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DAILY TRIBUNE

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Avery case in lull, but things will heat up

JOHN FERAK
USA TODAY NETWORK-WISCONSIN

MANITOWOC - To the dismay of legions of "Make 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 if the items are backlogged, a common occurrence in 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. "Statement give me a pep talk! All no-questions, 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 aside in the confidence levels. All in all my gut feeling is telling me this will not be resolved. Does anyone else feel this way?"

Eventually, the independent lab tests will be handed to both Zellner and the Wisconsin Department of Justice, where lawyers worked with Zellner to facilitate the testing. In court filings last August, Zellner made it clear she intended to file

her highly anticipated post-conviction motions aiming to prove Avery's innocence after the results are available.

In two of Zellner's most high-profile exonerations — Ryan Ferguson of Missouri and Kevin Fox of Illinois — she has focused on overlooked, obscure scientific evidence. She also focused on uncovering evidence of prosecutorial misconduct, mainly exculpatory evidence that was concealed from the



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



Calvin Pemberton from Beaver City, Neb., right, drove 13 hours to get to Milwaukee, arriving with his family at 3:30 a.m. on Dec. 12, 2016 for President-elect Donald Trump's USA Thank You Tour 2016 stop in Milwaukee. Milwaukee is one of the cities identified in a Center for Public Integrity investigation that does not charge for security costs related to candidate visits.



Margie and Ken Staats

Wisconsin woman recounts airport shooting

SAMANTHA HERNANDEZ
USA TODAY NETWORK-WISCONSIN

Margie "Marge" Staats watched gunshell casings bounce as she lay on the floor of the Fort Lauderdale Hollywood International Airport.

Army veteran Estefan Santiago of Anchorage, Alaska, is accused of opening fire in the airport Friday, killing five and injuring six. News reports state the 25-year-old had the gun in his checked luggage. Santiago is facing federal charges for the shooting.

Marge said she and her husband survived the shooting as a result of a simple act — giving popcorn to a stranger.

As Marge and Ken were leaving their Corvair home Friday, she grabbed several bags of popcorn on a whim. The couple owns Country View Farms Maple Syrup and the popcorn is one of their products. They flew out of Green Bay to Atlanta and from there took a flight to Florida.

On the plane to Florida, Marge said, she and Ken sat near another couple, Shirley and Steve Timmes of Ohio.

The two couples talked about their families, business, gardening and their shared faith in God.

After boarding, the couples made their way to the baggage claim. Inexplicably, Marge decided to give the couple a bag of caramel popcorn. She handed the popcorn to Shirley and leaned down to close her bag. That's when she heard the first shot.

"I knew the sound, I knew the smell," she said. "The sound of bullet casings hitting the floor soon followed."

She said there was a pause after the first shot and someone yelled a single word: "Run."

WHO PAYS?

Police want presidential candidates to pay bills

DAVE LEVINTHAL
CENTER FOR PUBLIC INTEGRITY

Donald Trump, Hillary Clinton and Bernie Sanders may not remember much about the rallies they each held last year in Green Bay.

But officials at Green Bay City Hall sure do. And they're miffed the three politicians have stiffed them on police protection bills totaling \$24,000.

"We appreciate, and we feel honored, when the candidates come to Green Bay," said Catherine Jeffries, chief of staff to Mayor Jim Schmitt. "We are also very appreciative when they honor their debts."



Trump Clinton Sanders

Green Bay is no anomaly.

At least three dozen municipal governments and law enforcement agencies say presidential campaigns have ignored hundreds of thousands of dollars in outstanding bills stemming from police security for campaign events — from Vallejo, California, to the University of Pittsburgh.

That's according to a Center for Public Integrity analysis of federal campaign disclosures and municipal invoices, as well as interviews with more than 50 local government officials.

Presidential campaigns asserted in communications with some city govern-

ments that they're not responsible for many security costs. But this widespread failure to pay follows an election season when many presidential candidates — particularly Trump — argued that law enforcement deserved both more resources and more respect.

Local cops also found themselves in the midst of numerous unruly, even violent, Trump rallies, with Trump himself sometimes directing security to elect protesters and hecklers.

Trump's campaign alone hasn't paid nearly \$204,000 worth of police-related invoices, according to municipal billing records obtained by the Center for Public Integrity.

And Trump arguably owes more. That's because the Trump campaign — despite receiving demand letters and collection notices — doesn't acknowledge in federal campaign financial disclosures that it owes cities a cent. Nor

does the Clinton campaign. The Sanders campaign, in contrast, says in federal campaign filings that it owes \$449,489 spread among nearly two dozen municipalities and law enforcement agencies.

The differing approaches make it difficult to determine just how many security-related bills have been sent to the major White House hopefuls since their campaigns began touring the nation in earnest in mid-2015. The Trump, Clinton and Sanders campaigns wouldn't comment.

Complicating cities' collection efforts: Local officials often can't force campaigns to pay unless they signed a formal, contractual agreement with the campaigns, which many have not.

Contract or not, many mayors, police chiefs and city managers say presidential candidates who profess to support law enforcement should back up their words with dollars.

"There shouldn't be much debate about it — cities across America provided protection at a cost and should be reimbursed for it," said Mayor John McNally of Youngstown, Ohio, which is still waiting for the Sanders campaign to pay a nearly \$6,000 bill for security the

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Avery

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In all likelihood, the action of special prosecutor Ken Kratz will be at the forefront of Zeltner'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 Zeltner's eventual post-conviction motion may focus.

Voicemail deletions

One of the most baffling mysteries surrounding Halbach's disappearance concerns the deletion of several voicemail messages from her cellphone. A number of messages were deleted between the time Halbach vanished Oct. 11, 2007 and the morning of Nov. 2, the day before her mother reported her missing. The deletions are pertinent to Avery's claims of innocence. Unraveling that mystery may shed new light on events leading up to Halbach's murder.

In addition, Zeltner 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. Zeltner suspects Halbach left Avery's house around 2:30 p.m. and was driving close to the Whitelaw area at the time she was harmed. "She, Halbach, disappeared after she completed either assignment and left the Avery salvage yard," Zeltner wrote in last year's legal briefs. "Her last call for a text message at 2:41 p.m. occurred when her cellphone was still powered on and registered."

That call ringed off the Whitelaw tower, which was approximately 1.1 miles from the Avery Salvage Yard.

Flower video

One of the most important events in the sequence of the Throna Halbach investigation was a video police officer on Friday afternoon, Nov. 4, 2007. The flower filmed the



In November 2005, authorities from Calumet County and the Wisconsin Division of Criminal Investigation spotted blood stains and additional charred human remains at the quarry properties encompassing the Avery Salvage Yard in Manitowish County.

Avery Salvage Yard and the surrounding terrain. The next morning, volunteer searcher Tom Sturm notified Calumet County that she found Halbach's RAV4 on the perimeter of Avery's salvage. The contents of the flower video, however, revealed more questions than answers.

The flower, collected by former Calumet County Sheriff Jerry Pappert and investigator Wendy Baldwin, may have lasted two to three hours, police reports reflect. However, the video supplied to Avery's attorney only contained a few minutes of footage. The videotape, however, appears to be heavily edited. For instance, Baldwin's videotape inexplicably pans away from the perimeter of Avery's salvage where Halbach's vehicle was recovered to the main street. People who question the video's authenticity have theorized that Calumet's original, unedited video contained footage showing a white van at the Halbach's RAV4 was in fact recovered from Avery's property. The absence of the RAV4 in the flower video would have raised suspi-

cion from Avery's trial attorney's ability to prove someone was out to frame Avery for Halbach's disappearance.

Zeltner contends that Halbach's RAV4 was moved onto Avery's property using the conveyor road on Joshua Baldwin's adjacent quarry, once Baldwin and Pappert finished their flower. Halbach's vehicle is believed to have sustained front-end damage while it was towed or pulled there. A broken brake light was recovered from the cargo area. The front bumper may have been torn by one of the metal gates at the quarry. During Avery's trial, Kratz downplayed the significance of the vehicle damage.

County property

One of the most underplayed events occurred away from the Avery Salvage Yard — the recovery of various police bones at the quarry. The quarry's regular off-site quarry has drawn Zeltner's attention. Reports of his activities, though vague and short, have led Kratz to suggest to the jury that the

bones might not even be human, contradicting testimony from his own expert witness, state anthropologist Leslie Eisenberg, who examined the police bones. At Avery's trial, Avery's lawyers Don Strang and Jerry Busing mistakenly believed the police bones were found at the large mass of nearby quarries owned by Joshua Baldwin, also southwest of Avery's land.

However, more precise police reports show the police bones were recovered from Manitowish County's land. Zeltner has also recognized that several Calumet investigators were spending an inordinate amount of time over the course of several days searching for evidence of Halbach's murder and dismemberment in and around these quarries, including Baldwin's property.

Calumet Sheriff's Lt. Kelly Sigge's regular off-site quarry has drawn Zeltner's attention. Reports of his activities, though vague and short, have led Kratz to suggest to the jury that the

recovery of suspicious burnt material at a barn located near Avery's property. On Nov. 10, 2005 — the day after Avery was taken into custody — Sigge threatened to arrest a Green Bay television camera man who was positioned south of Avery's property in the vicinity of the quarries. He informed the cameraman that he was coming off of work and was posted in closed and that another person like that would result in his arrest. Sigge wrote in his report "searching" continued throughout the day with several sites being located in a quarry quarry. These sites were marked and GPS was taken.

Blood from quarry

Calumet Sgt. Bill Paxon and Rose Blinn of the Wisconsin Division of Criminal Investigation were involved in the recovery of bloody items that remain a huge forensic mystery to this day.

Their observations raise the possibility that Halbach was harmed at the recovery 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 show. 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.

Law enforcement's interest in a seldom-traveled road nearby a half-mile from Avery's land raised the possibility that Halbach's RAV4 was found nearby, and that her body was initially buried, only to be dug up and disinterred at one of the quarries.

Believing that scenarios, cadaver and tracking dogs were far more in-tune along Paxon Road and the nearby quarries than at Avery's trailer where Kratz suggested the brutal killing occurred, Kratz developed evidence that shows the tracking dogs were procured with a number of sites that weren't near Avery's trial or post-burn site. Reports show one of bloodstains recovered from the Kaukauna Police Department tracked Halbach's scent to a concrete step at the south entry door of a red house trailer that was part of the abandoned deer camp property. Dogs also tracked Halbach's scent to the cul-de-sac at the end of East Road, reports show.



People stand on the tarmac at the Fort Lauderdale Hollywood International Airport after a shooter opened fire inside a terminal of the airport, killing several people and wounding others before being taken into custody.

Shooting

Continued from Page B1

Still leaning over, Margie glanced toward the door but knew it was too far away. She was separated from him by the luggage carousel with the gunman to her right. She decided to lay on the ground. After a few seconds she moved closer to the carousel hoping it would afford more protection.

She watched the man walk between the two luggage carousels.

There was actually no expression on his face, "I know, I shouldn't have been watching, but my husband was over there," she said.

Through it all she prayed the Zeltner, which begins, "The lord is my shepherd, I shall not want."

Margie prayed for protection and she prayed for her husband of 46 years, when she could not see. "You could see the puff of smoke coming out of

the gun as he shot," she recalled.

Even as Margie watched the gun casing hit the floor, she felt a sense of calm.

She wondered when her turn would come.

Sonlight reached the spot where Ken was on the ground. The shooting stopped.

Some the gunman was apprehended and people were shooting. "They got him. They got him," Margie said.

Next she saw her husband looking over the luggage carousel at her. It turns out Starnig had other members of law enforcement descended on the scene. Everyone was told to stay where they were.

When Margie stood up, she saw Shirley and Steve. Steve had a head wound, and people were trying to help him, Margie said.

Shirley had fallen backwards toward her husband, lying next to her hand was the bag of canned popcorn.

"I knew she was gone," Margie said.

The grandmother of 13 recounted all the insignificant acts she had heard about that day that led to someone surviving the shooting.

Margie's act was walking to the popcorn to the Timmons and then leaning down to close her bag.

Some little insignificant movement saved my life, I know it was the lord at work," she said. "It wasn't me that saved me, it was the lord who saved me."

The first thing the Starnigs did when they were returned was being interviewed by the FBI. They were interviewed by the FBI talking to their three children and texting with their pastor. After midnight they finally made it to their report. The couple is still in Florida. Margie hopes to write the Timmons family a note one day.

She wants to tell them how proud she is of her kids and grandkids and how much she loved them.

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