

Wisconsin DOJ Division of Criminal Investigation

ACISS Initiating Case Report Report

Report Number: DCIR13280

Report Date: 09/22/2003

Primary Information

Report Number: DCIR13280
Report Date: 09/22/2003
Type Of Report: Initiating Case Report
Description: STEVEN AVERY PROSECUTION
Reporting LEO: Strauss, Debra K (Appleton Public Integrity / Wisconsin DOJ Division of Criminal Investigation)
Approval Status: Approved
Approved Date: 04/12/2004
Approved By: Aciss System User (Department of Justice / Wisconsin DOJ Division of Criminal Investigation)

Related Documents

Document

OPENING DOCUMENT
OPEN INFORMANT/CLOSE CASE

Narrative

White: Records
Yellow: Agent
COMPLAINT FORM Pink: Supervisor
DJ-DCI-1 (Rev. 01/92)

1. Case Number
GC-13280
2. Date
09/22/2003
3. Nature of Complaint
GC-MISCONDUCT IN PUBLIC OFFICE
4. Complaint Received (Date - Time)

09/19/2003
5. in person telephone
mail email
internet fax
6. By (Special Agent)

Debra K. Strauss
7. Investigation Requested By/Information Received From (Include Title)
Manitowoc County District Attorney Mark Rohrer
8. Sources of Complaint
DISTRICT ATTORNEY
9. Address
1010 S. 8th Street, Manitowoc, WI
10. Telephone
920-596-3390
11. Case Title
STEVEN AVERY

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PROSECUTION

12. DOB

UNKNOWN

13. Address

Unknown

14. Municipality/County of Violation

Manitowoc County #36

15. Facts of Complaint

During July 1985 a woman was jogging on the beach, just outside of Two Rivers, Manitowoc County, WI when she was abducted, brutally beaten and sexually assaulted.

After the assault, the woman was taken to the hospital where Manitowoc County Sheriff's Department Deputies interviewed her. The victim was able to provide a physical description of her assailant. The victim also assisted a composite sketch artist from the Sheriff's Department develop a hand drawn picture of her assailant. Once the investigators were given a physical description, photo lineup was created. The victim reviewed the composite picture and then a short period of time later, the victim reviewed a photo lineup and identified STEVEN AVERY, DOB: 07/09/1962 as her assailant. At a subsequent date the victim again identified AVERY as her assailant. This second positive identification was made as part of an individual lineup.

Based on the victim's initial positive identification of AVERY as her assailant, AVERY was arrested and charged with First Degree Sexual Assault, Attempted First Degree Murder and False Imprisonment. This arrest took place within 12 hours of the assault.

A trial was held in December 1985. The prosecutor for this case was Manitowoc County District Attorney Denis Vogel. Despite AVERY having sixteen alibi witnesses as to his whereabouts on the day of the assault, AVERY was convicted of the crimes and sentenced to a total of 32 years in prison.

In September 2003, DNA tests were conducted on pubic hairs obtained after the assault. These tests concluded that AVERY was not the perpetrator of these crimes. GREGORY A. ALLEN, DOB: 01/17/1954, committed these crimes.

Soon after the mistake became public knowledge within the Manitowoc County Courthouse, the current District Attorney, Mark Rohrer, started receiving information that people within the courthouse never believed these crimes were committed by AVERY. These people all believed ALLEN committed the crime. Some of these individuals even stated to D. A. Rohrer they made these concerns known to either the District Attorney at the time, Denis Vogel, or the Manitowoc County Sheriff, Tom Kocourek.

D. A. Rohrer expressed his concerns about these allegations to the Attorney General's office and requested an independent review. The focus of this review would be to determine if ALLEN was ever a suspect in this investigation and if so, was this information turned over to the defense attorneys as part of the discovery procedure.

COMMENTS/RECOMMENDATIONS:

It is recommended this case be opened as a main case file. This review will include an examination of the Manitowoc County District Attorney's case files, the Manitowoc County Sheriff's Department's case files, along with the defense files. Interviews will also be conducted of the investigators involved in the investigation of this case and interviews of anyone who may have indicated they thought ALLEN had committed these crimes instead of AVERY.

dmg 10/02/2003

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Narrative - Continued

Record Status Information

Record Origination Operator: **Aciss System User (Department of Justice / Wisconsin DOJ Division of Criminal Investigation)**
Record Origination Date: 01/13/2004 11:05
Last Update Operator: **Conversion User (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)**
Last Update Date: 04/12/2004 14:13

Reporting LEO	Date	Supervisor	Date
Strauss, Debra K (Appleton Public Integrity / Wisconsin DOJ Division of Criminal Investigation)		Aciss System User (Department of Justice / Wisconsin DOJ Division of Criminal Investigation)	4/13/2005

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