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# THE REPORTER

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## Taking the path of least resistance

As new pipelines stall on the Great Plains, oil pressure builds in the Great Lakes

**DAN EGAN**  
MEMPHIS COURTESY SIBUR

**First of five parts**

**CANNON BALL, N.D.** — A whiff of violence lingered in the campfire smoke at the Dakota Access Pipeline protest camp along the Missouri River last fall, where hundreds of protesters put their bodies on the line to stop the \$3.7 billion project. Some were Native Americans worried about the risk the oil line poses to the river — drinking water source for the nearby Standing Rock Sioux Reservation. Some were environmental activists worried that the line would add to atmospheric carbon levels and climate change by whisking 470,000 barrels per day of the North Dakota shale oil to market, both in the United States and abroad. A few were from the Hollywood tribe, using their fame to draw attention to both global warming and centuries of injustices suffered by Native Americans. All of them went about their days under the thrum of a surveillance helicopter — the eyes for the hundreds of law enforcement officers in riot gear on the far side of a razor-wire barricade about a mile up the road. The protesters won that battle; the Dakota line was put on hold by the administration of President Barack Obama. But the controversy the pipeline unleashed will not be buried anytime soon. The work on the 1,700-mile steel tube is still but complete; the big question remaining is how to finish it in a manner that will respect the tribe's concerns over potential spills into the Missouri River and the destruction of nearby areas it considers sacred. The conflict is, in fact, only the latest chapter in the increasingly contentious oil debate.

**See OIL, Page 7B**

**MAINE NORMAN** (AP/WIDE WORLD PHOTOS)  
Enbridge's Craig Hebble stands atop a 50-foot tall tank filled to about half its 217,000-barrel capacity of unrefined oil at the company's terminal in Superior. The pipelines coming into Superior carry roughly 20 percent of U.S. oil imports.

## Fire departments nationwide reach out to local boy

Cole Ewerdt, a Waupun boy who struggles with OCD, receives words of encouragements from firefighters

**WEST BEND FIRE DEPT.**

**HI COLE!**  
FROM WEST BEND FIREFIGHTERS YOU ARE IN OUR THOUGHTS STAY STRONG!

**See EWERTD, Page 4B**

**MADLINE ZUKOWSKI**  
USA TODAY NETWORK WISCONSIN

**WAUPUN** — Anybody can take a picture and post it on Facebook. However, group pictures of firefighters posed with words of encouragement have made a world of difference to Cole Ewerdt. Cole, a 12-year-old boy from Waupun, has received more than 70 pictures from fire departments across the country on his mother's Facebook page with messages like "Stay Strong Cole!" or "We're thinking of you!" Cole suffers from severe obsessive compulsive disorder and is currently going through inpatient therapy at Rogers Memorial Clinic in Oconomowoc, where he will be staying for the next couple of months.

**See EWERTD, Page 4B**

**GARY KLENUGA TODAY NETWORK WISCONSIN**

**Kathleen Zellner**, the attorney representing Steven Avery, speaks with the media in August at the Manitowoc County Courthouse.

## Avery case in lull, but things will heat up

**JOHN FERAK**  
USA TODAY NETWORK WISCONSIN

**MANTOWOC** — To the dismay of legions of "Making a Murderer" followers, the post-conviction murder case of Steven Avery remains in a lull — and it may stay that way for a few more months. It remains unclear whether the testing on nine pieces of evidence from the 2005 Teresa Halbach murder is under way, or whether the items are backlogged, which is common occurrence at laboratories. Avery's attorney, Kathleen Zellner, of suburban Chicago has told USA TODAY NETWORK Wisconsin that the testing should wrap up by March. The slow pace has dampened the spirits of some Avery supporters. "Slowly beginning to lose hope guys," one person recently commented on the social media website Reddit. "Someone give me a pep talk! All seriousness, does anyone feel this case has stagnated in a big way and not for the good? Thought she had what she needed? Also I am sure some of the results would be back by now. I can't help but feel a slide in the confidence levels. All in all my gut feeling is telling me this will not be resolved, unless someone else feel this way." Eventually, the independent lab tests will be known to both Zellner and the Wisconsin Department of Justice, whose lawyers worked with Zellner to facilitate the testing. In court

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## Avery

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filings last August. Zeller made it clear she intends to file her highly anticipated, post-conviction motion aiming to prove Avery's innocence after the results are available.

— Ryan Ferguson of Mansfield, Kevin Fox of Illinois — she has focused on overlooked, obscure scientific evidence. She has also focused on uncovering evidence of prosecutorial misconduct, mainly exculpatory evidence that was concealed from the defense.

In Milwaukee, the actions of special prosecutor Ken Kratz will be at the forefront of Zeller's efforts to win a new trial and get Avery's 2007 murder conviction thrown out.

USA TODAY NEWS WORK/Wisconsin has identified a number of areas where Zeller's eventual post-conviction motion may focus.

### Voicemail deletions

One of the most baffling mysteries surrounding Halbach's disappearance concerns the cryptic deletion of several voicemail messages from her cellphone. A number of saved messages were deleted between the time Halbach vanished on Oct. 31, 2005 and the morning of Nov. 2, the day before her mother reported her missing. The voicemail deletions are paramount to Avery's claims of innocence. Unraveling that mystery may shed new light on the events leading up to Halbach's murder.

In addition, Zeller aims to prove that the time frame of Halbach's murder and the phone records presented by Kratz to convict Avery were inaccurate and flawed. Zeller suspects Halbach left Avery salvage around 2:30 p.m. and was driving closer to the Whitelaw area at the time she was harmed.

### County property

One of the most underplayed events occurred away from the perimeter of Avery salvage where Halbach's vehicle was recovered the next morning. People who question the video's authenticity have theorized that Calumet's original, unedited video contained footage showing whether or not Halbach's RAV4 was in fact parked at Avery's property. The absence of the RAV4 in the video would have raised suspicion from Avery's trial attorneys, giving them solid proof someone was out to frame Avery for Halbach's disappearance.

### Flyover video

Zeller contends that Halbach's RAV4 was moved onto Avery's property using the conveyor road on Aubus Radwin's adjacent quarry under the cloak of darkness, once Baldwin and Papad finished their flyover. Halbach's vehicle is believed to have sustained front-end damage while it was towed or pulled there. A broken blinker light was recovered from inside the car at the quarry. During Avery's trial, Kratz downplayed the significance of the vehicle damage.

### Blood from quarry

Calumet Sgt. Bill Tyson and Ron Eboen of the Wisconsin Division of Criminal Investigation were involved in the recovery of bloody clues that remain a huge forensic mystery to this day.

Their observations raise the possibility that Halbach was harmed or dismembered at one of the quarries south of Avery's. They collected fresh blood stains within the gravel and a stained rag of possible blood or rust stains," their reports above significantly, the blood stains that were recovered from the quarry contained a full DNA profile for a male, not a match for Steven Avery, the Wisconsin State Crime Laboratory determined.

### History of Champions

"Packers Win National Football Crown" Repeat after me: Green Bay went back-to-back titles.

The Packers won their first eight games (four by shutout) to extend their winning streak to 21 over two seasons before losing 13-6 at the Chicago Cardinals.

Although they ended the season with a 21-0 loss to the Bears and a 6-6 tie with the Portsmouth Spartans, the Packers defeated their league title by finishing 10-3.

### 1930 NFL season

They were preoccupied with a number of sites that were in use for a trailer and burn pile pit. Reports show that one bloodstain harvested from the Kaukauna Police Department tracked Halbach's scent to a concrete stoop at the south entry of a red house trailer that was part of the Randall deer camp property. Doit also tracked Halbach's scent to the cul-de-sac at the end of Kaus Road, reports show.

Mantowoc and Calumet deputies spent an entire day Nov. 2, 2005, scouring an area near the end of Kaus Road that returned Mantowoc County Sheriff's deputy Mike Bushman suspected was a possible quarry. The Woodlawn area near the quarry, drew heightened interest from one of the bloodhounds following the scent of Halbach's shoes and also from one of the police cadaver dogs. Authorities spent weeks stating that initially had no connection to Halbach's disappearance. The following afternoon, Stipel and Manitowoc County Sgt. Jason Just were involved in recovering two charred human bones near Avery's burn pit.

John Frank of USA TODAY NETWORK/Block site: 920-993-7185 or jfrank@usgn.net; on Twitter @JohnFrank



This court view of Avery quarry was the investigation spotted several blood stains and additional charred human remains at the quarry properties encompassing the Avery Salvage Yard in Manitowoc County.

Zeller wrote in last year's legal briefs, "Her last call-forwarded message at 2:31 p.m. occurred when her cellphone was still powered on and registered. That call pinged off the 'Whitelaw' tower, which was approximately 11 miles from the Avery Salvage Yard."

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Calumet Sheriff's Lt. Kelly Stipel's regular presence at these off-site quarries has drawn Zeller's attention. Reports of his activities, though vague and short, indicate he was aware of

"come clean" to her, admitting that he counts the syllables in his words and his steps, because they have to be an even number.

"The overwhelmingness of me looking at these pictures is one thing, but to (Cole) it was like 'Wow, if they're helping me, I can do this,'" Ewerdt said.

At first, when Lamborg posted the picture, she didn't get explain what Cole's condition was, just that he needed support. Families of children with cancer reach out for support and the community rallies around them, but many families with children with conditions like Cole's are embarrassed to come forward, she said.

Ewerdt encouraged her to share Cole's story, even the specifics.

"Ewerdt said, 'Why don't we just take this next step further and tell people what's going on? Maybe that will help other people understand that families (with a child who has a condition like Cole's) need support as well and that there should be no negative reactions to kids going through this type of thing and we should rally around them like we do with kids going through medical problems,'" Lamborg said.

Ewerdt said she can't imagine having a higher support system, and the amount of gratitude she has for the firefighters keeps her speechless.

"It was such an unexpected gift from God that so much support came my son's way because he needed it," she said.

Reach Madeline Zerkow at 920-907-7988 or mzkrowski@usgn.net.

## Ewerdt

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"Your brain gets stuck," Chrissy Ewerdt, Cole's mother, said of OCD "it gets stuck on one thought."

While Cole will always have the disorder, Ewerdt said, the impetus therapy is supposed to help him let go of certain obsessive thoughts.

When Capt. Tammy Lamborg, a member of

the West Bend Fire Department and childhood friend of Chrissy Ewerdt's, saw a post on Facebook about Cole, she decided she wanted to do something to help. She mentioned the post to the firefighters stationed in Japan sent a picture.

Cole's attitude has changed since looking at the pictures, Ewerdt said. Ever since Cole has been admitted to the impetus therapy, he's told her his mother has a fire and he wants to go home. Knowing he received support through the photos, he

the charred pelvic bones and the recovery of suspicious burnt material at a burn barrel kept by the Randall deer camp property. On Nov. 10, 2005 — the day after Avery was taken into custody — Stipel threatened to arrest a Green Bay television camera man who was positioned south of Avery's property in the vicinity of the quarries. "I informed the cameraman that the day he was coming off of was posted as closed and that another breach like that would result in his arrest," Stipel wrote in his report. "Searching conducted throughout the day with several sites being located in a quarry quarry to the southeast. These sites were marked and GPS was taken..."

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