

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/31

Report Date: 11/12/2005

Primary Information

Description:	TERESA MARIE HALBACH: Interview/ Earl Avery 11/08/2005
Occurrence From:	11/08/2005 15:30
Occurrence To:	11/08/2005 16:19
Dissemination Code:	Agency
Reporting LEO:	Lewis, Steven P (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)
Backup LEO:	Steier, Gary J (Lake Winnebago MEG / Calumet County Sheriff's Department)
Approval Status:	Approved
Approved Date:	11/17/2005
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Addresses

Address	Relationship
6904 CTH Y, Whitelaw, Wisconsin 54247, United States of America	Interview Location
12930 Avery Rd, Two Rivers, Wisconsin 54241, United States of America	Suspect Location

Related Subjects

Name	Type	Sex	Race	DOB	Relationship
Auto Trader	Business	---	---	---	Mentioned
Norb's Auto and Salvage	Business	---	---	---	Mentioned
Avery's Auto Salvage	Business	---	---	---	Subject of Interest
Avery, Earl Kevin	Person	Male	White	06/10/1970	Interviewed
Avery, Candy S	Person	Female	White	05/02/1971	Mentioned
Avery, Christopher C	Person	Male	White	09/13/1984	Mentioned
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Mentioned
Fabian, Robert Jr	Person	Male	White	---	Mentioned
Stachowski, Jodi	Person	Female	White	09/11/1969	Mentioned
Halbach, Teresa Marie	Person	Female	White	03/22/1980	Victim

Related Vehicles

Make	Model	Color	Tag #	Tag Year	Relationship
Toyota	Rav 4 truck	Dark Green	SWH582	1999	Victim's Vehicle

Record Status Information

Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/13/2005 12:30
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/17/2005 16:01

Reporting LEO	Date	Supervisor	Date
Lewis, Steven P (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On Tuesday, November 8, 2005, from approximately 3:30 p.m. to 4:19 p.m., S/A Steven P. Lewis, accompanied by Investigator Gary Steier, of the Calumet County Sheriff's Department, spoke with Earl Avery regarding the missing person investigation reference Teresa Halbach. Upon arrival at the Earl Avery residence, Inv. Gary Steier knocked on the back door of the Avery residence, and spoke with a female party believed to be the daughter of Earl Avery, who informed the officers that Avery was not home; however, was expected home very soon. During the conversation with this female individual, a Dodge Durango pulled into the driveway of the Avery property and parked inside the detached garage. Located inside the vehicle was Earl Avery and his wife, identified as Candy Avery, and a female b/t/b Earl Avery's mother and a couple of children.

S/A Lewis and Inv. Steier made contact with Earl Avery, informing Avery that they were law enforcement officers wishing to speak with him reference the missing person investigation regarding Teresa Halbach. Earl Avery indicated that he had prior contact with Steven Avery's attorney, with that individual informing him that he wished Earl Avery would not speak with law enforcement. Inv. Steier asked Earl Avery if he, in fact, was represented by an attorney, with Earl Avery indicating that he did not have an attorney. Inv. Steier asked Earl Avery if he would be willing to answer questions and provide a drawing of the Avery property where their family business is located. Earl Avery indicated that he would be willing to answer questions and provide a drawing to law enforcement.

Prior to conducting the interview, Inv. Steier asked Earl Avery if he would be willing to conduct the interview inside his residence, where it was much warmer. Earl Avery responded that he would prefer that the interview was conducted outside where they were currently talking, described as outside the detached garage near the driveway area of his property. Present during the interview of Earl Avery was his wife, identified as Candy Avery.

S/A Lewis informed Earl Avery that law enforcement had observed what was believed to be a car crusher located in the pit area of the Avery Auto Salvage property. Earl Avery indicated there was, in fact, a car crusher located inside the pit area of the property, however, that machine was owned by an individual identified as Norb, who resided in the Denmark, WI area. S/A Lewis questioned Earl Avery in regards to if the car crusher had been recently operated. Earl Avery indicated that approximately one month ago, Norb, the owner of the car crusher, crushed approximately 100 to 125 cars. Earl Avery indicated that once the vehicles were crushed, the Avery business would be billed by Norb and the price would be according to the tonnage of vehicles crushed.

S/A Lewis questioned Earl Avery if he or Steven Avery had crushed any vehicles recently. Earl indicated that both Steven and himself, anywhere from 2 to 2 ½ weeks ago, had crushed vehicles on their own. Earl indicated that he believed that Steven crushed a late model Jeep Wagoneer. Earl indicated that no other vehicles had been crushed by either Norb or Steve and/or himself within the last two week timeframe.

S/A Lewis questioned Earl Avery in regards to if he was working and present on the Avery property on Monday, 10/31/2005. Earl Avery indicated that he was, in fact, at work that day and

does not recall the exact details of what he did at work except to state that he believed that both he and Steven Avery were cutting engines and transmissions out of cars, and that this was conducted in the workshop area where the smelt machine is located. S/A Lewis questioned Earl Avery in regards to what a smelt machine was, with Earl Avery indicating it was a machine that would melt the aluminum from the vehicles. S/A Lewis questioned Earl Avery in regards to if Steve Avery was with him the entire day while cutting the engines and/or transmissions out of the vehicles. Earl Avery did not recall the exact timeframe in which he observed seeing Steven Avery there but stated that Steven Avery was, in fact, working throughout the day.

S/A Lewis questioned Earl Avery in regards to if he could recall any other days of the week in which he observed Steven Avery working at the Avery business. Earl Avery indicated that he believed Monday through Wednesday both he and Steve Avery were cutting engines and/or transmissions out of vehicles.

S/A Lewis questioned Earl Avery in regards to if he was inside Steven Avery's residence on Monday, 10/31/2005. Earl Avery indicated that he believed that on either Monday or Tuesday (11/01/2005) he helped Steven Avery move a new television into the living room area of Steven Avery's mobile home. Earl Avery indicated that he believed Steven Avery purchased the t.v. from Rex's Appliance, located in Manitowoc, WI.

S/A Lewis then questioned Earl Avery in regards to who all works at the Avery business. Earl Avery indicated that both he and his brother, Steven Avery, work at the family business, with their primary jobs consisting of cutting engines and/or transmissions out of vehicles and any other task that is needed on those particular days. Earl Avery indicated that his father, identified as Allen Avery, conducts all the paperwork and office function of the business. Earl Avery indicated that his brother, Chuck Avery, spends a lot of his workday in the office area of the business.

S/A Lewis then questioned Earl Avery in regards to who was present on the Avery property on Monday, 10/31/2005. Earl Avery again indicated that both he and Steve Avery were on the property cutting up engines and/or cutting out transmissions on the vehicles. Earl Avery indicated that Chuck Avery was on the property and believed to be in one of the garages during Monday's workday.

S/A Lewis again questioned Earl Avery in regards to the timeframe and if he could recall what days of the week he observed Steven Avery on that property and/or where he may have been when he was off the property. Earl Avery indicated that he believed Monday through Wednesday both he and Steve Avery were working on vehicles on the Avery property. Earl Avery indicated that on Thursday both he and Steve Avery went to the Appleton auction, which was a common occurrence on Thursdays, where they would purchase vehicles at the auction. Earl Avery indicated that on Friday he left work early and headed towards the Green Bay, WI area.

S/A Lewis questioned Earl Avery in regards to if there were any other individuals employed at the Avery business other than the ones previously stated. Earl Avery indicated that on occasion

Christopher Avery, believed to be the son of Chuck Avery, sometimes worked at the family business.

Earl Avery indicated that sometime during that week, he believed that Steven Avery took his fiancée, identified as Jodi, to the probation and parole office located in Manitowoc, WI. Earl Avery could not recall the exact day of the week in which that occurred.

Earl Avery indicated that Teresa Halbach's vehicle was not on their property the night that Robby Fabian, Jr. and himself went rabbit hunting. Earl Avery believed that he and Fabian went hunting on Wednesday night. Earl Avery stated that he were hunting in the pit area of the property and would have noticed that vehicle if it was there. S/A Lewis asked Avery if they shot any rabbits while hunting, Avery stated that they never saw a rabbit.

S/A Lewis questioned Earl Avery in regards to if he was aware of the entire Avery property. Earl Avery informed S/A Lewis that he, in fact, was very familiar with the Avery property and that he would be willing to provide a diagram of all the buildings and landmarks of the property. S/A Lewis provided Earl Avery with a yellow piece of paper, on which he then handwrote in black ink a drawing of the 40-acre Avery property. After Earl Avery had drawn the diagram of the property, S/A Lewis questioned Earl in regards to any burn pits or burn barrels. S/A Lewis questioned Earl Avery in regards to any fire pits that were located on or near Steven Avery's mobile home. Earl Avery did not recall a burn pit on or near Steven Avery's mobile home. S/A Lewis then using a black pen marked a circle in front of the Steven Avery mobile home, Earl Avery then indicated that he did believe that there was, in fact, a burn barrel in front of Steven Avery's mobile home. S/A Lewis then questioned Earl Avery in regards to a burn pit that was located behind the garage located near Steven Avery's mobile home. S/A Lewis indicated that there was a doghouse and a dog chained near the doghouse and in close proximity to the burn pit. Earl Avery informed S/A Lewis that he was unaware of any burn pit located in that area. S/A Lewis then marked a circle behind Steven Avery's garage area, denoting a burn pit, Earl Avery again indicated that he was unaware of a burn pit. S/A Lewis indicated that, while officers were on the Avery property, they had, in fact, observed a burn pile in that area and that it appeared that someone had started a fire or used the burn pile recently. S/A Lewis advised Earl Avery that, if he was that familiar with the property, S/A Lewis believed that Earl Avery would be aware of the burn pit. Earl Avery informed S/A Lewis that, if there was a burn pile where S/A Lewis described it to be, that S/A Lewis would have to speak with Steven Avery.

S/A Lewis advised Earl Avery that there were statements from individuals that they observed a large fire at the Avery property early on or about Monday, October 31, 2005. Earl Avery indicated that he had heard those rumors, however, was led to believe that the fire was approximately two or three properties away from the Avery property.

S/A Lewis then questioned Earl Avery in regards to the timeframe and hours that he worked at the family business. Earl Avery indicated that he works Monday through Friday, 8:00 a.m. to 5:00 p.m.

S/A Lewis then questioned Earl Avery in regards to the employer of Teresa Halbach, identified as Auto Trader. Earl Avery indicated that he had no contact with Auto Trader and that Steven Avery was the individual who had contacted Auto Trader regarding selling vehicles. Earl Avery indicated that on two occasions Steven Avery had received bad checks from individuals purchasing vehicles based upon the Auto Trader book. Earl Avery indicated that on one of those occasions Steven Avery had received a \$6,000 check from a bank, which was later found to be a bogus check and that the check did not clear. Earl Avery indicated he had no further information regarding Auto Trader and, again, that Steven Avery was the individual who had contacted Auto Trader regarding selling their vehicles.

The sketch by Earl Avery will be electronically attached to this report and forwarded to DCIR. S/A Lewis marked the sketch as previously mentioned; along with other notes, making reference to color of buildings, locations of fences and locations of snowmobiles and four wheelers. Additionally, S/A Lewis marked on the sketch where the smelt machine was located as described by Avery.