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# Wisconsin DOJ Division of Criminal Investigation

## ACISS Investigative Report

Report Number: 05-1776/277

Report Date: 05/24/2006

### Primary Information

Report Number: 05-1776/277  
 Report Date: 05/24/2006  
 Type Of Report: Investigative  
 Description: TERESA MARIE HALBACH: Contact From Dassey Attorney re: Re-Interview of Dassey  
 Occurrence From: 05/12/2006 20:33  
 Occurrence To: 05/12/2006 21:19  
 Dissemination Code: Agency  
 Reporting LEO: Fassbender, Thomas J (Appleton Special Assignments / Wisconsin DOJ Division of Criminal Investigation)  
 Backup LEO: Wiegert, Mark (Detective / Calumet County Sheriff's Office)  
 Approval Status: Approved  
 Approved Date: 06/08/2006  
 Approved By: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)

### Related Subjects

Name	Type	Sex	Race	DOB	Relationship
Avery, Steven Allen Sr	Person	Male	White	7/9/1962	Person of Interest
Dassey, Brendan R	Person	Male	White	10/19/1989	Person of Interest
Halbach, Teresa Marie	Person	Female	White	3/22/1980	Victim

### Record Status Information

Record Origination Operator: Knutson, Andrea L (Criminal Investigation / Wisconsin DOJ Division of Criminal Investigation)  
 Record Origination Date: 05/25/2006 10:31  
 Last Update Operator: Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)  
 Last Update Date: 06/08/2006 10:27

Reporting LEO	Date	Supervisor	Date
Fassbender, Thomas J (Appleton Special Assignments / Wisconsin DOJ Division of Criminal Investigation)		Kelly, Carolyn S (Madison Arson / Wisconsin DOJ Division of Criminal Investigation)	6/12/2006

Narrative begins on the following page.

MANITOWOC COUNTY  
STATE OF WISCONSIN  
**FILED**

JAN 19 2010

CLERK OF CIRCUIT COURT

CASE NUMBER	06CF88
EXHIBIT NO.	363
DATE	01-19-10

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fassbendertj 06/12/2006 09:50

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On Friday, May 12, 2006, at 8:33 p.m., S/A Thomas J. Fassbender received a telephone call on his cellular telephone from Michael O'Kelly, [REDACTED], private investigator for Attorney Len Kachinsky. O'Kelly advised S/A Fassbender that Brendan Dassey wanted to speak with S/A Fassbender, but that Dassey wanted to watch a movie that night and would speak with S/A Fassbender the following morning. S/A Fassbender advised O'Kelly that S/A Fassbender needed to speak with Dassey's attorney, Attorney Kachinsky, to confirm that he is aware of Brendan's desire to speak with S/A Fassbender and it was authorized by him. S/A Fassbender asked O'Kelly to have Attorney Kachinsky call S/A Fassbender and O'Kelly agreed to do so.

At 8:36 p.m., S/A Fassbender received a telephone call from Attorney Kachinsky. Attorney Kachinsky said his client, Brendan Dassey, wanted to speak with S/A Fassbender and Investigator Mark Wiegert, of the Calumet County Sheriff's Department, and he wanted to do that on Saturday morning, May 13, 2006. Attorney Kachinsky advised it had to do with filling in some gaps and such.

S/A Fassbender asked if Attorney Kachinsky has spoken with Brendan about this, and Attorney Kachinsky advised he had and that Brendan wanted to speak with the investigators. Attorney Kachinsky agreed to e-mail S/A Fassbender written confirmation of such. Attorney Kachinsky advised he would not be there, but his investigator, Michael O'Kelly, would be present.

S/A Fassbender advised Attorney Kachinsky that he had to speak with Inv. Wiegert and District Attorney Ken Kratz, and S/A Fassbender would then get back to Attorney Kachinsky.

At 8:52 p.m., S/A Fassbender telephoned Attorney Kachinsky. Attorney Kachinsky confirmed that he would not be present during the interview of his client. Attorney Kachinsky advised he would send an e-mail to S/A Fassbender. Attorney Kachinsky advised that O'Kelly would be at the Sheboygan County Jail in the morning. S/A Fassbender advised that he and Inv. Wiegert would prefer to speak with Brendan without O'Kelly present, and Attorney Kachinsky advised that was okay with him, as long as the interview was being videotaped.

At 9:18 p.m., S/A Fassbender received a telephone call from O'Kelly, but the call was dropped. At 9:19 p.m., S/A Fassbender received another telephone call from O'Kelly. O'Kelly advised that he would be at the sheriff's department in the morning. S/A Fassbender told O'Kelly that he and Inv. Wiegert would prefer to interview Brendan without O'Kelly being present, and advised that Attorney Kachinsky said that would be okay. O'Kelly advised he wanted to tell S/A Fassbender some of the information Brendan had provided but, because of a bad connection, S/A Fassbender could not understand what O'Kelly was saying. S/A Fassbender heard something about Teresa's hands being tied to the bed with rope and legs shackled to the bed, that Steve watched Brendan have sex with Teresa, that Steve carried Teresa to the garage where both of them stabbed her, and that is all S/A

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Fassbender could understand. S/A Fassbender told O'Kelly that he and Inv. Wiegert would be at the Sheboygan County Jail at 8:30 a.m. Saturday morning. The telephone contact was then concluded.

On that same evening at about 9:19 p.m., S/A Fassbender received an e-mail from Attorney Kachinsky, wherein he confirmed that S/A Fassbender and Inv. Wiegert may re-interview Brendan Dassey on Saturday, at the Sheboygan County Juvenile Detention Center. He also authorized O'Kelly to brief S/A Fassbender and Inv. Wiegert prior to the interview and to provide any copies of his work product.

On Saturday, May 13, 2006, at about 8:48 a.m., S/A Fassbender and Inv. Wiegert interviewed Brendan Dassey at the Sheboygan County Sheriff's Department. The interview was both audio and video recorded. At the conclusion of the interview, Inv. Wiegert took possession of the tapes. Inv. Wiegert will prepare a report and have the audio portion of the recording transcribed.

Electronically attached to this supplemental report is a copy of the e-mail sent by Attorney Kachinsky and a copy of the constitutional rights form signed by Brendan prior to his interview; and copies will be submitted to DCIR.

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