

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/34

Report Date: 11/13/2005

Primary Information	
Description:	TERESA MARIE HALBACH: Interview/Charles E. Avery 11/11/2005
Occurrence From:	11/11/2005 12:30
Occurrence To:	11/11/2005 14:45
Dissemination Code:	Agency
Reporting LEO:	Skorlinski, Kim J (Appleton Special Assignments DCI)
Backup LEO:	Joy, Matthew D (ICAC & Computer Crimes DCI / Wisconsin Department of Justice DCI)
Approval Status:	Approved
Approved Date:	12/01/2005
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Addresses	
Address	Relationship
12928 Avery Rd, Two Rivers, Wisconsin 54241, United States of America	Suspect Location
12930 Avery Rd, Two Rivers, Wisconsin 54241, United States of America	Suspect Location

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
Avery's Auto Salvage	Business	---	---	---	Subject of Interest
Avery, Charles Earl	Person	Male	White	07/13/1954	Interviewed
Avery, Carla J	Person	Female	White	01/13/1976	Mentioned
Avery, Delores A	Person	Female	White	08/20/1937	Mentioned
Avery, Earl Kevin	Person	Male	White	06/10/1970	Mentioned
Dassey, Bobby A	Person	Male	White	10/18/1986	Mentioned
Dassey, Lori A	Person	Female	White	10/20/1961	Mentioned
Fabian, Robert Jr	Person	Male	White	---	Mentioned
Gallis, Rachel	Person	Female	White	---	Mentioned
Janda, Barbara Ellen	Person	Female	White	11/07/1964	Mentioned
Johnson, Roland A	Person	Male	Unknown	05/01/1938	Mentioned
Scherer, Lloyd	Person	Male	Unknown	---	Mentioned
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Person of Interest
Halbach, Teresa Marie	Person	Female	White	03/22/1980	Victim

Related Vehicles					
Make	Model	Color	Tag #	Tag Year	Relationship
Dodge	Neon SXT	Yellow	343JVF	2004	Suspect Vehicle
Chevrolet	Impala	Blue	586JMC	2005	Suspect Vehicle
International	Harvester flatbed tow truck	Red	GD27469	2005	Suspect Vehicle
Chevrolet	Malibu	---	UDY970	1999	Suspect Vehicle
Toyota	Rav 4 truck	Dark Green	SWH582	1999	Victim's Vehicle

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Record Status Information

Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	11/13/2005 14:44
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Last Update Date:	12/01/2005 13:52

Reporting LEO	Date	Supervisor	Date
Skorlinski, Kim J (Appleton Special Assignments DCI)		Kelly, Carolyn S (Madison Arson DCI)	9/12/2016

Narrative begins on the following page.

On Friday, November 11, 2005, at approximately 12:30 p.m., S/A Kim J. Skorlinski and S/A Matthew D. Joy interviewed Charles "Chuck" E. Avery, DOB 07/13/1954, at the VFW in Mishicot, regarding this investigation. This was a follow-up interview with Avery that was arranged by S/A Thomas J. Fassbender. Chuck resides at Avery's Auto Salvage, 12928 Avery Road, Town of Gibson (Two Rivers), Manitowoc County.

S/A Skorlinski had spoken with Chuck on previous occasions, and advised him that he had a few more questions. Chuck was asked if he ate supper at his mother's house on Monday, October 31, 2005, and he said no. But, he did recall getting a telephone call from his brother, Steven Avery, sometime after 5:00 p.m. that day. Chuck believed that Steven was calling to ask him if he was going to eat supper at his mom's house.

Chuck was asked if he knew Bob Fabian, and he said yes. He said Fabian is somehow related to his brother, Earl Avery. Chuck was asked if Fabian was at his auto salvage yard last week, and he said yes. He said Fabian called the auto salvage shop prior to coming over and talked to Earl about going rabbit hunting in the salvage yard between the cars.

Chuck said when Fabian showed up he was driving either his Oldsmobile, Chevrolet Nova or Chevrolet truck. Chuck recalled speaking with Fabian briefly outside the shop and then Fabian found Earl and they went hunting. Chcuk said he was working in the shop the day Fabian came over, and he was not sure where Earl was. He thought Earl was working in the yard moving cars or taking parts off cars most of last week. Chuck was asked where Steven was when Fabian arrived, and he was not sure if Steven was present. Chuck said he could not remember what day Fabian went hunting with Earl.

S/A Skorlinski told Chuck that according to Fabian, he went rabbit hunting with Earl at the auto salvage yard on Monday, October 31, 2005, the same day that Teresa Halbach disappeared on the Avery property. Chuck said that could be, but he did not remember. S/A Skorlinski said according to Fabian, when he drove up to the shop and spoke with Chuck, Steven came walking from behind another building. S/A Skorlinski said according to Fabian, Chuck asked Steven if that photography woman showed up yet, and Steven responded that she never showed up. Chuck said he does not remember asking that or Steven making that comment.

Chuck said he later that day, his mother, Delores Avery, told him that Steven had taken off work to meet with Halbach to photograph the van. Chuck said Steven never told him that. Chuck again said he does not remember asking Steven about the photography woman. In fact, Chuck said he cannot even remember if Steven came back to the shop after he left work that day. He recalled that the last time he saw Steven that day, was when Steven left work around 11:00 a.m.

Chuck also said the last contact he had with Steven that day is the phone call from Steven sometime after 5:00 p.m. Chuck said he worked until 5:00 p.m. that day, like as he does every day. He said he does not know the exact time Steven left work, but his father, Allan Avery, keeps the books for the business, and would know the hours Steven worked that day.

Chuck was asked if Fabian had any reason to lie to investigators, and he said no. Chuck was asked if he had any recent argument with Fabian, and he said no. He was asked if Fabian had a grudge against him, and he said no. Chuck said as far as he knows, he and Fabian get along fine.

Chuck was asked about Steven's duties at Avery's Auto Salvage. He said that Steven does whatever is needed. Chuck said all three brothers do whatever they need to do for the business. He was asked if Steven needs guidance and direction, and he said no. He said a lot of what Steven does is take parts off vehicles to sell and get vehicles ready for crushing, and he does not need supervision for these jobs.

S/A Skorlinski told Chuck that the investigators believe that Steven drove Halbach's car to the back of the salvage yard and concealed it with brush and car parts to hide it from him and Earl. Steven then planned on returning on a later date to drive the vehicle to the shop and strip it down in preparation for crushing. Chuck said he did not know that. S/A Skorlinski said that is the reason Steven kept Halbach's car key. S/A Skorlinski also pointed out that Steven's DNA was found on Halbach's car key and his blood was found in Halbach's car. S/A Skorlinski said he understood how unsettling this must be for Chuck, but he needs to face the fact that his brother killed Halbach.

Chuck was asked about Steven's fire pit behind his house, more specifically how often he uses it. Chuck said he does not go over to Steven's residence very often, and the last time he was there was about a two weeks ago. He said he does not know how often Steven burns in his fire pit. Chuck was asked if he knew that Steven had burned tires in that fire pit last week. He said he did not know that, but had heard that Steven burned tires there in the past. Chuck said he has never been to Steven's residence when he was burning in his fire pit.

Chuck did not know if that fire pit was used by the previous occupant of that residence, Lloyd Scherer, who is his mother's brother. Chuck said Scherer now lives in Sheboygan. He also said the trailer and the land the trailer sits on, which is approximately one acre, are owned by Rollie Johnson. Chuck said when Steven was released from prison two years ago, he lived with their parents at Avery's Auto Salvage and then stayed in an ice shanty for awhile before he moved into the trailer.

Chuck said when the family has a bonfire, it is usually behind his sister Barb's house, which is next to Steven's house. Chuck was asked when was the last time they had a bonfire behind Barb's house, and he thought it was during a graduation party for his nephew, Bobby, who is Barb's son.

Chuck was asked if they usually burned tires as a way to get rid of them, and he said no, they usually haul them out by the semi load. However, he said they have burned tires at Barb's fire pit. He said a couple years ago, they burned a big tractor tire there. Chuck was asked if Steven ever informed him that he was going to burn tires in his fire pit, and he said no.

Chuck was asked why Steven would burn a car seat in his fire pit, and he did not know why. He admitted that he had never heard of anyone in the family burning a car seat in their fire pit. But,

he said they have burned a mattress before. Chuck said most of the garbage burning they do is done in burn barrels and each family member has at least one.

Chuck was asked when was the last time Steven drove their mother's golf cart, and he did not know. He was asked if Steven ever drove Barb's golf cart, and he said he never saw Steven drive that golf cart.

Chuck was asked when was the last time Steven drove the yellow John Deere skid steer, and he did not know. He was asked about the forks on the skid steer. Chuck said the forks stay on the skid steer most of the time, which they use to move cars around. He said he and Earl and Steven can operate the skid steer and switch from the forks to the bucket. Chuck said the last time he knows that Steven was driving the skid steer was a month ago when Steven had the bucket on the skid steer and was trying to smooth out the dirt road to his residence. Chuck was asked if Steven ever used the bucket on to move ashes out of his burn pit, and he said he did not know that.

Chuck was asked if he recalled what Steven was wearing when he was working on Monday, October 31, 2005, and he said no. He was asked if he saw Steven later in the day and if Steven was wearing something else. Chuck said he could not remember if he saw Steven again that day and could not say if he was wearing something else.

Chuck was asked what he and Steven purchased at Menard's on Thursday night, November 3, 2005. He said they purchased a planer and some insulation. Chuck was asked if they purchased some type of saw, and he said no. Chuck was asked what was transported on his flatbed pick up truck up to his parents' residence in Marinette County last weekend. He said he took some trusses, insulation, window strips, and an old TV set from his mother's house.

S/A Skorlinski informed Chuck that according to the employees that worked in the Randant Sand and Gravel pit on the south side of his salvage yard, the road underneath the conveyor is always closed with junked vehicles blocking the access. However, this past week, that entrance has been opened. S/A Skorlinski said the investigators believed the reason it is open is so Steven could drive Halbach's vehicle to the back row of the salvage yard. S/A Skorlinski said they also believed that Steven used either the forklift or the skid steer sometime before Monday, October 31, 2005, to open that entrance. Chuck said he did not believe that, and said Earl has been working in the salvage yard for the past couple of weeks moving cars around to be crushed. Chuck believed that Earl opened that road up.

S/A Skorlinski said as far as he knew, there were only two ways that Steven could have driven Halbach's vehicle to the back of the salvage yard. One way is to drive down the road past Chuck's residence and past the crusher and the other is to drive through the sand and gravel pit and underneath the conveyor. Chuck agreed with that. S/A Skorlinski said he did not believe that Steven would take a chance of driving Halbach's vehicle down the road past Chuck's house and past the crusher, because Chuck or Earl could have seen that.

Chuck again did not think that Steven moved a car from underneath the conveyor so he could have access to the salvage yard. Instead, he thought Earl was moving cars around to be crushed.

S/A Skorlinski asked Chuck when was the last time he was by that conveyor to observe whether or not a car had been removed from that access road. He said it had been so long that he could not remember. S/A Skorlinski asked if Chuck was at the conveyor on Saturday, October, 29, 2005; or Sunday, October 30, 2005; or Monday, October 31, 2005. He said he was not at the conveyor on any of those dates.

Chuck was asked who works at the auto salvage yard on the weekends. He said he and Earl switch off every other weekend, working from 8:00 a.m. to 12:00 p.m. He said this past weekend was Earl's weekend to work. Chuck was asked if Earl is around when Chuck has to work the weekend, and he said no. He said Earl does not live at the auto salvage yard and does not hang around on the weekends he does not have to work.

S/A Skorlinski asked Chuck if he is lying to protect Steven, and he said no, he has no reason to lie. Chuck was asked if he is now starting to believe that Steven killed Halbach, and he said he does not know what to believe. S/A Skorlinski said he has been honest with Chuck since meeting him and has gone out of his way to make things easier for Chuck, such as expediting the search warrant execution on his flatbed tow truck. Chuck said he realizes that and appreciates that.

Chuck was asked if Steven had any plans to come home early this past weekend from their residence in Marinette County, and he said no. He said as far as he knew, Steven was going to come home on Sunday with everybody else.

Chuck was asked if Steven's ex-wife, Lori, ever lived in Appleton. He said he did not know. Chuck was asked when was the last time he saw Lori, and he said it was at Rachel's wedding. Rachel is the daughter of Lori and Steven. He said the wedding was sometime earlier this year. He said Lori was over to Barb's house after the wedding, and everyone seemed to get along fine.

Chuck was asked when was the last time he was in Steven's house. He said about a week before this incident he was inside Steven's house because Steven has Internet access. Chuck was asked when was the last time he was in the area behind Steven's garage, specifically near the fire pit. He said it has been months since he was back there.

S/A Skorlinski also told Chuck that Steven pulled the license plates from Halbach's vehicle and put them inside a reddish-brown station wagon next to the fence between Barb's residence and the shop. Chuck asked if that was a station wagon that had its windows smashed out, and S/A Skorlinski said yes. S/A Skorlinski complimented Chuck on his memory as to what vehicles are in his salvage yard. Chuck said he has to know his vehicles, because it is his business. S/A Skorlinski then asked him why he did not know that Halbach's vehicle was in the back of his salvage yard. Chuck said because he had not been down there all last week.

S/A Skorlinski told Chuck that it is his understanding that the owner of the car crusher does not want any of the Avery brothers operating that piece of machinery. Chuck said he was never told that, and he, Earl and Steven have operated the crusher on occasion. He said if that is true, then why did the owner leave the remote control for the crusher in the cab of the forklift. Chuck was

asked to describe this remote. He said it is yellow or cream in color and longer than a garage door opener. He was asked if there was any tape wrapped around it, and he did not think so.

Chuck said one of the reasons he came down to meet with the investigators was to pick up his Chevrolet Impala, his mother's Chevrolet Malibu, and Earl's Plymouth Neon. S/A Skorlinski said he would have to check with S/A Fassbender to see if those vehicles have been searched and can be released. S/A Skorlinski then contacted S/A Fassbender and it was agreed those vehicles could be released if they have been searched.

S/A Skorlinski then contacted S/A Alan S. Hunsader, who was at Avery's Auto Salvage yard. S/A Hunsader advised that the Chevrolet Impala and the Chevrolet Malibu had been searched, but not the Plymouth Neon. This information was passed on to Chuck, who said he would like to pick up the Impala and Malibu. S/A Skorlinski told Chuck to follow the special agents to Avery Road, where the Manitowoc County Sheriff's Department vehicle is parked and stop there. S/A Skorlinski said the Impala and the Malibu would be brought out to him. He agreed to this.

At approximately 2:30 p.m., S/A Skorlinski and S/A Joy and Avery left the VFW and Chuck was picked up by his daughter, Carla Avery, who drove him to Avery Road to pick up those two vehicles.

At approximately 2:45 p.m., the Impala was released to Chuck, and at approximately 2:50 p.m., the Malibu was released to Carla.

At approximately 3:00 p.m., S/A Skorlinski confirmed that inside the cab of the forklift was a cream colored remote control.

Also, at approximately 3:30 p.m., at the request of Barb Janda, the sister of Chuck, a yellow Bombardier four-wheeler was released to Bobby Dassey, Barb's son.