

INCIDENT HISTORY DETAIL: X042480352

INITIATE: 23:41:35 09/04/04 CALL NUMBER: X0352
 ENTRY: 23:42:01 CURRENT STATUS: CLOSED
 DISPATCH: 23:44:14 PRIMARY UNIT: S455
 ONSCENE: 23:55:10 CASE NUMBER: SO0400008031
 CLOSE: 01:01:55 09/05/04 DISPOSITION: RPT

COPY

LOCATION: 12932 AVERY RD ,MIS (HY 147 & DEAD END)

LOCATION COMMENTS:

DAREA: MTSO
 BEAT: S01
 RD: 06027

TYPE: 911
 PRIORITY: 1

HANG UP

*2001
Family Fight/DVDA*

23:42:01 DW04 ENTRY TEXT:FEMALE PARTY WAS ON THE LINE; WILL CALL BACK.
 SOURCE:RESD (MTF)
 23:42:01 DW04 E911 LOCATION:12932 AVERY RD,XX \PHONE:920/755-2408
 COMP:JOHNSON, CHERYL
 23:42:30 DW04 SUPP TEXT:SHE JUST GAVE HER ADDR AND THEN THE LINE
 DISCONNECTED. NO ANSWER NOW (MTF)
 23:42:34 DW01 HOLD
 23:42:50 DW04 SUPP TEXT:NO ANSWER NOR ANSWERING MACHINE AFTER NUMEROUS
 RINGS (MTF)
 23:44:02 DW01 HOLD
 23:44:14 DW01 DISPATCH S455
 23:44:14 DW01 ID S455 <S455>CUMMINGS, TODD
 23:44:16 DW04 SUPP TEXT:NO ANSWER UPON 2ND CALLBACK (MTF)
 23:44:25 DW01 BACKUP S455 W339
 23:44:25 DW01 ID W339 <W339>HYER, ANDREW
 23:45:16 DW01 ENROUTE S455
 23:45:16 DW01 ENROUTE W339
 23:46:50 DW04 SUPP TEXT:NO ANSWER UPON 3RD CALLBACK ATTEMPT (MTF)
 23:50:34 DW01 BACKUP S455 73B
 23:50:34 DW01 ID 73B <73B>GILBERT, RYAN
 23:50:37 DW01 ENROUTE 73B
 23:52:35 DW01 MISC 73B, 948GFR
 23:52:56 DW01 MISC 73B, HEADED SOUTH CROSSING CENTER LINE
 23:53:59 DW01 PREEMPT 73B
 23:54:58 DW01 BACKUP 73B
 23:54:58 DW01 ID 73B <73B>GILBERT, RYAN
 23:55:07 DW01 CHGLOC 73B CHERNEY RD/147 ,MIS
 23:55:10 DW01 ONSCENE 73B
 23:55:35 DW01 MISC 73B, THIS IS THE GUYS FROM THE 911 CALL THEY WERE IN A
 DISAGREEMENT
 23:56:06 DW01 CHGLOC S455 CHERNEY RD/147 ,MIS 1. Unfounded
 23:56:08 DW01 ONSCENE S455 2. PNL
 23:57:48 DW01 CHGLOC W339 CHERNEY RD/147 ,MIS 3. Other
 23:57:52 DW01 ONSCENE W339 4. Cleared
 5. Except Cleared

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1. Adult
 2. Juvenile
 3. Unknown
 File Approval
 Date 9-8-04

09/05/04
 00:00:55 DW01 MISC 73B, AVERY STEVEN A 07-09-62/STACHOWSKI JODI M
 09-11-69
 00:07:13 DW01 MISC S455, MALE IS IN CUSTODY FOR DVDC
 00:10:08 DW01 CASE SO0400008031 Assigned
 00:23:26 DW01 TRANSPRT 73B 12930 AVERY RD ,MIS

DAI

INCIDENT HISTORY DETAIL: X042480352

00:25:37 DW01 TRANSPRT S455 1025 S 9 ST ,MTW
00:26:41 DW01 TR-CMPT 73B
00:26:44 DW01 INSRVICE 73B
00:26:55 DW01 INSRVICE W339
00:42:26 DW01 TR-CMPT S455
00:53:58 DW01 MISC S455, 136 NOTIFIED
01:01:55 DW01 CLEAR S455 RPT
01:01:55 DW01 CLOSE S455 RPT

OPERATOR ASSIGNMENTS: DW04 D930 BRAZZALE, DAWN
DW01 D946 KURTZBACH, CARLA

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MANITOWOC COUNTY SHERIFF'S DEPARTMENT
FOLLOW-UP REPORT

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CASE NUMBER: 504-08031

CLASSIFICATION: _____

INCIDENT: _____

DATE AND TIME: _____

REPORT CONTINUED:

S AVERY 4438 STEVEN SR A [REDACTED] Two Rivers
V STACHOWSKI JODI M [REDACTED], Two Rivers [REDACTED]
125357

09/04/04 @ 2344 Hrs.: I, Deputy Cummings, along with Mishicot PD Chief Gilbert responded to 12932 Avery Rd, Two Rivers, reference a 911 hang-up. According to Dispatch, they received a 911 call from a female subject stating she would call back. Upon call-back, the female subject reportedly just provided her address and the line was disconnected. When Dispatch attempted call-back, an answering machine picked up on 2 occasions.

As I was responding, Chief Gilbert advised that he was parked at the end of Avery Rd and STH 147, awaiting my arrival. A short time later, Chief Gilbert advised that a vehicle was leaving Avery Rd and was traveling SB on STH 147. Chief Gilbert followed the vehicle for a short distance on STH 147 before advising that it was swerving in its own lane of traffic and crossing the fog line.

After permission was given by the MTSO Shift Commander, Chief Gilbert conducted a traffic stop on Cherney Rd, just south of STH 147. It should be noted that shortly after Chief Gilbert conducted the stop, he stated the occupants inside the vehicle were the parties involved with the 911 hang-up. He also stated that the subjects advised him that they were in a disagreement this evening.

When I arrived at the traffic stop, I observed Chief Gilbert speaking with a female subject who was later identified as being JODI STACHOWSKI. When I asked STACHOWSKI about what was going on, she looked back at the vehicle and stated she could not tell us right now. At this point, I requested Chief Gilbert speak with STACHOWSKI as I was going to make contact with the operator.

I walked up to the vehicle and made contact with the operator, STEVEN AVERY. When I asked AVERY what was going on, he stated that he and STACHOWSKI entered into a verbal argument this evening while at their residence. AVERY stated he and STACHOWSKI were currently in a relationship and they lived together at the Avery Rd address.

I requested AVERY to exit his vehicle so that we could speak about this issue in more detail. AVERY complied with this request, and we eventually walked to an area in front of his vehicle. When I asked AVERY what they were arguing about, he informed me that the argument started over STACHOWSKI initially stating that she was going to be staying home this weekend. AVERY stated STACHOWSKI went to the races this evening and did not let him know. According to AVERY, he was "up north" when he called STACHOWSKI on her cell phone. When I asked AVERY if there were any physical acts taken by either party during the reported argument, he stated he pushed STACHOWSKI in order to have her sit down. When I asked AVERY if any other physical acts were taken, he stated there were not. PROPERTY OF MANITOWOC CO SHERIFF'S OFFICE ITS CONTENTS ARE CONFIDENTIAL AND ARE NOT TO BE DISSEMINATED SHERIFF ROBERT C. HERMANN

MANITOWOC COUNTY SHERIFF'S DEPARTMENT
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REPORT CONTINUED:

While I was speaking with AVERY, Chief Gilbert advised me over the radio that I should take AVERY into custody. I advised AVERY of this matter. He was placed into restraints without incident. AVERY was escorted to the back seat of my squad where he was secured inside.

After AVERY was secured, I walked up to Chief Gilbert's squad where I made contact with STACHOWSKI. According to STACHOWSKI, she arrived home at approx. 2310 hours, after attending the races. STACHOWSKI felt that AVERY had already been in the house because she did not see him enter. She also felt that AVERY was "hiding" somewhere. STACHOWSKI stated she and AVERY began arguing about her not staying home for the evening. STACHOWSKI stated AVERY left for "up north" and she initially advised him that she was going to be staying home for the weekend. After STACHOWSKI learned that AVERY left from up north early, she stated she called AVERY'S sister to see what time he left. According to STACHOWSKI, this upset AVERY even more.

At one point in the argument, STACHOWSKI stated she advised AVERY to "pack his shit up and get out." At this point, STACHOWSKI stated AVERY pushed her in the chest area, causing her to fall into a chair and hit her head. STACHOWSKI stated AVERY entered on top of her and began hitting her at which time she crawled up into a ball. During this reported hitting, STACHOWSKI stated AVERY advised her that he was going to "kill her." STACHOWSKI stated she eventually stood up and called 911. Before STACHOWSKI could tell Dispatch what was going on, she stated AVERY ripped the phone out of the wall. STACHOWSKI stated AVERY then began choking her, to the point where she lost consciousness. When she awoke, STACHOWSKI stated AVERY was dragging her to his vehicle. STACHOWSKI stated they left the residence and were eventually stopped by an officer.

It should be noted that there was no physical evidence to support STACHOWSKI'S claim that she was physically assaulted by AVERY. There were no marks around her neck which would have supported the choking claim. There also was no type of redness or markings where STACHOWSKI claims she was struck by AVERY. STACHOWSKI showed these areas to myself and Chief Gilbert; however, nothing was observed. STACHOWSKI also was not willing to complete any type of paperwork associated with the DV incident. It should be noted that STACHOWSKI did admit that she had been consuming alcohol this evening. A distinct odor of intoxicants was detected on her breath.

I, Deputy Cummings, transported AVERY to MTSO Jail where he was booked in for DC-DVO, violation of State Stat. 947.01 (see attached Arrest Data Sheet).

AVERY'S vehicle was pulled to the shoulder of the roadway by WSP Trooper Hyer to prevent any type of traffic hazards.

09/05/04 @ 0053 Hrs.: DVC worker #136 was contacted and informed about this incident.

No further action taken. TACummings

/bjc DAI

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**MANITOWOC COUNTY SHERIFF'S DEPARTMENT
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REPORT CONTINUED:

01/19/05 @ 2000 Hrs.: I, Deputy Cummings, received a letter from Special Prosecutor RICHARD MOZINSKI (see attached). Within the letter, ATTY. MOZINSKI stated he had made contact with all officers involved. He also stated that he reviewed all of the reports submitted to his office involving this matter. After the review, ATTY. MOZINSKI stated the above matter should be handled by Co. Ord. for DC.

01/25/05 @ 2130 Hrs.: I arrived at 12930 Avery Rd, Two Rivers, where I made contact with STEVEN AVERY. Avery was issued Co. Ord. Cit. #MC17357 for DC, violation of Co. Ord. 6.19. He was given a non-mandatory court appearance date of 03/02/05 at 1030 hours. A copy of this Cit. is attached. A copy of the Cit. was sent to ATTY. MOZINSKI'S office.

No further action was taken. TAG *AM*

/bjc

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