

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/11

Report Date: 11/10/2005

Primary Information

Description:	TERESA MARIE HALBACH: Interview/Barbara Janda 11/09/2005
Occurrence From:	11/09/2005 13:45
Occurrence To:	11/09/2005 14:14
Dissemination Code:	Agency
Reporting LEO:	Kapitany, Joseph M (Appleton Gaming DCI)
Backup LEO:	Schmitz, Wendy (Investigator / Calumet County Sheriff's Department)
Approval Status:	Approved
Approved Date:	11/18/2005
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Addresses

Address	Relationship
6904 CTH Y, Whitelaw, Wisconsin 54247, United States of America	Other

Related Subjects

Name	Type	Sex	Race	DOB	Relationship
Janda, Barbara Ellen	Person	Female	White	11/07/1964	Interviewed
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Mentioned
Dassey, Blaine A	Person	Male	White	12/03/1988	Mentioned
Dassey, Bobby A	Person	Male	White	10/18/1986	Mentioned
Dassey, Brendan R	Person	Male	Unknown	10/19/1989	Mentioned
Dassey, Bryan J	Person	Male	White	07/15/1985	Mentioned
Tadych, Scott A	Person	Male	White	07/14/1968	Mentioned
Halbach, Teresa Marie	Person	Female	White	03/22/1980	Victim

Property

Status	Quantity	Description
Inventory	1	Miranda Rights Waiver - Barbara Janda
Inventory	1	Maxell C60 audiocassette Barbara Janda Interview

Record Status Information

Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/10/2005 12:43
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/18/2005 14:10

Reporting LEO	Date	Supervisor	Date
Kapitany, Joseph M (Appleton Gaming DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On Wednesday, November 9, 2005, at approximately 1:45 p.m., S/A Joseph M. Kapitany and Investigator Wendy Baldwin, of the Calumet County Sheriff's Department, conducted an interview of Barbara Janda, W/F, DOB 11/07/1964. The interview took place in Inv. Baldwin's squad car as a result of the transport for execution of a search warrant for Janda's DNA and finger and palm prints.

At approximately 1:20 p.m., S/A Debra K. Strauss initiated contact with Janda at a residence located at 6904 Highway Y, Whitelaw, WI. At approximately 1:20 p.m., S/A Strauss read Janda her Miranda Warnings and asked Janda if she understood them. Janda endorsed the Miranda Warning waiver, while in the presence of S/A Strauss.

At approximately 1:45 p.m., S/A Kapitany and Inv. Baldwin began the transport of Janda to the Aurora Hospital, located at 5000 Memorial Drive, Two Rivers, WI. Janda was not handcuffed and she was seated in the front seat of the squad car during the transport. S/A Kapitany advised Janda that she did not have to speak with the agents if she chose not to. S/A Kapitany confirmed with Janda that she was read her Miranda Warnings because of the search warrant. Janda said that she understood that she did not have to speak with the agents and that she wanted to cooperate and would answer follow-up questions of the agents. During the transport to the hospital, Janda provided the following information:

Bobby Dassey, who is her son, has a main hunting spot on Highway 42 located off of Nuclear Road, and the land belongs to Bobby's friend, Mike. This hunting spot is where Bobby hunts ducks and geese. Bobby has a new hunting spot behind Scott Tadych's house, which is where Janda has been staying the last few days. Bobby has bow hunted for deer at Tadych's place one time so far this season. S/A Kapitany asked if it was Monday, October 31, (2005) which was the day that Teresa Halbach went missing. She stated that Bobby did go hunting that afternoon but she didn't know if he went to Tadych's bow hunting or if he went to Mike's on Highway 42, duck-geese hunting. She stated she got home from work on that Monday at approximately 5:00 p.m., and all four of her boys were home. When she arrived home Bobby was taking a shower after just getting home from hunting. Her friend (Tadych) picked her up at approximately 5:15 to 5:30 and they went to the hospital that Monday night. She returned to the residence at approximately 8:00 p.m. and her friend (Tadych) dropped her back off at home and then he departed. She was not certain which of her boys were home when she arrived at 8:00 p.m., but believes the younger two boys (Blaine and Brendan) were home when she arrived.

When she arrived home at approximately 8:00 p.m. Monday, October 31, she did not recall seeing anyone having a bonfire or fire in the area, particularly Steven Avery. She has not seen Steven have a fire behind his residence at all, and she has not seen Steven burning his trash out in front in the burn barrel in the last several weeks. She has not heard from any of her boys that Steven has had a burn going behind his residence in the last week or two. S/A Kapitany asked her if she would know if someone was burning tires close to her house. She said that she would smell it and her whole house would stink, and she believes she would know if Steven was burning tires, but she confirmed that she did not see any fire on that Monday behind Steven's house. However, Janda stated she is not home very often, so she would not know if Steven was burning tires over the last week. Janda burns her trash every week and a half to two weeks in her

own barrels, which are located behind her house. There are three or four barrels there. Again, she stated she did not know if Steven had a fire going or if he was burning anything Monday night.

On the Saturday before October 31 (10/29/2005), she did ask Steven why he was advertising her van in the Auto Trader magazine. She asked him this because her van wasn't worth much because the engine was ticking. Steven told Janda that if she wanted to sell it, she should put it in a magazine. The cost for the Auto Trader advertisement was \$40, and she stated that Steven paid it and she now owed Steven the \$40 for placing the ad in the Auto Trader. S/A Kapitany questioned her about the nature of this conversation as she had previously told agents (during prior interview) that she had an "argument" with Steven about why he wanted to advertise her van in it because the van was not worth much. Janda then told S/A Kapitany that it wasn't really an argument, and that she simply questioned Steven about why he was advertising her van.

The gray Suzuki Samurai that was parked next to Steven's garage has been there, as far as she knew, for the last two to three weeks. Prior to that, Steven had it in his garage and, as far as she knew, he moved it outside the garage and beside it because he was going to try and fix it. None of Janda's boys mentioned anything about helping Steven move it back into the garage recently-within the last week and, more particularly, on 10/31/2005 or within a few days after that day. She does not believe that this Samurai runs, which is why Steven was going to fix it. When Steven has moved it in the past he would use another vehicle to push it back into the garage.

Janda does not have a key to Steven's house and none of her children have a key to Steven's house. They do not have access to Steven's house. On occasion, if Steven was going out of town for several days, he might give Barb a key to feed his cats. Other than that, neither she nor her children have access to Steven's house.

Janda did not go to her parents' house on Monday night, 10/31/2005 at all. She did go on Tuesday, 11/01/2005, and drop off dumplings to her parents. She did not see or talk to Steven Avery at all on Monday, 10/31/2005.

At approximately 2:14 p.m., the interview was terminated when the agents arrived and were waiting for the DNA samples to be taken at the hospital. Janda stated she had answered enough questions and didn't know anything else. She stated that if she knew anything or was suspicious if it was her brother-Steven who had anything to do with the missing girl, she would tell the authorities. However, she believed that Steven was being framed, and she would not state specifically by whom, but felt that someone was framing him and she did not believe he was capable of doing this. She felt that even if evidence was found in his house and in the area definitively showing that he had involvement in the missing person, she did not feel confident that it would be reliable because she felt that it was all a set up anyway.

S/A Kapitany activated a recorder prior to the beginning of the transport, and the 30-minute tape stopped recording during the last portion of the interview.

EVIDENCE

- D-6372-1 One (1) Miranda Waiver form signed by Barbara Janda on 11/09/2005 1:20 p.m., witnessed by S/A Debra Strauss.
- D-6372-2 One (1) Maxell C60 cassette tape of interview with Barbara Janda on Wednesday, 11/09/2005.

EVIDENCE DISPOSITION

The evidence denoted under Property Receipt No. D-6372-1 was received by S/A Kapitany from S/A Debra Strauss. It was then maintained in S/A Kapitany's exclusive custody. The evidence under D-6372, Items 1 and 2, were maintained by S/A Kapitany and were subsequently placed in the Appleton DCI evidence locker.