

CALUMET COUNTY SHERIFF'S DEPARTMENT

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File Number

Complaint No.
05-0157-955

TYPE OF ACTIVITY: Supplemental Report

Search Warrant:
Barbara E. Janda
DOB 11/07/64
12930A Avery Rd.
Two Rivers, WI 54241
Phone: 973-1740

DATE OF ACTIVITY: 11/09/05

REPORTING OFFICER: Inv. Wendy Baldwin

On 11/09/05, I (Inv. WENDY BALDWIN) along with several agents from the STATE OF WISCONSIN DEPARTMENT OF CRIMINAL INVESTIGATION (DCI) met and decided which individuals would execute the Search Warrants. Special Agent JOE KAPITANY of DCI and I were going to execute the Search Warrant for BARBARA E. JANDA.

At approximately 1330 hours, Special Agent KAPITANY received a call from one of his agents at the EARL AVERY residence indicating that BARBARA was there and they could not find EARL. We made contact at EARL's residence and Special Agent DEB STRAUSS of DCI indicated she had already read BARBARA JANDA the Miranda Warning. BARBARA said she was willing to answer questions. A protective sweep was done at the residence due to EARL possibly being hidden inside the residence somewhere. A search of the house was done, however, EARL was not found. There was a firearm that was located under one of EARL's daughter's bed. That weapon was secured for safety reasons however, will be returned at a later time.

BARBARA was escorted to my squad car where she sat in the front passenger's seat. While on the way to AURORA MEDICAL CENTER, Special Agent KAPITANY did speak with BARBARA. See his report for details on her interview.

After reading the Search Warrant to obtain DNA samples, fingerprint and palm prints, it was found it was not valid due to BARBARA's last name being AVERY on the Search Warrant instead of JANDA. BARBARA, however, did sign a Permission to Search form.

At approximately 1429 hours, I did enter the exam room with BARBARA. At approximately 1437 hours, BARBARA did sign the hospital's consent to take the samples. At approximately 1444 hours, BARBARA signed the consent form to search from our department. The samples and prints were taken from BARBARA and later turned over to the evidence technician.

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WB/sk

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TYPE OF ACTIVITY: Interview of Barbara Janda

DATE OF ACTIVITY: 11/14/05

REPORTING OFFICER: Inv. Wendy Baldwin

On 11/14/05 at approximately 1645 hours, Special Agent KIM SKORLINSKI and I (Inv. BALDWIN) met with BARBARA at the LIGHTHOUSE INN located in Two Rivers. We had prior contact with BARBARA and she did agree to meet us there to speak about the case further.

We asked BARBARA about the leg cuffs and handcuffs that were purchased in Manitowoc and she does recall being at that store in October, however, did not remember the date. BARBARA said she did buy a pair of pink cuffs and some lotion. We asked her if she could recall what STEVEN had bought and she said she thought it was a pair of leg cuffs and handcuffs, however, did not know what color they were. I informed her a receipt from the store indicating a pair of pink cuffs were purchased along with an animal print of some sort. BARBARA said she did know hers were pink, however, did not know what type STEVEN bought.

We also asked BARBARA about the burnt car seat, maroon in color, in STEVEN's pit, She said there had been one setting by the fence on the east side of her residence, however, she did not notice that it was gone. BARBARA said it was setting by a trailer near a van, however, she did not know that it was gone. She said STEVEN was throwing a lot of stuff away lately and did not know the items he was throwing out.

We asked BARBARA if she could recall the date of 10/31/05, Halloween, and her activities that day. BARBARA said she had gone to work and had returned home at approximately 4:50 p.m. or 5:00 p.m. BARBARA said BLAINE, BOBBY and BRENDAN were all home at 5:00 p.m. She said her boyfriend, SCOTT TADYCH, had picked her up at about 5:15 p.m. and she went with him to the hospital to see his mother who was in the hospital and had back surgery. BARBARA said she returned home at about 7:45 p.m. to 8:00 p.m. and told BLAINE and BRENDAN she was going over by SCOTT's house for a while.

BARBARA said when she returned home at 8:00 p.m., she did see a rather large fire, approximately three feet high, in the pit at STEVEN's garage. She said she could tell there were two people standing there; however, does not know who that was. BARBARA said SCOTT made the comment, "Look how big the fire is." BARBARA stated she went into the house to tell whoever was in the house at the time that she was going to be leaving for a short time.

We asked BARBARA about the gray Suzuki vehicle parked by the garage and she did not notice the car was moved but knew that it had been setting on the east side of his garage for quite a while.

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We asked BARBARA who the other person may have been that was standing out by the fire and she said she did not know; however, BRENDAN did spend quite a bit of time with STEVEN because he was the only child who did not have a lot of friends at the time and he did help STEVEN with stuff around his house.

BARBARA could not recall the last time STEVEN had had a bonfire in the pit; however, the last time she had a bonfire at her residence was back in 2004. BARBARA said the last party they had was for BOBBY; however, they did not have a bonfire at that time.

We asked BARBARA what STEVEN usually burns in the pit and she said usually tires; however, she does not like that because the house gets black when he does that.

We asked BARBARA if she knew that BRENDAN had been driving her golf cart and she said, no she did not know that; that he was not allowed to use the golf cart.

BARBARA stated when she returned home around midnight, she did not recall seeing the fire at that time.

We asked BARBARA about an argument she had with STEVEN about selling her red van. BARBARA said she had disagreed with him putting it in the AUTO TRADER because she did not feel she needed to sell it, she was going to keep it for one of her sons who was getting their driver license. BARBARA said she thought it was a waste of money to spend the \$40.00 to run an ad for the van. We asked BARBARA how much she thought the van was worth and she said about \$1,000.00.

We asked BARBARA if she has ever gotten into an argument with STEVEN particularly in the last couple of days prior to 10/31/05. She said she and STEVEN had gotten into an argument and he had told her her kids are stupid and she needs to spend more time with them and be a mom. BARBARA said STEVEN was very demanding and stating she was doing a bad job raising her kids.

We asked BARBARA about her son, BLAINE's, relationship with his boss, MICHAEL, and she said it was fine, that he did a lot of landscaping for him and she thought he treated him like a son. We informed BARBARA of our concerns with his boss and the way he was treating him and touching him during an interview that one of the other agents had with BLAINE earlier.

We asked BARBARA who the biggest influence in her son's life would have been and she said TOM JANDA was good with her kids and took them fishing a lot; however, he had moved out in October.

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I asked BARBARA if STEVEN has ever come on to her sexually and she said just stupid comments and pushing and shoving. BARBARA stated she did not feel there was anything unusual or out of the ordinary with her relationship with STEVEN.

I asked BARBARA who STEVEN said the handcuffs and leg cuffs were for and she said he told her it was for JODI.

I asked BARBARA when JODI was due to be released from jail and she said March.

I asked BARBARA if she really thought those items were really going to be used for her and she said no.

The interview with BARBARA was concluded at approximately 1740 hours.

Inv. Wendy Baldwin
Calumet Co. Sheriff's Dept.
WB/bdg