

# CALUMET COUNTY SHERIFF'S DEPARTMENT

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Interview of:

Brendan Dassey  
Sheboygan County Sheriff's Department  
05/13/06

Reporting Officers:

Inv. Mark Wiegert  
Special Agent Tom Fassbender

## **INTERVIEW**

(door opens & closes)

FASSBENDER:      Yep. OK Brendan, just as a refresher, my name is Tom Fassbender and Mark Wiegert, you remember us from the last couple times we talked to you, right.

BRENDAN:          mm huh.

FASSBENDER:        OK and from th-the signs in here, you can see that this is being audio and video recorded again, OK.

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BRENDAN: mm huh.

FASSBENDER: We just have to get some things on the record, um and you need to tell me if they're true. I was told by your attorney, Mr. Len Kachinsky, that you wanted to talk to us, is that true?

BRENDAN: (nods "yes")

FASSBENDER: You need to talk cuz it's being recorded, if you could please.

BRENDAN: Yeah

FAASSBENDER: OK, ah, I was also told that Mr. Kachinsky spoke to you about this, is that true?

BRENDAN: Yeah.

FASSBENDER: OK, ah, Mr. Kachin-Kachinsky also told us that ah no promises were made to you on behalf of the state. Is that true?

BRENDAN: Yeah.

FASSBENDER: OK, ah because obviously you're in custody, we're gonna go through that Miranda Warning again. You remember that?

BRENDAN: Yeah.

FASSBENDER: OK, I've got a form here I'm gonna use and I'm gonna go through that, if you have any questions, ask me, OK?

BRENDAN: Yeah (nods "yes").

FASSBENDER: You have the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to consult with a lawyer before questioning, and to have your lawyer present with you during questioning. If you cannot afford to hire a lawyer, one will be appointed to represent you a public expense before or during questioning if you so wish. If you decide to answer questions now without a lawyer present, you have the right to stop the questioning and to remain silent at anytime you wish, and the right to ask for and have a lawyer present at anytime you wish including during questioning. Would you like ta read those over?

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BRENDAN: (shakes head "no")

FASSBENDER: Do you understand each of these rights?

BRENDAN: Yeah.

FASSBENDER: Realizing that you have these rights, are you now willing to answer questions or make a statement?

BRENDAN: (nods "yes")

FASSBENDER: OK what I'd like you to do for me is, that is, do you understand, each of these rights, initial there, initial there that you are willing to make a statement and then I need your signature there, OK?

(BRENDAN signing documents)

WIEGERT: I heard you were gonna watch a movie last night. What movie did ya watch?

(FASSBENDER signing documents)

BRENDAN: Well it wasn't a movie, it was, it was wrestling but I only got to watch 15 minutes of it.

WIEGERT: How come?

BRENDAN: Cuz it ended at 9:00 o'clock and we got done at 8:45 almost.

WIEGERT: Oh OK. (pause) Big wrestling fan?

BRENDAN: (nods "yes")

FASSBENDER: Is it All Star wrestling?

(WIEGERT signing documents)

WIEGERT: I don't think there isn't anymore All Star wrestling.

FASSBENDER: So whatever they call that. Professional wrestling?

BRENDAN: (nods "yes")

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FASSBENDER: Yeah. OK, I just want to remind you that again this is being recorded and audio recorded and I need you to speak up rather than nod if you can.

BRENDAN: OK.

FASSBENDER: OK, and we urge ya ta, you know, talk to us and tell us, you know, your version again, and what we, correct me if I'm wrong, what we told that is you wanted to speak with us, ah just to, you know, talk about some clarification of earlier statements. Um some areas where it may have been a little cloudy. Now Mark and I both know probably some of those areas. Ah, we've, we've had obviously an opportunity to look at the evidence and we're familiar with the evidence in the case. And even your last statement, there's some areas that we, we know ah that you may want to address, and you're probably gonna do that because they don't, they don't seem ta necessarily add up. Do you understand that?

BRENDAN: mm huh.

FASSBENDER: OK, because that's why we're here. Again, ah, I'd like to offer you the opportunity now to tell us about some of those things, and, and clarify some of those areas for us. We may follow-up with some questions 'um, but again, we prefer you to just, you know, you know those areas and you know the places where you need to ah finish or clarify so again speak up for us because it is being recorded and, and go ahead and tell us what, what it was you wanted to tell us.

BRENDAN: Starting with that day?

FASSBENDER: Certainly. Well, if there's something that's important prior to that day, that's fine too. But as it relates to that event.

BRENDAN: Well I came home off the bus and then walked home into the house and I played Playstation 2 until 5:00 o'clock, called, called my friend and watched TV and then at 6:00 o'clock I got a phone call from Blaine's boss and I told him that Blaine was going trick or treating and at 7:00 o'clock I got a phone call from Steven to see if I wanted to come over to the bonfire. I had told him I would and then while I was getting' ready, he called again and seein' when I was, what was taking me so long and so I went over there. He went to go pick up some stuff around the yard then after that we, he asked me to come in the house cuz he wanted to show me somethin'. And he showed me that she was laying on the bed ta her hands were ro-rope up to the bed and that her legs were cuffed. And then he told me ta have sex with her and so I did because I thought I was not gonna get away from 'em cuz he was too strong, so I did what he said and then after that, he untied her and uncuffed her and then he brought her outside and before he went outside, he told me to grab her clothes and her shoes. So we went inta the garage and before she went out, when before he took her outside, he ti, had tied up her hands and feet

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and then was in the garage and he stabbed her and then he told me to. And, after that he wanted to make sure she was dead or somethin' so he shot her five times and while he was doing that I wasn't looking because I can't watch that stuff. So I was standing by the big door in the garage and then after that, he took her outside and we put her on the fire and we used her clothes to clean up the, some of the blood. And, when we put her in the fire, and her clothes, we were standing right by the garage, to wait for it to get down so we threw some of that stuff on it after it went down. And then, 'bout 9:00 o'clock my mom came home and she called Steven on his cell phone to tell him that I was supposed to be home at 10:00 o'clock and she asked Steven if I had a sweater on. So while we waited for the fire to go down, by the time it did get down, it was probably close to 10:00 o'clock so he told me to go home, so I did, and then got in the house and I talked to my mom for a little bit, then I went to bed.

WIEGERT: Anything else?

BRENDAN: No.

WIEGERT: What about the truck, her truck?

BRENDAN: I never seen it. (shakes head "no")

WIEGERT: What do you mean you never seen it?

BRENDAN: I never seen it that day. (shakes head "no")

WIEGERT: OK. Why don't we go back to the beginning a little bit. Brendan, let's just clarify, you get off the bus with your brother.

BRENDAN: Um huh.

WIEGERT: That's Blaine?

BRENDAN: Yeah.

WIEGERT: OK, and you walk home.

BRENDAN: Mm huh.

WIEGERT: OK. And that's about what time?

BRENDAN: 3:45.

WIEGERT: And then what do you do when you get home?

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- BRENDAN: I go in my room and play Playstation 2.
- WIEGERT: And where does Blaine go?
- BRENDAN: Goes ta the phone.
- WIEGERT: OK. Is anybody else home at that time?
- BRENDAN: No.
- WIEGERT: Bobbie or anybody like that?
- BRENDAN: No, Bobbie was, he was gone bow hunting.
- WIEGERT: OK. What about Bryan?
- BRENDAN: (shakes head "no") He was working.
- WIEGERT: OK. In previous statements you had told us that you had left on your bike to go get the mail. Was that true?
- BRENDAN: Uh huh. (shakes head "no")
- WIEGERT: That was a lie?
- BRENDAN: (nods "yes")
- WIEGERT: Did you hear any screaming or anything like you had told us previously?
- BRENDAN: (shakes head "no") No.
- WIEGERT: OK. So you get home at 3:45 and you play Playstation and you play Playstation until what time?
- BRENDAN: 5:00 o'clock.
- WIEGERT: And then what happens at 5:00 o'clock?
- BRENDAN: Mom gets home so, I talk to her for a little bit, then she left with Scott.
- WIEGERT: OK, and whose home at this time then?

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- BRENDAN: Just me and Blaine.
- WIEGERT: OK. And what do you do after mom leaves?
- BRENDAN: Watch TV until Blaine goes up ta the road ta get picked up from his friend.
- WIEGERT: Is Bobbie home yet?
- BRENDAN: mm uh. (shakes head "no")
- WIEGERT: OK, so Blaine leaves the house to get picked up to go with a friend, and what do you do?
- BRENDAN: I was watching TV until say six o'er, 5:30 until I called Travis and then after that I got a phone call at 6:00.
- WIEGERT: Who called you at 6:00?
- BRENDAN: Blaine's boss.
- WIEGERT: OK.
- FASSBENDER: What's his name?
- BRENDAN: Mike.
- FASSBENDER: OK.
- WIEGERT: Mike what?
- BRENDAN: Cornelly (ph)
- WIEGERT: OK. So 6:00 o'clock Mike calls?
- BRENDAN: mm huh.
- WIEGERT: And then what?
- BRENDAN: Then I still watched TV after that and, then get a phone call at 7:00 from Steven.

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FASSBENDER: On what phone, home phone?

BRENDAN: mm huh.

FASSBENDER: And? Continue again.

BRENDAN: Then he asked me if I wanted ta come over ta bonfire and I said yeah and then while I was getting' ready, the phone rang again and it was Steven and he asked me if a, if I was gettin' ready.

WIEGERT: OK. So what happens next?

BRENDAN: Then I go over there and we started to pick up the yard with the golf cart.

WIEGERT: So you go over there do, you go in the house at that time?

BRENDAN: No. (shakes head "no")

WIEGERT: Where do you go?

BRENDAN: I go right back by the bonfire.

FASSBENDER: Is that where Steven is?

BRENDAN: mm huh.

FASSBENDER: And he, when did you to decide to go get the golf cart?

BRENDAN: Well he had it over there already.

FASSBENDER: Oh, did you hear anything outside at that point?

BRENDAN: No.

FASSBENDER: Did he tell you anything at that point? Of what he had done already.

BRENDAN: No. (shakes head "no")

WIEGERT: You've gotta be honest with us here Brendan, OK? This is your opportunity to be honest with us. OK?

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FASSBENDER: I look at it this way, we're giving you another opportunity, we didn't need to come back here. If we sit here and we feel that you're not being honest with you, we could just leave. So you go back by the fire you said.

WIEGERT: Is that true or is that not true?

FASSBENDER: We don't want you to tell us anything that's not true. I'd rather not, I'd rather have you not tell us anything than ta, ta sit here and make things up, because it's not gonna look good for you. You started to shake your head when Mark just asked you that, is that not true, you went back by the fire. Tell us what happened.

WIEGERT: Brendan, Brendan, look at me, Brendan just look up for a second. It's very important here that you be honest, OK? Tom said we can just walk out the door. I mean you're the one who wanted to talk with us OK? So let's, let's go back a little bit OK? What have ya lied about so far?

BRENDAN: Nothin'.

WIEGERT: OK. So when you go over to the house, do you go inside right away or do you go to the fire?

BRENDAN: Go to the fire.

WIEGERT: And what does he tell you?

BRENDAN: Just that he was gonna help, I was gonna help 'em pick up the yard.

WIEGERT: Did he tell you anything about Teresa at that time?

BRENDAN: No. (shakes head "no")

WIEGERT: All right. Continue.

BRENDAN: Then after we got cleaned up the yard a little bit and we unloaded the stuff near the fire and after a while he told me that he wanted to show me somethin' in the house.

WIEGERT: Did he say what he wanted to show you?

BRENDAN: No. (shakes head "no")

WIEGERT: OK. So what happens then?

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- BRENDAN: Then he brings me in the house and
- FASSBENDER: What door do you go in?
- BRENDAN: The one with the cemented stairs.
- FASSBENDER: That would be the side door by the garage?
- BRENDAN: Yeah.
- FASSBENDER: OK, so be, the reason I ask that question is as much detail as you can provide, do so, OK?
- BRENDAN: (nods "yes")
- FASSBENDER: Go ahead, continue.
- BRENDAN: Then we go into the house and he shows me that she's laying on the bed.
- WIEGERT: So when you into the house, I'm just gonna stop for a second, you go into the house, you right into the bedroom?
- BRENDAN: Well you turn left.
- WIEGERT: OK, and then you went into the bedroom? OK.
- BRENDAN: Yeah.
- WIEGERT: And she was, no go ahead, finish what you were saying, I'm sorry.
- BRENDAN: And then she was laying on the bed and he told me to have sex with her.
- WIEGERT: OK. Stop there for a second. You said she's laying on the bed. Is she saying anything?
- BRENDAN: Ta not listen to Steven.
- WIEGERT: OK, so there's nothing covering her mouth?
- BRENDAN: (shakes head "no")
- WIEGERT: And she's saying to you, don't listen to Steven.

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- BRENDAN: Yeah.
- WIEGERT: What else is she saying?
- WIEGERT: It's OK. Just get it off your chest. (pause) What else did she say Brendan?
- FASSBENDER: We know that part hurts. An-and it hurts to say it. But these are the types of detail we need to know Brendan, OK?
- WIEGERT: What does she say?
- BRENDAN: Ta ah, don't listen to Steven and try ta go get help or somethin'.
- WIEGERT: Is she screaming or anything like that?
- BRENDAN: No. (shakes head "no")
- WIEGERT: OK. Was she wearing any clothes when she was on the bed?
- BRENDAN: No. (shakes head "no")
- WIEGERT: How about socks?
- BRENDAN: No. (shakes head "no")
- WIEGERT: So she's totally naked?
- BRENDAN: mm huh.
- WIEGERT: What is she tied up to.
- BRENDAN: The bed things.
- WIEGERT: OK. How is she tied up? Explain that to me. What is, what, what did he use to tie her up?
- BRENDAN: Her hands were tied up with the rope and her feet were cuffed.
- FASSBENDER: OK. Describe the rope for us.
- BRENDAN: Well it was just yellow, yellowish.

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- FASSBENDER: How thick?
- FASSBENDER: Do you recall, or do you think it was a yellow rope?
- BRENDAN: mm huh.
- FASSBENDER: Describe me the cuffs for us.
- BRENDAN: Silver and they were leg cuffs.
- FASSBENDER: You're saying they were leg irons? They were designed for her legs?
- WIEGERT: Whose were, whose were those?
- BRENDAN: Steven's, I guess.
- FASSBENDER: Just ah, just silver, anything else?
- BRENDAN: mm uh. (shakes head "no")
- FASSBENDER: Describe again, I know this is hard and we asked you yah the last time, describe her body for us, including the, her private areas.
- WIEGERT: Let's start with her hair. What color hair did she have?
- BRENDAN: Brown.
- WIEGERT: How long?
- BRENDAN: 'bout down to her neck.
- FASSBENDER: Any, um, scars, marks, tattoos?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: that you recall?
- FASSBENDER: Does she have acne, pimples, stuff like that?
- BRENDAN: No. (shakes head "no")

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- FASSBENDER: Braces?
- BRENDAN: mmm, no. (shakes head "no")
- FASSBENDER: Any teeth that were crooked or missing or anything like that?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Was she bleeding at all?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Her pubic area, did she have pubic hair?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: You don't think she had pubic hair?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: In the first interview, you said she did. Which is right or don't you remember?
- WIEGERT: If you don't remember something Brendan, tell us you don't remember. You need to be honest with us here.
- BRENDAN: I don't remember.
- FASSBENDER: OK. Um, did you, do you recall seeing her, her breasts?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: You don't recall seeing them. Did you touch 'em.
- BRENDAN: No.
- FASSBENDER: Did, did you have sex with her?
- BRENDAN: Yeah.
- FASSBENDER: But you didn't touch her breasts?

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- BRENDAN: No. (shakes head "no")
- FASSBENDER: And we asked you this before, what does sex mean to you?
- WIEGERT: Brendan, what does sex mean to you?
- BRENDAN: When a guy and girl.
- WIEGERT: Do you know what the body parts are called?
- BRENDAN: Yeah.
- WIEGERT: OK. Well explain that to us. Whadda, whadda you do when you have sex?
- BRENDAN: The guy sticks his penis into the girl's vagina.
- FASSBENDER: OK. Is that what you did?
- BRENDAN: Yeah.
- FASSBENDER: And were you on top of her?
- BRENDAN: Yeah.
- FASSBENDER: So she was underneath you?
- FASSBENDER: Where were your hands when you were doing this?
- BRENDAN: On the sides of her.
- FASSBENDER: OK.
- WIEGERT: Could she say to you while you were having sex with her?
- BRENDAN: Ta stop what I was doing.
- WIEGERT: Do you know what it means to ejaculate?
- BRENDAN: Yeah.
- WIEGERT: Did ya do that?

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- BRENDAN: No. (shakes head "no")
- WIEGERT: How long did you have sex with her?
- BRENDAN: 'bout two minutes.
- WIEGERT: Why did ya stop?
- BRENDAN: I don't know.
- WIEGERT: Where was Steve at this time?
- BRENDAN: By the door.
- WIEGERT: What was he saying if anything?
- BRENDAN: He was sayin' nothin'.
- WIEGERT: OK. When your done having sex with her, what happens next?
- BRENDAN: He tells me to grab her clothes and he starts unravin' her.
- FASSBENDER: Starts un what?
- BRENDAN: Like unroping her and that?
- FASSBENDER: Oh, OK.
- BRENDAN: Then he ties up her hands and her feet and grabs her.
- WIEGERT: Ta, lets just stop you there for a second. Didn't she try to get away or kick or anything?
- BRENDAN: No.
- WIEGERT: What is she saying during this?
- FASSBENDER: Or was he saying? What's he telling her, Brendan?
- WIEGERT: Come on, Brendan. What's he telling her at this time? We know there's some talking going on, OK. We, we know that.

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BRENDAN: That he said that he was gonna take her out ta the garage and stab her and shoot her.

WIEGERT: He actually says that to her or does he say that to you or who's he saying that to?

BRENDAN: Ta both of us.

WIEGERT: And what is she saying when he tells her that?

BRENDAN: Ta not do that.

FASSBENDER: Does he have a weapon at this time when he's untying her and tying her back up?

BRENDAN: Well, when he was done roping her her roped her, he grabbed the gun and then he grabbed her.

WIEGERT: How'd he get her out to the garage?

BRENDAN: Through the door.

WIEGERT: No, I mean carrying her or her put her on something or what?

BRENDAN: Carrying her.

WIEGERT: Well, how did he carry her? What kind of, show me how, how's he carrying her?

BRENDAN: Like this.

WIEGERT: Did you help carry her?

BRENDAN: No.

WIEGERT: You told us last time you did. You told us last time you helped carry her out of the bedroom. Remember that?

BRENDAN: Yeah.

WIEGERT: OK, what's the truth?

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- BRENDAN: This one.
- WIEGERT: This one meaning what?
- BRENDAN: That he carried her.
- WIEGERT: And what did you take out?
- BRENDAN: Her clothes.
- WIEGERT: What was she wearing?
- BRENDAN: Nothin'.
- WIEGERT: Well, what kind of clothes were they?
- BRENDAN: Pants.
- WIEGERT: What kind of pants? Or what color, er?
- BRENDAN: Blue jeans.
- WIEGERT: OK.
- BRENDAN: And a T-shirt.
- WIEGERT: What color T-shirt?
- BRENDAN: Blue.
- WIEGERT: Are you guessing at that or do you know it was blue?
- BRENDAN: It was blue.
- WIEGERT: OK. Anything else?
- BRENDAN: Just, some shoes.
- WIEGERT: What kind of shoes? Do you remember?
- BRENDAN: Just that they were black.

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- FASSBENDER: Where's her underwear?
- BRENDAN: I don't know.
- FASSBENDER: You didn't see a bra or panties, underw underpants?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: How did he tie her? What configuration? You know what I mean?
- BRENDAN: Mm uh. (shakes head "no")
- FASSBENDER: Did he tie her hands in the front, back, arms, feet, tell me how he tied her up.
- BRENDAN: In the front.
- FASSBENDER: Tied her hands in the front. Did he tie her feet together?
- BRENDAN: Mm hum. (nods "yes")
- FASSBENDER: Did he tie anything else together?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: You said that he took the ri..the rifle down? The gun?
- BRENDAN: Yeah.
- FASSBENDER: Did you carry the gun out in the garage?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: So you want us to believe that he carried a body and a gun at the same time out into the garage.
- BRENDAN: Yeah.
- FASSBENDER: Ain't that nearly impossible to do unless you gave her the gun and then you carried the body?

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BRENDAN: No. (shakes head "no")

FASSBENDER: Well, show us then how he did that.

BRENDAN: Well he had the gun in his hands and he went under her and she was like right here.

FASSBENDER: OK.

WIEGERT: We asked you before about the clothes, OK? You're lying to me when your tellin' me you don't know where the bra and panties are. OK. I can tell that. Where are the bra and the panties?

BRENDAN: I don't know. (shakes head "no")

WIEGERT: They didn't just disappear, Brendan.

BRENDAN: I didn't see 'em.

WIEGERT: So, she's alive when you carry her out to the garage? And what time is that about?

BRENDAN: 8:35

WIEGERT: Why

FASSBENDER: 8:35

WIEGERT: Why do you know it's 8:35?

BRENDAN: Cuz we were inta the living, in the, in the bedroom at eight, 8:15.

FASSBENDER: And, how do you know that?

BRENDAN: Cuz, there's a clock right by the door there.

FASSBENDER: And again, how do ya know it was 8:35 when you went out ta the garage?

WIEGERT: Brendan, you wanna be honest with us, don't you? OK. Then just tell us what you know. Be honest. You need to keep this off your chest, don't you? Yeah. So then just be honest with us, OK? How do you know its 8:35 when you go into the garage or are you guessing or you know if that's the case, are you estimating the time what? Tell me.

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BRENDAN: Guessing.

FASSBENDER: OK. Wa, we're not here ta try and put words in your mouth or force you to say anything. OK? So it's all right if ya don't know or, or you guessing, say that word, well I'm guessing that's what it was or I believe it was blue, I'm not sure, you know, you know what I mean? Um, because its real important, and it is your words and your memory and, and that you tell us cuz this is potentially your last opportunity to do that. And I think Marks right, it's, it's the, we think, we feel your doin' it for the right reasons and it's because you feel it's the right thing to do. But Mark and I also, you know, will be talking to your attorney and we have ta tell your attorney, Len, that that we feel you that you did tell us the truth or did tell us everything, and that's important to.

WIEGERT: Because you know we have evidence about a lot of this stuff, right?  
You're aware of that?

BRENDAN: Yeah.

WIEGERT: And the evidence will tell us if you're lying or not. OK?

BRENDAN: Mm hum.

WIEGERT: Now where is her truck when you go into the garage?

BRENDAN: I didn't see it.

WIEGERT: Brendan at some point, she's in that truck. We know that. OK?  
Bleeding. So you can't say you didn't see the truck or know where the truck was because she had ta be in that truck after she was bleeding. OK? That's just the way it is. And I'm not gonna sit here and let ya lie ta me. You need to be honest here. We just went through that.

FASSBENDER: Mark and I don't wanna leave because we feel you deserve this opportunity cuz you're the one that came forward initially with this information. But we're not gonna sit here and listen ta this. Now sometimes you tend, you seem to be honest about some part and then for some reason then you're not totally honest about other parts and its maybe cuz those other parts bother you a lot. And we understand that. And that it can be difficult ta talk about. But we came out here today, you know Saturday morning, because we wanted ta give you that, that chance cuz you said you wanted ta talk. We know you were involved in this. There's no question about that but we're just looking for the detail so we can you know so we match everything up with the evidence, and, and so we can believe what you say. Do you understand that?

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BRENDAN: Yeah.

WIEGERT: Brendan, you have the opportunity here to do the right thing, for a change. OK? You have the opportunity to do the right thing for her and her family. OK? Why don't you take that opportunity to do the right thing? OK? You wanna to do that? Do you wanna do the right thing?

BRENDAN: Yeah.

WIEGERT: OK. Then tell us the truth.

FASSBENDER: Let's start with the truck. That's a good place ta start. There's other places we're going, but the truck is a good place ta start. Tell us the truth about the truck.

BRENDAN: It was backed inta the garage.

WIEGERT: OK. Let's start with when you bring her out ta the garage. Where do you put her?

BRENDAN: On the floor.

WIEGERT: And continue, tell us what happens.

BRENDAN: And then he stabs her and then he tells me to and then he puts her inta the jeep and then he said he would rather burn her so then he put her back on the floor and then he shot her five times.

WIEGERT: Where does he stab her?

BRENDAN: In the chest.

WIEGERT: Show me where.

BRENDAN: Like right here.

WIEGERT: Where do you stab her?

BRENDAN: In the stomach.

WIEGERT: What does she say when you stab her?

BRENDAN: Ta stop what I was doin'.

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WIEGERT: What's that? Is she screaming?

BRENDAN: Yeah.

WIEGERT: Is she screaming and saying stop what you're doing? Is she swearing at you? Is she struggling or what? Tell us how that happened.

BRENDAN: Just that she was crying a lot.

WIEGERT: Are you holding her down?

BRENDAN: No.

WIEGERT: Who is?

BRENDAN: Steven is.

FASSBENDER: OK. Steven goes out and he puts her on the floor in the garage. Where does he get this knife that he stabs her with? Truthfully.

BRENDAN: Out in the garage.

FASSBENDER: So th-this knife is in the garage. And you remember the drawing you made of that knife?

BRENDAN: Mm hum.

FASSBENDER: Was that an accurate drawing or is it different? It's very important.

BRENDAN: It was somethin' like that.

FASSBENDER: What color was it?

BRENDAN: Black.

FASSBENDER: Black handle? Where's the gun at this time?

BRENDAN: In the garage.

FASSBENDER: He set it somewhere?

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- WIEGERT: Where in the garage did you get the knife from?
- BRENDAN: From in the back of the, in the, cuz he's got like a workshop in the back.
- WIEGERT: Yeah.
- BRENDAN: It was laying on there.
- FASSBENDER: So she's laying on the garage and he goes and gets the knife and then what did he do?
- BRENDAN: He walks back over by her and then stabs her.
- FASSBENDER: How does he stab her? Does he get on top of her, 'er what does he do?
- BRENDAN: He was down by her.
- FASSBENDER: Is she fighting now? (pause) Brendan?
- BRENDAN: A little bit.
- FASSBENDER: What's he telling her? Is he telling her anything?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: And he stabs her in the chest. And where you showing Mark and I that would be where? What's underneath there? What organ is in that area? Any organ in particular?
- BRENDAN: Not that I know of.
- FASSBENDER: Where's your heart located?
- BRENDAN: Over here.
- FASSBENDER: Over there. But he stabbed her right in the middle of the chest?
- BRENDAN: Mm hum.
- WIEGERT: And does he hand you the knife then or how do you get the knife?
- BRENDAN: He tells me ta, ta stab her and

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- WIEGERT: So how do you get the knife?
- BRENDAN: He hands it to me.
- WIEGERT: Is there blood on the knife?
- BRENDAN: Yeah.
- WIEGERT: You told us in another interview that you cut her throat. Did you cut her throat?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Why did you tell us that? Brendan, why did you tell us that?
- BRENDAN: Too nervous.
- WIEGERT: OK. Are you nervous now?
- BRENDAN: A little.
- WIEGERT: Well, what's the truth? Tell me what the truth is.
- BRENDAN: That I stabbed her in the stomach.
- WIEGERT: OK.
- FASSBENDER: Brendan, you know people get nervous when they, when they lie. OK. So you stabbed her in the stomach. Is she alive? You said Steven stabbed her first. Is she still alive when you stab her?
- BRENDAN: She wasn't movin'.
- FASSBENDER: Was she talking, were her eyes open anything like that?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Did you see her breathing?
- BRENDAN: No.

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- FASSBENDER: Was there any gurgling going on or anything like that?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: How deep did the knife go in when Steven stabbed her? Do you know?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Were you watching?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: How do you know he stabbed her? (pause) Simple question.
- BRENDAN: Cuz after then when he told me ta stab her there was a hole in her stomach.
- FASSBENDER: In her stomach?
- BRENDAN: In the chest.
- FASSBENDER: Did he tell you where ta stab her?
- BRENDAN: No.
- FASSBENDER: You just stabbed her in the stomach. How deep did you put the knife in?
- BRENDAN: Like three inches.
- FASSBENDER: Show us with your fingers. (Brendan demonstrates)
- FASSBENDER: 'bout that deep.
- WIEGERT: What did it feel like when you did that? I mean did you hit anything when you went into her?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Take my pen and show me, what you would, how you did it.
- BRENDAN: Like (Brendan demonstrating)

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- WIEGERT: And how many times?
- BRENDAN: Once.
- WIEGERT: Did you leave the knife in or did you pull the knife out or what?
- BRENDAN: I pulled the knife out.
- WIEGERT: OK.
- WIEGERT: And then, what, what happened to the knife?
- BRENDAN: I gave it back to him.
- WIEGERT: And then what happened to the knife?
- BRENDAN: He set it on the floor.
- WIEGERT: Where is that knife now? Oh, you know. Just tell us where the knife is.
- FASSBENDER: Honestly Brendan.
- WIEGERT: What did you guys do with the knife?
- FASSBENDER: It's important.
- BRENDAN: We put it inta the jeep.
- WIEGERT: What jeep?
- BRENDAN: Hers.
- WIEGERT: OK. And then what?
- BRENDAN: And then (pause) after that he took the gun and shot her five times.
- WIEGERT: OK. And where did he shoot her? Where in the body?
- BRENDAN: I don't know.
- FASSBENDER: Why don't you know?

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BRENDAN: Cuz I wasn't looking.

WIEGERT: But you shot her too. Brendan, did you shoot her?

BRENDAN: No.

WIEGERT: You sure? I think you did.

BRENDAN: I never touched the gun.

FASSBENDER: The first time you told us ah 10 times, about 10 times, that you shot her. And you told us where he shot her. Were you lying then or are you lying now?

BRENDAN: I was lying ah then.

FASSBENDER: Why? Why are there 10 shell casings or more on that garage floor?

BRENDAN: Well there's gun shells all over the place though.

FASSBENDER: Were there gun ca-shell casings before you took her in there?

BRENDAN: I don't know. I never seen none.

WIEGERT: What kind of gun was it?

BRENDAN: A .22.

WIEGERT: And whose gun was it? Was it your gun?

BRENDAN: No. (shakes head "no")

WIEGERT: Whose gun was it?

BRENDAN: The owner of the house's.

WIEGERT: And whose trailer was it in?

BRENDAN: The one where Steven was living at.

WIEGERT: And, where in that trailer was the gun?

BRENDAN: In the bedroom.

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WIEGERT: Where in the bedroom?

BRENDAN: In 'er on the wall.

FASSBENDER: Brendan, we don't, we don't want to make this more difficult on you than it already is. OK. So you need to tell us the truth. If the truth doesn't match up with the facts, you know I'm ready to tell Mark we're leavin'.

WIEGERT: I'm pretty close too because you're not telling us the truth and you're not telling us everything you know. You're lying to us.

FASSBENDER: You're telling us bits and pieces of the truth.

WIEGERT: And I'm not gonna sit here Brendan and allow you to lie to me anymore. I don't need you to. I've got enough evidence without you. If you wanna help yourself, you have that opportunity right now to do that. Is that what you wanna do? Do you wanna help yourself? Then why are you lying? Look at me Brendan. Brendan? Brendan. Brendan.

BRENDAN: What?

WIEGERT: Look at me once.

BRENDAN: I don't want to.

WIEGERT: Why? Do you wanna continue this and talk with us and be honest with us so we can get through this, get this off your chest?

BRENDAN: The last time .....the gun was on th-the rack.

WIEGERT: OK. Did you shoot her?

BRENDAN: No. (shakes head "no")

WIEGERT: How many times did Steve shoot her?

FASSBENDER: To the best of your memory.

BRENDAN: Well I heard five shots.

WIEGERT: OK.

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FASSBENDER: Could it have been more or could it have been less? Your memory says five. Is that what you're saying to us?

BRENDAN: mm huh..

FASSBENDER: OK.

WIEGERT: What else happened in that garage to her? There's some other things that we have evidence of but you need to tell me. (pause) What else happened in that garage? (pause) You guys did some other things to her. Just tell us.

BRENDAN: I didn't do nothing else.

WIEGERT: OK. What else did Steve do? Come on, it's OK. What else did Steve do to her?

BRENDAN: I don't know.

WIEGERT: After you shoot her, what do you do next?

BRENDAN: I didn't shoot her.

WIEGERT: OK, after Steve shoots her, what do you do next?

BRENDAN: He sets the gun down.

WIEGERT: OK. Then what?

BRENDAN: Then he takes her out to the fire and then puts her in the fire and then he came back to the garage and

WIEGERT: OK, stop. I know that's not true. You're forgetting something. After you guys shoot her, she's on the ground in the garage. Right? On the floor?

BRENDAN: mm huh.

WIEGERT: Where, what do you do with her after that? (pause)

FASSBENDER: Do you put her in the jeep?

BRENDAN: No. (shakes head "no")

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- FASSBENDER: So, did he put her in the jeep?
- BRENDAN: Yeah.
- FASSBENDER: After she was shot?
- BRENDAN: Yeah.
- FASSBENDER: And again, how did he pick her up and put her in the jeep?
- BRENDAN: The same way he did, with the, in the bedroom.
- FASSBENDER: Did you help him?
- BRENDAN: No.
- FASSBENDER: Did you open the back of the jeep? So he could put her in there?
- BRENDAN: It was already open.
- FASSBENDER: Why did he put her in the back of the jeep? What did he say?
- BRENDAN: He said that he was gonna try to crush it before anybody noticed.
- FASSBENDER: OK.
- WIEGERT: With her in it?
- BRENDAN: mm huh.
- FASSBENDER: What changed his mind? Do you know?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: So then he carries, he takes her out of the jeep and puts her back on the floor and decides to take her out to the fire.
- BRENDAN: Yeah.
- FASSBENDER: Do you use that creeper thing?
- BRENDAN: No.

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- FASSBENDER: Why did you tell us that?
- BRENDAN: I don't know.
- FASSBENDER: Did you help him take her out to the fire?
- BRENDAN: No.
- FASSBENDER: When he came back from the fire, he had put her on the fire, now you come back from the fire, or he does, what do you guys do?
- BRENDAN: We start to clean up the blood.
- FASSBENDER: The jeep's still in the garage? Her jeep?
- BRENDAN: Yeah.
- FASSBENDER: Okay, then whadda ya use to clean up the blood?
- BRENDAN: Her clothes.
- FASSBENDER: Any, anything else?
- BRENDAN: Bleach, gas and paint thinner.
- FASSBENDER: Was there a lot of blood on the floor? (pause) In your estimation, was there a lot of blood on the floor?
- BRENDAN: Yeah.
- FASSBENDER: Did her, did her clothes get pretty soaked with it?
- BRENDAN: Yeah.
- FASSBENDER: Now those jeans that we took out of your house, were those the jeans you used that night?
- BRENDAN: Yeah.
- FASSBENDER: You were wearing?

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- BRENDAN: Yeah.
- FASSBENDER: And what jacket were you wearing?
- BRENDAN: I didn't have a jacket on.
- FASSBENDER: You didn't. What kinda shirt were you wearing? Do you remember?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Do you remember what shoes you were wearing?
- BRENDAN: Not really.
- FASSBENDER: After you clean up the garage, then what do ya guys do?
- BRENDAN: We take the clothes and we throw, throw them in the fire.
- FASSBENDER: Continue.
- BRENDAN: And then we wait for a little bit then we throw the rest of the stuff on.
- FASSBENDER: What's the rest of the stuff?
- BRENDAN: The van seat and the cabinet.
- FASSBENDER: OK. Then what do ya do?
- BRENDAN: We wait for it to go down.
- FASSBENDER: What about the jeep? The RAV4? (pause) We, we know certain things happened. But we also don't want you to lie to us or make anything up. What happened to the RAV4?
- BRENDAN: He took it down in the pit.
- FASSBENDER: Did you go with him?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Last time you told us you went with him.

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WIEGERT: How did your DNA get in the truck?

BRENDAN: It ain't.

WIEGERT: And how do you know that?

BRENDAN: Cuz I never went in it.

WIEGERT: Do he drives the truck down there himself? I don't think so. Brendan, did you help him take the truck down there. If you did, so what.

BRENDAN: I didn't.

WIEGERT: Where were you when he did that?

BRENDAN: I was at home.

FASSBENDER: You went home, home, to your house?

BRENDAN: mm huh.

FASSBENDER: Who was home?

BRENDAN: My mom.

FASSBENDER: See, I can't believe that now. I'm sorry. Your mom wasn't home. Your mom was at Scott's.

WIEGERT: Brendan, d-do you want us to walk out of here? Is that what you want? Then quit lying to us.

FASSBENDER: First version you say you went down and ended up yet with Steven with the RAV4. You saw some things down there. You told us about those things. Where'd you come up with that? You told us that Steve took the license plates off the vehicle. You told us that Steven went under the hood of the vehicle. What did you just grab that out of the air? How do you know those things?

BRENDAN: Just guessing.

WIEGERT: Your mom's not home. Why did you just lie about that?

BRENDAN: Well he didn't, didn't take the jeep down right away.

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- WIEGERT: When did he take the jeep down?
- BRENDAN: Well he told me he was gonna take it at nighttime.
- WIEGERT: You helped him didn't you?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: 10:00 o'clock is nighttime. What do you mean by nighttime?
- BRENDAN: He said after the fire would go down he would take it down to the pit and then at that time I was at home.
- FASSBENDER: And who was home.
- BRENDAN: Just my mom.
- WIEGERT: Where's Bobby?
- BRENDAN: He's over, he's, he slept over by his friend's house.
- FASSBENDER: When did Blaine get home?
- BRENDAN: At 11:30.
- WIEGERT: How much blood did you have on you?
- FASSBENDER: The truth.
- BRENDAN: A little bit.
- WIEGERT: Where was it?
- BRENDAN: On the pants.
- WIEGERT: What about your hands? (pause) What about your hands?
- BRENDAN: A little.
- WIEGERT: Show me again. Grab, take this pen like it's the knife, OK. Tell me how you stabbed her and how hard you stabbed her. Right here. (Mark demonstrates) I mean, how

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hard did you do it? (Brendan demonstrates) That's it? I don't think so. You do that you're not even gonna pierce the skin. Be honest here. How hard did you stab her? Show me. (Brendan demonstrates) OK. Now if you do that, you know what happens? Blood spurts out, right? So where did the blood go on you? Where did you have blood on ya?

BRENDAN: My pants and my hands.

WIEGERT: How did you get that blood off your hands?

BRENDAN: Washed it off.

WIEGERT: You know how I can tell when you're lying to me, Brendan? Your voice changes. I've been doing this job a long time along with Tom, OK. You can't fool us, OK. You can't continue to lie and expect us to believe this. Do you think you're that smart that you can fool us, Brendan? Do you want to talk with us and tell us the truth?

BRENDAN: Yeah.

WIEGERT: OK, then tell us the truth. Where did that knife go?

BRENDAN: It was in the jeep.

FASSBENDER: OK. We'll give you that. It was in the jeep. What Steven say he did aft, he did with it after that?

BRENDAN: He didn't tell me nothin' about it.

FASSBENDER: What, what happened to her underwear?

WIEGERT: That we know you know.

BRENDAN: No I don't.

WIEGERT: You do.

BRENDAN: I didn't see um.

FASSBENDER: The first time we talked to you or the second time you talked about cutting her hair off. Where did the hair go? Did you cut her hair off?

BRENDAN: Yeah.

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FASSBENDER: Where did that happen?

BRENDAN: In the, in the bedroom.

FASSBENDER: What ya cut the hair off with?

BRENDAN: The knife.

FASSBENDER: The knife you guys found in the garage?

WIEGERT: It doesn't make sense.

FASSBENDER: It's impossible. You took her out to the garage and that's when you got the knife. Explain how that can be. (pause) Did you cut her hair off?

BRENDAN: No.

FASSBENDER: Then why did you just tell us you did? Brendan?

BRENDAN: I don't know.

WIEGERT: Didn't you ask us to come here and talk to you? Yes or no?

BRENDAN: Yeah.

WIEGERT: Why did you ask us to come here? So you could lie to us? So you could tell us the truth? When you gonna start that? What do you think your mom would say if she knew you were sitting here lying to me?

BRENDAN: I don't know.

WIEGERT: You think she'd be okay with that?

BRENDAN: No.

WIEGERT: Do you remember what your mom said in court last week.

BRENDAN: No. (shakes head "no")

WIEGERT: OK, should I refresh your memory? Your mom said that Brendan doesn't lie and that Brendan never lies to police officers. Do you remember her saying that?

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BRENDAN: Yeah.

WIEGERT: OK. So when I walk out this door right now and I go call your mom and tell her that you've been lying to me, what do you think she's gonna to say? You think she'll be mad at you?

BRENDAN: Yeah.

WIEGERT: Do you want her mad at you? Then why are you lying? You're gonna tell us the truth now? A simple question. Where is the knife? Where is the knife, Brendan?

BRENDAN: In the house.

WIEGERT: In whose house?

BRENDAN: What do you mean in the beginning?

WIEGERT: No, I mean where is it now?

BRENDAN: In the jeep.

FASSBENDER: Whadda ya mean in the beginning? You mean where you got the knife from? Where did you get the knife from?

BRENDAN: In the kitchen.

FASSBENDER: Brendan, I'm gonna tell you what. I just about had enough and I'm, I'm gonna leave and I'm gonna take Mark with me, um, and we're gonna talk and if Mark can convince me to come back in, if that's what he even wants, we'll come back in, to give you a moment to think about. If we come back in, just tell us the truth. We're gonna take you through it if we come back in, you can tell us the truth and we're gonna ask you some tough questions. If you changed your story between, we'll ask you why, cause that's important. OK?

WIEGERT: OK. What he's saying is you got one opportunity left. You understand that? You gonna take that opportunity? Think about it. You got one more chance to tell the truth or we're done. Got it? Do you want a soda or water or anything? (Brendan nods "no") One more opportunity if I can convince him to come back.

(Break)

(door opens and closes)

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(door opens and closes)

WIEGERT: All right, we decided we're gonna talk to ya one more time, OK and give you the opportunity again. OK, now this is gonna be the last opportunity you have, OK? Do you understand that? You just need ta sit back, relax a little bit OK, and then you're a little, you're a little tense, right? Can you relax for me? Sit back relax, we're gonna go through this again. But this time you need to be honest and truthful because if you don't, we're leaving. Do you understand that? Your mom told me you'd be honest with me. Don't let your mom down. You have an opportunity here to do one last thing for Teresa. And that's by coming clean on this. And your mom told me that you would and I haven't called her yet to tell her that you lied to me, but if I will do that, what do you think she's gonna say to you? She's gonna be mad.

WIEGERT: Yeah. I don't wanna to do that. I want you to be honest with me, OK? So let's sit back, just relax. Let's start over again. OK.

FASSBENDER: Take a deep breath, take a big breath, let it out OK?

WIEGERT: Can you look up at all?

BRENDAN: (shakes head "no")

WIEGERT: Why not? Why can't ya? You feel better just leaving your head down?

WIEGERT: All right, well then we'll do that. First of all Brendan, were you involved with the murder of Teresa Halbach, yes or no?

BRENDAN: Yes.

WIEGERT: Who else was involved with it?

BRENDAN: Steven.

WIEGERT: Steven who?

BRENDAN: Avery.

WIEGERT: OK, anybody else?

BRENDAN: No.

WIEGERT: OK, that's the hard part; you've already admitted it, OK. That's over. You know the rest of it is just details. It's stuff you don't have to lie about now. Think about

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that. You don't need to lie about anything anymore. You don't need to lie about anything. We know you lied to us in the past, right? But you don't need to do that anymore, you've already admitted that you're involved, that's the hard part, it's over. So now the easy part comes, just tell us what happened, that's all, just tell us what happened. Do this one last good deed in your life for Teresa. For Teresa's mom. We told her that you'd be honest with us, don't let her down, OK? Can you do that? If you can't, tell me, we'll leave. You need to talk to me though, talk to me. Can you do that, can you be honest, yes or no?

BRENDAN: Yes.

WIEGERT: Do you want to be?

WIEGERT: I can't hear you.

BRENDAN: Yeah.

WIEGERT: Are you going to be?

BRENDAN: Yeah.

WIEGERT: Then do the right thing here, let's talk. Tell us what happened.

BRENDAN: Where should I start?

WIEGERT: Let's start at the beginning. You come home from school.

BRENDAN: Came home from school and walked down the road to ah our house, went inside, and I played Playstation 2 until 5:00 o'clock, while Blaine was on the phone and mom came home and I talked to her for a little bit and she left with Scott, and then at 5:30 Blaine left, then I watched TV 'til

WIEGERT: Just estimate, if you don't know what time, just say about.

BRENDAN: 'bout 5:45 and I called TRAVIS and after I was done with that, I watched a little TV and then I answered the phone and it was BLAINE's boss, MIKE.

WIEGERT: Are you sure about that, I don't think that's true. You know why I think it's not true?

BRENDAN: Why?

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WIEGERT: Because we looked at the phone records. We've got all your phone records. We've got every record there is, everybody's phone, everybody who lived out by you, and every friend, every relative, every boss. I've got a file of yours, as big as this room, three of 'em, full of information in this case, so I know when you're lying. You need to realize that. I know when you're lying. Did he actually call you? The details are easy Brendan.

BRENDAN: No

WIEGERT: OK. Then why did you say he called?

BRENDAN: Cuz one of the days he did.

WIEGERT: Did he call you that day?

BRENDAN: No.

WIEGERT: Then why did you say it? I don't understand why you're lying. You told me you wanted to be truthful with me. You told me I could tell your mom that you were honest. Can I do that now? You just lied to me. So, the truth is you were over by Steve's earlier, that's the truth. Isn't it?

WIEGERT: Yeah, what time did you go by Steve? You know what, you know what Brendan.

BRENDAN: Huh?

WIEGERT: He's gonna tell his version of the story, you know what that version is gonna be? What do you think it's gonna be?

BRENDAN: I don't know.

WIEGERT: It's gonna be that Brendan did all this, he doesn't want to go to prison, he doesn't give a shit about you. It's gonna be Brendan, Brendan, Brendan. So this is your opportunity to be honest and tell the truth. Are you gonna do that or not, yes or no?

BRENDAN: Yes.

WIEGERT: OK, then tell me the truth.

BRENDAN: I went over there like at 4:00 o'clock.

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WIEGERT: Why did you go over there? You had this stuff planned out already, didn't you? You and Steve had this planned?

WIEGERT: Yeah? Yes or no?

BRENDAN: Yeah.

WIEGERT: OK and when did you plan it?

BRENDAN: For a few days.

WIEGERT: OK. And what did you have planned? Tell me what you had planned. (pause) Come on. Brendan did you have this planned? Yes or no?

BRENDAN: Yes.

WIEGERT: Who did you plan it with?

BRENDAN: Steven.

WIEGERT: When?

BRENDAN: A few days before it happened.

WIEGERT: OK, and what did you have planned to do? (pause) The details are easy, come on, you've already given me that you were involved in it, so just go on with the details, paint a picture for me. Obviously I know already, I know a bunch of this already. I keep proving that to you. The details are easy, just tell me what you guys planned and what you did, no sweat.

BRENDAN: That I had sex with her.

WIEGERT: Well let's back up a second. You said you planned this a couple days earlier, is that true or not? Yes or no?

BRENDAN: Yes.

WIEGERT: OK, so where did you plan this, by Steve's house or your house, or in the car or what, up north, or what?

BRENDAN: In Steve's house.

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WIEGERT: OK. And what did you guys plan to do, what was your plan? (pause)  
Brendan talk to me, 'er what was your plan?

BRENDAN: We did it because Steven wanted to go back to jail.

WIEGERT: Did he tell you he wanted to go back to jail?

BRENDAN: Yeah. Cuz he missed it.

WIEGERT: He didn't tell you that. Did he? Did he tell you that yes or no?

FASSBENDER: Brendan, I'm just gonna say one thing, i-if Mark's gonna continue to talk to ya, I know that a lotta, a lotta your relatives and friends have told you things, Travis, Steven, through ma, Jodi, you got a lot of different things going through your head, a lot of different versions of things and the truth. The truth, I don't know if it means a lot to you, but you know what the truth is. And it's important that you tell us the truth because at least someone might think it means something to you. You've got to discount, or you gotta forget about everything all these people telling you what happened, what to say, what not to say. Put all those out of your head and just tell us the truth. Because we can't keep sayin', we know the truth is you were involved. And Steven was involved, and it was probably planned but now as MARK takes you through this, you have to let go of all these other things people told you to say, weren't you here at that time? You were there at that time, this person called, all those, those things that, that all these people have told you on the phone and through people, and just tell what you know is a fact. Do you know what a fact is? Brendan?

BRENDAN: Sort of.

FASSBENDER: A fact is something that's true. That's something that really happened. And sometimes it can get difficult to sort between the facts and everything else that people have been telling you and stories that maybe you wanted to make up because it was a-a horrible thing that happened. So if Mark starts talking to you before he walks out of here again, you need ta just tell him the facts, the truth, OK?

WIEGERT: If I walk out, I'm not coming back. Understand? Let's try this again. Did you plan this? You and Steve plan this? Yes or no?

BRENDAN: Yes.

WIEGERT: When did you plan it?

BRENDAN: A few days before it happened.

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WIEGERT: OK. Tell me about that day when you planned it. What was it, what did you talk about? What did you plan to do?

BRENDAN: 'bout what we were gonna do and that.

WIEGERT: Well ya, what were, tell me what the plan was. What were you gonna do? Do you understand what I mean? OK, when you make a plan was that like a list of things you're going to do for the day. Right? Is that what a plan is?

BRENDAN: Yeah.

WIEGERT: OK, so did you make some type of a list that you were gonna do that day? (pause) Come up with an idea?

BRENDAN: Not really.

WIEGERT: OK. Well what did you talk about with Steve a couple days prior to? (pause) Brendan what did you talk about? (pause) I can't hear you.

BRENDAN: I can't remember.

WIEGERT: OK.

FASSBENDER: What did it involve?

WIEGERT: Just give me an idea of what Steve told you he was going to do.

BRENDAN: Like how he was gonna do it and without someone seeing it.

WIEGERT: Did he tell you who he was going to do it to?

BRENDAN: Yeah.

WIEGERT: And who did he say he was going to do it to?

BRENDAN: Teresa.

WIEGERT: Why did he pick Teresa?

BRENDAN: Cuz she was comin' over that day.

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WIEGERT: Did he tell you she was coming over? (pause) Did he tell you she was coming over?

BRENDAN: Yeah.

WIEGERT: And what did he say he was going to do?

BRENDAN: That he was gonna to kill her.

WIEGERT: Did he say why?

BRENDAN: No.

WIEGERT: Did he tell you to come over then? To help him or what did he tell you? What did he tell you Brendan?

BRENDAN: That he wanted me ta help 'em.

WIEGERT: And did you agree to do that?

BRENDAN: Yeah.

WIEGERT: All right, so on Halloween, October 31<sup>st</sup>, what happens? (pause) On Halloween, October 31<sup>st</sup>, what happens?

BRENDAN: I get home from school, go into the house, and while we were, me and Blaine were walking down to the house, we were arguing, seeing who can use the phone first, and he said he was gonna call Jason, so he did then, (pause) at first he didn't get hold of 'em so then he called him later on, then I went over by Steven.

WIEGERT: What time did you go by Steven?

BRENDAN: 'bout 4:00.

WIEGERT: Did you know that Teresa was there already?

BRENDAN: Yeah.

WIEGERT: How did you know that?

BRENDAN: Cuz we planned it.

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WIEGERT: Planned it?

WIEGERT: OK. So when you planned it, did you plan that, you know, if he got the girl, that you could get some? Was that the plan? Or was the plan just to kill her, or what was the plan? (pause) Tell me what the plan was. (pause) Tell me what the plan was.

BRENDAN: That he just wanted ta kill her.

WIEGERT: Why did he just want to kill her?

BRENDAN: I don't know.

WIEGERT: Well what did he tell you? Did he tell you anything? Yes or no?

BRENDAN: No.

WIEGERT: He just said he wanted to kill her?

BRENDAN: Well jus that he was pissed off because Jodi wasn't with him anymore.

WIEGERT: OK. So he was pissed off that Jodi wasn't with him anymore so then he was gonna kill Teresa. Did he talk about a plan about having sex with her first, did he talk about that?

BRENDAN: No.

WIEGERT: OK, so he was pissed off that Jodi was in jail so that's why he was gonna kill Teresa. So OK, you go over to the house about 4:00 o'clock and you already know she's there, that's what you told me, and what happens when you get ta the house?

BRENDAN: We start to talk.

WIEGERT: Whose we?

BRENDAN: Me and Steven.

WIEGERT: OK, good. Then what?

BRENDAN: And after we're done talking.

WIEGERT: After you're done talking?

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- BRENDAN: He asked me if I wanted a soda and
- WIEGERT: Then what? (pause) He asked you if you want a soda and then what?
- BRENDAN: And I said yeah and then he went up and got one for me and he came back and gave it to me and-and we sat there drink, we drank, drank it.
- WIEGERT: Where were you?
- BRENDAN: In the living room.
- WIEGERT: Where's Teresa?
- BRENDAN: In the bedroom.
- WIEGERT: OK, after you drank your soda, what did you talk about? Honestly, what did you talk about?
- BRENDAN: 'bout what we were gonna do with her.
- WIEGERT: OK. And what did he suggest?
- BRENDAN: That at nighttime he would shoot her.
- WIEGERT: OK, after you have your soda in the living room, what do you do next?
- BRENDAN: We go into the room where she is, and talk, and
- WIEGERT: What do you talk about in the room where she is?
- BRENDAN: 'bout what else we were gonna do to her.
- WIEGERT: OK, and what else were you gonna do to her?
- BRENDAN: Have sex with her.
- WIEGERT: OK, and what do you do after you're done talking about having sex with her?
- BRENDAN: And he said that we would do that later and so he told me to go home before my mom came home and, so I did and then she left and Blaine left. He called me and told

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me to come over. And he said that he had a bonfire. So we went around to pick up the yard and that.

WIEGERT: mm huh.

BRENDAN: And then when we had all the stuff picked up, he told me to come in the house and to start what we were planning.

WIEGERT: OK.

BRENDAN: So I did and then

WIEGERT: Which was what?

BRENDAN: To have sex with her.

WIEGERT: So you had sex with her at that time?

BRENDAN: mm huh.

WIEGERT: Did you take all your clothes off?

BRENDAN: Yeah.

WIEGERT: OK. Di-so then you like laid on top of her?

BRENDAN: Yeah.

WIEGERT: Did you kiss her?

BRENDAN: No.

WIEGERT: Did you touch her breasts?

BRENDAN: No.

WIEGERT: Did you lick her breasts?

BRENDAN: No.

WIEGERT: What else did you do to her?

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- BRENDAN:           Nothin'.
- WIEGERT:           Well tell me what you did with her.
- BRENDAN:           Just had sex with her.
- WIEGERT:           When did Steve have sex with her?
- BRENDAN:           Probably between when I was at home.
- WIEGERT:           Between the time you left the trailer and came back to the trailer, you think?
- BRENDAN:           Yeah
- WIEGERT:           Did he tell you he had sex with her?
- BRENDAN:           No.
- WIEGERT:           What was Steve wearing, do you remember?
- BRENDAN:           Red shorts and a gray T-shirt.
- WIEGERT:           What were you wearing?
- BRENDAN:           Blue jeans and a sweater.
- WIEGERT:           What about a jacket?
- BRENDAN:           No.
- WIEGERT:           What kind of shoes? (pause) Do you remember?
- BRENDAN:           No.
- WIEGERT:           All right, after you come back to the trailer, what time do you think that is about? Do you remember when you had sex with her about what time?
- BRENDAN:           'bout 8:15.
- WIEGERT:           What happens after you have sex with her?

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- BRENDAN: That he grabs her and that.
- WIEGERT: Tell me how he does that, you mean he grabs her?
- BRENDAN: He ties her up and then he-he grabs her and
- WIEGERT: You both grabbed her didn't you? You helped carry her into the garage, right?
- BRENDAN: No.
- WIEGERT: OK. So he carries her to the garage. Is she alive?
- BRENDAN: Yeah.
- WIEGERT: What is she saying?
- BRENDAN: To stop what we were doin' and to let her go.
- WIEGERT: How many times did you punch her?
- BRENDAN: Zero.
- WIEGERT: How many times did Steve punch her?
- BRENDAN: None that I know about.
- WIEGERT: OK.
- FASSBENDER: One, one question. When you went over at 4:00 o'clock Brendan, .....the first time you told us that Steven was kinda sweaty and stuff. Wa-was he sweaty? Did he tell ya that he had already had sex with her that before you got there?
- BRENDAN: No.
- FASSBENDER: Was he sweaty?
- BRENDAN: Yeah.
- FASSBENDER: And did he tell you that he had already had sex with her once and had just gotten done?

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- BRENDAN: No. (shakes head "no")
- WIEGERT: OK. You carried her out to the garage. What happens next?
- BRENDAN: Then, he sets her on the floor and
- WIEGERT: And then what?
- BRENDAN: He ah got a knife.
- WIEGERT: And where did he get the knife? Now, be honest here. Where did he get the knife?
- BRENDAN: Well the knife he had in his pocket because the knife was the one that he uses for work.
- WIEGERT: So, it was a pocketknife? Now, tell me what kind of knife it was. Before you said it was a long one. Was that a lie? All right, tell me about the knife. What kind of knife was it? Honestly, tell me what kinda knife it was.
- BRENDAN: Well it was black with, it was like I don't know what its called but there was like on the blade it was like that round thing on the top.
- WIEGERT: Did he have it in his pocket? Yes or no.
- BRENDAN: Yes.
- WIEGERT: Are you sure? How big is it? Show me how big it was.
- BRENDAN: It was eight inches.
- WIEGERT: Show me. How did he have an eight-inch knife in his pocket?
- BRENDAN: It was one of them fold up ones.
- WIEGERT: A pocketknife? How many knives are on there? I mean how many blades?
- BRENDAN: One.
- WIEGERT: OK. So he took it out of his pocket.

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- BRENDAN: Yeah.
- WIEGERT: Can you draw that knife for me?
- BRENDAN: I'll try.
- WIEGERT: OK. That's all I can ask. Why don't you do that for me.
- FASSBENDER: Now where's this round thing you were talkin' about at the top? That is it? Is that a hole? Or a
- BRENDAN: No the thing where you
- FASSBENDER: A notch like
- BRENDAN: Yeah.
- FASSBENDER: OK.
- WIEGERT: So this folds up?
- BRENDAN: Mm huh.
- WIEGERT: OK. Now, seriously now is the really the knife that he used?
- BRENDAN: Yeah.
- WIEGERT: OK. Now how come you didn't tell me that before? All right. Sss, put your name or sign your name down here. OK. So if he takes the knife out of the pocket and what happens?
- BRENDAN: Then he stabs her.
- WIEGERT: Now tell me again where he stabbed her.
- BRENDAN: In the chest.
- WIEGERT: All right. And then what happens?
- BRENDAN: Then he tells me ta come over and stab her.

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WIEGERT: OK. Do you?

BRENDAN: Yeah.

WIEGERT: And where do you stab her?

BRENDAN: In the stomach.

WIEGERT: Take this and pretend that's the knife. (Mark demonstrates) on the paper and hold it like this so you don't break it, do it on the paper like you, like you're stabbing somebody, like, like you stabbed her. Show me like you did it. How hard.

(Brendan demonstrates)

WIEGERT: How many times?

BRENDAN: One.

WIEGERT: OK. And then what?

BRENDAN: Then, we take her and we put her into the jeep.

WIEGERT: Mm hum.

BRENDAN: And he, he just suggested that he would rather burn her.

WIEGERT: What, where in the jeep did you put her?

BRENDAN: In the back.

WIEGERT: OK. OK, then he suggested maybe we should burn her. Is that what you said?

WIEGERT: OK. And then what happens?

BRENDAN: Then he took her set her back on the floor and shot her 'bout five times.

WIEGERT: Do you remember where he shot her?

BRENDAN: No. (shakes head "no")

WIEGERT: OK. And then what?

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- BRENDAN: Then he took her and
- WIEGERT: Go ahead.
- BRENDAN: took her outside
- WIEGERT: Mm huh.
- BRENDAN: And he checked if she was still alive.
- WIEGERT: How did he check that?
- BRENDAN: See if there was a pulse.
- WIEGERT: He checked that? When, when she was in the garage or when she was outside or where?
- BRENDAN: When she was outside.
- WIEGERT: OK. Was there a pulse?
- BRENDAN: No.
- WIEGERT: OK. Was he happy about that? What was he saying during this?
- BRENDAN: Well, he told me that there was no pulse and
- WIEGERT: OK
- BRENDAN: That he was gonna put her on the fire.
- WIEGERT: All right.
- BRENDAN: Then, he does, he puts her on the fire.
- WIEGERT: You helped him though?
- BRENDAN: Yeah.
- WIEGERT: Tell me how you did that.

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- BRENDAN: He had her hands and I had her feet.
- WIEGERT: OK. Did you like swing her? Like this type of thing or like what?
- BRENDAN: No, he was, he was like on one side of the fire and I was on the other and we set her on there.
- WIEGERT: OK. Was the fire going already?
- BRENDAN: Yeah.
- WIEGERT: What time was that?
- BRENDAN: 8:50
- FASSBENDER: 8:50 or 8:15?
- BRENDAN: 8:50
- WIEGERT: But when Scott comes over by your mom, he says that the fire is going so big its almost up to the eves of the house. What time is that? You said you went home when your mom was there, right?
- BRENDAN: Yeah.
- WIEGERT: Were you there when Scott got there?
- BRENDAN: Yeah.
- WIEGERT: And there was a big fire going already. She was already on the fire, wasn't she? Yes or no. I mean, tell me, was she or wasn't she?
- BRENDAN: No. He was burning tires.
- WIEGERT: OK. So you put her on the fire. What do you put on top of her?
- BRENDAN: Some tires.
- WIEGERT: How many?
- BRENDAN: Like three or four.

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WIEGERT: OK. Anything else?

BRENDAN: The wood cabinet and the van seat.

WIEGERT: OK. But after you put her on the fire and you put all the stuff on top of her, what do you do next?

BRENDAN: We waited until most of its burned and then he swishes it around.

WIEGERT: How does he swish it around?

BRENDAN: With a shovel and

WIEGERT: And?

BRENDAN: A rake.

WIEGERT: And you helped him with that, right.

BRENDAN: Yeah.

WIEGERT: OK. Tell me what you did.

BRENDAN: I was just movin' the ashes and that around.

WIEGERT: Were you choppin' up the bones?

BRENDAN: Yeah.

WIEGERT: Who was doing that?

BRENDAN: He was.

WIEGERT: Well, show me how he was doin' that.

BRENDAN: He would take the shovel and like bang on the, the bones.

WIEGERT: And you did that too?

BRENDAN: Well, I was just swishing the ashes around.

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- WIEGERT: What did it smell like? What did it smell like?
- BRENDAN: Real bad.
- WIEGERT: OK. After it burns down, you take the shovel and the rake and bust up the bones, right? Is that what you said?
- BRENDAN: Yeah.
- WIEGERT: And then what?
- BRENDAN: Then we just waited for the fire ta go down.
- WIEGERT: Mm hum.
- BRENDAN: And then we went inta the garage and cleaned up the blood and that.
- WIEGERT: And how did ya clean the blood up again? Tell me again.
- BRENDAN: With her clothes.
- WIEGERT: OK. Where is her underwear and her bra? Just tell me that. OK. Where is that? Where is it? Is it at your house? Where is it?
- BRENDAN: In some of the stuff that we used to clean up the blood.
- WIEGERT: Her underwear too and her bra?
- BRENDAN: Mm huh.
- WIEGERT: OK, so you clean up the blood with all of her clothes and what do you do with the clothes then?
- BRENDAN: We threw it on the fire.
- WIEGERT: What next?
- BRENDAN: Then we waited for that to go down and then
- WIEGERT: Then what?
- BRENDAN: Our mom, my mom got home at like 9:00 o'clock and called Steven.

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- WIEGERT: Mm hum.
- BRENDAN: And said that I was suppose to be home at ten.
- WIEGERT: Mm hum.
- BRENDAN: And she asked if I had a sweater on, which I did and then we waited for the fire to go down and then, by that time it was probably 9:30 and he says that I should go home early fer school the next day.
- WIEGERT: What about the truck? Her jeep?
- BRENDAN: He said that he would take care of it.
- WIEGERT: I think you helped him. Did you help him? If you did, it's OK.
- BRENDAN: Well, I helped him put the stuff in the jeep.
- WIEGERT: What stuff?
- BRENDAN: The knife and the gun.
- WIEGERT: OK. Where'd you put the knife?
- BRENDAN: In the back.
- WIEGERT: In the back where ah, the body was you mean or and the gun too?
- BRENDAN: Yeah.
- WIEGERT: Why did you put them in there?
- BRENDAN: Cuz he told me to.
- WIEGERT: How did they get back in his house? You know?
- BRENDAN: No.
- WIEGERT: Well you told us that he took the license plates off. How did ya know that?

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- BRENDAN: Cuz the next day he told me he took 'um off.
- WIEGERT: OK. And where did he say he put 'um? I heard that he showed them to you.
- BRENDAN: I don't remember.
- WIEGERT: Did he show them to you?
- BRENDAN: Not that I know of. (shakes head "no")
- WIEGERT: Where do you think the knife is now?
- BRENDAN: I don't know.
- WIEGERT: Come on, Brendan. Where do you think the knife is? Do you have it at your house?
- BRENDAN: No. (shakes head "no")
- WIEGERT: What did he give you as a souvenir for this?
- BRENDAN: Nothin'
- WIEGERT: What about the hair? Did you cut the hair off like you said earlier or is that a lie.
- BRENDAN: A lie.
- WIEGERT: Why did you lie about that?
- BRENDAN: Cuz, I was nervous.
- WIEGERT: OK. Are you nervous now?
- BRENDAN: No.
- WIEGERT: Relaxed? Good. So what you're telling me now is all the truth? So, you didn't cut any hair off?
- BRENDAN: (shakes head "no")

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WIEGERT: No. You really, i-if you know where the knife is, you have ta tell us. OK? Where is the knife?

BRENDAN: I don't know where it is.

WIEGERT: Did he tell you what he did with the knife?

BRENDAN: No.

WIEGERT: OK. So after you guys had done this and we come out there and we close off the property; remember? You guys go up north.

BRENDAN: Mm huh.

WIEGERT: And I was told you guys were talking about this up north. Right?

BRENDAN: Mm huh.

WIEGERT: OK. So what did you guys talk about?

BRENDAN: Well, when the cops came up there he was tryin' ta hide and, and then grandpa said if he was hiding that he, he was acting like he did it.

WIEGERT: Mm huh. Well, what was the conversation like between you and him? I mean was he tellin' you, we can't tell anybody or what was he telling you?

BRENDAN: That not ta talk to the cops.

WIEGERT: OK. What else did he tell you? Were you afraid that the cops were gonna be onta ya?

BRENDAN: Yeah.

WIEGERT: So how long before this, that well let's go back OK to the couple days prior to this happening. OK? You said you guys talked about this and planned this. Is that correct?

BRENDAN: Mm huh.

WIEGERT: OK. Did he tell you about Teresa, that he had met her before?

BRENDAN: Yeah.

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- WIEGERT: OK. Tell me about that. What did he say about her?
- BRENDAN: That she looked good and she was pretty nice.
- WIEGERT: OK. Did he tell ya where she worked?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Did he tell ya how he was gonna get her in the house?
- BRENDAN: No. (shakes head "no")
- WIEGERT: How did he, do you know?
- BRENDAN: No. (shakes head "no")
- WIEGERT: OK. So a couple days prior you said there this lady he knows or tell me how he says that. I don't wanna put words in your mouth, tell me how he says it to you.
- BRENDAN: That he had a girl coming over ta take a picture of a van.
- WIEGERT: OK. What else?
- BRENDAN: And then that he would do that ta her.
- WIEGERT: No, wha-tell me exactly what he said.
- BRENDAN: That he would kill her.
- WIEGERT: Did he laugh about it or what? Why did, why did he say he was gonna kill her?
- BRENDAN: Cuz he was pissed off that Jodi was in jail again.
- WIEGERT: Why is he pissed off that Jodi was in jail? Did he tell ya why?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Oh, yes he did. He told you why he was pissed off. Probably cuz he wasn't gettin' any or something like that's my guess. You know what I mean by that?

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BRENDAN: Yeah.

WIEGERT: OK. Did he say that? If he didn't tell me no. But did he say that? Did he make reference ta that?

BRENDAN: Yeah.

WIEGERT: Is that the truth or is that a lie?

BRENDAN: The truth.

WIEGERT: OK. Then what did he tell you? Let's start back with that again.

BRENDAN: That sometimes Jodi would say that he didn't want ta do what he wanted ta do to her, so he was pissed off at her.

WIEGERT: OK. What else?

BRENDAN: And sometimes he would like try ta grab her and touch her and that when they were just watchin' TV and that.

WIEGERT: Mm huh. What else?

BRENDAN: Sometimes he would hit her and that.

WIEGERT: Did he tell you that?

BRENDAN: Well, sometimes I seen it.

WIEGERT: OK. Did you and Steve ever have sex?

BRENDAN: No.

WIEGERT: Are you sure? If ya did, it's OK.

BRENDAN: I didn't.

WIEGERT: OK.

FASSBENDER: You and Jodi?

BRENDAN: No.

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WIEGERT: What kind of stuff did he wanna do ta Jodi that she wouldn't let him?

BRENDAN: I don't know.

WIEGERT: ..... So tell me again why he told you that he was going ta do this to Teresa. The whole story.

BRENDAN: Cuz he was pissed off about Jodi being in jail because the first time it was her old boyfriend and then, that ah she had ta go ta jail again for drunkin' driving cuz Steven thought that she had a drinking problem.

WIEGERT: OK. What else did he say?

BRENDAN: That he was trying to help her ta stop drinking and ta help her try ta get her daughter back.

WIEGERT: OK. What else?

BRENDAN: That's all I can remember.

WIEGERT: OK. Good. Did he blame Teresa for Jodi being in jail?

BRENDAN: No. (shakes head "no")

WIEGERT: Then why did he pick Teresa?

BRENDAN: I don't know.

WIEGERT: At what point did you put her cell phone and camera and purse and stuff in the burn barrel?

BRENDAN: I didn't.

WIEGERT: OK. Who did?

BRENDAN: Probably Steven.

WIEGERT: Well not probably, who did? If ya know you can tell me. You went over there.

BRENDAN: Steven did.

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WIEGERT: Did you see him do it?

BRENDAN: Yeah.

WIEGERT: No, honestly, yes or no? Did ya see him do it? Don't lie about it. If ya did, good. If ya didn't, good. Did ya see him do that?

BRENDAN: No.

WIEGERT: Why did you just tell me ya did? Brendan.

BRENDAN: Mm huh.

WIEGERT: Why did you lie ta me? Do you know, do you remember that at all?

BRENDAN: No.

WIEGERT: OK, then say you don't know. He gave you some money out of her purse, though. That I know. How much?

BRENDAN: I don't remember.

WIEGERT: Did he give you money?

BRENDAN: A little bit.

FASSBENDER: Brendan, who put that stuff in the burn barrel?

BRENDAN: Steven did.

FASSBENDER: How do you know that?

WIEGERT: How do you know that?

BRENDAN: Cuz he told me that he was gonna do that.

WIEGERT: Did ya see that stuff in the house?

BRENDAN: No.

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- WIEGERT: Cuz, you went through her purse, didn't you? So how did the money get out of her purse?
- BRENDAN: He gave it ta me.
- WIEGERT: How much did he give you?
- BRENDAN: A few dollars.
- WIEGERT: Did ya see the purse in the house?
- BRENDAN: No.
- WIEGERT: Did he just tell ya that, that was her, her money, what?
- BRENDAN: Yeah.
- WIEGERT: Is that true or are you lying again?
- BRENDAN: The truth.
- WIEGERT: And the truth is you put her purse and her cell phone and her camera in the burn barrel. That's the truth?
- BRENDAN: No.
- WIEGERT: Well, is it the truth?
- BRENDAN: No.
- WIEGERT: OK.
- FASSBENDER: Did you see that stuff in there?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Do you remember telling us prior?
- FASSBENDER: The last time that you saw that stuff in the burn barrel
- BRENDAN: Yeah.

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- WIEGERT: So why did you do that?
- BRENDAN: I had too much stuff on my mind.
- WIEGERT: So now you remember a little more clearly? OK. How much of her hair did you cut off?
- BRENDAN: A little bit.
- WIEGERT: You told me a couple of minutes ago you didn't cut any off. What's the truth? Did you cut some of her hair off?
- BRENDAN: No.
- FASSBENDER: What's happenin' again Brendan? Are you startin to think about what other people told you to say? OK, now zero in on the truth again as Mark talks to you. You know what truth is and you know what a lie is and you know what the truth is so Mark's going to take you through some of these things again and forget about other things.
- WIEGERT: Did you cut any of her hair off?
- BRENDAN: No.
- WIEGERT: Did you shoot her?
- BRENDAN: No.
- WIEGERT: Who shot her?
- BRENDAN: Steven did.
- WIEGERT: Did you stab her?
- BRENDAN: Yeah.
- WIEGERT: By her? Who's her? What's her name?
- BRENDAN: Teresa.
- WIEGERT: Teresa what?
- BRENDAN: Halbach.

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- WIEGERT: Did you cut her throat?
- BRENDAN: No.
- WIEGERT: Does anybody else know about this besides you and Steven?
- BRENDAN: No. (shakes head "no")
- WIEGERT: So I think somebody else does. Who else knows about this?
- BRENDAN: I don't know.
- WIEGERT: You told some people. Who did you tell?
- BRENDAN: No one.
- FASSBENDER: We, we believe you told Travis.
- WIEGERT: Did you tell Travis?
- BRENDAN: Not that I remember.
- WIEGERT: OK. What about Chuck?
- BRENDAN: I didn't talk to him much.
- WIEGERT: What about Earl?
- BRENDAN: The last time I talked to 'em was or the first time I talked to 'em before my birthday or after my birthday was on December 25<sup>th</sup> when we were over by his house for Christmas.
- WIEGERT: OK. We heard you were crying a lot. Is that true? It's OK. If you were, it's OK. I understand that.
- BRENDAN: Yeah.
- WIEGERT: Why were you crying a lot?
- BRENDAN: Cuz after a while I was thinking that I did the wrong thing.

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- WIEGERT: How long did it take you to think that?
- BRENDAN: Like two weeks.
- WIEGERT: So the day after, you were OK. A couple of days after you were OK?
- BRENDAN: Yeah.
- WIEGERT: And then about two weeks, then you started feeling bad. What did you feel bad about?
- BRENDAN: That all the stuff I did was wrong.
- WIEGERT: What do you think should happen to you? Just asking your opinion what do you think should happen to you?
- BRENDAN: That I should get a few years in jail.
- WIEGERT: Then what? What do you think should happen to Steve? What do you think should happen to Steve?
- BRENDAN: I don't know.
- WIEGERT: If you could say something to Teresa's mom and brothers and the rest of her family, what would you say?
- BRENDAN: That I was sorry for what I did and to take a-apology.
- WIEGERT: What am I forgetting to ask you? There's something you wanna tell me? What else do ya wanna tell me? What else do ya wanna tell me?
- BRENDAN: That I did it just because Steven told me to.
- WIEGERT: OK. When you gonna tell your mom about this?
- BRENDAN: Probably the next time I see her.
- WIEGERT: Cuz you're lied to her so far, right? Don't you think you should call her and tell her?
- BRENDAN: Yeah.

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- WIEGERT: When you gonna do that?
- BRENDAN: Probably tonight.
- WIEGERT: Don't ya think she has the right to know?
- BRENDAN: Yeah.
- WIEGERT: Yeah. I think she'd like to hear it coming from you rather than from me.
- BRENDAN: And if she has any questions cuz I'm seeing her tomorrow.
- WIEGERT: OK. She's coming here tomorrow?
- BRENDAN: Mm huh.
- WIEGERT: Then maybe it be a good idea to call her and tell her before she gets here tonight. That's what I would do. Cuz, otherwise, she's gonna be really mad here tomorrow. Better on the phone, isn't it?
- BRENDAN: Mm huh.
- WIEGERT: That's up to you though, that's your decision whether you want to do that or not. It's just a suggestion. Um, that key from the, from the jeep, from Teresa's jeep. Tell me about that key. Where did Steve have it hidden?
- BRENDAN: In his bedroom.
- WIEGERT: Where in his bedroom? He told you where it was. Did he tell you where it was?
- BRENDAN: Yeah.
- WIEGERT: OK, where?
- BRENDAN: Well at first he had it in his room in his dresser.
- WIEGERT: OK
- BRENDAN: And he took it out because he was going to get rid of it, but he, he had to hurry up to get the phone because he had to answer it so he let the key there.

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- WIEGERT: He let the key where?
- BRENDAN: On the floor. He dropped it.
- WIEGERT: How do you know that? How do you know that Brendan?
- BRENDAN: Cuz I was there that day.
- WIEGERT: You were there the day he dropped it? And what day was that?
- BRENDAN: November 2<sup>nd</sup>.
- WIEGERT: Did he show you the key that day?
- BRENDAN: No.
- WIEGERT: Well then how do you know he dropped it?
- BRENDAN: Cuz I seen 'em pulling his dresser drawer and I seen it in his hands.
- WIEGERT: OK, and what else did you see? So you're in the bedroom with him?
- BRENDAN: No, (shakes head "no") I'm sittin' on the couch.
- WIEGERT: You can't see the dresser from the couch, can you?
- BRENDAN: Well before he had, he had the room different.
- WIEGERT: You're startin to lie again, aren't ya?
- BRENDAN: Cuz he had the bed where that window is.
- WIEGERT: He had the bed where the window was when Teresa was there?
- BRENDAN: Yeah.
- WIEGERT: Why did he move the stuff around?
- BRENDAN: I don't know.
- WIEGERT: So, could you draw out where the key was, or well let's just go back to the key. You said you see him take it out of the dresser?

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- BRENDAN: Yeah.
- WIEGERT: And what do ya see him do next? Tell me again.
- BRENDAN: That he had the key in his hand but then he dropped it ta answer the phone.
- WIEGERT: And then what.
- BRENDAN: And then he walked into the living room and sat down by the computer and talked ta whoever was on the phone.
- WIEGERT: Where did he drop the key?
- BRENDAN: By the dresser.
- WIEGERT: And you saw that happen?
- BRENDAN: Yeah.
- WIEGERT: Did he ever pick it up?
- BRENDAN: No.
- WIEGERT: Who was he talking to on the phone?
- BRENDAN: I don't know.
- WIEGERT: On November 2<sup>nd</sup> you were over at his house. What were you guys talking about that day?
- BRENDAN: Well, he was asking me what my future plan was.
- WIEGERT: Did you talk about Teresa at all?
- BRENDAN: No.
- WIEGERT: Come on, you just, you just killed a girl and you didn't talk about it at all? I don't believe that. You told me he was gonna get rid of that key. What was he gonna do with the key? Why did he go get the key that day?

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- BRENDAN: Cuz he was going to get rid of it.
- WIEGERT: Get rid of what?
- BRENDAN: The key.
- WIEGERT: What was he gonna do with it? Did he say?
- BRENDAN: No.
- WIEGERT: What did he do with the knife? What did he do with the knife?
- BRENDAN: He cleaned it.
- WIEGERT: Where did he clean it?
- BRENDAN: Outside.
- WIEGERT: On what? What did he use to clean it?
- BRENDAN: Some soap and some water.
- WIEGERT: Did you see him do that?
- BRENDAN: Yeah.
- WIEGERT: I think that's a lie. I can tell by your voice. Did you see him clean the knife? Don't lie.
- BRENDAN: No.
- WIEGERT: Where do you think the knife is?
- BRENDAN: I don't know.
- WIEGERT: OK. Did you cut any hair off?
- BRENDAN: No.
- WIEGERT: What about her panties? Where are those?
- BRENDAN: In the fire.

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- WIEGERT: Did you keep anything of hers?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Did Steven keep anything of hers?
- BRENDAN: No.
- WIEGERT: You helped Steve put that cardboard on top of her car, didn't you?
- BRENDAN: No.
- WIEGERT: Who helped him?
- BRENDAN: I don't know.
- WIEGERT: What was Steve gonna do with her jeep?
- BRENDAN: Crush it.
- WIEGERT: When was he gonna do that?
- BRENDAN: He said he'll smash it faster a day that he can do it.
- WIEGERT: You guys talk about this when you were up north? Talk about like a plane flying over, anything like that? Were you nervous about that?
- BRENDAN: Sort of.
- WIEGERT: Well tell me about that. What was he nervous about?
- BRENDAN: When he seen the air, the airplane he said that they must be on to 'em and that.
- WIEGERT: The night that his happened, October 31<sup>st</sup>, Halloween night, when you were at the house, did Steve get any phone calls?
- BRENDAN: No. (shakes head "no")
- WIEGERT: You told me last time you did. You told me Jodi called. You're nodding your head. Tell me, did Jodi call?

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- BRENDAN: Yeah.
- WIEGERT: Then why did you just say no? Do you want Jodi to go to prison too?
- BRENDAN: No.
- WIEGERT: Jodi knew about this?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Why was the wash machine running that night? What did you guys put in the wash machine?
- BRENDAN: I didn't know the washing machine was going.
- WIEGERT: Where was Teresa when Jodi called? Do ya know?
- BRENDAN: No.
- WIEGERT: How many times did Jodi call?
- BRENDAN: Like two or three.
- WIEGERT: Can you draw me the way the bedroom looked that day. Go ahead and draw the bedroom.
- (Brendan drawing)
- WIEGERT: So where's the door?
- BRENDAN: Right here. (pause) And there's like a closet right over here.
- WIEGERT: So if you look in door you're looking in this way?
- BRENDAN: Mm hum.
- WIEGERT: And this is the hallway? OK. So now the bed's over here. He changed it after he killed her?
- BRENDAN: Mm hum.

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- WIEGERT: Do ya know why?
- BRENDAN: No.
- WIEGERT: OK. Where did you see him drop the key?
- BRENDAN: Like right here.
- WIEGERT: Did you really see that? Brendan? Did you really see him drop the key?
- BRENDAN: No.
- WIEGERT: Then why did you say that? Did you or didn't you?
- BRENDAN: No.
- WIEGERT: OK. Well, you know what? This interview is finished. You lied one too many times to me. Sorry, we're done. We have a problem with that. Do you have anything else you want to say before we leave? I hope you call your mom before I do.
- FASSBENDER: Brendan, I, I, I want you to have a chance here. Why, why did you lie about the key?
- BRENDAN: I was startin' to get the mind's thoughts again.
- FASSBENDER: Tell me about those.
- BRENDAN: That people are telling me not to say anything and that.
- FASSBENDER: OK. How's that relate to the key? Are you trying ta, are you trying to help us too much? The only way you can help us is by telling the truth, the facts. If you try to help us too much, that really doesn't help. You can try and help all these other people that tell you things, that doesn't help. You need to help yourself. And that's by tellin', that's by tellin' the truth. You have to be a little selfish here right now and not what worry about what might help us and not worry about what might help other people. You have to really be selfish right now and think what's gonna help me and I think you believe that that probably is the truth. You thought about two weeks after, you know, that you and Steven killed Teresa and you got feelin' really bad. And you probably felt really bad about the Halbachs because they were lookin and, and they probably knew now that their daughter was dead. That's a pretty serious thing to do, right? To kill someone?
- BRENDAN: Mm hum.

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FASSBENDER: And now you get a chance to help the Halbachs. That's the, it's the only people you and the Halbachs that should matter right now. You can do something for them and I think you have. You, you, you have. You, you admitted to what you did and you told us what Steven did. But you can't make things up about some of the details cuz that's hurting the Halbachs, it's hurting you. (ringing telephone) So some of those details, yeah, Mark's gonna leave but I think I can talk him into just stayin' for a moment yet to give you another chance to go over a few of these details and make us believers that your telling the truth, not what we wanna hear, or not what you think we wanna hear. Cuz that's all done and over. You've admitted to what you did. Now you need to tell us the truth about some of those details so Teresa's family can feel good about what you've said and we can feel good and especially you. Do you understand that? OK. Mark, would you be willin' to stay just a couple more minutes?

WIEGERT: Do you want me to stay? Brendan? All right.

FASSBENDER: I don't see it takin' that long as long as you a just tell the truth.

WIEGERT: What about the key? Did you actually see the key?

BRENDAN: Yes.

WIEGERT: OK. Where did you see it?

BRENDAN: On the floor.

WIEGERT: How did it get on the floor?

BRENDAN: Steven dropped it.

WIEGERT: And did you see him drop it?

BRENDAN: Yeah.

WIEGERT: Explain to me how you see him drop it over here if you're out here on the couch.

FASSBENDER: Were you in the bedroom? (telephone ringing)

WIEGERT: Sorry about that. How do you see him drop it if you're out here?

BRENDAN: Well he was standin' right by here.

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WIEGERT: Where were you?

BRENDAN: On about here.

WIEGERT: OK. So if the bed is in between you and where he dropped it, how would you see that? How do you explain that to me?

BRENDAN: Well he was facin this way and

WIEGERT: Don't you understand what I am saying? If you're here, the bed is in the middle and he's here, could you see that?

BRENDAN: Yeah.

WIEGERT: OK. What did you see then?

BRENDAN: That he was standin' there, he had the key in his hand and then the phone rang and so he dropped the key and ran for the phone.

FASSBENDER: Were you and him talking a lot at this time?

BRENDAN: Not when the phone rang.

FASSBENDER: Starting just prior to the phone, like he's in the bedroom talkin' to you out there and stuff?

BRENDAN: No.

FASSBENDER: But you're saying you were looking down there.

BRENDAN: Mm hum.

FASSBENDER: OK.

WIEGERT: (in the background) Hello. Yeah we're in an interview . . .

FASSBENDER: If you want me to believe that's how that happened now OK. Is that true?

BRENDAN: Yeah.

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FASSBENDER: All right. And you're telling me that when you told Mark that you didn't see it, is that when you were startin to think about what people told you to say and thinking about that type of stuff?

BRENDAN: Yeah.

FASSBENDER: OK. I can understand that. Are you now on, on the same page as us? Trying to help Teresa?

BRENDAN: Yeah.

FASSBENDER: And to help yourself. Because like you said the worst is over. You, you've never, you've never waivered on the fact that you helped Steven do this, and, and that's the truth. OK. It's just some of those little details that, that had to be ironed out. When you saw Teresa in the house and up until she went to the garage, was she, did you ever see her bleeding? In the house?

BRENDAN: No. (shakes head "no")

FASSBENDER: Did anyone ever hit her or hurt her that you saw, in the house?

BRENDAN: No. (shakes head "no")

FASSBENDER: What about any, injuries to Steven? Again, the Halbachs are what matter here. Did Steven hurt himself?

BRENDAN: Well there was a scratch on his finger.

FASSBENDER: Was it bleeding?

BRENDAN: Yeah.

FASSBENDER: When did you first notice that scratch bleeding?

BRENDAN: When I was over there the first time.

FASSBENDER: OK. Did Steven ever tell you how he got her tied up back there? How did he do that?

BRENDAN: I don't know. (shakes head "no")

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FASSBENDER: Brendan, I have a feeling he's gonna tell you something like that. I mean, I, I don't believe you believed for any second that she just walked back there and, and allowed herself to get tied up. Then how did he say he did it?

WIEGERT: How did he get her in there?

FASSBENDER: The truth for Teresa and yourself.

BRENDAN: That he had her tied up already.

WIEGERT: Let's talk about Halloween. That was on Halloween, right? Do you know anything about Steve being into Satan stuff. Did you ever talk about that at all?

BRENDAN: No. (shakes head "no")

WIEGERT: Did he pick Halloween for any reason?

BRENDAN: Not that I know of. (shakes head "no")

WIEGERT: When you were doing this planning thing a couple days before, did he talk about that?

BRENDAN: No. (shakes head "no")

WIEGERT: Did you actually plan this a couple days before.

BRENDAN: Yeah.

WIEGERT: That's true? How did he get Teresa into the house? Did you help him?

BRENDAN: No.

WIEGERT: Who helped him?

BRENDAN: No one.

WIEGERT: How did he get her in there?

FASSBENDER: That had to be a part of the planning, right? Or him telling you later. You're thinking too much Brendan. Any time you don't answer fairly quick that means you're thinking too much. You don't need to think about the truth.

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WIEGERT: Do you know how he got her in the house?

BRENDAN: No.

WIEGERT: Then just say that. I, I think you do but we'll go onto something else right now. Obviously you don't want to talk about that. Did you ride down in her jeep to that pit? Where he covered it up?

BRENDAN: No.

WIEGERT: Did you ever go down there and look at it?

BRENDAN: No.

WIEGERT: What day was November 2<sup>nd</sup>? Do you know?

BRENDAN: No.

WIEGERT: That was the day you said you saw him with the key. You know what day it was?

BRENDAN: Wednesday.

WIEGERT: Let's go back to this key for second? Did you really see him drop that key?

BRENDAN: Yes.

WIEGERT: And he forgets to pick it up, is that what you told me?

BRENDAN: mm huh.

WIEGERT: So that day he was getting a key out, why was he getting the key out?

BRENDAN: Cuz he was gonna get rid of it.

WIEGERT: Well how could he get rid of that when he still had the truck, didn't he need the key for the truck.....

BRENDAN: No.

WIEGERT: Did you keep anything of hers at all?

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- 
- BRENDAN: No. (shakes head "no")
- WIEGERT: Who put the stuff in the burn barrel?
- BRENDAN: Steven did.
- WIEGERT: Did you see 'em do that?
- BRENDAN: No.
- WIEGERT: How do you know he did?
- BRENDAN: Cuz he told me.
- WIEGERT: What did he tell you he put in the burn barrel?
- BRENDAN: Nothin'
- WIEGERT: You just said that he told you he put it in the burn barrel. What did he tell you he put in there?
- BRENDAN: What do you mean?
- WIEGERT: What kind of things did he put in the burn barrel? What kind of items?
- BRENDAN: A camera.
- WIEGERT: What else?
- BRENDAN: Cell phone, her purse.
- WIEGERT: What else?
- BRENDAN: That's all I can remember.
- WIEGERT: How much money did you guys take from her?
- BRENDAN: He only gave me like a few bucks.
- WIEGERT: Did he tell you where he got it?

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- 
- BRENDAN: No.
- WIEGERT: You know what else I heard?
- BRENDAN: Huh?
- WIEGERT: That you guys took pictures of her. That's true isn't it?
- BRENDAN: No.
- WIEGERT: Did you take the pictures?
- BRENDAN: No. (shakes head "no")
- WIEGERT: Did Steve take pictures?
- BRENDAN: No.
- WIEGERT: Did you tell somebody you took pictures?
- BRENDAN: No. (shakes head "no")
- WIEGERT: You told Travis that?
- BRENDAN: No. (shakes head "no")
- WIEGERT: What else have you told Travis?
- BRENDAN: Nothin'
- WIEGERT: You told him you saw the body in the fire.
- BRENDAN: Just that.
- WIEGERT: Brendan, did you, were you guys drinking before this at all?
- BRENDAN: No.
- WIEGERT: How about smoking any weed?
- BRENDAN: No. (shakes head "no")

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- 
- WIEGERT: Cuz I know you do that once in a while.
- BRENDAN: No I don't.
- WIEGERT: Well how come you and Travis talk about it a lot?
- BRENDAN: He does it, but I don't do it.
- WIEGERT: You don't smoke anything?
- BRENDAN: (shakes head "no")
- WIEGERT: You smoke cigarettes?
- BRENDAN: No, (shakes head "no") I tried it.
- WIEGERT: Yeah, did you try marijuana?
- BRENDAN: No.
- WIEGERT: Well, I heard that you smoke marijuana once in a while.
- BRENDAN: No.
- WIEGERT: Does Steve?
- BRENDAN: Cigars.
- WIEGERT: He smokes cigars? What about drink, does he drink at all?
- BRENDAN: Occasionally.
- WIEGERT: OK, were do you guys drinking before this?
- BRENDAN: No. (shakes head "no")
- WIEGERT: How much blood did you have on you after she got stabbed? Do you remember?
- FASSBENDER: The truth.
- BRENDAN: There was like a little on my hands, and my pants.

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- 
- WIEGERT: OK. What happened with the stuff that was on your hands?
- BRENDAN: I washed it off.
- WIEGERT: Where?
- BRENDAN: Outside with the hose.
- WIEGERT: OK. What about the bed sheets, did he do anything with the bed sheets at all?
- BRENDAN: Not that I know of.
- WIEGERT: Did he talk to you about DNA? About getting rid of the stuff for DNA?
- BRENDAN: No.
- WIEGERT: Then why did he use bleach in the garage?
- BRENDAN: I don't know.
- WIEGERT: Where else would I find blood if I was looking for blood? In the house? Tell me where I should look.
- BRENDAN: I don't know.
- WIEGERT: Tell me where I could find anything, give me something.
- BRENDAN: On the carpet.
- WIEGERT: What would be on the carpet, you think? What do you think would be there?
- BRENDAN: I don't know, like skin cells or somethin'
- WIEGERT: Did he tell you that he unhooked the battery on her jeep?
- BRENDAN: Not that I know of.
- WIEGERT: Did he talk ta, you guys hung out a lot right? You and him, you were perfect buds.

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BRENDAN: Yeah.

WIEGERT: Did he talk a lot about killing people? (pause) Stay with me here. Did he talk a lot about killing people?

BRENDAN: Not really.

WIEGERT: When was the first time he had mentioned killing somebody?

BRENDAN: A few days before October 31st.

WIEGERT: And how did that get brought up?

BRENDAN: Cuz we were watchin' TV and on the news there was someone that killed someone.

WIEGERT: OK. And what did he say when he saw that?

BRENDAN: That he was gonna plan to kill someone and.

WIEGERT: And who did he say he was gonna plan to kill?

BRENDAN: The girl that takes the pictures of cars for a magazine.

WIEGERT: And he told you that while he was sitting at his house, watching TV?

BRENDAN: Yeah.

WIEGERT: Did you say anything to him like you shouldn't do that or?

BRENDAN: No.

WIEGERT: Did he ask you to help him?

BRENDAN: Yeah.

WIEGERT: What did he ask you to do specifically?

BRENDAN: I can't remember.

WIEGERT: OK. Good. Can't remember why'd you say that?

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FASSBENDER: I think you're doing better Brendan, I really do. You still remembering about Teresa, and yourself, and that's why you're doing this right?

BRENDAN: mm huh.

FASSBENDER: That's good. I think that's good, I really do. While you, while you went out, I asked him about, ah if-if he saw any blood on Teresa or Teresa bleeding at all while she was in that house and he said no. Ah, then you came in, we were talking about his injury. Brendan, when Teresa was on the bed, wh-where, what was on the bed, sheets, blankets, what was on the bed?

BRENDAN: Pillows, blankets, sheets.

FASSBENDER: Was she on top of all that?

BRENDAN: Yeah.

FASSBENDER: OK, was there anything else on the bed?

BRENDAN: No. (shakes head "no")

FASSBENDER: Any plastic or anything like that?

BRENDAN: No. (shakes head "no")

FASSBENDER: OK. Who took th-the leg irons off?

BRENDAN: Steven did.

FASSBENDER: He did. Did she have her socks on? Da-think about it now and try to remember, was she totally naked or did she have her socks on, or anything like that? (pause) And if you can't remember or you don't know, you say that too.

BRENDAN: No.

FASSBENDER: No what?

BRENDAN: She didn't have no socks on.

FASSBENDER: No socks on, oh OK. And the handcuffs, didn't have anything on them, just regular handcuffs?

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BRENDAN: mm huh.

FASSBENDER: OK.

WIEGERT: Did you help take her clothes off?

BRENDAN: No.

WIEGERT: How did she get all her clothes off?

BRENDAN: Steven.

WIEGERT: That's got to be hard though, don't you think, trying to hide somebody and take their clothes off, by yourself? I think you helped, didn't you?

BRENDAN: No.

WIEGERT: So when you took her out to the garage, show me again how she was tied up, with her, with your hands.

BRENDAN: Like this.

WIEGERT: OK. All right.

FASSBENDER: If she's alive and everything when you carried her out to the garage, is that true?

BRENDAN: Yeah.

FASSBENDER: Was she trying to hit 'em or anything?

BRENDAN: She was trying to.

FASSBENDER: Yeah, who held the door open for him to get out in the garage or out of the house?

BRENDAN: I did.

FASSBENDER: Brendan, oh go ahead. Brendan, when you got home that night, did you wash any of your clothes? The truth, you don't have to think about that answer.

BRENDAN: No.

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FASSBENDER: Were they washed from between the time you went home that night and the time we got them?

BRENDAN: No, like a few times.

FASSBENDER: A few times? So you wore them again, those jeans?

BRENDAN: Twice.

FASSBENDER: And that's the best of your memory.

BRENDAN: mm huh.

FASSBENDER: That they were washed. Did Steven tell you to wash 'em?

BRENDAN: No.

WIEGERT: I just have a few things for closing, when you're done.

FASSBENDER: OK. Another question again, Teresa and you are important here, that's all that matters right now, not Steven, you're being selfish. In a, in our first interview you talk about helping Steven put the hood on the car and branches and stuff like that, did you help him do that? Don't think, did you help him do that?

BRENDAN: Yes.

FASSBENDER: That's what I thought. Because you wouldn't have known that otherwise. So when and how did you help him do that? Again, don't have to think, when did it happen? At night?

BRENDAN: Yeah.

FASSBENDER: So you did go down to the pit with him that night.

BRENDAN: mm huh.

FASSBENDER: That's what I thought. Tell me about that.

BRENDAN: Well the way we got down there was the back way where behind this cabin, and cuz there's a field right behind, there's trees behind them, there's a field there, there's a way back there.

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FASSBENDER: Yeah.

BRENDAN: So that's the way we took, and then went down in the pit and put it right by the lake, so it, it wouldn't take that long to crush it, cuz it was close to the place where they crush.

FASSBENDER: I think Teresa's startin' be happy with you right now, cuz I think that's the truth. And then what'd you do after you put the car there?

BRENDAN: We started throwing branches and car hood on it.

FASSBENDER: And then what happened? Is this when you saw him do some things to the car?

BRENDAN: Yeah.

FASSBENDER: Tell me what.

BRENDAN: Well he went under the hood and did some stuff, but I didn't see 'em.

FASSBENDER: OK, and what else?

BRENDAN: And he took the license plates off.

FASSBENDER: All right. And then, anything else that he did?

BRENDAN: Not that I know of.

FASSBENDER: OK. And then where did you go from there?

BRENDAN: Then we started walkin' up to the house.

FASSBENDER: mm huh.

BRENDAN: And by the time we got back, it was close to 10:00 o'clock.

FASSBENDER: Right.

BRENDAN: Then I went home and talked to my mom a little bit and went to bed.

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FASSBENDER: OK. On the way back up, what did you do with the plates? Again, Teresa's here and she's thanking you for being honest. Do you know what he did with the plates?

BRENDAN: No.

FASSBENDER: You don't? Is that the truth?

BRENDAN: Yes.

FASSBENDER: You say that right in front of Teresa now?

BRENDAN: mm huh.

FASSBENDER: Cuz this is your chance to help her, right?

FASSBENDER: OK. And when you went home that night around 10:00 o'clock, are you sure your mom was home or could you be mixing that up with another night.

BRENDAN: No, my mom was home.

FASSBENDER: OK, then later than 10:00? Earlier? Or don't know?

BRENDAN: Maybe a little after 10:00 o'clock.

FASSBENDER: OK. The bed sheets and the bedding, do you know whether or not that was taken off and burned, cuz the first time you said you, you thought it was. Again we just want the truth, not what other people are saying, Teresa wants the truth, the Halbachs aren't gonna be happy with you that you did this, but they're gonna be happy that you're tellin' the truth, you understand that, right? OK, the sheets and the bedding, did it get destroyed or not?

BRENDAN: Yeah.

FASSBENDER: Who did that?

BRENDAN: Steven.

FASSBENDER: He did that, you see him do that?

BRENDAN: No.

FASSBENDER: How do you know he did that?

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BRENDAN: Cuz that, that two days after I was over there, he said that he got rid of 'em.

FASSBENDER: And how did he get rid of 'em?

BRENDAN: He burnt 'em.

FASSBENDER: OK. I just got a couple more things here and Mark might ask more also. We talked about 'em ejaculating right? A-an di-did you ever hear it calling coming, when a person comes?

BRENDAN: Yeah.

FASSBENDER: Yeah. Di-wh-when you had sex with TERESA, did you come?

BRENDAN: No.

FASSBENDER: No. Did you have an erection, w-was your, your penis hard?

BRENDAN: Yeah.

FASSBENDER: OK. Did it stay hard? While you were having sex or did it, did it get soft again?

BRENDAN: No.

FASSBENDER: No what?

BRENDAN: It stayed hard.

FASSBENDER: OK. OK. Did you ah, did you see Steven um have sex with Teresa?

BRENDAN: No.

FASSBENDER: For Teresa now, she needs the truth, did you see Steven have sex with her?

BRENDAN: No.

FASSBENDER: No, OK. Now is the time to really get stuff off your chest too. Mark asked if you and Steven ever had sex and you said no, but ah, did Steven ever, let's talk about, you know what masturbating is?

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BRENDAN: Yeah.

FASSBENDER: Did you and Steven ever masturbate together or anything like that?

BRENDAN: No.

FASSBENDER: It's all right. Did he ever touch you? You don't need to think about that question. Did he ever touch you, it's all right, now is the time.

BRENDAN: What do you mean by touching?

FASSBENDER: Um, in places that you felt uncomfortable with?

BRENDAN: Sometimes.

FASSBENDER: Yeah. And what places were those?

BRENDAN: My private and (pause)

FASSBENDER: You know

BRENDAN: You know and there.

FASSBENDER: OK, and that's all right that you talk about this, this is the time to talk about it, cuz it's important. It's important to know, and for the courts and everyone else to know what you've gone through. It makes us feel a lot more for you OK? And by privates you mean by, by your penis?

BRENDAN: mm huh.

FASSBENDER: Did he touch you on your penis?

BRENDAN: Well sometimes he was, he would try to grab it.

FASSBENDER: Ah huh. And, and ah, were unclothed at that time?

BRENDAN: No.

FASSBENDER: Then how did he try to grab it?

BRENDAN: Through the pants.

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- FASSBENDER: Oh OK. And what did you tell 'em when he did that?
- BRENDAN: I was tryin' ta get rid a, get 'em off me.
- FASSBENDER: Yeah. Did you ever touch his?
- BRENDAN: No.
- FAASSBENDER: Did he ask you to?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Did he ever show you his?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: You sure?
- BRENDAN: Yes.
- FASSBENDER: Did he ask to see yours?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: Just try ta ah grab yours through your pants a couple times or sometimes?
- BRENDAN: Yeah.
- FASSBENDER: Is that accurate?
- BRENDAN: Yeah.
- FASSBENDER: Did he ever say anything when he was doing that?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: And you told him no, or just tried to get him off you.
- BRENDAN: Just tryin' ta get him off me.

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FASSBENDER: By getting him off of you, was he kinda, what was he doing, pushing against or leaning against you or anything like that or?

BRENDAN: While it was like wrestling and

FASSBENDER: Oh. And he grabbed you down there? Is that all he's ever done?

BRENDAN: Yeah.

FASSBENDER: Cuz we need to know now, it's not gonna help to tell us a month from now, two months from now, two years from now, cuz then they're gonna go, Brendan, why didn't you tell the investigators at that time? Is there anything else he did to you sexually?

BRENDAN: No.

FASSBENDER: Was Jodi ever involved in anything?

BRENDAN: No.

FASSBENDER: Have you told Mark everything now that, that truthfully?

BRENDAN: Yeah.

FASSBENDER: And now we just got about the car, that was something you didn't tell Mark, right?

FASSBENDER: Is there anything else, the knife, the burn barrel? You've got a chance to talk right to Teresa now, cuz I believe Teresa's in heaven and she can hear you. Do you believe that?

BRENDAN: Yeah.

FASSBENDER: So now's your chance to talk to Teresa. And really help at least you inner self, right? Think about everything that we talked or Mark asked ya about. You didn't tell us the truth about the car and I have a feeling, I know why. We knew the route that car took and you just finally told us that. What else i-if anything is there that we need to clear up before we're done today?

BRENDAN: No.

FASSBENDER: You sure about that?

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- BRENDAN: Well one, one time he beat on me.
- FASSBENDER: He did? When was that?
- BRENDAN: Like December somethin'.
- FASSBENDER: After Teresa's, disa-or after you guys killed Teresa? Right? This last December?
- BRENDAN: I think.
- FASSBENDER: What did he do to you?
- BRENDAN: Well ah my, my family was going ta, no wait it couldn't ta been this year, it was last year.
- FASSBENDER: OK. It's good that you're thinkin' like that. And yo-you're being honest.
- BRENDAN: Yeah because ah we had to go ta my step-dad's ah families because we usually wait a group of birthdays to go and then we would go over by someone's house.
- FASSBENDER: Makes sense.
- BRENDAN: And because there was one night in October for me and a group and my family didn't want ta go so when they went for Blaine's and that I didn't wanna go so they were tryin' to get me into the vehicle and then when they, they couldn't, they called Steven and he tried to help but they couldn't do it, so they left me alone and they said they decided that they weren't gonna go, so I stayed outside with my shirt off because they ripped, they pulled it off, when they were trying to get me into the je-the suburban. So after that, 'bout ten minutes later, my mom came over, she was lookin' for me and then when she heard a-a noise, she came over by me and she said come in the house and talk to her and tell her why I didn't wanna go and I told her and then after that we went.
- FASSBENDER: What was the reason you didn't wanna go?
- BRENDAN: Cuz I was pissed off at 'em for not makin', to not go to mine.
- FASSBENDER: OK, that makes sense. And when you say Steven beat on you, was it when they were tryin' to get you in the car or was it after that?

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BRENDAN: When they were tryin' to get me off the ground an, cuz there was my mom, Blaine, Bryan, Bobbie and Steven, tryin' to get me into the Suburban. But when they couldn't do that because it was really hard for 'em to get me up.

FASSBENDER: So are you strong?

BRENDAN: Huh?

FASSBENDER: You pretty strong?

BRENDAN: No, I just like to squirm a lot.

FASSBENDER: (laugh) OK.

BRENDAN: And then when they couldn't do that, Steven he dropped me and then he started punching me and that.

FASSBENDER: Where was he punching you?

BRENDAN: Like in the face and the arms.

FASSBENDER: Did he lose his temper, is that what happened?

BRENDAN: Yeah.

FASSBENDER: Was he swearing at you and stuff?

BRENDAN: No. (shakes head "no")

FASSBENDER: No, was your mom there when Steven was hitting you in the face?

BRENDAN: Yeah.

FASSBENDER: What did she do?

BRENDAN: She told 'em to stop.

FASSBENDER: OK. Did he cause you to bleed at all?

BRENDAN: No he just gave me a few bruises.

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FASSBENDER: When-wouldda-would it be fair to say that in your mind, was Steven out of control?

BRENDAN: Yeah.

FASSBENDER: Yeah. He lost his temper, did he look at all anytime the night that you were with Teresa, was he like that at anytime that night?

BRENDAN: No. (shakes head "no")

FASSBENDER: You didn't see him like that that night?

BRENDAN: No. (shakes head "no")

FASSBENDER: Was he calm, most of the night with her, all the night with Teresa?

BRENDAN: What does that mean?

FASSBENDER: Was he relaxed, um

WIEGERT: Easygoing? Or was he more tense, um, agitated, angry?

BRENDAN: Well he was tense.

FAASSBENDER: But he never got 'er, did he ever get to the point where he was real angry or lost his temper?

BRENDAN: mm uh. (shakes head "no")

FASSBENDER: Like that day that he hit you?

BRENDAN: No. (shakes head "no")

FASSBENDER: OK. Is there anything else?

BRENDAN: (shakes head "no")

FASSBENDER: Again, yo-you know this pretty much probably is gonna be your last time and, and I think we got Teresa's attention, and by gettin' her attention with what you're sayin', and we got the whole family's attention and they're gonna know if actually this all gonna come out, they're gonna know what you did for her after you did a very, very, very, very bad thing to her. But now you're tryin' to make up for that. I truly believe that. So we're gonna

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give you an opportunity right now, again, is there anything else? You know all the stuff you told us. Um, even the little things are important to us, whether it's a pair of underwear that you know went somewhere or somethin' happened to it that i-it was, that the haircutting thing, an if.....the facts, we never did get that clear. For Teresa, wh-did you, did anyone cut her hair off that night?

BRENDAN: No. (shakes head "no")

FASSBENDER: Where did you get that from? (pause) I mean it seems kinda strange that you just all of a sudden told us you had cut her hair off. Where did you get that from, if it's not true?

BRENDAN: I don't know, I was just guessing.

FASSBENDER: Why? Did you think that was somethin' we wanted to hear?

FASSBENDER: Brendan, didn't, did someone some one cut her hair off that night?  
Truthfully, for Teresa.

BRENDAN: No. (shakes head "no")

FASSBENDER: OK. And you're, you're not, look at me, you're absolutely positive?

BRENDAN: (nods "yes")

FASSBENDER: OK. He didn't do it and he didn't tell you ta do it.

BRENDAN: (shakes head "no")

FASSBENDER: OK.

WIEGERT: Who else, who was all involved, Brendan? Look at me once too. Just look at me and tell me who was all involved that night.

BRENDAN: Just me and Steve.

WIEGERT: Just you and Steven. And you and Steven both were involved in killing her?

BRENDAN: (nods "yes")

WIEGERT: Did Steve ever tell you that he killed anybody else?

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BRENDAN: No. (shakes head "no")  
WIEGERT: You sure?  
BRENDAN: (nods "yes")  
WIEGERT: Did he talk about things like that a lot?  
BRENDAN: No.  
WIEGERT: OK. (shakes head "no")

FASSBENDER: Did you 'um. Wha-what did you all tell Blane about this? Cuz, Blane is, I, I'm, Mark and I have both heard from a previous source that Blane is kinda hurting right now, kinda like you were. Depressed,

WIEGERT: Losing weight.

FASSBENDER: Losing weight, stuff like that, something's bothering him. Ah, man, and we, we, we wanna know was he involved in, ta any amount or degree, cuz then he needs help. Or did you tell him some of these things, that that's bothering him, that he knows in the back of his mind you had told him and, and that's bothering him, that's hurting him? He can't get in trouble for that, per se. He shoulda told us that he knows and he could get, get in some trouble for that but he wasn't involved. Again, that you don't have ta think about that. Did you, did you tell Blaine some things? Cuz, we want ta number one try and get him some help.

BRENDAN: No. (shakes head "no")  
WIEGERT: Did ya tell anybody? You don't have ta think about that either. Did ya tell anybody?  
BRENDAN: Just that little bit ta Travis.  
WIEGERT: What about ta Kayla.  
BRENDAN: Just that one day when I was over there for a birthday party for her, her friend that ah when they were in their room and I was sitting by the door.  
WIEGERT: Mm huh.

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BRENDAN: She came out and she wanted ta talk ta me and that and she asked me why I was so sad and then I told her why and then after that everybody else came out like Travis and his, his cousin and a friend and after a while I had ta get up and I went into Marie's room fer a little bit and then they came in and they asked me, they were feelin' bad for me.

FASSBENDER: Some good friend. Did, what did you tell ah Kayla when she asked ya what was wrong? Well, tell us what you told her that you remember.

BRENDAN: That I was sorry for what I did and

FASSBENDER: Didn't she ask ya what you meant? Did what? Did you tell her some parts of this?

BRENDAN: No. (shakes head "no")

FASSBENDER: Wa, did she ask you what you meant when you said you were sorry for what you did?

BRENDAN: A little bit.

FASSBENDER: And I think you told her a little bit. Cuz, we talked ta Kayla. What did you tell her? If you remember.

BRENDAN: Now I can't remember.

FASSBENDER: OK.

WIEGERT: Did you know about Steve and Marie having sex?

BRENDAN: Well, I heard that they were doing stuff.

WIEGERT: Where did ya hear that from?

BRENDAN: From her.

WIEGERT: She told you?

BRENDAN: (nods "yes")

WIEGERT: What did she tell you?

BRENDAN: That Steven was trying to come onto her.

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WIEGERT: What about you and Marie? Did you ever have sex before you had it with Teresa?

BRENDAN: No. (shakes head "no")

FASSBENDER: It's all right.

WIEGERT: That was the first time?

BRENDAN: Mm huh.

FASSBENDER: Did you ever fool around with a girl? Not sex but just fool around.

BRENDAN: No.

WIEGERT: Is there anything on your computer that we should know about? You talk ta anybody about this online?

BRENDAN: Not really.

WIEGERT: What do you mean, not really?

BRENDAN: Well would ask them a question and that.

WIEGERT: Like what kind of question?

BRENDAN: Like if they like Steven and that.

WIEGERT: You would ask people that? Why would you ask people that?

BRENDAN: Well, I asked Marie that and Travis that.

WIEGERT: OK.

FASSBENDER: What was your screen name?

BRENDAN: fer, what?

FASSBENDER: MSN for ah chat rooms and stuff. Email type name.

BRENDAN: Well, some people said that I spelled it wrong, but I think I did after a while.

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WIEGERT: Well, what was it?

FASSBENDER: It's all right.

BRENDAN: But I don't wanna say the first word.

FASSBENDER: Spell it.

BRENDAN: N I G E R

FASSBENDER: And the rest of it was what?

BRENDAN: for life

WIEGERT: OK. What does that mean?

BRENDAN: That, that I didn't have no problems with black people.

WIEGERT: OK.

FASSBENDER: You feelin' pretty relaxed now? You're looking a lot more relaxed. You're actually lookin' at us now and saw a couple of actual smiles.

WIEGERT: Can I get ya a soda or water or something?

BRENDAN: uh uh. (shakes head "no")

WIEGERT: You sure? Bathroom?

BRENDAN: uh uh. (shakes head "no")

FASSBENDER: You wanna give us a couple of minutes then?

WIEGERT: We'll be right back.

FASSBENDER: All right, you relax, all right.

(door opens and closes)

(door opens)

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WIEGERT: You sure I can't get ya something, huh?

BRENDAN: (shakes head "no")

WIEGERT: All right.

(door closes)

WIEGERT: Tom's gonna be back in a second. OK? Um, would you be willing to draw out which route you took with her jeep? Think you could do that? All right. I'll give you this again. We'll just say, you know, you probably wanna draw like Steve's trailer your house, you know, mom and dads, Chuckie's, you know and then like the pits over here and you know which ever route you took. Can you do that?

BRENDAN: Mm huh. (nods "yes")

WIEGERT: All right. It's getting warm in here, isn't it?

BRENDAN: Should I draw a fence?

WIEGERT: Mmm, you don't have ta, yeah, if you want to. Just draw a straight line or whatever. What's that mean.

BRENDAN: Huh?

WIEGERT: What's in that fence?

BRENDAN: That's the um,

WIEGERT: .....

BRENDAN: Yeah.

WIEGERT: OK.

(door opens and closes)

BRENDAN: Should I draw like trees over here?

WIEGERT: OK, just put an X,

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FASSBENDER: You can put X's for trees. Yeah. OK. Hang on just a second. Those are trees right along Steven's? Is that what that is?

BRENDAN: Mm huh.

FASSBENDER: Cuz what I'm gonna do if you don't mind, take it out. I'm gonna take another one, cuz I don't want you to be too and if you have ta you can kinda go into this and do what you have ta do. Just so you have enough paper, OK? If you don't have to, you don't have to.

BRENDAN: Well there is just trees there and there is a field.

FASSBENDER: Right. If ya have ta, show kinda the field there, that's fine. We can tape that together. If you wanna just say that this is the field, make it a short field, that's fine. I just wanted ta give you enough room.

BRENDAN: Do I have ta draw the conveyer belt or whatever?

WIEGERT: Yeah, if you could put that in there, that'd be good.

(knock on the door)

(door opens)

(door closes)

WIEGERT: So it's, just kind of show us.

FASSBENDER: Don't write anything, show us where

WIEGERT/FASSBENDER (both speaking at the same time): .....

BRENDAN: The route like right here.

FASSBENDER: OK.

WIEGERT: This, this is just a field here? You drove through?

WIEGERT: OK.

FASSBENDER: Did he go all the way along the other side of the field and down this road back in here the dirt road?

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- BRENDAN: mm mh. (shakes head "no")
- FASSBENDER: He went right alongside the trees there?
- BRENDAN: Mm huh. (nods "yes")
- FASSBENDER: Is there a path there or something?
- BRENDAN: Yeah.
- FASSBENDER: So where's Radandt's pit?
- BRENDAN: Like right over, right here.
- FASSBENDER: Right there.
- WIEGERT: Where was it parked then when you parked it?
- FASSBENDER: The RAV4, right?
- WIEGERT: The jeep, yeah. When you drove it down here, where did you park it?
- BRENDAN: Like right here.
- WIEGERT: OK. Lets put an X there. And which way was it facing?
- BRENDAN: That way.
- FASSBENDER: Do you remember? Do you remember?
- BRENDAN: No. (shakes head "no")
- FASSBENDER: OK. Don't guess then. Just say you don't remember. You don't remember which way it was facing.? OK. Remember this, here's Stevens, right? Is that his garage?
- BRENDAN: Mm huh.
- FASSBENDER: If you go out here on the, on the frontage road or the road that comes down, there's that field and we know about that, if you go past that field, do you remember, do you know about a road that goes back in here then there's some huntin' cabins back in here?

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BRENDAN: Yeah.

FASSBENDER: That, is that the road you went?

BRENDAN: No. (shakes head "no")

FASSBENDER: No. You went along this little, um, there a berm kinda right? A, a ledge and then on the other side there's a pit that the gravel pit and this side is the salvage yard.

BRENDAN: Yeah.

FASSBENDER: And you went right along that thing?

BRENDAN: Yeah.

FASSBENDER: Oh. And then down here you're able to get off that thing and get inta the yard, huh?

BRENDAN: Mm huh.

FASSBENDER: OK. That makes sense.

WIEGERT: OK. Why don't you sign that.

FASSBENDER: And put today's date on it, thirteenth. So this is 05/13.

WIEGERT: '06. I just got one question for you, Brendan, yet. Did you guys take any of the bones out of that burn pile?

BRENDAN: I didn't. (shakes head "no")

WIEGERT: All right. How about Steve?

BRENDAN: Not that I know of. (shakes head "no")

FASSBENDER: Kinda gotta a difficult question again in a sense ah, but again I think your doing, you-your feelin' a lot better because of you know that Teresa's feeling a lot better what your doing. When, when you saw her and that whole night everytime you saw her, did you see any bruises or red marks on her or anything where, where she might have been grabbed, twisted, punched or anything like that?

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BRENDAN: No. (shakes head "no")

FASSBENDER: And you can't remember that?

BRENDAN: Mm uh. (shakes head "no")

FASSBENDER: Because the-the reason I'm askin' that is if, if Steven were to try and get someone in, into a position he has ultimately got her in, I don't think she's gonna go along with the program. Do you agree with that? So there's probably some physical altercation goin' on. Do you agree with that?

BRENDAN: Mm huh.

FASSBENDER: OK. But you don't recall seeing any of that?

BRENDAN: Uh uh. (shakes head "no")

FASSBENDER: Is everything at this point in time, you told us the truth as you know it?

BRENDAN: Yeah.

WIEGERT: What is, something real quick. Was she, she was a kinda of a fighter, huh? She would fight a little bit? Anything you wanna say ta Teresa or her family right now since you're being taped?

BRENDAN: Uh uh. (shakes head "no")

WIEGERT: No? OK.

BRENDAN: Just that I'm sorry.

WIEGERT: OK. That's all I have.

FASSBENDER: Mark mentioned talkin' to your mom about this and being truthful with her now. OK? If you're truly sorry to the Halbachs, you'll be, you'll tell your mother the truth about this. OK?

WIEGERT: Are you gonna do that?

BRENDAN: Yeah.

WIEGERT: When your gonna do that?

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BRENDAN: Tonight.

WIEGERT: OK. Probably be a good idea before we tell her. That be the right thing to do. Your mom deserves ta know. OK?

BRENDAN: Mm huh. (nods "yes")

WIEGERT: All right.

FASSBENDER: All right, Brendan. Thank you.

WIEGERT: We'll get the guard back in ta take you back right in time for lunch. I'll stay here with him .....

(door open and closes)

WIEGERT: I think we'll leave that door open, it's getting hot in here.

(door opens)

WIEGERT: Get some air in here.

UNRECOGNIZABLE VOICE: All right, thanks.

WIEGERT: Gettin' hot.

FASSBENDER: Huh?

WIEGERT: It's gettin' hot in here.

FASSBENDER: Yeah. You hot? All right? We're not gonna have ta come back again, are we?

BRENDAN: (shakes head "no")

FASSBENDER: All right.

UNRECOGNIZABLE VOICE: We'll be with you shortly.

FASSBENDER and WIEGERT: Thank you, thanks.

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- FASSBENDER: What time do they give you lunch usually up there, Brendan?
- BRENDAN: A little past 11:30.
- FASSBENDER: Oh, I'm sure they saved ya right? I imagine.
- WIEGERT: ..... with your mom too. OK? Tell her exactly what you told us.
- FASSBENDER: So that she can quit blaming us for everything, all right?
- WIEGERT: Cuz, once she sees the tape, she's gonna know anyway.
- FASSBENDER: And just like I told ya with your attorneys that's, that's the only way she can help you too, is if she knows the truth and that she knows what type of help ta try and get you.
- BRENDAN: At first my mom was really pissed off at my attorney.
- FASSBENDER: Really, why is that?
- BRENDAN: Cuz, like four weeks ago I called him and left a, an, um answering machine, a message on his answering machine but he never did what I told him to cuz I was giving him permission ta talk to my mom about what he's gonna be doing and that.
- FASSBENDER: OK. Is that better? I mean the attorney talks to ya now doesn't he and stuff?
- BRENDAN: He talks ta me but he don't talk ta my mom.
- WIEGERT: Have you told him that he can tell your mom stuff.
- BRENDAN: Not, I just left that message on his answering machine.
- WIEGERT: OK. If you want your mom to know, your gonna have ta tell him that.
- FASSBENDER: Tell him directly, don't leave messages. OK?
- BRENDAN: Mm huh. (nods "yes")

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FASSBENDER: Cuz, he is your attorney. Not your mom's. He can't disclose stuff ta mom that he talks about with you unless you tell him directly that he can. OK? So make sure that you do that.

WIEGERT: Kinda of like you told him you wanted ta talk with us. That's the only way that we could do that. We're all set.

UNRECOGNIZABLE VOICE: .....

WIEGERT: All set.

UNRECOGNIZABLE VOICE: Cuff him out there stand up.

FASSBENDER: Now we have ta put the cuffs back on you, Brendan.

(voices)

FASSBENDER: Do you want me safe, or ta double lock 'em?

UNRECOGNIZABLE VOICE: No that's all right.

FASSBENDER/WIEGERT (speaking at the same time): .....

UNRECOGNIZABLE VOICE: You guys buying lunch?

WIEGERT: Nope. Already offered.

UNRECOGNIZABLE VOICE: All right. .....

WIEGERT and FASSBENDER speaking together.

WIEGERT: You wanna shut the tape machine off?

UNRECOGNIZABLE VOICE: Yes.

(End of tape)

Inv. Mark Wiegert  
Calumet Co. Sheriff's Dept.  
MW/sk/ds