

Herald Times Reporter

MANITOWOC COUNTY, WIS.

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50 cents

WEDNESDAY

February 21, 2007



Reedsville rolls to tourney win, B1



Homemade soup stock is easy to make, C1

Warmer temps now, storms predicted

By Andy Nelsen

MANITOWOC - After 23 consecutive days of below freezing temperatures, Monday was the first day where temperatures rose above 32 degrees in the Lakeshore area, according to the National Weather Service in Green Bay.

Monday's high temperature was 42 degrees, 16 degrees above normal for that date, said Meteorologist Scott Callicke. Tuesday's high temperature was 36 degrees.

Within the 23 consecutive days of below freezing temperatures, seven days were below zero, Callicke said. The lowest temperature was minus 15 on Feb. 7.

The warmer temperatures are expected to last until the end of this week, Callicke added. Today's temperatures are expected to be in the lower 40s.

That, however, is expected to change in a hurry. A mixture of rain, sleet and snow is forecast for this weekend with temperatures in the low to mid-30s, according to Callicke.

"It's a pretty big storm coming through the weekend," Callicke said. Another storm also is expected to arrive "like a lion" at the end of February and into March, Callicke said, adding that it would likely be a snowstorm.

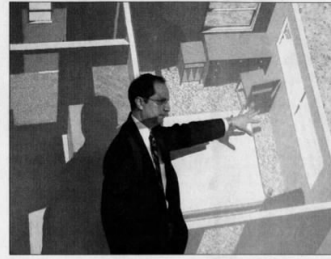
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A GANNETT NEWSPAPER

Was evidence planted?

STEVEN AVERY TRIAL



Steven Avery's attorney Jerome Buting questions Bill Tyson of the Calumet County Sheriff's Department during the Avery trial Tuesday at the Calumet County Courthouse in Chilton. Buting is standing in front of an animation of Avery's trailer showing the bedroom where a key was found on the floor.

Police say they had no reason to frame Avery

By Andy Nelsen

CHILTON - Two cops accused of planting evidence in a courtroom

Steven Avery's attorney Jerome Buting Tuesday they had no reason to frame the 44-year-old Manitowoc man to first slash Avery, who spent 18 years in prison after being convicted of a sexual assault which DNA proved he didn't commit, convicted both Manitowoc County Sheriff's Sgt. Andrew Colborn and Lt. James Lenk that he didn't have anything to do with the disappearance of a freelance photographer, Teresa Halbach.

However, once Halbach's Troop Ra-4 was found on the Avery farm property, all bets were off and both men were part of the search for evidence to find out what happened to the 25-year-old Calumet woman.

Avery is being tried on charges that he killed Halbach and mutilated

Follow Avery trial on live video

Follow the Steven Avery trial on live video on our blog at www.htnews.com

The trial begins about 9 a.m. as long as court is in session.

her body to cover up the crime. He reports, 17-year-old Brendan Dancy, is set to go on trial on similar charges in April.

Blended into the case is the \$36 million lawsuit Avery had pending against Manitowoc County. Both Colborn and Lenk were dropped as witnesses in the case just three weeks before Halbach's disappearance.

See EVIDENCE, A2



Sgt. Andrew Colborn of the Manitowoc County Sheriff's Department testifies during the seventh day of Steven Avery's homicide trial on Tuesday at the Calumet County Courthouse in Chilton. He is one of two Manitowoc County deputies accused of planting evidence at Avery's home, framing Avery for the murder of photographer Teresa Halbach.

Calumet officer defends brethren

By Andy Nelsen

CHILTON - The Calumet County Sheriff's sergeant

charged with keeping watch over the Manitowoc County of officers searching Steven Avery's trailer said he did the best that he could to watch their every move.

But Sgt. William Tyson admitted he wasn't perfect. "I did not treat these guys like I did not treat them," Tyson said. "I did not treat this like I was baby-sitting. I watched

my back, walk away, glance away." Tyson testified Tuesday. "So I can't say that every second of that close to three hours I was making direct eye with them and watching every move they make."

Tyson told defense attorney Jerome Buting that he didn't have any issues with the way the Manitowoc County investigators conducted themselves.

"I did not treat these guys like I did not treat them," Tyson said. "I did not treat this like I was baby-sitting. I watched

them to the best of my ability in those three hours." Buting asked Tyson if he had any concerns about or input into the people he was assigned to work with searching the Avery property in the days following the discovery of Halbach's car.

"I had no concerns with their abilities," Tyson said. "I trusted the decisions being made at the command center."

Andy Nelsen writes for the Green Bay Press-Gazette.

Ziegler, Clifford advance in Supreme Court race

Associated Press

MILWAUKEE -

Ziegler had 124,735 votes, or 57 percent, according to officials. Ziegler turns with 70 percent of precincts counted. Madison attorney Linda Clifford had 55,902 votes, or 27 percent, and Madison lawyer Kenneth Sommers had 34,187 votes, or 15 percent.

of three conservatives on the court along with Justice Patience Roggensack and David Prosser.

The more liberal members are Chief Justice Shirley Abrahamson and Justices Ann Walsh Bradley and Louis Butler, with Justice Patrick Crooks seen as a swing vote.

"I am so proud to have



Steve Hahn casts his vote Tuesday at the Public Safety Building, Aldermanic District 3, Wards 5 and 6. Manitowoc voters had the opportunity to cast votes for candidates in races of Supreme Court and County Clerk. Voters in District 3 had the opportunity to vote in the race for a representative on the Common Council.

Aulik wins, will face Dobbs in April 3 election

He defeats 5 other Democrats for Manitowoc County Clerk

By Christopher Wenn

MANITOWOC -

Francis Creek Clerk and Treasurer Jo Aulik

defeated five other Democratic candidates for Manitowoc County Board

Chairman and Manitowoc Alderman Jim Brey

who had 1,162 votes. Ken Scherz, a recently retired insurance agency manager, garnered 441 votes. Mike Flentje, who works at the county's Planning and Parks Department, had 367 votes, and Adam Drowsatt, a real estate agent, collected 226 votes.

Bremser Brey said he would continue his duties as a county board supervisor and chairman and his work on the Manitowoc Common Council.

See AULIK, A2

One vote separates top two in District 3

Able, Fessler advance to April 3 election

By Kevin Braley

MANITOWOC - The

top two vote-getters in Tuesday's primary for the District 3 aldermanic seat were separated by one vote.

Christopher Able won the primary, garnering 65 votes. He will face Theresa Fessler, who tallied 63 votes, in the April 3 general election.

"I'm really surprised how close it was," Able said. "I'm very excited to be one of the two top vote-getters in this very close race."

Ron Knisk received 64 votes, and Craig Rogerson took 37 votes in Tuesday's primary.

With such a close race, a recount could be called, but it would have to be requested by a candidate by 5 p.m. three business days

after the canvass, City Clerk Jennifer Hudson said. The canvass is set for 3 p.m. today.

Fessler said she's not surprised at how close the vote was.

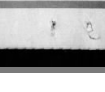
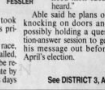
"We all had been out talking to people in the district," Fessler said. "I'm glad I'm moving on, but this is just one step and the next election will be tougher."

Fessler said she will once again go door-to-door to promote her promise of listening to the residents of District 3, which includes downtown Manitowoc.

One of the big things with me is that our voices need to be heard," Fessler said. "People need their ideas heard."

Able said he plans on knocking on doors and possibly holding a question-answer session to get his message out before April's election.

See DISTRICT 3, A2



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HERALD TIMES REPORTER



Steven Avery's defense attorneys Dean Strang and Jerome Buting, left, and Ken Kratz, Calumet County district attorney, discuss testimony Tuesday with Manitowoc County Circuit Judge Patrick Willis at the Calumet County Courthouse in Chilton.

EVIDENCE

From A1

The homicide case is being tried in Calumet County to avoid that conflict. Colborn and Leuk both were searching Avery's trailer in the days after Halbach's vehicle was found Nov. 7 at where Steven Avery lived at the edge of the salvage yard. The sheriff's officers were searching for photos and documents on Nov. 8, but came away with a crucial piece of evidence. "There was a narrow area between this bookcase and the desk in order to make sure there was no evidence of anything else that we needed to log between them. I actually taped (the bookcase) to the wall and twisted it away from the wall," Colborn said. "I'll be the first to admit that I read any too gentle as we were, you know, getting agitated. I handled it rather roughly, twisting it, shaking it." Colborn said that while he rammed items not being seized back into the bookcase Leuk went to get a box for the items the officers were going to take. It was as he was placing the bookcase back into position that investigators made a startling discovery. A Toyota key with a long key ring near a set of signs. "I was searching the desk and Deputy (Dan) Kuchanski was sitting on the bed... which was in very close proximity to the bookcase... filling out paperwork," Colborn said. "Leuk... was in the room and said something to the effect of 'Ah, there's a key on the floor

here or look there's a key.' Colborn said and immediately saw the Toyota emblem on the key. "We told Deputy Kuchanski to get a photograph of this right away," Colborn said, noting that none of the men touched the key. "I think all three of us knew at the same time that there was a very good chance - seeing a Toyota emblem on embossed on that key, knowing Teresa Halbach's vehicle was a Toyota - that this was a very important piece of evidence and you know, once it was going to land that..." Colborn said he was shocked at the discovery. "I was very surprised," Colborn said. "I believe I said to myself, 'Damn. How did I miss that?'" In other testimony, Colborn said he was only loosely connected to the Steven Avery civil case against Manitowoc County. He had been deemed as a witness for a phone call he took as a jailer in the mid-1990s. He said he took an anonymous call from another law enforcement agency, and the caller claimed the agency had someone in custody for an assault and that Manitowoc had someone "jailed" who shouldn't be. Colborn testified that the person asked to be transferred to a detainer, which Colborn released. It was only after Avery's release that Colborn witnessed if there was a connection and filed a report about the call. "That's that's your connection to Mr. Avery," said special prosecutor Ken Kratz. "Did that cause you enough embarrassment, and enough angst in which to set up Mr. Avery for a charge of murder?" Kratz asked. Colborn said no. "Did that deposition cause you such problems from within your department that you obtained and planted blood so that it would be found and Mr. Avery would be wrongly accused of a homicide case?" Kratz asked. "No, sir," Colborn said. "Have you ever planted any evidence against Mr. Avery?" Kratz asked. "That's a ridiculous. No, I have not," Colborn said. "Asking witnesses if they have planted evidence has become part of the routine for the two days of prosecution testimony. Kratz is engaging in prosecutive assertions that the Manitowoc County authorities set up Avery. Leuk, a law enforcement officer for more than 20 years and head of the Manitowoc County Sheriff's Department detective bureau, testified he interviewed Avery at his trailer and left the meeting thinking Avery was not involved in Halbach's disappearance. "Did you take any steps from that point forward to determine if there was any evidence or cause that Mr. Avery would be falsely accused of that homicide?" Kratz asked. "No, sir. I definitely did not," Leuk said. "Is that something you have done in your law enforcement career?" Kratz countered. "No, sir. I have never planted any evidence at any time," Leuk said. "Would you do something like that?" Kratz asked. "No, sir. I would not," Leuk said. Testimony is expected to resume today with Leuk answering more of prosecutor questions. *Andy Nelenes writes for the Green Bay Press-Gazette.*

Collins, Zigmunt advance to April 3 general election

Herald Times Reporter

MANITOWOC - Voters narrowed the field of candidates for open seats in the village of Cooperstown and the village of Francis Creek in Tuesday's primary election in advance of the April 3 general election. Chad Collins led the field of candidates with 124 votes in the election for two two-year town board supervisor seats in the town of Cooperstown. Town board supervisors attend town meetings and vote on ordinances, budgets as well as handle other town business. Collins and the three remaining candidates - Herb Lemens, with 99 votes and Nancy Weber with 91 votes - will move on to compete for votes to fill the town supervisor seats in the general election. John Hager, who garnered 89 votes, was eliminated from the field of candidates.

In the village of Francis Creek, Chris Zigmunt was the top votegetter with 73 votes in the election for two two-year trustee seats. Village trustees attend village board meetings and vote on ordinances, budgets and handle other village business. John Haszmer came in second with 49 votes, followed by incumbent Bryant Weber with 48 votes and Tom Chase with 46 votes. Fredrick Gericke, who collected 15 votes, is no longer in the race.

DISTRICT 3

From A1

"I want to make sure that city government is working for residents individually and as a community," Able said. "I think the Common Council needs to seek the advice of the citizens before making any decisions." Able is a teacher at Madison Elementary School in

Manitowoc. Fessler is the Executive Action Program coordinator, Point Beach North Plant. Each is confident about winning April's general election. "I look forward to continuing having the chance to talk with residents about their concerns with local government," Able said. Fessler said she will begin campaigning for April's election today. Fessler and Able will be vying for the seat being vacated by longtime Alderman Dory Stokes, who announced in November he would not return to the seat. According to Hudson, 349 District 3 residents voted Tuesday. There are 1,699 registered voters in the district. Nearly 15 percent of the registered voters in District 3 cast ballots on Tuesday, Hudson said. *Kristopher Weisz, 920-656-2152 or kweisz@htrnews.com*

AULIK

From A1

"Of course everybody goes into the election hoping to win," Bray said. "I'm disappointed, but the people of Manitowoc and I will deal with it."

Aulik said he will update his campaign Web site, make yard signs available and conduct door-to-door campaign visits, which has been his main focus since cold winter weather. "I come into it like anything else," Aulik said of the election campaign against Dobbs. "It's a competition for ideas. I look forward to seeing what the presents and we will let the voters decide," he said. Only 9 percent of eligible voters exercised their right in Tuesday's primary. Of 62,778 possible voters in the county, only 5,809 people voted. *Kristopher Weisz, 920-656-2152 or kweisz@htrnews.com*

Local artist's work exhibited in Madison

Herald Times Reporter

MANITOWOC - Brent Lusky, assistant professor of art at the University of Wisconsin-Madison, currently has works included in the "UW System Art" portfolio. His second piece, titled "Objective and Cooperative," is graphite on linen. Lusky has been teaching at UW-Madison since 1997. He received a master's degree in printmaking and drawing from UW-Madison after receiving a bachelor's degree from UW-Madison. For more information about Lusky's exhibits or UW-Madison's art department, call 608-263-4735.

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City of Norfolk to take over USS Wisconsin

Associated Press

NORFOLK, Va. - The battle ship is a veteran of World War II, the Korean conflict and Operation Desert Storm. Now the 57,000-ton ship named for the Badger State has found a new home. The city of Norfolk, Va., is taking over the USS Wisconsin, with plans to turn the ship into a floating museum. The National Maritime

Center is working to formally adopt the battleship, said director Rich Creek. It needs an estimated \$8 million in capital improvements but tourism should cover the cost, according to Creek. Overall, the ship is in good condition and presents a striking image on the city's waterfront, he said. The Navy is essentially donating the USS Wisconsin but

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