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THE REPORTER



HOLIDAY IN A BOX
THANKSGIVING COMES IN A PERFECTLY PORTIONED PACKAGE. **PAGE 6B**



FEELING THE HEAT
THE BURN OF A BAD LOSS PUTS MCCARTHY ON THE DEFENSIVE. **PAGE 1B**

TUESDAY

NOVEMBER 15, 2016 | FDLREPORTER.COM | PART OF THE USA TODAY NETWORK

CLOUDY AND MILD | HIGH 57 | LOW 36 | DETAILS, 6A

TERESA HALBACH CASE

DASSEY ORDERED FREED FROM PRISON

Federal judge says state must free him; legal team working to expedite release

TOM KERTSCHER, JOHN PERAK and ALISON DIBB
USA TODAY NETWORK WISCONSIN

The federal judge in Milwaukee who overturned the conviction of Brendan Dassey in the case made famous by "Making a Murderer" has ordered that Dassey be freed from prison, under supervision, pending further court developments.

The order was made Monday by U.S. Magistrate Judge William Duffin in a 17-page ruling.

State Attorney General Brad Schimel quickly moved to block the release, at least temporarily. His office announced it would file an emergency motion asking a federal appeals court to stay the release order.

Dassey was not released Monday, as many of his supporters had speculated, but his legal team is hoping for a short timeline, one of his attorneys, Steven Drizin, told USA TODAY NETWORK-Wisconsin on Monday.

"It's not going to happen today but we are very hopeful we will have Brendan home by Thanksgiving, if not sooner," Drizin said.

Duffin stated in his order: "Dassey's family is concentrated in northeastern Wisconsin. There is no indication that he has the inclination much less the means to flee or will otherwise fail to appear as may be legally required," Duffin wrote in the ruling.

"Moreover, Dassey has a strong interest not to flee. ... Dassey has offered a detailed release plan that was prepared with the assistance of a clinical social worker with experience in similar cases. That social worker would remain involved in assisting Dassey as he adjusts to freedom following his decade in prison."

Duffin noted in Monday's ruling that when he granted Dassey's habeas corpus petition back in August that there was a presumption that "successful habeas petitioners are released while the respondent appeals that decision. The respondent (the Wisconsin Attorney General's Office) has failed to rebut that presumption. The court does not find that the respondent has a strong likelihood of success on appeal ... the court finds it must grant Dassey's petition and order him released from the cus-



Brendan Dassey is escorted into court for his sentencing in 2007. A federal judge on Monday ordered Dassey to be released from prison. State Attorney General Brad Schimel has moved to block his release.

body of the respondent."

Dassey, 27, has been in prison since being sentenced in 2007 to life in the 2005 murder of Teresa Halbach. He will be eligible for extended supervision in 2018.

Dassey's uncle, Steven Avery, also is serving a life sen-

tence in the Manitowish County

murder. As part of Monday's order, Duffin outlined a number of restrictions to be imposed upon Dassey while he remains free as the Wisconsin Attorney General's Office aims to reinstate his 2007 murder conviction.

The court ordered that Dassey be supervised the U.S. Probation Office for the Eastern District of Wisconsin.

"Not only will the United States Probation Office monitor Dassey's compliance with

See DASSEY, Page 6A

Be aware of the first responders on roads

FOR USA TODAY NETWORK WISCONSIN

FOND DU LAC - The Federal Highway Administration has declared this week as the first national "Traffic Incident Response Awareness Week."

The Fond du Lac County Highway Department, along with the Fond du Lac County Sheriff's Office and other area emergency responders work to help save lives at the scenes of traffic incidents in area communities and ensure the continued safety of the traveling public.

Every year in America, hundreds of emergency responders representing fire, law enforcement, emergency medical services, highway departments and towing and transportation agencies are struck and either injured or killed while responding. This type of secondary crash intensifies the impact to communities, individuals and the economy.

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Donald Trump campaigns in Green Bay on Oct. 17.

Taxpayers foot bills for campaign events

DOUG SCHNEIDER
USA TODAY NETWORK WISCONSIN

Taxpayers from Waunakee to Oshkosh continue to subsidize presidential campaigns this year, even if they haven't written checks to any of the candidates.

The taxpayers fund work their local police departments perform during campaign appearances by candidates and their surrogates. For a number of these appearances, departments are unable — or sometimes unwilling — to collect payment.

Some departments, including Appleton and Waunakee, don't bill the campaigns. Appleton wrote off an estimated \$8,500 for early-spring appear-

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Dassey

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the conditions of release the court will impose, but probation officers are experts in addressing issues that Dassey is likely to face upon being released in prison," Duffin wrote.

The federal judge noted that if Dassey violates any of the terms of his release he may be returned to custody, pending the outcome of the prosecution's ongoing appeal effort.

Here are some of the conditions of Dassey's appeal.

Dassey must not violate any federal, state or local laws.

He must appear in court as required and surrender to serve any sentence as ordered by a court.

He shall comply with any applicable law regarding sex offender registration.

He shall cooperate with the U.S. Probation Office including making himself available for any means visits deemed necessary.

He will shall not have any contact with co-defendant Steven Avery or with the family of Theresa Halbach.

Dassey has until noon Tuesday to notify the probation office of his intended residential address. Federal probation officers, in turn, will be asked to inspect the dwelling to determine if it is a suitable place for Dassey to stay.

In the motion seeking his supervised release within the appeal is, Duffin, Dassey's attorneys did not ask for him.

Dassey would spend the first one to three months living with his mother in a trailer on his family owned in rural northeast Wisconsin, about 100 miles from Manitowish.

He would then move to an apartment in Brown County that his mother and stepfather would pay for initially. There, he would work on education, job skills and therapy as appropriate.

He could also live at home in Manitowish if the judge preferred, his attorneys wrote.

That plan had not changed as far as Duffin was aware as of Monday.

News of Monday's decision was met with relief by relatives of the Avery and Dassey families.

"I'm just really happy for Brendan and Barb (Dassey), Brendan's mother, that things are starting to move forward," cousin



Kim Ducat, a cousin of Brendan Dassey, says the family is excited for the prospect of Dassey being released from prison. He would be under the supervision of the U.S. Probation Office.

Kim Ducat told USA TODAY NETWORK-Wisconsin, "I am in total shock right now. As far as Judge Duffin, God bless him for listening and reading and paying attention to the fine print of what actually happened."

Ducat said USA TODAY NETWORK that Dassey's mother had warned her son back in August "not to get his hopes up" about being released from prison real soon. Within days of Duffin's ruling in August over-

turning Dassey's murder conviction, the Wisconsin Attorney General's Office announced it would be appealing Duffin's ruling, suggesting the federal judge was in error.

Ducat said that Monday's development marks another milestone in the hopes of getting Dassey released from prison for good.

She said that she does not believe that Dassey will ever be re-tried for Halbach's murder because the evidence would

be too weak for Scheibel's office to present before another jury.

"I think it's going to be positive for Brendan from here on out," she said. "The second trial, I don't see that ever happening (The prosecution) has tried their hardest to keep everything under wrap and keep the two guys in prison and it does not seem to be working for them anymore."

Under Duffin's order, Dassey would be supervised by the U.S. Probation

Office.

Ducat said she has no doubt that Dassey will adhere to the strict conditions of his probation order.

"I think Barb is going to be very content with Brendan, considering how young he was when he went into custody," she said. "I think it's going to take him a little bit to adjust. I would imagine he will take it slow."

Duffin reversed the Dassey conviction in August, ruling that Dassey's constitutional rights were violated based on the way the then-16-year-old was interrogated.

Dassey's conviction was based on a confession he gave to an investigator working for the prosecution during his first trial in 1999.

Wausau resident Lisa Stankowiak, a supporter of Dassey and Avery, said she hopes Monday's ruling prompts more people in Manitowish County to support Dassey.

"I think Manitowish County needs to take this judge's ruling as an eye-opener," Stankowiak said.

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Bills

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Collecting payment, departments have learned, is as simple as preparing a bill and presenting it to the campaign.

Brown County Sheriff John Gossage learned that when he billed the Sanders campaign in July for \$2,500 in expenses from a sporting event. He said a campaign official acknowledged receipt of the bill, but no payment was forthcoming.

"The Sanders people for an appearance at the university here, but my department provided a booth sweep and other service for the same event, and I can't even get his people to call me back," Gossage said. "It's outrageous that they would pay one agency and not pay another."

Gossage said the Rick Santorum campaign may pay bills from appearances in the Green Bay area four years ago but did not repay his department. Others check

venues for bombs, escort a candidate's motorcade or direct traffic outside a venue.

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Chelsea Clinton poses for a photo while wearing a support sign for Democratic presidential candidate Hillary Clinton during a campaign appearance. Local departments have outstanding bills with candidate campaigns from both sides of the aisle.

Involvement of the U.S. Secret Service in a campaign event can create complications, as well as the agency protects former U.S. presidents, their spouses and their minor children in perpetuity, for example, but not their adult children. In this campaign, that meant that agents protected Hillary and Bill Clinton, but not their daughter, Chelsea. Police departments representative ahead of a campaign appearance

\$19,000, most of that from Trump's two visits to the KI Center.

Only the campaign of former Republican hospital CEO Ted Cruz appears current on all of its bills, according to checks with more than 10 police agencies around the region.

The Tucson's campaign paid Ashwaabehem \$698 and Green Bay \$811 in separate appearances.

Departments in Oshkosh, Rothschild and Wausau apparently didn't bill because they incurred minimal expenses.

It is important to a department because expenses can grow in a hurry when a visit pulls in a lot of people and police functions. Officials have put supervisors and detectives in uniform to handle traffic or crowd control. Green Bay used an animal-control officer to help prepare for a rally during a motorcade.

Some departments decide they don't want to get into the collections business.

Wausau Police Capt. Matt Barnes said campaigns appearances have "a significant financial impact on communities." The city is getting hit with a street closure and an involving Cruz and two former presidential candidates who supported him, Carly Fiorina and Wisconsin Gov. Scott Walker.

Wausau and some other departments treat the appearances as the cost of doing business and don't try to recover expenses.

"We take it in stride," Barnes said, "because we don't have a choice."

Wausau swallowed about \$2,000 in public works expenses associated with a street closure for a candidate appearance, officials said.

In other parts of the nation, some communities have tried a hardball approach.

"Our budget ... is tight

and we try to bill appropriately for time spent for extra security assignments that our officers work," said Matt City, Iowa, Chief Jeff Brinkley, whose department handled visits from the Clinton, Cruz, Sanders and Ben Carson campaigns.

Until a candidate picks up their party's nomination and gets Secret Service protection, we would expect that they would be accountable for their use of public resources."

In Burlington, Vermont, this summer considered the way the Trump campaign over an \$8,500 bill associated with a January rally, but decided that wouldn't be cost-effective. Tucson, Arizona, was said to be considering similar action over almost \$82,000 in police expenses from Trump events. KVOA-TV reported that the city is considering similar action over almost \$82,000 in police expenses from Trump events. KVOA-TV reported that the city is considering similar action over almost \$82,000 in police expenses from Trump events. KVOA-TV reported that the city is considering similar action over almost \$82,000 in police expenses from Trump events.

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ACCUWEATHER FOND DU LAC FORECAST

Today	Tomorrow
Partly sunny and clear	Partly sunny and clear
High: 57°	High: 57°
Low: 31°	Low: 31°
Thursday	Friday
Partly sunny and mostly clear	Partly sunny and mostly clear
High: 57°	High: 57°
Low: 31°	Low: 31°
Saturday	Sunday
Cloudy with a light rain	Partly sunny with a light rain
High: 57°	High: 57°
Low: 31°	Low: 31°

Wisconsin Weather

Shown is today's weather. Temperatures are today's highs and tonight's lows.

Wausau 57/31
Green Bay 57/31
Deshalb 57/31
Fond du Lac 57/31
La Crosse 57/31
Madison 57/31
Milwaukee 57/31
Watrous 57/31
Kenosha 57/31

Almanac

Fond du Lac as of 3 p.m. yesterday

Temperature	57°
High	57°
Low	31°
Normal high	57°
Normal low	31°
Last night	31°
Last year low	24°

AccuWeather.com

Week

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close distances to live traffic.

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