

Wisconsin DOJ Division of Criminal Investigation

ACISS Investigative 05-1776/300

Report Date: 10/13/2006

**Primary Information**

Description:	TERESA MARIE HALBACH: Examination of Evidence-Concrete
Occurrence From:	09/28/2006 11:31
Occurrence To:	09/28/2006 15:56
Dissemination Code:	Agency
Reporting LEO:	Fassbender, Thomas J (Appleton Special Assignments DCI)
Approval Status:	Approved
Approved Date:	11/03/2006
Approved By:	Kelly, Carolyn S (Madison Arson DCI)

**Related Addresses**

<u>Address</u>	<u>Relationship</u>
12932 Avery Rd, Two Rivers, Wisconsin, United States of America	Evidence Located

**Related Subjects**

<u>Name</u>	<u>Type</u>	<u>Sex</u>	<u>Race</u>	<u>DOB</u>	<u>Relationship</u>
Avery, Steven Allen Sr	Person	Male	White	07/09/1962	Suspect

**Record Status Information**

Record Origination Operator:	Price, Denise (DCI Appleton Field Office)
Record Origination Date:	10/17/2006 06:44
Last Update Operator:	Kelly, Carolyn S (Wisconsin Statewide Intelligence Center DCI)
Last Update Date:	11/03/2006 15:12

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.

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On Thursday, September 28, 2006, S/A Thomas J. Fassbender, along with Investigator Mark Wiegert, Deputy Nick Sablich, Deputy Rick Riemer, Deputy Jeremy Hawkins, all of the Calumet County Sheriff's Department, and Evidence Technician Daniel Feucht, with the Fox Valley Technical College and the Grand Chute Police Department examined chunks of concrete, which had been taken from the floor of the unattached garage, associated with the residence that Steven Avery had resided at, in October of 2005, address of 12932 Avery Rd., Two Rivers, WI. This concrete had been seized pursuant to search warrant, on March 1, and 2, 2006. The concrete had been maintained in the custody of the Calumet County Sheriff's Department and Deputy Hawkins. During the examination activity, on September 28, 2006, custody of the concrete evidence was temporarily transferred to Deputy Sablich, as Deputy Hawkins had to attend court during the examination process.

During the examination of the concrete, all pieces of the concrete were first visually examined under bright lights for trace evidence, such as hair or blood. Fresh sheets of freezer wrap were utilized for each new item of evidence. The examiners also utilized gloves while examining the evidence and changed gloves before examining the next item of evidence. Each item of evidence consisted of at least one chunk of concrete and sometimes multiple smaller chunks of concrete. The evidence was contained in paper bags, which were inside five gallon plastic pails, which were sealed. The pails were stored and removed from a locked storage room, located within a maintenance garage on the north side of the north parking area, north of the sheriff's department.

Each item of evidence, which contained one or more pieces of concrete were identified by letter and number, beginning with C-1 and ending with C-16. Each item was also assigned a property tag number and item number by the Calumet County Sheriff's Department.

After the items of concrete were visually examined, they were then examined utilizing Blue Star spray to illuminate any potential traces of blood on the concrete. The Blue Star spray was sprayed on the top surface area of the concrete chunks, as well as the broken side of the concrete chunks which had originally faced toward the crack on the concrete floor. The crack ran through an area that had illuminated previously when sprayed with Luminol.

During this process, the chunks of concrete were sprayed with the Blue Star and then the lighting was dimmed to lowlight/dark conditions and observations were made, which included a blue illumination when a potential positive result was obtained for the presence of blood. During this entire process, photographs of the concrete were taken, both during the lighted examination and the Blue Star examination. Deputy Riemer took the majority of the photographs. During the Blue Star examination, chalk was utilized to circle many of the areas on the chunks of concrete that showed the blue illumination.

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This was done in anticipation of later swabbing those surface areas for subsequent analysis for the presence of blood and/or DNA.

During this entire process, an Evidence Process Log was maintained as follows:

<u>Time</u>	<u>Activity</u>
11:31 am	Inv. Mark Wiegert, S/A Tom Fassbender, Dep. Nick Sablich, Dep. Richard Riemer, E/T Daniel Feucht in.
11:31 am	Examined C-1, tag 8610, item 6 concrete floor:
11:33 am	Dep. Jeremy Hawkins in.
11:53 am	Wiegert out.
11:54 am	Examined C-2, tag 8275, item 38 concrete floor.
11:57 am	Hawkins out.
12:00 pm	Hawkins in.
12:02 pm	Evidence: trace fiber/hair from C-2, assigned new tag 9614.
12:07 pm	Sheriff Jerry Pagel in.
12:08 pm	Hawkins out.
12:09 pm	Hawkins and Wiegert in.
12:10 pm	Blue Star test on C-1 and C-2 with negative results
12:18 pm	Pagel out.
12:19 pm	Examined C-3, tag 8276, item 39 concrete floor.
12:22 pm	Wiegert out.
12:24 pm	Hawkins out.
12:27 pm	Wiegert in.

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12:33 pm Examined C-4, tag 8277, item 40 concrete floor.

12:35 pm Feucht out.

12:58 pm Blue Star test on C-4 resulted in small spot positive on small chunk.

1:06 pm Evidence: C-4 small chunk, assigned new tag 9615.  
Blue Star test on C-3 resulted in small spot positive on broken side, circled with chalk.  
Test on C-3 resulted in positive spots on surface, circled with chalk.

1:24 pm Evidence: C-3, retained tag 8276.

1:26 pm Examined C-5, tag 8278, item 41 concrete floor.

1:33 pm Examined C-6, tag 8279, item 42 concrete floor.

1:40 pm Blue Star test on C-5 resulted in small spots positive, circled.

1:44 pm Sablich out.

1:45 pm Blue Star test on C-6 resulted in some small light positive

1:50 pm Evidence: C-5, small chunk, assigned new tag 9616

1:55 pm Examined C-7, tag 8280, item 43 concrete floor.

1:55 pm Sablich in.

2:00 pm Evidence: C-7 fiber/hair off of small chunk, assigned new tag 9617.

2:03 pm Examined C-8, tag 8281, item 44 concrete floor.

2:19 pm Blue Star test on C-7 resulted in positive on big chunk and one small chunk.  
Evidence: C-7, assigned new tag 9618.

2:22 pm Hawkins in.  
Blue Star test on C-8 resulted in positive on surface and several spots on broken side.

2:25 pm Inv. John Dederling in.

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2:30 pm Evidence: C-8, retained tag 8281.

2:32 pm Examined C-9, tag 8282, item 45 concrete floor (one big & several small chunks).

2:37 pm Dederling out.

2:38 pm Examined C-10, tag 8283, item 46 concrete floor.

2:45 pm Blue Star test on C-9 resulted in light positive on small chunk.  
Evidence: C-9 small chunk, assigned new tag 9619.

2:51 pm Blue Star test on C-10, resulted in positive on surface/side of big chunk and on small chunk.

2:56 pm Evidence: C-10, big and small chunk. One chunk was negative. Retained tag 8283.

2:59 pm Examined C-11, tag 8284, item 47 concrete floor.

3:02 pm Examined C-12, tag 8285, item 48 concrete floor.

3:06 pm Blue Star test on C-12, resulted in positive small spots on big chunk, negative small pieces.

3:07 pm Pagel in.

3:14 pm Blue Star test on C-11, resulted in positive entire broken edge side and several bright spots on top surface.

3:20 pm Evidence: C-11, retained tag 8284

3:21 pm Examined C-13, tag 8286, item 49 concrete floor.

3:25 pm Examined C-14, tag 8287, item 50 concrete floor.  
Pagel out.

3:28 pm Blue Star test on C-14, resulted in positive on top surface & some on side of big chunk and whole side of small chunk.

3:34 pm Evidence: C-14, retained tag 8287.

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- 3:39 pm Blue Star test on C-13, resulted in positive spots on big chunk and one small chunk.  
Evidence: C-13, retained tag 8286.
- 3:42 pm Examined C-15, tag 8288, item 51 concrete floor.
- 3:45 pm Examined C-16, tag 8289, item 52 concrete floor.
- 3:48 pm Blue Star test on C-16, resulted in some light positive on both top and side.
- 3:53 pm Blue Star test on C-15, resulted in positive spots on big chunk side and entire top surface and small chunk entire side surface.
- 3:55 pm Evidence: C-15, retained tag 8288.
- 3:56 pm Activity concluded, evidence receipted and retained by Calumet County Sheriff's Department.

Evidence/Property Custody Documents from the Calumet County Sheriff's Department related to these items are electronically attached to this supplemental report and copies will be submitted to DCIR.