



evidentiary value of the information extracted from the computer. At a minimum, it looks like material information bearing on innocence that the state knowingly possessed, had exclusively in its possession, and withheld from the defense.

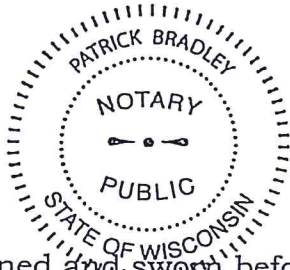
5. Had my co-counsel, Jerome Buting, and I known before trial or during trial about the contents of the Velie forensic analysis described now in Gary Hunt's affidavits, we would have used the information in the Velie forensic analysis to support our *Denny* motion by strengthening our showing that Bobby Dassey was an alternate suspect. At a minimum, that information would have gone to Bobby Dassey's availability and opportunity to commit violent crimes against, and kill, Teresa Halbach on October 31, 2005; to his sexual motive or other deviant motive to do so; to his proclivity or propensity—his legitimate tendency—to consider and commit exactly the sort of violence inflicted on Teresa Halbach; and to the credibility of his alibi. We also would have sought to introduce evidence of incriminating internet searches that likely were made by Bobby Dassey, and would have confronted him on cross-examination with those searches and other information contained in the Velie forensic analysis.

6. Information demonstrating a probability that Bobby Dassey used that computer to gain access to the internet on October 31, 2005, during times that he claimed to be asleep and while Brendan Dassey was known to be at school that day, also would have been used in cross-examination of Bobby Dassey at trial, had we known that information in the Det. Velie and Gary Hunt forensic analyses. I note that, in the end, the jury asked during deliberations for Bobby Dassey's testimony.

7. My firm and I did not have Encase while representing Mr. Avery. I think that Mr. Buting did not, either. So, we could not review the data on the seven DVDs given to us. Of course, we never got the Velie CD-ROM at all. We had no inkling what forensic analysis of that computer truly revealed before the trial of Mr. Avery, either as to who probably made incriminating internet searches or as to the information and images viewed. We had instead Mr. Kratz's incorrect claim that there was "nothing much of evidentiary value" on "Brendan's Computer." That claim was wrong on both points.

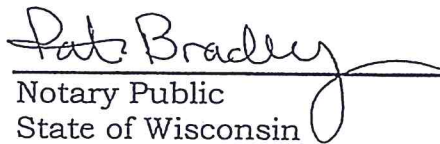
8. But if for some reason we should have learned enough from the DVDs that we were given to know what Det. Velie's analysis, and Mr. Hunt's, revealed about Bobby Dassey being the likely relevant user of the computer and about the nature of some internet searches at the times identified, then our performance was deficient and the deficient performance was my fault. Mr. Buting and I had no strategic reason not to want evidence suggesting that Bobby Dassey was looking for information about violence to women, or images of that, and seeking information similar to some of the harm that may have been done to Teresa Halbach or bearing on the destruction of her body. Quite the contrary: as I have said here, we would have welcomed this information, had we known it existed.

9. Finally, of course we wanted this information if it was in the state's possession. We had asked in writing for exculpatory information with all the specifics we could. Based on what Mr. Avery's current counsel has shared with me now about the Velie and Hunt forensic analyses, the analysis that Velie provided to the State included materially exculpatory information in the state's exclusive possession.



  
\_\_\_\_\_  
Dean A. Strang

Signed and sworn before me  
this 27 day of June, 2018.

  
\_\_\_\_\_  
Notary Public  
State of Wisconsin

My commission expires: 6/8/20

State Copy

WI DOJ DCI DFU Evidence Disc

Date: 4-17-18 Case #: 16-591

Media: CD+DVD Rpt #: 39

Suspect: Dassey, Brendan; Avery, Steven

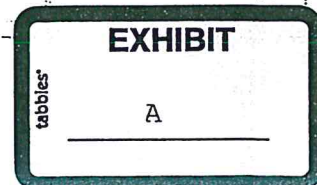
Agency: DCI: Appleton / Calumet CTY

Examiner: Hill, Kyle S - DFE



16-591/39.2

One (1) CD - Copy of Dassey Comput  
er - Final Report - Investigation Co  
on Copy  
BIN CC1A04C



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RA 7-48-9

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December 19, 2006

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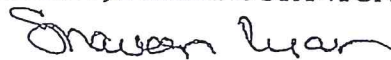
Re: *State of Wisconsin v. Steven Avery*  
Case No. 05-CR-381

Dear Jerry:

I enclose seven DVDs containing copies of Brendan Dassey's hard drive. These DVDs are an archive copy of the hard drive and can only be viewed with Encase V4 or V5. Any questions please contact me.

Sincerely,

HURLEY, BURISH & STANTON, S.C.



Shavon M. Ryan  
Paralegal

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Enc.

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