

WEDNESDAY, FEBRUARY 14, 2007 WEATHER: PARTLY CLOUDY, HIGH 13, LOW -2 -> Weather, B-7

GREEN BAY PRESS-GAZETTE

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L-C OFF TO STATE WRESTLING

Spartans edge Wrightstown, 26-24, in team sectional showdown. > C-1

INSIDE TODAY



Brett Favre plans ankle surgery
Quarterback Brett Favre will travel to Green Bay in the next couple of weeks for surgery to remove bone spurs in his left ankle.

He's the top dog at Westminster

An English springer spaniel with a preference for chicken-and-garlic treats was named America's top dog Tuesday night.

Something special for Valentine's Day

Looking for something different on Valentine's Day? The Gift Artist in Green Bay produces wearable art from recycled jewelry.

PIC OF THE DAY

'Millie' rehearsal
Students at Green Bay Notre Dame Academy rehearse their musical, 'Thoroughly Modern Millie,' which opens its run Friday at the school.



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PRESS-GAZETTE FOCUS: FIFTH HIGH SCHOOL REFERENDUM



Dave Ostanki, physical education teacher, instructs his second- and third-grade gym class inside the gymnasium at Emore Elementary School.

Cost of project still at center of debate
Tax burden of building school questioned

BY KELLY MCGREE
When officials began talking specifics for a fifth Green Bay School District high school, the then-\$75 million referendum question would've been the state's costliest to date.



Dave Ostanki, physical education teacher, instructs his second- and third-grade gym class inside the gymnasium at Emore Elementary School.

for 15 years to operate the building. When operating costs kick in, the mill rate is projected to increase 25 cents, for a total of 28 cents, or \$2 a year on a home worth \$100,000 of equalized value. Because of the current state funding formula, in place since 1980, it's not uncommon for districts to pose the question of exceeding revenue caps, said Brian Palanke, assistant state superintendent for finance and management.

Searcher tells of finding Halbach's hidden SUV

Vehicle was located within an hour in Avery salvage yard

BY ANDY NELESEN

CHILTON — Less than an hour after getting East Avery's permission to poke around the Avery's Auto Salvage scrap heap, Pam Sturm made the discovery no one wanted to make: Teresa Halbach's vehicle with Halbach's license plates.

Sturm, who is Halbach's second cousin, was the seventh person to testify Tuesday in Steven Avery's trial. Avery, 44, is charged with killing Halbach and burning her remains in a salvage yard burn pit. He faces life in prison if convicted.

Sturm, of De Pere, testified that she and her daughter, Nikita, immediately called police when they came upon a small sport utility vehicle — partially covered with branches, car parts and debris — that looked very much like Halbach's blue-green Toyota RAV4. A recording of that conversation was played Tuesday afternoon as part of special prosecutor Jon Krutz's case.

On the recording, Sturm read a part of the vehicle identification number to a Calumet County Sheriff's investigator. The detective's voice went from friendly to serious as Sturm came to the end. "Where are you?" "Where are you?" demanded investigator Mark Wispert. Sturm said she ran at the salvage yard and wanted Wispert to tell her if they had the right car. It was the right make, model and color. She wanted to know for sure. "I can't say yes," Wispert countered. "Do not touch anything. Do not go around that vehicle."

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2006 deer harvest could be third best for state

Preliminary figures total nearly 500,000

Overall, the antlered count was at 175,305, the antlerless at 321,399 and unknown — usually from improperly filled-out regulations stubs — stood at 2,444, for a total of 499,148. In the process, state hunters shot themselves out of a controversial October antlerless gun deer hunt for a second straight year.

A-2 Wednesday, February 14, 2007 Green Bay Press-Gazette www.greenbaypressgazette.com

Local/State

Halbach's last day described

Photographer was requested at Avery site

BY ANDY HEISEN
andrew.heisen@greenbaypressgazette.com

CHILTON — Jurors heard Tuesday from a series of people who were the last to see Teresa Halbach alive.

The prosecution sketched out a day that ended with Halbach at Avery's Auto Salvage. She was never seen again after that visit Oct. 31 to take a freelance photograph for Auto Trader magazine, and investigators say she was killed there by Steven Avery and his neighbors, 17-year-old Bryan Dawsey.

Annapolis, Md., Halbach's boss at Auto Trader magazine, testified Tuesday that Halbach worked for the publication for about a year and had been dispatched to the Avery property five other times, including a trip on Oct. 19 when she photographed a gray Oldsmobile.

Much of Schuster's testimony — the first of the day — revolved around the inner workings of the magazine, including what editing, killing and how photographs get from the photographers to the publication's home office in Hales Corners.

Schuster — said Halbach turned in 12 "bullet shot" photos that photographers drummed up on their own — in 13 days of shooting. There was an incentive, he said, for Auto Trader about \$8.75 a photo. Halbach also paid \$175, Schuster said.

Schuster said Halbach's bosses would not know about bullet shots in advance.

"So if Teresa Halbach, after three, three-thirty, four or whatever later in the day on Oct. 31, 2005, went to do one of these bullet shots, you would not know it," defense attorney Jerome Buting said.

"Correct," Schuster said.

"The bottom line is — from

your records you don't know and you don't tell this jury whether or not Teresa Halbach let Mr. Avery's property on Oct. 31 and went somewhere else to do a 'bullet shot' — just that, right?"

More online
go to www.greenbaypressgazette.com/story for complete coverage of the Steven Avery case.

contact with Halbach on at least one occasion.

"If he wanted to kill Teresa Halbach, he could have called her direct instead of calling your office and leaving a trail," Buting said.

"Correct," Piziska said.

Manitowish County Circuit Judge Patrick Willis ruled that jurors would not hear testimony from Piziska about an encounter Halbach said she had with Avery during one of her trips to his property.

She had stated to one that he had said during a fact-finding segment of the proceedings, "I just said, 'Really' and then she said, 'Yeah,' and laughed and said kinda, 'Ew.'"

Pilot Curt Drumm testified that he and law enforcement officers spent about 20 minutes flying over the Avery Auto Salvage near Mishicot on Nov. 4 as part of the second step of an unsuccessful aerial search for Halbach.

Drumm said that at the time he was witness of who authorities were looking for, but was given a list of coordinates, the missing person might be.

The first step in the 2½-hour flight was in the area of Wisconsin 23 and Manitowish County Q, Drumm said. They spent about 10 minutes over the area and then flew to rural Mishicot, skimming across the terrain.

Drumm said they were watching roadsides, ditches and the minimum altitude for an out-of-patch vehicle.

"I didn't know who was missing," Drumm said. "We followed the roads and the smaller county highways to see if she had gone off the edge of the highway."

Drumm said he and the authorities flew the Avery salvage yard at about 300 feet, the minimum altitude for flying in unpopulated areas.

From a 600 foot, it was tough to pick out a specific

car," Drumm said. "If the investigators saw something, they didn't tell me."

Steven Schmitz, of New Boston and Jolien Zipperer of rural Manitowish both testified that Halbach was at their homes on Oct. 31. Schmitz talked the time about 120 a.m. and said Halbach came to photograph a car, another man stared in Schmitz's shed.

Zipperer initially said Halbach showed up at her home about 3 a.m. but then said she couldn't be precise about the time because she had been outside working when Halbach arrived. She said it could have been as early as 2:30 p.m. and as late as 2:30 p.m., describing it as "mid-afternoon."

Kratz later showed Zipperer a statement she gave to investigators early in the investigation into Halbach's disappearance. In that document, Zipperer said the time was between 2 and 2:30 p.m.

"That's what I thought it was on that day," she said, noting that it was likely the best estimate she had.

Halbach was at the Zipperer home about 15 minutes and took a photo of a vehicle Zipperer's grandson wanted to sell.

Zipperer said Halbach made small talk and smiled during the conversation. She didn't see Halbach leave.

Live video
The real home line is that if Mr. Halbach was killed by Mr. Avery, she couldn't have done any of the shots after that.

Kratz said "That is correct."

Schuster said, "John Lee's photo gallery."

Community conversation

Photo gallery
Community conversation

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Avery/Defense challenges focus

► From A-1

Avery's lawyers continued their attack on investigators' mistakes during the probe into Halbach's disappearance. Defense attorneys Dean Strang and Jerome Buting contend that the focus immediately landed on Avery and never wavered despite other leads.

When search leader Ryan Hilgasse testified, Buting asked if he knew everything about Halbach's life.

"I don't think she had a private side that I didn't know about," Hilgasse said. "We were pretty open with each other. We talked a lot."

"During this entire missing person period, before the Bay 4 was found, did the police seek for any kind of side for Oct. 31, Buting said.

About Teresa Halbach
Photographer Teresa Halbach, 25, of St. John in Calumet County owned Photographs by Teresa in Green Bay. She graduated in 2002 from the University of Wisconsin-Green Bay.

They had a 1-year-old son, Ryan. "Averypoint blank ever ask you if you had any knowledge about her disappearance involvement," Buting asked.

"I don't know if they did it like that — that they were accusing me that I talked to her or if I knew anything," Hilgasse said. "That's why I was there — to look."

After Tuesday's testimony,

Buting said the defense strategy remains intact.

"The manner in which the police begin the investigation is far more, and it's relevant as to why they focused on Steven Avery or more than other people who would be the normal or more than focus of an investigation or at least part of what they should have done," Buting said after Tuesday's testimony.

"I think this case is very much going to be about who the police focused on and who they investigated and who they refused to accept statements about versus others who they just blindly accepted without any question whatsoever even when it may later turn out wasn't good information."

Suit dismissed over teen's 2004 fall at Fonferok Glen

Boy's family ordered to pay county \$4,361

Press-Item

A suit filed against Brown County on behalf of the Morrison boys who fell from a limestone gorge at Fonferok Glen Park in 2004 has been dismissed, with the county awarded \$4,361 to be paid by the boy's family to cover the legal fees and the costs associated with the county's defense. The civil suit was scheduled for a final pretrial hearing today. However, in a Feb. 7 summary judgment, Brown County Circuit Judge Peter Naam ruled in favor of the county and dismissed the suit. The family's suit claimed the park was dangerous and

lacked proper safety equipment. The family's lawsuit claimed the county negligently maintained the premises.

In his summary judgment, Naam noted recreational activity was immune from liability. Also, there were five signs posted in the 7½-acre park warning visitors about steep cliffs and rugged terrain and to exercise caution.

"Plaintiff's have not identified any valid exception to recreational immunity. Consequently, summary judgment is granted," Naam wrote.

The family's lawyer could not be reached Tuesday on whether the Treichel family will appeal the ruling.

Paradise is prohibited at the park, among other activities such as camping, dogs, firearms, metal detectors, motor vehicles and horses.

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