,640

waiting forever for a test from kathleen

1962

01:17:55,430 --> 01:17:53,120

zellner to show that there was edta in

1963

01:17:59,270 --> 01:17:55,440

it or that it came from somewhere else

1964

01:18:03,590 --> 01:18:01,189

none of that

1965

01:18:06,950 --> 01:18:03,600

has has come through the best evidence

1966

01:18:08,790 --> 01:18:06,960

we have is that it came exactly from

1967

01:18:10,229 --> 01:18:08,800

where we're looking from avery's cut we

1968

01:18:12,470 --> 01:18:10,239

can't assume

1969

01:18:13,990 --> 01:18:12,480

seems to me uh

1970

01:18:15,590 --> 01:18:14,000

uh

1971

01:18:18,630 --> 01:18:15,600

that that some

1972

01:18:20,550 --> 01:18:18,640

test that uh is just alleged

1973

01:18:21,910 --> 01:18:20,560

to uh to

1974

01:18:24,470 --> 01:18:21,920

to uh

1975

01:18:27,030 --> 01:18:24,480

uh is going to prove all this uh

1976

01:18:29,350 --> 01:18:27,040

planting without any proof of it uh

1977

01:18:32,310 --> 01:18:29,360

whatsoever so far yeah i mean if it if

1978

01:18:35,110 --> 01:18:32,320

it wasn't for that preservative the edta

1979

01:18:36,310 --> 01:18:35,120

whatever it is um you know i mean

1980

01:18:37,910 --> 01:18:36,320

this uh

1981

01:18:39,669 --> 01:18:37,920

you know been it would have been a much

1982

01:18:40,870 --> 01:18:39,679

tougher case i would think but i mean

1983

01:18:47,110 --> 01:18:40,880

that pretty much

1984

01:18:48,790 --> 01:18:47,120

if it's not in that you know and uh

1985

01:18:49,510 --> 01:18:48,800

going back to

1986

01:18:52,709 --> 01:18:49,520

the

1987

01:18:55,990 --> 01:18:52,719

uh two defense attorneys we have dean

1988

01:18:57,270 --> 01:18:56,000

strang and jerome budding uh however you

1989

01:18:58,390 --> 01:18:57,280

pronounce i forget how he pronounced his

1990

01:19:01,430 --> 01:18:58,400

last name

1991

01:19:04,470 --> 01:19:01,440

now they their stance on one of their

1992

01:19:05,510 --> 01:19:04,480

defense uh tactics was the bones were

1993

01:19:07,270 --> 01:19:05,520

moved

1994

01:19:08,550 --> 01:19:07,280

and i understand that the bones actually

1995

01:19:11,189 --> 01:19:08,560

had some

1996

01:19:13,830 --> 01:19:11,199

wires emeshed from

1997

01:19:14,950 --> 01:19:13,840

car tires in them as well

1998

01:19:19,510 --> 01:19:14,960

um

1999

01:19:24,070 --> 01:19:19,520

that the bones were moved and what

2000

01:19:29,990 --> 01:19:26,550

well the issue is where there were some

2001

01:19:34,070 --> 01:19:30,000

bones found in a barrel as well

2002

01:19:38,070 --> 01:19:34,080

and maybe some human bones found

2003

01:19:39,830 --> 01:19:38,080

in another location uh in a quarry but

2004

01:19:41,830 --> 01:19:39,840

it's not even clear that those are human

2005

01:19:43,830 --> 01:19:41,840

bones but there was more than the one

2006

01:19:46,070 --> 01:19:43,840

location

2007

01:19:48,470 --> 01:19:46,080

the most of the bones were still found

2008

01:19:49,990 --> 01:19:48,480

in the in the fire pit but

2009

01:19:51,030 --> 01:19:50,000

um

2010

01:19:55,510 --> 01:19:51,040

you know

2011

01:19:59,110 --> 01:19:55,520

the the like you just said there were um

2012

01:20:01,830 --> 01:19:59,120

steel belts uh from tires uh that were

2013

01:20:02,950 --> 01:20:01,840

enmeshed with the bones um

2014

01:20:05,350 --> 01:20:02,960

that would be

2015

01:20:06,790 --> 01:20:05,360

really unusual for for

2016

01:20:10,390 --> 01:20:06,800

that to have

2017

01:20:11,270 --> 01:20:10,400

been moved intact um from another place

2018

01:20:16,870 --> 01:20:11,280

to

2019

01:20:20,550 --> 01:20:16,880

tires are accelerants

2020

01:20:21,830 --> 01:20:20,560

avery had told dassey to put tires in

2021

01:20:23,270 --> 01:20:21,840

uh

2022

01:20:26,149 --> 01:20:23,280

to the fire to

2023

01:20:27,910 --> 01:20:26,159

to get to the heat uh necessary i'm sure

2024

01:20:30,790 --> 01:20:27,920

i mean they wanted

2025

01:20:33,270 --> 01:20:30,800

the uh the hottest fire they could get

2026

01:20:35,270 --> 01:20:33,280

um bones

2027

01:20:38,870 --> 01:20:35,280

if you just try to kind of think it

2028

01:20:41,030 --> 01:20:38,880

through logically again if if you have

2029

01:20:43,510 --> 01:20:41,040

done your best found the best spot that

2030

01:20:46,630 --> 01:20:43,520

you can

2031

01:20:49,030 --> 01:20:46,640

unfortunately burn the body

2032

01:20:50,630 --> 01:20:49,040

the large fire pit you need to see a

2033

01:20:53,030 --> 01:20:50,640

picture i think there's one on there

2034

01:20:58,070 --> 01:20:53,040

this isn't just a you know a backyard

2035

01:20:59,270 --> 01:20:58,080

fire pit this is a huge place which a

2036

01:21:01,590 --> 01:20:59,280

circle

2037

01:21:03,280 --> 01:21:01,600

that it would it would be capable and

2038

01:21:05,189 --> 01:21:03,290

indeed did

2039

01:21:07,830 --> 01:21:05,199

[Music]

2040

01:21:11,350 --> 01:21:07,840

hold a very large fire and over many

2041

01:21:13,189 --> 01:21:11,360

hours would be capable of incinerating a

2042

01:21:15,189 --> 01:21:13,199

body

2043

01:21:17,110 --> 01:21:15,199

best place for him to do it was right

2044

01:21:18,070 --> 01:21:17,120

there um

2045

01:21:19,990 --> 01:21:18,080

so

2046

01:21:21,910 --> 01:21:20,000

uh or the easiest place for him to do it

2047

01:21:23,990 --> 01:21:21,920

was there that night

2048

01:21:26,790 --> 01:21:24,000

presumably he would think he had some

2049

01:21:27,669 --> 01:21:26,800

time um otherwise

2050

01:21:29,430 --> 01:21:27,679

uh

2051

01:21:31,590 --> 01:21:29,440

so if you have a little time you do it

2052

01:21:33,910 --> 01:21:31,600

that night but but then

2053

01:21:36,070 --> 01:21:33,920

as you get more time if if you've done

2054

01:21:38,229 --> 01:21:36,080

that

2055

01:21:40,470 --> 01:21:38,239

to the body as a killer

2056

01:21:43,430 --> 01:21:40,480

you would think you'd want to move that

2057

01:21:45,350 --> 01:21:43,440

evidence further away from your house

2058

01:21:47,510 --> 01:21:45,360

from a fire pit that's

2059

01:21:49,830 --> 01:21:47,520

that's very close to your house so it's

2060

01:21:53,030 --> 01:21:49,840

logical it seems to me that

2061

01:21:55,750 --> 01:21:53,040

some of that he would have moved

2062

01:21:58,149 --> 01:21:55,760

into other areas and spread it either

2063

01:22:00,070 --> 01:21:58,159

spread it into different locations so

2064

01:22:02,229 --> 01:22:00,080

it's less likely to be

2065

01:22:05,030 --> 01:22:02,239

seen but in any event try to get it out

2066

01:22:08,149 --> 01:22:05,040

of that primary burn site

2067

01:22:11,030 --> 01:22:08,159

because that ties it to directly to him

2068

01:22:13,189 --> 01:22:11,040

to avery himself right right now

2069

01:22:15,030 --> 01:22:13,199

um someone you know was speculating how

2070

01:22:17,270 --> 01:22:15,040

long does it take to

2071

01:22:19,030 --> 01:22:17,280

burn a body and i know crematories have

2072

01:22:21,510 --> 01:22:19,040

you know very high heat

2073

01:22:23,510 --> 01:22:21,520

but a regular fire um you know and i

2074

01:22:24,709 --> 01:22:23,520

understand that's the way it has been

2075

01:22:27,030 --> 01:22:24,719

done for

2076

01:22:30,870 --> 01:22:27,040

you know thousands and years

2077

01:22:33,669 --> 01:22:30,880

but still um it does take a long time i

2078

01:22:36,550 --> 01:22:33,679

would think right

2079

01:22:38,550 --> 01:22:36,560

oh i'm sure it does and there's been on

2080

01:22:41,590 --> 01:22:38,560

reddit different um

2081

01:22:44,390 --> 01:22:41,600

links um and different estimates of

2082

01:22:46,870 --> 01:22:44,400

those issues this was a fire that burned

2083

01:22:47,990 --> 01:22:46,880

for a long time and it was a very large

2084

01:22:49,030 --> 01:22:48,000

fire

2085

01:22:50,149 --> 01:22:49,040

um

2086

01:22:52,229 --> 01:22:50,159

so

2087

01:22:55,350 --> 01:22:52,239

you know i don't have the exact degree

2088

01:22:56,870 --> 01:22:55,360

fahrenheit uh and the length of hours it

2089

01:22:58,870 --> 01:22:56,880

would take

2090

01:23:03,030 --> 01:22:58,880

but i don't think there was any credible

2091

01:23:04,280 --> 01:23:03,040

evidence at trial at all um that

2092

01:23:05,750 --> 01:23:04,290

that a fire

2093

01:23:07,910 --> 01:23:05,760

[Music]

2094

01:23:09,830 --> 01:23:07,920

of that size in

2095

01:23:12,870 --> 01:23:09,840

uh or at least that would be

2096

01:23:16,070 --> 01:23:12,880

it's capable of uh uh if there was a

2097

01:23:19,270 --> 01:23:16,080

fire in the in that size of that pit

2098

01:23:21,590 --> 01:23:19,280

uh to to disintegrate uh a body the way

2099

01:23:23,830 --> 01:23:21,600

it was done right right um i'm not sure

2100

01:23:27,430 --> 01:23:23,840

if you can answer this or not

2101

01:23:29,430 --> 01:23:27,440

but in this particular case was there

2102

01:23:31,910 --> 01:23:29,440

any evidence that

2103

01:23:33,910 --> 01:23:31,920

had been obtained that just simply was

2104

01:23:36,470 --> 01:23:33,920

not admissible in court that you're

2105

01:23:41,030 --> 01:23:39,350

well as far as suppressed evidence

2106

01:23:42,709 --> 01:23:41,040

the defense

2107

01:23:45,030 --> 01:23:42,719

one of the things they did is they filed

2108

01:23:47,189 --> 01:23:45,040

a motion to suppress

2109

01:23:50,790 --> 01:23:47,199

all the evidence the physical evidence

2110

01:23:53,430 --> 01:23:50,800

saying that the volunteer search party

2111

01:23:55,110 --> 01:23:53,440

was acting sort of as agents of the

2112

01:23:57,430 --> 01:23:55,120

police

2113

01:23:59,270 --> 01:23:57,440

so and that they did not have probable

2114

01:24:00,870 --> 01:23:59,280

cause to search

2115

01:24:04,149 --> 01:24:00,880

the salvage yard

2116

01:24:05,830 --> 01:24:04,159

and there is law that if um you know

2117

01:24:08,390 --> 01:24:05,840

the police have to have probable cause

2118

01:24:09,990 --> 01:24:08,400

before they search a premises for

2119

01:24:11,830 --> 01:24:10,000

evidence of a crime they have to get it

2120

01:24:13,189 --> 01:24:11,840

through a warrant or one of the

2121

01:24:15,030 --> 01:24:13,199

exceptions and they didn't have a

2122

01:24:17,350 --> 01:24:15,040

warrant

2123

01:24:19,110 --> 01:24:17,360

um and they there wasn't an exception

2124

01:24:20,790 --> 01:24:19,120

that would have allowed the police to go

2125

01:24:23,990 --> 01:24:20,800

on there at that time

2126

01:24:27,270 --> 01:24:24,000

um so the defense theory was or their

2127

01:24:29,270 --> 01:24:27,280

claim or their argument was that um

2128

01:24:32,709 --> 01:24:29,280

the volunteer search party were

2129

01:24:33,990 --> 01:24:32,719

basically agents of the police

2130

01:24:36,229 --> 01:24:34,000

and since

2131

01:24:39,110 --> 01:24:36,239

they were agents of the police

2132

01:24:41,830 --> 01:24:39,120

the law would essentially if they were

2133

01:24:43,669 --> 01:24:41,840

acting as agents of the police make that

2134

01:24:46,390 --> 01:24:43,679

search unlawful since there wasn't a

2135

01:24:48,870 --> 01:24:46,400

warrant it was litigated um

2136

01:24:49,750 --> 01:24:48,880

and i believe i would think it would

2137

01:24:52,629 --> 01:24:49,760

have been

2138

01:24:54,629 --> 01:24:52,639

brought up on appeal as well

2139

01:24:57,830 --> 01:24:54,639

and it was clear to the courts that

2140

01:25:00,149 --> 01:24:57,840

looked at it that the search party

2141

01:25:02,950 --> 01:25:00,159

folks were not acting as agents of the

2142

01:25:05,030 --> 01:25:02,960

police so all the physical evidence got

2143

01:25:07,830 --> 01:25:05,040

in there's also some question about the

2144

01:25:09,110 --> 01:25:07,840

search warrant that

2145

01:25:11,030 --> 01:25:09,120

that

2146

01:25:12,790 --> 01:25:11,040

they should have renewed the search

2147

01:25:15,110 --> 01:25:12,800

warrant but there's kind of complicated

2148

01:25:16,950 --> 01:25:15,120

law on that as well a continuing search

2149

01:25:19,430 --> 01:25:16,960

is allowed when it's such a huge

2150

01:25:21,590 --> 01:25:19,440

premises like this

2151  
01:25:23,590 --> 01:25:21,600  
lots of evidence was not admitted that

2152  
01:25:24,950 --> 01:25:23,600  
the state wanted to get in

2153  
01:25:28,070 --> 01:25:24,960  
to show

2154  
01:25:30,390 --> 01:25:28,080  
avery's some of his past conduct

2155  
01:25:33,270 --> 01:25:30,400  
including some really

2156  
01:25:36,709 --> 01:25:33,280  
um some some really despicable

2157  
01:25:40,070 --> 01:25:36,719  
uh conduct but that the trial judge

2158  
01:25:41,990 --> 01:25:40,080  
found and i think rightfully so

2159  
01:25:44,470 --> 01:25:42,000  
found it should not be admissible at

2160  
01:25:45,990 --> 01:25:44,480  
trial it's called other acts evidence

2161  
01:25:48,390 --> 01:25:46,000  
but

2162  
01:25:50,709 --> 01:25:48,400  
you know we want to have juries convict

2163  
01:25:54,070 --> 01:25:50,719

or not convict based upon evidence

2164

01:25:56,149 --> 01:25:54,080

having to do with their specific act and

2165

01:25:59,110 --> 01:25:56,159

not what a person did

2166

01:26:00,709 --> 01:25:59,120

uh in years past you know to show

2167

01:26:03,030 --> 01:26:00,719

because the danger is that the jury of

2168

01:26:05,590 --> 01:26:03,040

course will just say well they did it

2169

01:26:07,350 --> 01:26:05,600

then or they did something like this

2170

01:26:08,950 --> 01:26:07,360

then so therefore they must have done

2171

01:26:11,030 --> 01:26:08,960

this and

2172

01:26:12,470 --> 01:26:11,040

that's not how we want to have a system

2173

01:26:15,270 --> 01:26:12,480

of justice so

2174

01:26:17,030 --> 01:26:15,280

the child judge did not allow some of

2175

01:26:19,590 --> 01:26:17,040

all of that evidence in that the state

2176  
01:26:21,750 --> 01:26:19,600  
had asked for one of that bit one piece

2177  
01:26:23,910 --> 01:26:21,760  
of information by the way

2178  
01:26:25,270 --> 01:26:23,920  
is something that people have

2179  
01:26:27,830 --> 01:26:25,280  
i don't think many people have heard of

2180  
01:26:28,870 --> 01:26:27,840  
this but the night before teresa halbach

2181  
01:26:31,110 --> 01:26:28,880  
was

2182  
01:26:32,149 --> 01:26:31,120  
murdered i believe clearly by stephen

2183  
01:26:33,990 --> 01:26:32,159  
avery

2184  
01:26:37,510 --> 01:26:34,000  
he had

2185  
01:26:40,870 --> 01:26:37,520  
asked his nephew's girlfriend

2186  
01:26:43,350 --> 01:26:40,880  
i think she was maybe 18 or so and he's

2187  
01:26:46,870 --> 01:26:43,360  
45 by this point

2188  
01:26:49,669 --> 01:26:46,880

um asked her to come over to his house

2189

01:26:51,590 --> 01:26:49,679

basically for rough sex

2190

01:26:54,390 --> 01:26:51,600

he he asked her to come over and make

2191

01:26:57,510 --> 01:26:54,400

the bed hit real hard or something

2192

01:26:59,910 --> 01:26:57,520

uh those were his words and uh

2193

01:27:02,229 --> 01:26:59,920

you know this this is just

2194

01:27:05,510 --> 01:27:02,239

the night before teresa halbach was

2195

01:27:07,669 --> 01:27:05,520

murdered what that doesn't prove that he

2196

01:27:11,270 --> 01:27:07,679

did what he did but it's just one more

2197

01:27:13,910 --> 01:27:11,280

indication um you know a 45 year old

2198

01:27:16,550 --> 01:27:13,920

asking out of the blue really and a

2199

01:27:20,310 --> 01:27:16,560

phone call um his nephew's girl to come

2200

01:27:22,629 --> 01:27:20,320

over for for uh to have sex that night

2201

01:27:25,990 --> 01:27:22,639

what do you think of jody his former

2202

01:27:28,310 --> 01:27:26,000

girlfriend's um interview

2203

01:27:31,669 --> 01:27:28,320

where she basically says that she thinks

2204

01:27:35,910 --> 01:27:33,910

well i prosecuted jodi stokowski

2205

01:27:38,310 --> 01:27:35,920

actually for a drunk driving fourth

2206

01:27:41,110 --> 01:27:38,320

offense when she was dating stephen

2207

01:27:43,669 --> 01:27:41,120

avery and avery testified for her and

2208

01:27:47,430 --> 01:27:43,679

said he drove the car into the ditch

2209

01:27:49,910 --> 01:27:47,440

uh they didn't believe uh him but i got

2210

01:27:51,990 --> 01:27:49,920

to know the basic story of jody

2211

01:27:54,709 --> 01:27:52,000

stakowski and stephen avery

2212

01:27:57,750 --> 01:27:54,719

sort of how they met and my impression

2213

01:28:00,870 --> 01:27:57,760

was that it was sort of two lost souls

2214

01:28:02,790 --> 01:28:00,880

kind of lonely people pretty messed up

2215

01:28:04,790 --> 01:28:02,800

folks i mean a fourth offense drunk

2216

01:28:07,590 --> 01:28:04,800

driving um

2217

01:28:09,990 --> 01:28:07,600

i feel bad for jody stakowski i think

2218

01:28:11,580 --> 01:28:10,000

that she was manipulated by stephen

2219

01:28:13,110 --> 01:28:11,590

avery she was

2220

01:28:17,350 --> 01:28:13,120

[Music]

2221

01:28:20,149 --> 01:28:17,360

she was physically abused by him um

2222

01:28:23,270 --> 01:28:20,159

she said she felt pressured by avery uh

2223

01:28:25,510 --> 01:28:23,280

manipulated basically into making him

2224

01:28:26,870 --> 01:28:25,520

seem sympathetic

2225

01:28:28,950 --> 01:28:26,880

and uh

2226

01:28:32,470 --> 01:28:28,960

there's some corroborating evidence for

2227

01:28:34,629 --> 01:28:32,480

that and um it it rings very true in

2228

01:28:35,910 --> 01:28:34,639

terms of stephen avery's

2229

01:28:38,149 --> 01:28:35,920

uh

2230

01:28:41,590 --> 01:28:38,159

character um

2231

01:28:45,270 --> 01:28:41,600

he he even his own brother said that he

2232

01:28:46,550 --> 01:28:45,280

was a manipulative controlling uh person

2233

01:28:47,990 --> 01:28:46,560

there were a lot of people afraid of

2234

01:28:49,510 --> 01:28:48,000

stephen avery

2235

01:28:51,110 --> 01:28:49,520

um so

2236

01:28:55,030 --> 01:28:51,120

i i

2237

01:28:56,629 --> 01:28:55,040

i believe jody stokowski when she says

2238

01:28:58,950 --> 01:28:56,639

that uh

2239

01:29:00,709 --> 01:28:58,960

she believes steven avery did it despite

2240

01:29:03,189 --> 01:29:00,719

everything that she said in making a

2241

01:29:03,910 --> 01:29:03,199

murder um okay so now what do you think

2242

01:29:07,189 --> 01:29:03,920

of

2243

01:29:08,390 --> 01:29:07,199

um the new defense attorney kathleen

2244

01:29:10,629 --> 01:29:08,400

zellner

2245

01:29:13,270 --> 01:29:10,639

i know there was a bunch of claims that

2246

01:29:16,390 --> 01:29:13,280

you know she had other suspects

2247

01:29:18,229 --> 01:29:16,400

um she had she was kind of alluding to

2248

01:29:20,390 --> 01:29:18,239

the smoking gun

2249

01:29:23,110 --> 01:29:20,400

um with this evidence the new science

2250

01:29:24,030 --> 01:29:23,120

and all that and that was late i believe

2251

01:29:27,590 --> 01:29:24,040

late

2252

01:29:29,510 --> 01:29:27,600

2016 not much is coming out of

2253

01:29:32,390 --> 01:29:29,520

that i could find online what do you

2254

01:29:34,390 --> 01:29:32,400

know about any of that

2255

01:29:36,149 --> 01:29:34,400

well i think she filed the motion for

2256

01:29:39,730 --> 01:29:36,159

new testing and i believe it was in

2257

01:29:41,830 --> 01:29:39,740

august of 2016 so last summer

2258

01:29:43,990 --> 01:29:41,840

[Music]

2259

01:29:46,310 --> 01:29:44,000

excuse me and

2260

01:29:51,030 --> 01:29:46,320

we haven't heard anything

2261

01:29:53,110 --> 01:29:51,040

from kathleen zellner about test results

2262

01:29:55,430 --> 01:29:53,120

and it's been uh

2263

01:29:56,950 --> 01:29:55,440

what is that about eight months

2264

01:30:00,550 --> 01:29:56,960

um

2265

01:30:03,189 --> 01:30:00,560

she the parties reached a stipulation uh

2266

01:30:05,830 --> 01:30:03,199

as to which item should be tested

2267

01:30:09,510 --> 01:30:05,840

uh the state agreed to certain items and

2268

01:30:10,950 --> 01:30:09,520

i think that was in december november or

2269

01:30:12,709 --> 01:30:10,960

december

2270

01:30:14,070 --> 01:30:12,719

and she thought at that time they would

2271

01:30:15,990 --> 01:30:14,080

be available

2272

01:30:18,870 --> 01:30:16,000

some of the testing or most of it within

2273

01:30:20,790 --> 01:30:18,880

60 days so we're long past that

2274

01:30:31,590 --> 01:30:20,800

um

2275

01:30:34,950 --> 01:30:31,600

or announced uh most of her feelings or

2276

01:30:36,709 --> 01:30:34,960

her her promises on this case on twitter

2277

01:30:39,350 --> 01:30:36,719

um and she

2278

01:30:42,709 --> 01:30:39,360

you know she's done more than suggested

2279

01:30:45,270 --> 01:30:42,719

that she she of some that there are

2280

01:30:47,830 --> 01:30:45,280

suspects she's all but uh

2281

01:30:50,790 --> 01:30:47,840

all but said she knows who who killed

2282

01:30:52,950 --> 01:30:50,800

teresa habakk and that she knows

2283

01:30:54,870 --> 01:30:52,960

how the how the evidence was planted

2284

01:30:56,070 --> 01:30:54,880

that the police planted evidence and she

2285

01:30:58,550 --> 01:30:56,080

knows how

2286

01:31:00,310 --> 01:30:58,560

and this testing is just to confirm what

2287

01:31:03,350 --> 01:31:00,320

she already knows and i'm just saying

2288

01:31:04,790 --> 01:31:03,360

what she has said um

2289

01:31:16,629 --> 01:31:04,800

i

2290

01:31:18,790 --> 01:31:16,639

um

2291

01:31:22,470 --> 01:31:18,800

kathleen zellner has been out tweeting

2292

01:31:24,310 --> 01:31:22,480

about police and uh planning evidence

2293

01:31:26,709 --> 01:31:24,320

and uh

2294

01:31:29,350 --> 01:31:26,719

so if

2295

01:31:31,270 --> 01:31:29,360

i i feel

2296

01:31:34,470 --> 01:31:31,280

i feel comfortable in saying this

2297

01:31:36,629 --> 01:31:34,480

because of what she has said and uh at

2298

01:31:38,550 --> 01:31:36,639

some point you know

2299

01:31:41,590 --> 01:31:38,560

this is a person who's been convicted

2300

01:31:44,070 --> 01:31:41,600

and appeals upheld twice and uh for

2301  
01:31:46,310 --> 01:31:44,080  
someone to be continuing in the manner

2302  
01:31:47,750 --> 01:31:46,320  
she is uh tweeting i think it's only

2303  
01:31:50,709 --> 01:31:47,760  
fair game that

2304  
01:31:52,870 --> 01:31:50,719  
people be allowed to comment on on what

2305  
01:31:54,709 --> 01:31:52,880  
i what they think she's really about

2306  
01:31:57,350 --> 01:31:54,719  
here and i i think

2307  
01:32:00,550 --> 01:31:57,360  
that unless she shows something else

2308  
01:32:03,350 --> 01:32:00,560  
this is pretty much about um

2309  
01:32:05,590 --> 01:32:03,360  
about a continuation of making a

2310  
01:32:07,990 --> 01:32:05,600  
murderer and making steven avery a

2311  
01:32:10,310 --> 01:32:08,000  
victim in the eyes of

2312  
01:32:12,390 --> 01:32:10,320  
millions of people

2313  
01:32:14,790 --> 01:32:12,400

because unless she comes up with

2314

01:32:17,270 --> 01:32:14,800

something much firmer than speculation

2315

01:32:19,030 --> 01:32:17,280

she's not going to get the court is not

2316

01:32:19,990 --> 01:32:19,040

going to allow a new trial for steven

2317

01:32:22,229 --> 01:32:20,000

avery

2318

01:32:24,310 --> 01:32:22,239

um and then i'm sure ms elner will blame

2319

01:32:27,990 --> 01:32:24,320

the court system well she says she only

2320

01:32:29,910 --> 01:32:28,000

she claims on in an article that i read

2321

01:32:31,830 --> 01:32:29,920

that she only represents people that

2322

01:32:33,910 --> 01:32:31,840

she's 100 sure

2323

01:32:35,750 --> 01:32:33,920

that are innocent otherwise she will

2324

01:32:38,149 --> 01:32:35,760

have nothing to do with it so

2325

01:32:41,030 --> 01:32:38,159

i'm not really sure if i believe uh

2326

01:32:43,910 --> 01:32:41,040

believe that statement actually

2327

01:32:46,709 --> 01:32:43,920

yeah i i don't believe it and um i

2328

01:32:48,870 --> 01:32:46,719

believe kathleen zellner uh

2329

01:32:51,669 --> 01:32:48,880

refused to represent stephen eve well i

2330

01:32:53,510 --> 01:32:51,679

know she did uh prior to making a murder

2331

01:32:55,830 --> 01:32:53,520

one of his

2332

01:32:57,590 --> 01:32:55,840

i think that the older woman that

2333

01:32:59,990 --> 01:32:57,600

stephen became friends with had

2334

01:33:01,669 --> 01:33:00,000

contacted her and it was only after she

2335

01:33:04,470 --> 01:33:01,679

saw making a murder

2336

01:33:06,390 --> 01:33:04,480

and the outrage and the splash around

2337

01:33:08,229 --> 01:33:06,400

the world uh

2338

01:33:10,950 --> 01:33:08,239

created by making a murder that kathleen

2339

01:33:12,629 --> 01:33:10,960

zellner agreed to represent stephen yeah

2340

01:33:16,310 --> 01:33:12,639

um i

2341

01:33:19,830 --> 01:33:16,320

i totally can get that um so

2342

01:33:22,149 --> 01:33:19,840

where do you think this case is going oh

2343

01:33:24,229 --> 01:33:22,159

wait a minute before you even i didn't

2344

01:33:25,750 --> 01:33:24,239

finish the question but still

2345

01:33:27,590 --> 01:33:25,760

what do you think about

2346

01:33:29,430 --> 01:33:27,600

uh we just mentioned it making a murder

2347

01:33:33,270 --> 01:33:29,440

too season two

2348

01:33:35,189 --> 01:33:33,280

uh it's gonna focus on brendan is it

2349

01:33:37,270 --> 01:33:35,199

well i think it's gonna they claim it's

2350

01:33:38,070 --> 01:33:37,280

going to focus on both you know they're

2351

01:33:42,229 --> 01:33:38,080

they're

2352

01:33:43,669 --> 01:33:42,239

kathleen zellner they've said that

2353

01:33:45,110 --> 01:33:43,679

publicly so

2354

01:33:47,510 --> 01:33:45,120

where they

2355

01:33:49,270 --> 01:33:47,520

were sort of embedded with uh dean

2356

01:33:51,750 --> 01:33:49,280

strange and jerry butting in the first

2357

01:33:53,970 --> 01:33:51,760

case um this time it'll be kathleen

2358

01:33:55,189 --> 01:33:53,980

zellner and i think probably the

2359

01:33:57,270 --> 01:33:55,199

[Music]

2360

01:33:58,390 --> 01:33:57,280

northwestern university wrongful

2361

01:33:59,750 --> 01:33:58,400

conviction

2362

01:34:02,550 --> 01:33:59,760

center people that are representing

2363

01:34:04,709 --> 01:34:02,560

avery and avery's family there is some

2364

01:34:06,229 --> 01:34:04,719

article i read um shortly after the

2365

01:34:08,550 --> 01:34:06,239

announcement about making a murderer

2366

01:34:10,950 --> 01:34:08,560

that this time they are actually going

2367

01:34:14,390 --> 01:34:10,960

to search for the truth

2368

01:34:16,229 --> 01:34:14,400

and i i bring this up because

2369

01:34:19,030 --> 01:34:16,239

um not just in

2370

01:34:20,870 --> 01:34:19,040

in the way it sounds but because

2371

01:34:22,550 --> 01:34:20,880

they were also

2372

01:34:24,790 --> 01:34:22,560

before there was any discussion about

2373

01:34:28,149 --> 01:34:24,800

making a murderer too

2374

01:34:30,229 --> 01:34:28,159

in interviews following uh the original

2375

01:34:31,590 --> 01:34:30,239

making a murderer series they kept

2376

01:34:35,030 --> 01:34:31,600

saying

2377

01:34:37,510 --> 01:34:35,040

that you know people who are hung up on

2378

01:34:39,830 --> 01:34:37,520

whether or not stephen avery

2379

01:34:42,070 --> 01:34:39,840

committed the murder

2380

01:34:44,790 --> 01:34:42,080

they're missing the whole point um it

2381

01:34:47,590 --> 01:34:44,800

was they're really dismissive of

2382

01:34:50,470 --> 01:34:47,600

the idea that it's the truth you know

2383

01:34:54,149 --> 01:34:50,480

it's worth it to try to find the truth

2384

01:34:55,270 --> 01:34:54,159

um they said it's all about process and

2385

01:34:57,750 --> 01:34:55,280

uh

2386

01:35:00,229 --> 01:34:57,760

you know that that those of us stuck

2387

01:35:03,430 --> 01:35:00,239

with these these old-fashioned notions

2388

01:35:05,830 --> 01:35:03,440

of of truth and facts we're missing the

2389

01:35:07,750 --> 01:35:05,840

whole you know the larger point and

2390

01:35:09,590 --> 01:35:07,760

what's interesting is this time they've

2391

01:35:11,270 --> 01:35:09,600

said well okay

2392

01:35:12,790 --> 01:35:11,280

we're gonna you know we're gonna stoop

2393

01:35:16,470 --> 01:35:12,800

to your level

2394

01:35:20,070 --> 01:35:16,480

um and we're actually going to um

2395

01:35:21,350 --> 01:35:20,080

to to to try to find out uh what the

2396

01:35:22,470 --> 01:35:21,360

truth is

2397

01:35:24,709 --> 01:35:22,480

uh

2398

01:35:26,070 --> 01:35:24,719

and oh by the way we're gonna do it

2399

01:35:29,030 --> 01:35:26,080

though by

2400

01:35:30,870 --> 01:35:29,040

by hanging out with and doing it from

2401

01:35:31,830 --> 01:35:30,880

the perspective i'm sure

2402

01:35:34,709 --> 01:35:31,840

of

2403

01:35:35,590 --> 01:35:34,719

so

2404

01:35:37,110 --> 01:35:35,600

um

2405

01:35:38,950 --> 01:35:37,120

it's uh

2406

01:35:40,790 --> 01:35:38,960

it's it's a it's going to be an

2407

01:35:42,790 --> 01:35:40,800

interesting uh thing i don't believe

2408

01:35:43,990 --> 01:35:42,800

there's a lot of material yet you know

2409

01:35:47,910 --> 01:35:44,000

for them

2410

01:35:51,030 --> 01:35:47,920

to uh to to have many episodes but

2411

01:35:54,310 --> 01:35:51,040

uh kathleen zellner or it seems

2412

01:35:57,350 --> 01:35:54,320

that there is a lot of uh indication um

2413

01:35:59,830 --> 01:35:57,360

recently in the local media especially

2414

01:36:04,149 --> 01:35:59,840

that uh in the next couple weeks or

2415

01:36:06,870 --> 01:36:04,159

maybe uh three or four weeks at most um

2416

01:36:09,270 --> 01:36:06,880

this motion that she's been promising

2417

01:36:11,189 --> 01:36:09,280

uh with all these uh

2418

01:36:13,830 --> 01:36:11,199

this new information including

2419

01:36:14,950 --> 01:36:13,840

presumably the third party suspect that

2420

01:36:17,990 --> 01:36:14,960

she

2421

01:36:19,990 --> 01:36:18,000

uh almost knows for a certain did it um

2422

01:36:22,390 --> 01:36:20,000

that should all be coming out pretty

2423

01:36:24,390 --> 01:36:22,400

soon so we'll just have to wait and see

2424

01:36:26,709 --> 01:36:24,400

someone wants to know is

2425

01:36:30,629 --> 01:36:26,719

there going to be an end bank review

2426

01:36:36,149 --> 01:36:34,070

it uh either party can request it so

2427

01:36:38,790 --> 01:36:36,159

right now it's a three-judge panel they

2428

01:36:40,470 --> 01:36:38,800

had oral arguments um they're really

2429

01:36:43,990 --> 01:36:40,480

interesting actually you can hear them

2430

01:36:45,030 --> 01:36:44,000

online in the 7th circuit

2431

01:36:47,189 --> 01:36:45,040

but

2432

01:36:50,709 --> 01:36:47,199

either party depend

2433

01:36:55,270 --> 01:36:53,109

in the in the upcoming decision whenever

2434

01:36:57,350 --> 01:36:55,280

that's released by the uh three judge

2435

01:36:58,870 --> 01:36:57,360

panel they can appeal

2436

01:37:01,510 --> 01:36:58,880

uh for

2437

01:37:03,830 --> 01:37:01,520

for an in-bank decision from the entire

2438

01:37:05,510 --> 01:37:03,840

seventh circuit or they can go directly

2439

01:37:07,750 --> 01:37:05,520

and attempt to

2440

01:37:10,310 --> 01:37:07,760

get the united states supreme court

2441

01:37:12,629 --> 01:37:10,320

to hear the case those are few and far

2442

01:37:14,709 --> 01:37:12,639

between

2443

01:37:16,550 --> 01:37:14,719

you know not many cases compared to all

2444

01:37:18,629 --> 01:37:16,560

of the cases

2445

01:37:22,550 --> 01:37:18,639

that are requested

2446

01:37:25,910 --> 01:37:22,560

on a petition and a writ of cert um

2447

01:37:27,270 --> 01:37:25,920

get uh get heard by the us supreme court

2448

01:37:28,950 --> 01:37:27,280

so i would

2449

01:37:30,870 --> 01:37:28,960

i don't i don't have any inside

2450

01:37:33,510 --> 01:37:30,880

information here but i would suspect

2451

01:37:36,149 --> 01:37:33,520

whoever loses will ask for the

2452

01:37:39,510 --> 01:37:36,159

for the complete seventh circuit to

2453

01:37:40,870 --> 01:37:39,520

listen to to uh to hear that okay now

2454

01:37:42,550 --> 01:37:40,880

i'm gonna

2455

01:37:43,350 --> 01:37:42,560

kind of wrap up the show a little bit

2456

01:37:47,189 --> 01:37:43,360

here

2457

01:37:49,510 --> 01:37:47,199

is going to be in another year do you

2458

01:37:51,030 --> 01:37:49,520

think the the whole hype of this will

2459

01:37:53,109 --> 01:37:51,040

die down and

2460

01:37:55,350 --> 01:37:53,119

eventually kind of go away when nothing

2461

01:37:57,830 --> 01:37:55,360

happens or do you think uh what do you

2462

01:37:59,830 --> 01:37:57,840

think is going to happen

2463

01:38:03,270 --> 01:37:59,840

i think it's you know i think it's in

2464

01:38:05,590 --> 01:38:03,280

two um in my opinion this it's sort of

2465

01:38:06,629 --> 01:38:05,600

in two separate tracks here one is the

2466

01:38:15,189 --> 01:38:06,639

court

2467

01:38:17,350 --> 01:38:15,199

its very specific issues and it's in the

2468

01:38:19,590 --> 01:38:17,360

federal court system and then the dav

2469

01:38:21,990 --> 01:38:19,600

the avery case has its very specific

2470

01:38:24,950 --> 01:38:22,000

issues and is in the state court system

2471

01:38:26,550 --> 01:38:24,960

right back at the trial court level so

2472

01:38:28,790 --> 01:38:26,560

you know we're going to watch those

2473

01:38:31,189 --> 01:38:28,800

things develop we've talked about dassey

2474

01:38:33,510 --> 01:38:31,199

case i think it's anybody's guess where

2475

01:38:36,470 --> 01:38:33,520

the seventh circuit goes with it

2476

01:38:38,149 --> 01:38:36,480

um and that the every case as i

2477

01:38:39,590 --> 01:38:38,159

mentioned i think there

2478

01:38:42,950 --> 01:38:39,600

a lot of people think there's going to

2479

01:38:45,109 --> 01:38:42,960

be some action fairly soon i think that

2480

01:38:47,109 --> 01:38:45,119

will be a

2481

01:38:49,590 --> 01:38:47,119

a huge media event

2482

01:38:51,830 --> 01:38:49,600

um no matter what kathleen's owner puts

2483

01:38:52,950 --> 01:38:51,840

in her motion uh it's going to be very

2484

01:38:55,350 --> 01:38:52,960

interesting

2485

01:38:57,350 --> 01:38:55,360

and the court can grant a hearing there

2486

01:38:59,510 --> 01:38:57,360

may be a it's up to the court they don't

2487

01:39:01,910 --> 01:38:59,520

have to have a hearing but if there's

2488

01:39:03,510 --> 01:39:01,920

much to ms zellner's motion i would

2489

01:39:05,590 --> 01:39:03,520

think there would be a hearing on her

2490

01:39:07,350 --> 01:39:05,600

request for a new trial

2491

01:39:09,910 --> 01:39:07,360

and whoever

2492

01:39:12,629 --> 01:39:09,920

assumed uh for a minute that the trial

2493

01:39:14,790 --> 01:39:12,639

court uh the judge in the avery case

2494

01:39:16,790 --> 01:39:14,800

says nope no new trial

2495

01:39:18,070 --> 01:39:16,800

i'm gonna deny your motion for a new

2496

01:39:20,070 --> 01:39:18,080

trial then

2497

01:39:23,109 --> 01:39:20,080

i'm sure that will be appealed up to the

2498

01:39:25,030 --> 01:39:23,119

court of appeals in wisconsin first and

2499

01:39:27,030 --> 01:39:25,040

so we'll have to wait for a year or so

2500

01:39:29,109 --> 01:39:27,040

for that and then

2501

01:39:31,189 --> 01:39:29,119

if they lose again they'll try the state

2502

01:39:33,350 --> 01:39:31,199

supreme court i would think and usually

2503

01:39:34,709 --> 01:39:33,360

a state supreme court very rarely will

2504

01:39:37,990 --> 01:39:34,719

hear

2505

01:39:39,350 --> 01:39:38,000

that many cases from the court of

2506

01:39:41,109 --> 01:39:39,360

appeals so

2507

01:39:43,510 --> 01:39:41,119

it'll have to go through that process

2508

01:39:46,229 --> 01:39:43,520

and then um i'm sure it'll go to federal

2509

01:39:48,470 --> 01:39:46,239

court on a rid of habeas corpus so it

2510

01:39:50,149 --> 01:39:48,480

could go on and on in the court of law i

2511

01:39:51,430 --> 01:39:50,159

think in the court of public opinion

2512

01:39:54,310 --> 01:39:51,440

which is where

2513

01:39:56,870 --> 01:39:54,320

i believe ms zellner and making a murder

2514

01:40:01,109 --> 01:39:58,550

that's got a different

2515

01:40:03,590 --> 01:40:01,119

probably a shorter

2516

01:40:04,870 --> 01:40:03,600

time span i would think

2517

01:40:06,830 --> 01:40:04,880

you know

2518

01:40:12,229 --> 01:40:06,840

i would imagine after this

2519

01:40:15,270 --> 01:40:12,239

next series uh of uh motions and uh

2520

01:40:17,510 --> 01:40:15,280

decisions and then making a murder too

2521

01:40:19,350 --> 01:40:17,520

um i would think at that point it would

2522

01:40:20,870 --> 01:40:19,360

it would die down yes you know i have a

2523

01:40:23,030 --> 01:40:20,880

friend that lives

2524

01:40:24,790 --> 01:40:23,040

in appleton out there

2525

01:40:26,470 --> 01:40:24,800

and he

2526

01:40:27,910 --> 01:40:26,480

was following this case long before

2527

01:40:30,550 --> 01:40:27,920

making a murder

2528

01:40:32,709 --> 01:40:30,560

uh came out but uh

2529

01:40:34,790 --> 01:40:32,719

he said you know everything has you know

2530

01:40:36,470 --> 01:40:34,800

it's like totally it seemed to him like

2531

01:40:38,629 --> 01:40:36,480

things were totally different i think

2532

01:40:39,510 --> 01:40:38,639

he's listening to the show tonight but

2533

01:40:41,750 --> 01:40:39,520

um

2534

01:40:43,590 --> 01:40:41,760

you know once making a murderer happen

2535

01:40:45,430 --> 01:40:43,600

like there was a whole different air to

2536

01:40:46,950 --> 01:40:45,440

the situation

2537

01:40:48,550 --> 01:40:46,960

and you were

2538

01:40:50,310 --> 01:40:48,560

behind the scenes do you feel the same

2539

01:40:52,020 --> 01:40:50,320

way

2540

01:40:53,270 --> 01:40:52,030

oh it's incredible um

2541

01:40:55,350 --> 01:40:53,280

[Music]

2542

01:40:58,470 --> 01:40:55,360

it just

2543

01:41:01,109 --> 01:40:58,480

you know what what it has done to

2544

01:41:04,070 --> 01:41:01,119

you you can be traveling in a foreign

2545

01:41:06,070 --> 01:41:04,080

country or in in any state in the

2546

01:41:08,229 --> 01:41:06,080

country and you know where are you from

2547

01:41:09,030 --> 01:41:08,239

when you say manitowoc and

2548

01:41:10,950 --> 01:41:09,040

uh

2549

01:41:13,510 --> 01:41:10,960

more often than not of course people

2550

01:41:16,629 --> 01:41:13,520

know of it from making a murder it's

2551

01:41:18,390 --> 01:41:16,639

really been tough on the community um

2552

01:41:21,830 --> 01:41:18,400

you know we go about our business it's a

2553

01:41:24,550 --> 01:41:21,840

busy court system and it's a busy city

2554

01:41:26,950 --> 01:41:24,560

and uh you know people aren't are

2555

01:41:29,590 --> 01:41:26,960

damaged by making a murder but

2556

01:41:31,350 --> 01:41:29,600

um the city's reputation has you know

2557

01:41:32,790 --> 01:41:31,360

and it really is a shame because it's a

2558

01:41:35,590 --> 01:41:32,800

wonderful place

2559

01:41:38,149 --> 01:41:35,600

uh to live and uh there have been people

2560

01:41:39,590 --> 01:41:38,159

who won't move here now um you know the

2561

01:41:43,510 --> 01:41:39,600

reputation

2562

01:41:45,910 --> 01:41:43,520

of the city just from this this uh this

2563

01:41:47,669 --> 01:41:45,920

documentary and it's it's has real

2564

01:41:49,430 --> 01:41:47,679

effects on real people

2565

01:41:51,830 --> 01:41:49,440

um especially of course the police

2566

01:41:54,070 --> 01:41:51,840

officers and the um

2567

01:41:56,310 --> 01:41:54,080

and and the victims family the haubach

2568

01:41:58,070 --> 01:41:56,320

family that's the real tragedy and and

2569

01:41:59,189 --> 01:41:58,080

the victim in the first case too penny

2570

01:42:00,470 --> 01:41:59,199

bernson

2571

01:42:03,830 --> 01:42:00,480

um

2572

01:42:06,470 --> 01:42:03,840

they they put up a photo of her

2573

01:42:08,470 --> 01:42:06,480

uh when her face was bloodied and

2574

01:42:10,550 --> 01:42:08,480

pummeled basically by the

2575

01:42:12,629 --> 01:42:10,560

by gregory allen the real assailant in

2576  
01:42:14,070 --> 01:42:12,639  
that when avery was wrongly convicted a

2577  
01:42:16,229 --> 01:42:14,080  
photo that's never been out there and

2578  
01:42:18,790 --> 01:42:16,239  
her children had to see it

2579  
01:42:20,070 --> 01:42:18,800  
for the first time so it's it's hurt a

2580  
01:42:22,709 --> 01:42:20,080  
lot of people

2581  
01:42:24,790 --> 01:42:22,719  
um it is you know as well intended as it

2582  
01:42:27,270 --> 01:42:24,800  
is and they did bring

2583  
01:42:28,870 --> 01:42:27,280  
i think the attention to some of the

2584  
01:42:30,629 --> 01:42:28,880  
problems the flaws of the criminal

2585  
01:42:33,270 --> 01:42:30,639  
justice system and

2586  
01:42:34,790 --> 01:42:33,280  
and i agree there are many

2587  
01:42:36,070 --> 01:42:34,800  
but you know

2588  
01:42:38,149 --> 01:42:36,080

uh

2589

01:42:40,709 --> 01:42:38,159

despite that they've just brought a lot

2590

01:42:43,590 --> 01:42:40,719

of harm to a lot of people and

2591

01:42:45,750 --> 01:42:43,600

have not served the truth uh so if the

2592

01:42:48,550 --> 01:42:45,760

truth matters at all this uh this has

2593

01:42:49,510 --> 01:42:48,560

been a a real disaster yeah i'm sure i

2594

01:42:51,109 --> 01:42:49,520

mean

2595

01:42:53,109 --> 01:42:51,119

uh communities pulled together it's a

2596

01:42:54,709 --> 01:42:53,119

farming community mostly

2597

01:42:57,430 --> 01:42:54,719

you know with a

2598

01:43:00,070 --> 01:42:57,440

salvage yard right in the middle

2599

01:43:01,109 --> 01:43:00,080

of it and uh yeah it's uh

2600

01:43:03,030 --> 01:43:01,119

um

2601  
01:43:05,430 --> 01:43:03,040  
you know i i said in the beginning you

2602  
01:43:08,310 --> 01:43:05,440  
can't make this stuff up and

2603  
01:43:11,510 --> 01:43:08,320  
it is the most incredible case um if you

2604  
01:43:12,950 --> 01:43:11,520  
just kind of winding up again here

2605  
01:43:14,870 --> 01:43:12,960  
if you had to think of another case the

2606  
01:43:17,590 --> 01:43:14,880  
only thing i can think of is oj you know

2607  
01:43:20,709 --> 01:43:17,600  
they had this kind of publicity but

2608  
01:43:23,270 --> 01:43:20,719  
um but going back to what happened with

2609  
01:43:24,709 --> 01:43:23,280  
him the first time had you ever seen in

2610  
01:43:26,790 --> 01:43:24,719  
the innocence

2611  
01:43:28,629 --> 01:43:26,800  
project have you ever seen

2612  
01:43:30,310 --> 01:43:28,639  
a case that was

2613  
01:43:31,590 --> 01:43:30,320

so poorly

2614

01:43:34,870 --> 01:43:31,600

uh

2615

01:43:37,350 --> 01:43:34,880

such an atrocity as as his first

2616

01:43:41,430 --> 01:43:37,360

case where he stayed in jail all that

2617

01:43:45,750 --> 01:43:44,229

oh i think it's one of the uh i have

2618

01:43:48,070 --> 01:43:45,760

never seen anything like that i don't

2619

01:43:51,109 --> 01:43:48,080

think most people have um you know

2620

01:43:53,830 --> 01:43:51,119

wrongful convictions come in all

2621

01:43:56,070 --> 01:43:53,840

uh all shapes and sizes but this is one

2622

01:43:58,390 --> 01:43:56,080

where um

2623

01:44:00,390 --> 01:43:58,400

i i and a lot of people who have looked

2624

01:44:02,229 --> 01:44:00,400

at it very carefully

2625

01:44:04,070 --> 01:44:02,239

actually believed that the

2626

01:44:06,229 --> 01:44:04,080

sheriff and the da at the time within a

2627

01:44:07,750 --> 01:44:06,239

couple days of arresting every they knew

2628

01:44:11,270 --> 01:44:07,760

he didn't do it

2629

01:44:13,430 --> 01:44:11,280

um and worse or equally bad not worse

2630

01:44:15,430 --> 01:44:13,440

but they knew who really did it

2631

01:44:18,149 --> 01:44:15,440

and he was even more dangerous than

2632

01:44:20,390 --> 01:44:18,159

avery was at the time and he went on to

2633

01:44:21,990 --> 01:44:20,400

brutally rape a woman and green bay

2634

01:44:23,990 --> 01:44:22,000

entered her apartment

2635

01:44:27,350 --> 01:44:24,000

broke in and raped her and is still

2636

01:44:29,590 --> 01:44:27,360

doing time because of that and

2637

01:44:33,109 --> 01:44:29,600

it's one more irony of this whole thing

2638

01:44:35,510 --> 01:44:33,119

is that was the details of that the real

2639

01:44:37,109 --> 01:44:35,520

injustice here were were left out of

2640

01:44:39,270 --> 01:44:37,119

making a murder you know there was this

2641

01:44:41,109 --> 01:44:39,280

vague reference to this old case and the

2642

01:44:41,910 --> 01:44:41,119

injustice

2643

01:44:43,270 --> 01:44:41,920

but

2644

01:44:44,310 --> 01:44:43,280

um

2645

01:44:47,030 --> 01:44:44,320

you know

2646

01:44:50,149 --> 01:44:47,040

the people now who weren't even here

2647

01:44:52,070 --> 01:44:50,159

then who had nothing to do with that

2648

01:44:54,070 --> 01:44:52,080

and it's a complicated thing

2649

01:44:55,030 --> 01:44:54,080

to explain all that but

2650

01:44:57,189 --> 01:44:55,040

um

2651

01:44:59,510 --> 01:44:57,199

they're the ones taking the blame for

2652

01:45:01,669 --> 01:44:59,520

for what happened years ago and that's

2653

01:45:03,109 --> 01:45:01,679

the tragedy the

2654

01:45:04,470 --> 01:45:03,119

the um

2655

01:45:07,430 --> 01:45:04,480

and a friend of mine told me you know

2656

01:45:09,270 --> 01:45:07,440

with all the the the criticism that the

2657

01:45:11,430 --> 01:45:09,280

sheriff's department was taking soon

2658

01:45:13,750 --> 01:45:11,440

after making murder if they were smart

2659

01:45:16,950 --> 01:45:13,760

they would have taken that criticism and

2660

01:45:19,669 --> 01:45:16,960

shine the spotlight back to what really

2661

01:45:21,350 --> 01:45:19,679

was an injustice um and

2662

01:45:24,070 --> 01:45:21,360

not run away from it you know it's

2663

01:45:26,870 --> 01:45:24,080

another lesson in law enforcement they

2664

01:45:29,030 --> 01:45:26,880

hate to admit any flaws

2665

01:45:31,510 --> 01:45:29,040

and there would have been nothing wrong

2666

01:45:33,990 --> 01:45:31,520

with saying that the former sheriff and

2667

01:45:35,990 --> 01:45:34,000

the district attorney at the time

2668

01:45:39,350 --> 01:45:36,000

uh handled it

2669

01:45:41,510 --> 01:45:39,360

incredibly bad and that and and not just

2670

01:45:43,669 --> 01:45:41,520

handled it bad as a negligent that

2671

01:45:45,189 --> 01:45:43,679

there's a lot of evidence that

2672

01:45:47,750 --> 01:45:45,199

that um

2673

01:45:49,669 --> 01:45:47,760

that this was a horrible injustice

2674

01:45:51,750 --> 01:45:49,679

perpetrated

2675

01:45:54,310 --> 01:45:51,760

on the part of the sheriff and the

2676

01:45:57,590 --> 01:45:54,320

prosecutor intentionally on avery and

2677

01:45:58,790 --> 01:45:57,600

his family you know so if you admit that

2678

01:45:59,669 --> 01:45:58,800

you can

2679

01:46:05,910 --> 01:45:59,679

then

2680

01:46:06,790 --> 01:46:05,920

now and there it really is the case

2681

01:46:08,870 --> 01:46:06,800

um

2682

01:46:12,070 --> 01:46:08,880

that that this

2683

01:46:14,550 --> 01:46:12,080

is nothing like this investigation was

2684

01:46:15,270 --> 01:46:14,560

nothing like the entire entire intent of

2685

01:46:17,910 --> 01:46:15,280

this

2686

01:46:20,790 --> 01:46:17,920

it was to find out what what happened

2687

01:46:22,790 --> 01:46:20,800

and uh it had no resemblance to what

2688

01:46:26,070 --> 01:46:22,800

happened 30 years ago right

2689

01:46:28,629 --> 01:46:26,080

well um i really appreciate it um it's

2690

01:46:31,590 --> 01:46:28,639

been a really good evening i enjoyed

2691

01:46:33,109 --> 01:46:31,600

talking to you and you know we uh i say

2692

01:46:35,590 --> 01:46:33,119

we most of us

2693

01:46:36,470 --> 01:46:35,600

have only seen this through the eyes of

2694

01:46:40,149 --> 01:46:36,480

our

2695

01:46:42,070 --> 01:46:40,159

uh of making a murderer and uh and then

2696

01:46:43,270 --> 01:46:42,080

people like myself may look into it a

2697

01:46:45,430 --> 01:46:43,280

little more than

2698

01:46:46,709 --> 01:46:45,440

that but uh it's really good to talk to

2699

01:46:48,629 --> 01:46:46,719

someone that

2700

01:46:49,590 --> 01:46:48,639

saw it from the inside saw before it

2701  
01:46:53,510 --> 01:46:49,600  
became

2702  
01:46:55,910 --> 01:46:53,520  
a smash uh hit on netflix so can you

2703  
01:46:58,149 --> 01:46:55,920  
give the uh listening audience out there

2704  
01:46:59,430 --> 01:46:58,159  
where they would find your new book

2705  
01:47:01,669 --> 01:46:59,440  
indefensible

2706  
01:47:02,709 --> 01:47:01,679  
on amazon do you have a website as well

2707  
01:47:05,750 --> 01:47:02,719  
yeah it's on

2708  
01:47:17,750 --> 01:47:05,760  
i

2709  
01:47:20,229 --> 01:47:17,760  
but

2710  
01:47:23,189 --> 01:47:20,239  
um it's in barnes and noble in stores

2711  
01:47:24,470 --> 01:47:23,199  
and on amazon and as is the prior book

2712  
01:47:27,430 --> 01:47:24,480  
published by the american bar

2713  
01:47:29,750 --> 01:47:27,440

association the innocent killer uh

2714

01:47:32,390 --> 01:47:29,760

so that would be great if if folks are

2715

01:47:35,590 --> 01:47:32,400

interested and i apologize for the for

2716

01:47:37,990 --> 01:47:35,600

the technical mess up uh to begin with

2717

01:47:38,629 --> 01:47:38,000

the skype uh thing is a bit new here for

2718

01:47:39,590 --> 01:47:38,639

me

2719

01:47:41,750 --> 01:47:39,600

very good

2720

01:47:44,149 --> 01:47:41,760

all right well i want to thank everyone

2721

01:47:46,790 --> 01:47:44,159

in our uh in our chat room as well for

2722

01:47:49,030 --> 01:47:46,800

participating tonight thanks so much uh

2723

01:47:51,750 --> 01:47:49,040

again it was a real pleasure and i'll

2724

01:47:53,830 --> 01:47:51,760

talk to you soon michael

2725

01:47:55,350 --> 01:47:53,840

okay thank you

2726

01:47:57,750 --> 01:47:55,360

all right everyone again i want to thank

2727

01:47:59,430 --> 01:47:57,760

you for joining in the chat room i know

2728

01:48:01,350 --> 01:47:59,440

there was a lot of questions i didn't

2729

01:48:02,470 --> 01:48:01,360

get to i apologize for that

2730

01:48:04,870 --> 01:48:02,480

and uh

2731

01:48:07,830 --> 01:48:04,880

we will be back next week with randall

2732

01:48:09,350 --> 01:48:07,840

carlson about earth changes it should be

2733

01:48:12,550 --> 01:48:09,360

an interesting show

2734

01:48:14,629 --> 01:48:12,560

and uh i want to thank you all again

2735

01:48:16,229 --> 01:48:14,639

once again for being here and

2736

01:48:21,310 --> 01:48:16,239

participating