

Wisconsin DOJ Division of Criminal Investigation
ACISS Search Warrant Report - No Charges 05-1776/273

Report Date: 04/25/2006

Primary Information	
Description:	TERESA MARIE HALBACH: Obtaining/Service of Search Warrant and Transfer of Evidence (Computer)
Occurrence From:	04/21/2006 14:43
Occurrence To:	04/22/2006 14:40
Dissemination Code:	Agency
Reporting LEO:	Fassbender, Thomas J (Appleton Special Assignments DCI)
Backup LEO:	Wiegert, Mark (Detective / Calumet County Sheriff's Department)
Approval Status:	Approved
Approved Date:	05/04/2006
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

Related Addresses	
Address	Relationship
12930 Avery Rd #A, Two Rivers, Wisconsin 54241 , United States of America	Search Location

Related Subjects					
Name	Type	Sex	Race	DOB	Relationship
Avery, Charles Earl	Person	Male	White	07/13/1954	Mentioned
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Person of Interest
Dassey, Brendan R	Person	Male	White	10/19/1989	Person of Interest
Dassey, Blaine A	Person	Male	White	12/03/1988	Property Owner
Janda, Barbara Ellen	Person	Female	White	11/07/1964	Property Owner
Halbach, Teresa Marie	Person	Female	White	03/22/1980	Victim

Property		
Status	Quantity	Description
Other Agency	1	HP Pavilion computer hard drive CPU
Other Agency	1	CD-Rs

Record Status Information	
Record Origination Operator:	Knutson, Andrea L (DCI Appleton Field Office / Wisconsin Department of Justice DCI)
Record Origination Date:	04/26/2006 12:58
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	05/04/2006 10:40

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.

Wisconsin Division of Criminal Investigation Case Report
Case/Report Number: 05-1776/273

On Friday, April 21, 2006, S/A Thomas J. Fassbender reviewed an affidavit for search warrant, which had been prepared by the Calumet County District Attorney's office. The affidavit was in support of a search warrant for computer and related electronic processing and storage devices at the Barbara Janda residence, 12930A Avery Road, in the Town of Gibson, Manitowoc County, WI. On that same date, S/A Fassbender swore to and signed said affidavit before Lea Calaway, Notary Public.

On Friday, April 21, 2006, at 2:43 p.m., Manitowoc County Circuit Court Judge Jerome Fox reviewed said affidavit and search warrant and signed the search warrant. S/A Fassbender endorsed the search warrant indicating receipt on that date at 2:43 p.m.

On Friday, April 21, 2006, at 3:21 p.m., S/A Fassbender and Investigator Mark Wiegert, of the Calumet County Sheriff's Department, went to the Janda residence and attempted to serve the search warrant. They knocked on the door and received no answer from inside the residence, after which they checked the door and found it was locked. S/A Fassbender and Inv. Wiegert then drove to the Avery Auto Salvage office, where they contacted Chuck Avery and informed him of the search warrant and asked if he had access to a key to the Janda residence. Chuck Avery advised he did not, and he utilized his cellular telephone to call Barbara Janda. Chuck Avery made contact with Janda and informed her of the search warrant and she requested to speak with S/A Fassbender or Inv. Wiegert. Inv. Wiegert then spoke with Janda by telephone, and it was agreed that S/A Fassbender and Inv. Wiegert would wait about 15 minutes for Janda to arrive and allow them entry to her residence. Chuck Avery had informed S/A Fassbender and Inv. Wiegert that Janda was with her son, Blaine Dassey.

After ending the telephone contact with Janda, S/A Fassbender and Inv. Wiegert drove back to the Janda residence and parked in front of the Janda residence and waited for Janda to arrive.

At approximately 3:40 p.m., Janda drove up to the residence at a rather quick pace and skidded to a stop in front of her residence. Janda and her son, Blaine Dassey, got out of the vehicle and immediately and quickly went to the entrance door located on the east side of the residence adjacent to her unattached garage. S/A Fassbender and Inv. Wiegert went to that location, where Janda told Inv. Wiegert that she would go in and bring the computer out. It was explained to Janda that S/A Fassbender and Inv. Wiegert would have to go into the residence to obtain the computer and related items referenced in the search warrant. Janda requested to see the search warrant, and at 3:41 p.m., S/A Fassbender presented the search warrant to her. Janda was upset about the search warrant, and stated that her computer was needed for her sons' homework.

Janda then opened the door and she, Blaine, S/A Fassbender and Inv. Wiegert entered the residence. Janda immediately and quickly went to the west bedroom and started attempting to pull wires and cords out of the back of the computer CPU in that bedroom. S/A Fassbender told Janda not to do that and she continued to attempt to do that, and S/A Fassbender told Janda again

not to do it in a louder voice. Blaine also told Janda to just give the computer to the investigators. Janda then stopped and stepped back. S/A Fassbender observed that essentially the only cord that had been pulled from the back of the CPU was the power cord. S/A Fassbender pulled the remaining wires from the back of the CPU, to include a telephone type line believed to be an Internet connection.

S/A Fassbender also made a cursory search of that bedroom and the east bedroom, as well as the kitchen area, and located twelve CD-Rs. Janda and Blaine indicated the CD-Rs contained primarily music, which Blaine had copied to the CD-Rs. The search included looking into dresser and/or cabinet drawers in the bedrooms. Most of the CD-Rs were located on top of one such piece of furniture within Blaine's bedroom. A couple of the CD-Rs were also found on the kitchen table. The computer CPU and CD-Rs were seized at about 3:46 p.m.

During the execution of the search warrant and seizure of evidence, Janda remained upset and continued to express her displeasure to S/A Fassbender and Inv. Wiegert. Janda blamed them for her son, Brendan Dassey, being in jail. At one point, S/A Fassbender asked Blaine what Brendan's e-mail address was and Janda said not to give it to him. A comment was made by Janda that Marie (Avery) had already given it to them. Both S/A Fassbender and Inv. Wiegert remained calm when speaking with Janda and Blaine. She was told that they had no choice in arresting Brendan because of his disclosures to them. Janda made the comment that Steven Avery had forced Brendan to do whatever he had done. Both Janda and Blaine essentially expressed their belief that Brendan had not been involved in the murder of Teresa Halbach. They stated they were not even sure what Steven may have done because they were not over there. Janda was told that Brendan needed to tell the truth about what happened to his attorney. Janda stated that Brendan had spoken to his attorney.

Janda was told that the investigators would get her computer and CD-Rs back to her as soon as possible. She was told that they could provide no guarantees on when they would be returned but they would attempt to get them back soon. They told Janda that they would hope to have them returned within two weeks, but would guarantee anything.

At 3:59 p.m., S/A Fassbender and Inv. Wiegert exited Janda's residence with the evidence and left the scene. The CD-Rs had been placed in paper bags and the CPU taken as it was seized. The evidence was placed in the backseat of S/A Fassbender's vehicle.

At 4:33 p.m. on that date, S/A Fassbender and Inv. Wiegert met with Sergeant Bill Tyson, of the Calumet County Sheriff's Department, in Valders, WI. At that time, Inv. Wiegert transferred the evidence to Sgt. Tyson's possession to be placed in evidence storage at the Calumet County Sheriff's Department. Prior to transferring the evidence, Inv. Wiegert and S/A Fassbender used evidence tape to seal the bag containing the twelve CD-Rs and also placed evidence tape around the power terminal on the back of the CPU.

On Saturday, April 22, 2006, at about 2:40 p.m., Inv. Wiegert transferred the evidence to S/A Fassbender's possession. S/A Fassbender signed a Calumet County Sheriff's Department evidence sheet indicating the transfer of the evidence. S/A Fassbender then filled out a

DJ-DCI-37 Property Receipt, assigning C-8459 to the evidence received from Inv. Wiegert. Inv. Wiegert signed the DCI Property Receipt indicating the evidence had been received from him.

EVIDENCE

C-8459-1 One (1) HP Pavilion computer hard drive CPU, SN CNC4390J12.

C-8459-2 Twelve (12) CD-Rs.

EVIDENCE DISPOSITION

On Saturday, April 22, 2006, at about 3:10 p.m., S/A Fassbender transferred the evidence to Detective Mike Velie, with the Grand Chute Police Department, for computer forensic analysis. Det. Velie signed Property Receipt C-8459 indicating receipt of the computer CPU and the twelve CD-Rs.

Electronically attached to this supplemental report are copies of the search warrant and affidavit, and copies will be submitted to DCIR, along with a copy of Property Receipt C-8459.

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