

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/242

Report Date: 02/28/2006

Primary Information

Description: TERESA MARIE HALBACH: Interview of Earl, Candy and Kayla Avery
 Occurrence From: 02/27/2006 20:08
 Occurrence To: 02/27/2006 20:53
 Dissemination Code: Agency
 Reporting LEO: Fassbender, Thomas J (Appleton Special Assignments DCI)
 Backup LEO: Lewis, Steven P (Appleton Narcotics DCI / Wisconsin Department of Justice DCI)
 Approval Status: Approved
 Approved Date: 03/08/2006
 Approved By: Kelly, Carolyn S (Madison Arson DCI)

Related Subjects

| Name | Type | Sex | Race | DOB | Relationship |
|------------------------|----------|--------|---------|------------|--------------------|
| Avery's Auto Salvage | Business | --- | --- | --- | Mentioned |
| Avery, Candy S | Person | Female | White | 05/02/1971 | Interviewed |
| Avery, Earl Kevin | Person | Male | White | 06/10/1970 | Interviewed |
| Avery, Kayla | Person | Female | Unknown | --- | Interviewed |
| Avery, Charles Earl | Person | Male | White | 07/13/1954 | Mentioned |
| Avery, Delores A | Person | Female | White | 08/20/1937 | Mentioned |
| Chevalier, Ashley | Person | Female | Unknown | --- | Mentioned |
| Fabian, Robert Jr | Person | Male | White | --- | Mentioned |
| Fabian, Travis | Person | Male | Unknown | --- | Mentioned |
| Janda, Barbara Ellen | Person | Female | White | 11/07/1964 | Mentioned |
| Williams, Chrissy | Person | Female | Unknown | --- | Mentioned |
| Avery, Steven Allen Sr | Person | Male | White | 07/09/1962 | Person of Interest |
| Dassey, Brendan R | Person | Male | Unknown | 10/19/1989 | Person of Interest |
| Halbach, Teresa Marie | Person | Female | White | 03/22/1980 | Victim |

Record Status Information

Record Origination Operator: Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
 Record Origination Date: 03/02/2006 09:02
 Last Update Operator: Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
 Last Update Date: 03/08/2006 10:09

| Reporting LEO | Date | Supervisor | Date |
|---|------|--------------------------------------|-----------|
| Fassbender, Thomas J (Appleton Special Assignments DCI) | | Kelly, Carolyn S (Madison Arson DCI) | 9/12/2016 |
| | | | |

Narrative begins on the following page.

On Monday, February 27, 2006, S/A Thomas J. Fassbender and S/A Steven P. Lewis met with and spoke with Earl and Candy Avery (Earl and Candy), as well as Kayla Avery (Kayla). At approximately 8:00 p.m., S/A Fassbender and S/A Lewis arrived at Earl's residence and found no one was at the residence. S/A Fassbender telephoned Earl on his cell phone, and Earl advised he would be home in about five minutes. S/A Fassbender and S/A Lewis waited in Earl's driveway.

Upon Earl and Candy's arrival, the Special Agents were invited into the house and sat at the kitchen table with Earl and Candy while the children went to other parts of the house. Earl advised that at about 2:31 p.m., he had telephoned his sister, Barb Janda, while Earl himself was in the Avery salvage pit. Earl said that Barb told him that she was on her way to school to pick up Brendan Dassey (Brendan). Earl said that at about 3:37 p.m., Barb telephoned him. Earl said that Barb was crying and said she was outside of the Two Rivers Police Department and she said that Steven Avery (Steven) did it. Earl said Barb told him that Brendan told her about seeing the body in the fire and about Steven telling Brendan that he had killed Teresa Halbach. Earl said that Barb said she had gone to school to get Brendan and that they had gone to the Two Rivers Police Department so Brendan could provide a videotaped statement. Earl said he tried to telephone Barbara again around 5:00 p.m. and did not receive an answer. S/A Fassbender asked if Barb had told Earl what Brendan said he saw in the fire. Earl said that she said he saw a foot, a forehead, and maybe a leg and some bone lodged in the seat that was in the fire.

S/A Fassbender asked Earl and Candy about Brendan's demeanor recently. They advised that they could tell this thing had been eating him up, and Candy commented that he must have lost 30 pounds. They advised that on February 18th they had a birthday party for Ashley Chevalier, and that Brendan was at the party. They said that some of the kids were in Kayla's bedroom upstairs and Kayla had come out of the bedroom and saw Brendan sitting in the hallway on the stairs crying. They advised that Brendan was sitting by himself. They advised that Brendan is inherently a shy kid.

Earl advised that, after Barb had called him and told him what Brendan had said, he was still at the yard and told Chuck Avery (Chuck) the information. Earl said that Chuck stated "we're gonna have to take day by day."

While speaking with Earl and Candy, Earl received a telephone call from Chuck. Earl essentially told Chuck that he was with the agents and Earl said Chuck told him to tell the agents that he was now home if they wanted to talk to him. Earl advised that Chuck had telephoned him earlier and that Chuck was acting weird on the phone. Earl said that Chuck asked where he and Candy were and said that he was coming into Manitowoc and was going to go by Linda's (his ex-wife) to have a drink. Earl advised he never does that.

S/A Fassbender asked Earl and Candy if they believed that Chuck had anything to do with Halbach's death or the disposal of her body. Earl advised that he is still debating on that. Earl said some days he feels yes and some days no. When he was asked why he feels yes some days, Earl advised because he acts weird. Earl commented that he had never clicked with Chuck while growing up and that he was closer with Steven.

Candy advised that she heard from someone, she could not remember who, that Brendan had told Travis Fabian that he was going to hang himself by a deer hook in the garage. Candy said this allegedly occurred within the last two months or so. Candy advised that Travis Fabian is a friend of Brendan's, and that Brendan goes by Fabian's house every weekend. Candy believed that Travis then told someone else in school and it was reported. Earl believed that the school then called Earl's mother, Delores Avery, who picked Brendan up at the school and then Brendan stayed with Chuck in the garage, where Chuck kept an eye on him. Earl said that Chuck told him this information just tonight. Candy advised that apparently Brendan said this stuff because of stress.

S/A Fassbender asked Earl and Candy if the special agents could speak with Kayla and they advised they could.

S/A Fassbender then spoke with Kayla Avery. Kayla advised that Brendan was at the birthday party for Ashley Chevalier. Kayla advised that her friend, Chrissy Williams, saw Brendan crying in the hallway. Kayla advised she went out and asked him what was wrong and he said nothing. Kayla said she asked Brendan if it was the Steven thing and Brendan just shrugged his shoulders. Kayla said she asked Brendan to talk to her and he just looked at her with beet-red eyes. Kayla said she tried to talk to him to cheer him up and he just smiled and put his head down. She said Brendan then went into her sister's room and went under the bed and stayed there. Kayla advised that when Brendan acts like that and she asks him if it is because of the Steven thing, he just shrugs his shoulders.

Kayla advised that ever since the Halbach incident and Steven's arrest, Brendan has been "pouty" and has not had any friends. She described Brendan as having his head down all the time and acting a lot different than before the Halbach incident. She advised that, prior to the Halbach incident, Brendan hung around people and was happier. She advised now the only friend he hangs around with is Travis Fabian.

Kayla advised that Travis Fabian was also at the birthday party. She provided Fabian's telephone number as 920-755-3344. Earl advised that Travis lives with Bob Fabian in Mishicot.

When asked the age of the friends that she had mentioned, Kayla advised that Williams was 13, Chevalier was 14, and Fabian was 15 to 16.

The contact with Earl, Candy and Kayla was concluded at 8:53 p.m.