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June 30, 2011

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People v. Dominique Strauss-Kahn  
Indictment No. 2526/2011

Dear Messrs. Taylor and Brafman:

In connection with the above-captioned case, the People disclose the following information to the defense pursuant to Criminal Procedure Law 240.20 as well as Brady v. Maryland, 373 U.S. 83 (1963) and its doctrinal progeny.

In an application for Asylum and for Withholding of Removal dated December 30, 2004, the complainant provided the United States Department of Justice Immigration and Naturalization Service with factual information about herself, her background and her experiences in her home country of Guinea. This information was in the form of a written statement attached to her application, and was submitted as a basis for her request for asylum. In her application, she certified under penalty of perjury that her written statement was true.

In substance, the complainant's statement claimed that she and her husband had been persecuted and harassed by the dictatorial regime that was then in power in Guinea. Among other things, the complainant stated that the home that she shared with her husband was destroyed by police and soldiers acting on behalf of the regime, and that she and her husband were beaten by them. When her husband attempted to return to what was left of their home the next day, she stated that he was again beaten, arrested and imprisoned by police and soldiers. She stated that she also was beaten when she attempted to come to her

husband's aid. In her statement, she attributed the beatings to the couple's opposition to the regime. She stated that during her husband's incarceration, he was tortured, deprived of medical treatment and eventually died as a result of his maltreatment. Following his death, according to her, she began to denounce the regime and finally fled the country in fear of her life, entering the United States in January 2004 to seek refuge (she has told prosecutors that she used a fraudulent visa). She repeated these facts orally during the course of her asylum application process.

In interviews in connection with the investigation of this case, the complainant admitted that the above factual information, which she provided in connection with her asylum application, was false. She stated that she fabricated the statement with the assistance of a male who provided her with a cassette recording of the facts contained in the statement that she eventually submitted. She memorized these facts by listening to the recording repeatedly. In several interviews with prosecutors, she reiterated these falsehoods when questioned about her history and background, and stated that she did so in order to remain consistent with the statement that she had submitted as part of her application.

Additionally, in two separate interviews with assistant district attorneys assigned to the case, the complainant stated that she had been the victim of a gang rape in the past in her native country and provided details of the attack. During both of these interviews, the victim cried and appeared to be markedly distraught when recounting the incident. In subsequent interviews, she admitted that the gang rape had never occurred. Instead, she stated that she had lied about its occurrence and fabricated the details, and that this false incident was part of the narrative that she had been directed to memorize as part of her asylum application process. Presently, the complainant states that she would testify that she was raped in the past in her native country but in an incident different than the one that she described during initial interviews.


In the weeks following the incident charged in the indictment, the complainant told detectives and assistant district attorneys on numerous occasions that, after being sexually assaulted by the defendant on May 14, 2011 in Suite 2806, she fled to an area of the main hallway of the hotel's 28<sup>th</sup> floor and waited there until she observed the defendant leave Suite 2806 and the 28<sup>th</sup> floor by entering an elevator. It was after this observation that she reported the incident to her supervisor, who arrived on the 28<sup>th</sup> floor a short time later. In the interim between the incident and her supervisor's arrival, she claimed to have remained in the same area of the main hallway on the 28<sup>th</sup> floor to which she had initially fled. The complainant testified to this version of events when questioned in the Grand Jury about her actions following the incident in Suite 2806. The complainant has since admitted that this account was false and that after the incident in Suite 2806, she proceeded to clean a nearby room and then returned to Suite 2806 and began to clean that suite before she reported the incident to her supervisor.


Additionally, the complainant has stated that for the past two tax years, she declared a friend's child in addition to her own as a dependent on her tax returns for the purpose of increasing her tax refund beyond that to which she was entitled. She also admitted to misrepresenting her income in order to maintain her present housing.

Finally, during the course of this investigation, the complainant was untruthful with assistant district attorneys about a variety of additional topics concerning her history, background, present circumstances and personal relationships.

Please do not hesitate to contact us with any questions.

Sincerely,

  
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Cc: The Honorable Michael J. Obus  
Supreme Court, New York County  
Part 51