

# Lawyers for Brendan Dassey: File petition for executive clemency with the office of Gov. Tony Evers

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**MILWAUKEE** – Today, lawyers for Brendan Dassey filed a petition for executive clemency with the Office of Governor Tony Evers. The petition asks Governor Evers to consider both a pardon, which would result in Brendan’s immediate release and the restoration of some of his legal rights, and a commutation, which could result in his immediate release or shorten his sentence and would leave the convictions intact. Grounds for clemency include both Brendan’s innocence and the extreme length of his sentence.

“Governor Evers has said that freeing people who don’t need incarceration is a moral issue. Brendan Dassey is the living embodiment of that moral issue,” said Laura Nirider, co-director of the Center on Wrongful Convictions at Northwestern Pritzker School of Law (CWC) and an attorney for Brendan Dassey.

At a news conference announcing the filing, attorneys Laura Nirider and Steven Drizin were joined by a wide range of supporters of the petition, including disability experts, law enforcement authorities, victim advocates and educators. Those supporters included: Seth Waxman, former U.S. Solicitor General and attorney for Brendan Dassey; Dave Thompson, national police trainer; Dr. Sally Miles, Madison-based speech language pathologist; Jeanne Bishop, victims’ rights advocate and criminal defense attorney; Lisa Pugh, State Director of The Arc Wisconsin; Barb Dassey, Brendan Dassey’s mother; Carla Chase, Brendan Dassey’s cousin; and Ben Ward, Executive Director of the Milwaukee Teachers Education Association.

“Brendan has served more than thirteen years in prison for a crime he didn’t

commit. We look forward to Governor Evers' review of the evidence and hope he'll reach the same conclusion – that there is no one more deserving of clemency than Brendan Dassey,” said Steven Drizin, co-director of the CWC and an attorney for Brendan Dassey.

In 2007, special education student Brendan Dassey was sentenced to life in prison based on a videotaped confession he gave at age 16 that is now widely understood to be false. Incarcerated since age 16, Brendan will turn 30 years old on October 19, 2019. He is not eligible for parole until 2048, at which time he will be 59 years old.

Brendan came within days of release in 2016, after a federal judge in Milwaukee developed “significant doubts as to the reliability of Dassey’s confession” and ordered his release. That order was reversed by a sharply divided Chicago appeals court, which found, in a 4-3 decision, that even though Brendan was “offer[ing] what seemed like guesses” during the interrogation, that did not create a legal requirement that his conviction be overturned. The dissenting judges, led by Chief Judge Diane Wood, called the ruling a “profound miscarriage of justice.”

“Our judicial system too often fails to prevent wrongful convictions based on false confessions – particularly when, as here, the federal habeas statute limits the federal courts’ ability to enforce the protections that should apply in the interrogation room,” said Seth Waxman, former U.S. Solicitor General and an attorney for Brendan Dassey. “Where the courts fail, we look to the Governor to deliver justice. Today, we call on Governor Evers to deliver justice for Brendan Dassey.”

“At its best, clemency has always been used for cases where our good but imperfect criminal justice system does not bring justice or locks out mercy. This is one of those cases,” said Mark Osler, University of St. Thomas Law School professor and clemency expert.

Brendan’s case has led to many reforms, including new statutes in Illinois and California requiring counsel for children in the interrogation room. His interrogation videotape is also now used to train police nationwide “how *not* to interrogate” disabled kids, says David Thompson, Vice President of Operations at leading police training firm Wicklander Zulauski.

Brendan’s story was featured in the Emmy-award winning Netflix series *Making a Murderer*, which was viewed by tens of millions across the globe. Because of a

global outpouring of interest, an exclusive interview with Brendan Dassey was released today on the podcast [Wrongful Conviction with Jason Flom](#). Also released today, NowThis premiered the pilot of a new video series entitled *Wrongful Conviction*, featuring the first-ever interview with Brendan.

The petition has received support from Wisconsin educators, disability experts, law enforcement authorities, and victims' rights advocates (see enclosed statements of support). In addition, advocates have created an online petition at [www.bringbrendanhome.org/](http://www.bringbrendanhome.org/) to support Brendan's clemency petition and bring attention about the case to the Office of Governor Evers.