

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/43

Report Date: 11/12/2005

Primary Information	
Description:	TERESA MARIE HALBACH: Contact With Barbara Janda 11/09/2005 - Miranda Rights
Occurrence From:	11/09/2005 13:20
Occurrence To:	11/09/2005 13:20
Dissemination Code:	Agency
Reporting LEO:	Strauss, Debra K (Appleton Public Integrity DCI / Wisconsin Department of Justice DCI)
Backup LEO:	Ojeda, Luis A. (Appleton Narcotics DCI)
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	Location of Event

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
Janda, Barbara Ellen	Person	Female	White	11/07/1964	Mentioned

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/14/2005 12:24
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/17/2005 12:28

Reporting LEO	Date	Supervisor	Date
Strauss, Debra K (Appleton Public Integrity DCI / Wisconsin Department of Justice DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On Wednesday, November 9, 2005, at approximately 1:20 p.m., S/A Debra K. Strauss and S/A Luis A. Ojeda made contact with Barbara Janda (a/k/a Barbara Dassey). Janda was advised that a search warrant had been issued for Janda's DNA along with her finger and palm prints. S/A Strauss advised Janda that, even though she was not under arrest, she was considered to be in police custody and Janda was unable to leave. At that time, S/A Strauss read Janda her Miranda Warnings. Janda indicated she understood her rights as they had been read to her by S/A Strauss. Janda then signed the Miranda Warning waiver form, indicating she had been advised of her rights.

S/A Strauss read Janda her Miranda Warnings on the front porch of Earl Avery's residence. S/A Strauss asked Janda if the Special Agents could go inside. Janda said she had to go inside and check with Earl Avery. Janda returned and said Earl did not want anyone in the house. A short period of time later, S/A James Siehler and Calumet County Investigator Gary Steyer arrived at the Avery residence with a search warrant for DNA and finger and palm prints for Earl Avery. When Janda was asked where Earl Avery was, Janda responded Earl was not home and she did not know where he was.

It was later determined that Earl Avery was at home and he was hiding in one of the rooms upstairs.

S/A Strauss provided the signed Miranda Warning waiver form to S/A Joseph M. Kapitany and Calumet County Investigator Wendy Baldwin. S/A Strauss left Janda in the custody of S/A Kapitany and Inv. Baldwin.