

Steven A. Drizin

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From: Larry White [whitel@██████████]  
Sent: Tuesday, April 29, 2008 3:07 PM  
To: s-drizin@██████████  
Subject: e-mail correspondence with Mark Fremgen re: Dassey

Attachments: Kassin & Gudjonsson 2004 review.pdf; Costanzo & Leo (2007) on interr & confess.pdf



Kassin & Gudjonsson 2004 review.pdf  
Costanzo & Leo (2007) on interr & confess.pdf

Hi Steve,

Appended below is my entire e-mail correspondence with Mark Fremgen, along with two of the three attachments I sent him. (I have not attached my C.V. because it is not the same now as it was in April 2007.)

Best,

Larry

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April 11, 2007

Dear Mr. Fremgen:

I am not overly eager to get involved in Brendan Dassey's case, but I also believe Dassey deserves to have an expert who can refute Mr. Buckley, if and when Buckley says the Reid Technique does not elevate the risk of obtaining unreliable statements or false confessions.

I recommend you contact either Dr. Richard Leo (at the University of San Francisco School of Law) or Dr. Saul Kassin (at Williams College in Massachusetts). These two individuals arguably know more than anyone else in the U.S. about the psychology of interrogations and confessions. They are very busy and probably very expensive, but they are the best and they might be willing to get involved.

As for myself, I have attached a copy of my C.V. You should know that I have consulted with attorneys and served as an expert witness for more than 20 years, but these cases have involved the reliability of eyewitness IDs. In the past 3-4 years, I have worked with attorneys on confession cases and made presentations to various groups (e.g., the Wisconsin State Bar) about the problem of false confessions. I have consulted on 6-7 cases and testified in court twice. I have not published on the topic of interrogation and confessions (although a student and I will present a research paper at the Midwestern Psychological Association conference in May). In short, my qualifications pale in comparison to those of Leo and Kassin.

I have attached a monograph by Kassin and Gudjonsson that is an excellent review of what social scientists have learned about issues related to interrogations and confessions. I also have attached a book chapter by Costanzo and Leo that I think will be helpful to you. If I were to testify in Dassey's case, my testimony would draw heavily from the empirical findings presented in these two documents.

My fee is \$125 an hour for any time I spend on the case. I bill travel time at \$50 an hour.

If you would like to talk, you can contact me at ██████████ (office) or ██████████ (home).

Best regards,

Larry White

At 02:07 PM 4/10/2007, you wrote:

>I received an email over the weekend from Jerry Buting (Avery defense)  
>in regards to your possible expert testimony in regards to "coercive"  
>interrogation techniques by police and specifically in regards to the  
>Dassey "confessions". My partner had on line a person from law  
>enforcement who would testify as to "coercive" though subtle techniques  
>of cops in getting confessions (he trains officers in taking  
>statements in Oklahoma), but his bosses suggested that he may not want  
>to testify against law enforcement so he backed out.  
>  
>This is last minute (in fact we already submitted our witness list),  
>but since the state has listed Buckley from Reid as a "expert" and our  
>potential expert has declined to assist, we are looking, if for  
>nothing else, some consultation time. This is an SPD case, however  
>they have been very generous with money and paying my other expert so I  
>do not beleive that should be a problem (fee for consulting or otherwise).  
>  
>If you are interested in speaking, please call me at [REDACTED] If  
>nothing else, I would appreciate your review of Reid's opinion letter.  
>It does not impress me, but a jury may otherwise be impressed by this "expert".  
>  
>I appreciate your time in this matter.  
>  
>Mark R. Fremgen  
>Kindt Phillips Friedman & Fremgen, S.C.  
[REDACTED]

Lawrence T. White, Ph.D.  
Department of Psychology  
Beloit College  
[REDACTED] U.S.A.

E-mail: whitelt@[REDACTED]  
Phone: [REDACTED]  
FAX: [REDACTED]