

# Wisconsin DOJ Division of Criminal Investigation

## ACISS Investigative Report

Report Number: DCIR13280/5

Report Date:

### Person Information

Report Number: DCIR13280/5  
Type Of Report: Investigative  
Description: dci2 int dvorak  
Approval Status: Approved  
Approved Date: 04/12/2004  
Approved By: Conversion User (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)

### Case Info

CASE ACTIVITY REPORT Wisconsin Department of Justice  
DJ-DCI-2 (Rev. 8/91) DIVISION OF CRIMINAL INVESTIGATION

1. Case Number

GC-13280

2. Date

09/30/2003

3. Case Title

STEVEN AVERY PROSECUTION

4. Activity

Interview: DVORAK

5. Date of Activity

09/25/2003

6.

On Thursday, September 25, 2003, at approximately 10:10 a.m., S/A Debra K. Strauss interviewed:

NAME: JUDITH A. DVORAK  
ADDRESS: 6131 Old County Y, Maribel, WI 54227  
HOME PHONE: 920-755-4395  
DOB: 01/10/1947  
EMPLOYMENT: Wackenhut Security/Point Beach Nuclear Plant, Two Rivers, WI

This interview was conducted at DVORAK's residence. The purpose of this interview was to obtain information DVORAK may have regarding her involvement with the PENNY BEERNTSEN assault, on July 29, 1985 and the subsequent arrest and conviction of STEVEN AVERY.

DVORAK provided the following information:

DVORAK said she worked for the Manitowoc County Sheriff's Department from 1982 to 1989. In July 1985, DVORAK was working as a part-time sheriff's deputy. DVORAK said that she was one of the few female officers in the county. After the assault of BEERNTSEN, Sheriff Tom Kocourek contacted DVORAK and asked DVORAK to go to the hospital and take a statement from BEERNTSEN.

DVORAK told S/A Strauss that she went to the hospital and was there for BEERNTSEN's physical examination.

*Employment as Deputy?  
Terminated?*

This report is property of Wisconsin DOJ Division of Criminal Investigation. Neither it or its contents may be disseminated to unauthorized personnel.

lehmannaa 04/13/2005 13:31

005602

Page 1 of 3

# Wisconsin DOJ Division of Criminal Investigation

## ACISS Investigative Report

Report Number: DCIR13280/5

Report Date:

Continued

BEERNTSEN was present when the emergency room physicians took the public combings and when the sheriff's department took the photos of BEERNTSEN's injuries. DVORAK said that she stayed in the room with BEERNTSEN the entire time she was in the emergency room because Sheriff Kocourek wanted a female in the room with BEERNTSEN.

DVORAK said that when she took the statement from BEERNTSEN, there was another detective in the room with her. DVORAK was unable to recall who this other person was. DVORAK said the interview with BEERNTSEN was a joint interview between herself and the other detective. DVORAK believed the other detective may have completed the report but she was not sure. *FWSK? Beck Kolanczyk*

DVORAK did not think she asked many questions during the interview. Instead, DVORAK thinks she was there to provide comfort to the victim. DVORAK said she remembered staying at the hospital with BEERNTSEN for a couple of hours although BEERNTSEN stayed in the hospital overnight. DVORAK remembered that BEERNTSEN spent the night at the hospital because the following day, DVORAK went to see BEERNTSEN in her hospital room. DVORAK took BEERNTSEN some flowers out of her garden.

Instead of asking BEERNTSEN to provide a written statement, DVORAK thinks it is possible BEERNTSEN gave a taped statement. DVORAK did not think a written statement was asked for on the day of the assault because of BEERNTSEN's physical and mental condition. *Cathy - Beerntsen*

In July 1985, DVORAK said she lived directly across the street from STEVEN AVERY. DVORAK said she was familiar with AVERY but they were not friends. DVORAK also stated that AVERY had been in and out of jail several times. DVORAK described AVERY as such a dirty man that every time he would come to the jail, the sheriff deputies would have to make AVERY take a shower. DVORAK also stated that when she helped execute the search warrant on AVERY's house the night of the assault, AVERY's house was also very dirty.

Within a couple of days after BEERNTSEN's assault, Sheriff Kocourek sent DVORAK to BEERNTSEN's house to tap BEERNTSEN's phone. This was done because the BEERNTSEN's were receiving threatening phone calls at their home and the BEERNTSEN's wanted to have their phone tapped. DVORAK said that she went to the BEERNTSEN's home with the investigator that she had been at the hospital with. DVORAK was still unable to recall who this investigator was. DVORAK described their conversation with BEERNTSEN that day as strictly casual. DVORAK said it is possible that this conversation may have been tape recorded but DVORAK was unable to recall for sure.

S/A Strauss asked DVORAK when AVERY became a suspect for this assault. DVORAK responded that after she and the detectives had gone through the initial interview with BEERNTSEN and BEERNTSEN provided a physical description of her assailant, AVERY became a suspect. DVORAK thought AVERY became a suspect based on BEERNTSEN's physical description.

S/A Strauss asked DVORAK if she was in the room when BEERNTSEN reviewed the photo lineup. DVORAK said she was not.

DVORAK was then asked if she was present when Gene Kusche created the composite drawing. DVORAK responded that she could not recall if she was in the room when this occurred or not. DVORAK said she has seen the drawing completed by Kusche but she could not remember if she saw the drawing the night of the assault or the following day.

DVORAK said that when she saw the composite drawing prepared by Kusche, she thought the assailant looked like AVERY. S/A Strauss asked DVORAK if she thought the photo looked like GREGORY ALLEN. DVORAK said that she did not know who ALLEN was. DVORAK continued to tell S/A Strauss that until S/A Strauss just mentioned the name, she had never heard the name GREG ALLEN before.

When DVORAK left the hospital the night of the assault, DVORAK went to help with the search warrant of AVERY's house. DVORAK said that even though she helped with the execution of the search warrant, she was not part of the arresting team that arrested AVERY. DVORAK told S/A Strauss that this was the first time she had ever been in the AVERY house even though she lived right across the street from them.

*This report is property of Wisconsin DOJ Division of Criminal Investigation. Neither it or its contents may be disseminated to unauthorized personnel.*

lehmannaa 04/13/2005 13:31

005603

Page 2 of 3

# Wisconsin DOJ Division of Criminal Investigation

## ACISS Investigative Report

Report Number: DCIR13280/5

Report Date:

### Narrative - Continued

The following day, July 30, 1985, DVORAK and Detective Al Kolanck took a towel, some clothes, a pair of shoes, the public combings and all of the other evidence seized regarding this case to the crime lab.

DVORAK described AVERY as an abusive man. DVORAK said that she did not know if AVERY was abusive towards his wife but DVORAK stated that she has observed AVERY chain his son with a metal chain in the front yard. DVORAK said this was AVERY's way of babysitting his children. It did not come as a surprise that AVERY could commit a crime such as this. DVORAK said this assault did fit AVERY's pattern of previous crimes and the "profile" was there.

S/A Strauss told DVORAK that on a couple of different occasions, BEERNTSEN had been asked if her assailant had greasy hands. S/A Strauss asked DVORAK why she thought this question was asked of BEERNTSEN. DVORAK responded that AVERY's father had a junkyard and this question may have been asked because AVERY was always around cars and always seemed to have dirty, greasy hands.

S/A Strauss asked DVORAK if she ever had any doubts as to whether or not AVERY had committed this crime. DVORAK said she could not remember.

S/A Strauss then asked DVORAK if she had any other involvement in this investigation. DVORAK responded that she was involved in the trial run to the Shopko in Green Bay. DVORAK recalled that as a result of this trial run, it was determined that the window of opportunity was there for AVERY to have gone to the Shopko in Green Bay and still have been able to commit this crime. S/A Strauss asked DVORAK if there was any pressure on them by anyone within the sheriff's department to make this trial run work in such a way that someone could testify that this window of opportunity was there for AVERY. DVORAK responded she did not think there was any pressure in any way.

DVORAK told S/A Strauss that she would not describe her relationship with AVERY as neighborly. DVORAK knew of AVERY because he lived across the street from DVORAK. Anything DVORAK knew about the AVERY family, DVORAK knew because of personal observations.

DVORAK described AVERY as a very vindictive man. DVORAK said that AVERY was not nice to other inmates when he was in jail and AVERY always had a "look in his eye" that made her uncomfortable. DVORAK has always had a feeling that AVERY could not be trusted.

As the interview concluded, DVORAK stated that she believed to the best of the sheriff's department's ability, this investigation was conducted properly, all of the evidence that was obtained indicated that AVERY had committed the assault and AVERY was certainly capable of committing such a crime.

DVORAK had no additional information and the interview concluded at approximately 11:00 a.m.

dp 10/01/03

13280 dci2 int dvorak 09252003 strausdk

### Record Status Information

Record Origination Operator:	Conversion User (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)
Record Origination Date:	04/12/2004 14:13
Last Update Operator:	Conversion User (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)
Last Update Date:	04/12/2004 14:13

This report is property of Wisconsin DOJ Division of Criminal Investigation. Neither it or its contents may be disseminated to unauthorized personnel.

lehmannea 04/13/2005 13:31

005604

Page 3 of 3