

CALUMET COUNTY SHERIFF'S DEPARTMENT

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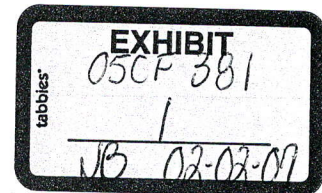
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January 28, 2007

MANITOWOC COUNTY
STATE OF WISCONSIN
FILED

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CLERK OF CIRCUIT COURT



Judge Patrick Willis
Manitowoc County Circuit Court
1010 S. Eighth Street
Manitowoc, WI

Re: Motion for Steven Avery not to wear stun belt in courtroom

Dear Judge Willis:

This letter is in response to the Motion file on behalf of Steven Avery requesting that he not have to wear the stun belt in the courtroom during his trial.

As Sheriff, I have a responsibility to ensure the safety of everyone in the courtroom. Measures are being taken to make this possible. There are several reasons why I believe that Mr. Avery should wear the stun belt while in court and they include the following:

1. **Seriousness of the charges.** Mr. Avery has been charged with some very serious crimes, which, if convicted, could lead to extensive incarceration. Mr. Avery has made statements that if convicted, he is not going back to prison. He has also made comments that he needs to get out of here.
2. **Propensity towards violence.** Several individuals who have been interviewed have commented about his violent temper and causing physical injury to others. These have been included in the Other Acts Motion as filed by District Attorney Ken Kratz.
3. **Witness Concerns.** Individuals who will be testifying against Mr. Avery have expressed concern about testifying and have indicated that they are fearful. These witnesses have been reassured that they will be safe in the courtroom.
4. **Threats made towards officers.** Mr. Avery, through phone dialog with his father, has made comments to hurt and disfigure the two lead investigators in this matter, Special Agent Tom Fassbender and Sgt. Mark Wiegert. These

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two officers will be in the courtroom and their safety, as well as other officers who will be testifying, needs to be taken into consideration.

5. Supporters of Mr. Avery following the squad cars as they were transporting him to court. There was an incident when Mr. Avery was being transported to court in Manitowoc County that supporters followed the officers from Chilton to Manitowoc. They pulled up beside the transport car at a stop sign in Manitowoc and were parked next to the transport car carrying Mr. Avery. When confronted later, these 3 individuals said they waited at the Kwik Trip gas station in Chilton and then followed the officers to Manitowoc. On 01-22-07, Mr. Avery sent a letter to these supporters and in the letter he makes the comment that "something big is going to happen." Granted I cannot read into this comment, however I feel that I need to take this comment seriously and that is why I am addressing it in this letter.

For the reasons mentioned, I feel it imperative that some type of restraining device be used and I find the stun belt to be the least restrictive and the easiest to conceal from view.

Thank you for your consideration.

Respectfully submitted,

Gerald A. Pagel
Sheriff for Calumet County