

## Rumors of Murder



Tell this story of the deer's skull  
you asked quietly and so I  
came in my own time to put  
these words carefully here  
slowly listing each motion  
on this thin paper  
as fragile and as tough  
as knowledge.  
-Susan Griffin "Deer Skull"

The wilderness-themed town of Waupaca, Wisconsin, is etched by 278 miles of scenic snowmobile trails. 22 spring-fed lakes and thousands of acres of game land create a natural playground for fishing and hunting. Proud Milwaukee Bucks stare down from posters in local sports bars. A randy neon-orange ruminant bleats from a strip-club sign, "Hunters Welcome!" A stuffed deer over the mantel is common den décor in a place home to Buck Lake and Fawn Creek School. Waupaca is a Menominee name that ranges in meaning from "clear water" to "watching" to "brave young hero." In this region of limpid waterways, Kathy Marsden and James McCoy have been watching and waiting for four years as officials attempt to piece together the killing of their son.

October 23<sup>rd</sup>, 2004, twenty year old Kevin McCoy left a party to blow off some steam. The evening hadn't turned out the way he expected. Riding with his friend Daniel "Dumbo" Hernandez to the house of a pair of local girls, he had been hoping for a laidback scene: a little conversation, a few drinks, and a chance to hang out with friends he met while working at Pizza Hut. What began as a card game of six swelled to a group

of around thirty people in their late teens and early twenties. Just out of high school and stranded in a small town, they were determined to cast off a wage-slave work-a-day grind for a little weekend fun.

One of the young women at the party had a new boyfriend, Rory Kuenzi. They had just been dating for a few weeks, but he was already showing a hint of possessiveness and the violent streak rumored to have soured past relationships. It was a personality type foreshadowing what would become a career of felonies and misdemeanors. He was a petty criminal seasoning his skills for future battery convictions, intended bodily harm, child abuse and bail jumping. Not exactly a mother's dream for her daughter, he traded on the sort of outlaw allure that a naïve girl can mistake for excitement.

Rory Kuenzi has dark hair, brown eyes, and a long slightly off-centered nose. Wiry and slight, he intimidates through his reputation and a disquieting steely-eyed glare with a single raised eyebrow that he holds without flinching. He is a local bad boy well acquainted with law enforcement. In jailhouse lingo, his 2004 criminal record was "nothin' to brag about," but legal pressures were starting to intensify. Regular sprees of under-aged drinking and disorderly conduct were overshadowed by a petition for child support and maintenance filed 9-3-2004. It is understandable that a rabble-rousing drunken deadbeat dad would have felt a little insecure seeing his new girlfriend talking to the energetic, engaging, all-American Kevin McCoy.

Good looking, smart, extroverted and funny, Kevin was the core of his social group. This was a well-rounded kid who went out for sports, got good grades, and was a lead thespian in school productions. He was comfortable taking center stage in a crowd, yet despite being gregarious, he also displayed sensitivity and depth in understanding human nature. Interested in a career as a psychologist, he was considered a confidant and mediator. As a compassionate listener, he was popular with girls and had many female friends. It would not have been unusual for him to dispense advice or display an old-fashioned sense of chivalry.

Events leading to the argument between the two men are unclear. Rumors range from Rory seeming jealous of Kevin casually chatting with his new girlfriend to a scenario where McCoy stood up to protect the young woman against some form of aggression. Either situation might have enraged her delinquent boyfriend. Whatever the nature of their disagreement, the fact that Kevin was embroiled in any sort of conflict was out of character and unexpected. He would not stick around to watch it escalate and chose to head home for the night. He didn't say goodbye to his friend "Dumbo" and he didn't attempt to line up a ride. Kevin lived a mile past Highway 54. The October air was still temperate and he might have decided a brisk walk back into town would cool things off.

Butts Drive is a lone stretch of road where the city extends east into Farmington. The rural path ambles past the Deerhaven Campgrounds, with its hand-painted stag standing amidst the evergreens, and winds down to Doe Hill Drive. A few houses recede into the countryside and a scattering of trees interrupt wide stretches of farmland. Relatively flat

and open on all sides, it is a quick way back to the city of Waupaca. Between midnight and three in the morning, the remote road must have appeared desolate.

One wonders if Kevin saw the headlights of the three vehicles cutting through the darkness and did he recognize the driver, the passenger, and other kids from the party. A truck with a deer guard struck Kevin McCoy directly from behind with enough force that his shoes were flung fifteen feet, his body flew into the air, and his head slammed against the hood, leaving a dent directly in front of the passenger seat. His spleen ruptured and his aorta was dissected from his heart. His neck broke, instantly disconnecting from his body. That he did not suffer by the side of the road until daylight remains cold comfort for his family.

Pieces of the truck explode onto the street. Kevin McCoy is dead. The individual who kills him drives away.



(Kevin McCoy)

The next morning a motorist finds the body. Evidence still litters the crime scene and smashed vehicle bits lead investigators to an unlicensed and uninsured Rory Kuenzi. He readily admits to experiencing an impact and describes how he exited the vehicle to look around. Seeing nothing, he got back in his truck and drove off. His passenger claims they never stopped.

Police have an inconsistent story, fragments of the truck, a suspect's admission of being at the scene, and testimony that this individual was witnessed in the midst of an altercation with the deceased a short time before the crime. What appears to be the classic open and shut case will drag on for four years. The DA wants a detailed scientific accident reconstruction, the sheriff and assorted experts attempt to piece together the events of October 23<sup>rd</sup>, 2004, and Rory Kuenzi walks the streets of Waupaca and Weyauwega having shrugged off the situation with a single dismissive line, "I thought I might have hit a deer."

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It is January 8<sup>th</sup>, 2009. A few miles outside of Waupaca, several deer have been hit. In an alfalfa field along a snowmobile trail where a herd of deer were known to graze and huddle through the winter, there is red blood on white snow.

Warden Ted Dremel of the Department of Natural Resources is one of the first to assess the carnage. It is clearly not the scene of an accident or a hunter's clean kill. According to the criminal complaint issued by the Waupaca County Circuit Court, four deer are dead in various mangled poses and a fifth is found barely alive and suffering severe injuries. The struggling animal must be euthanized.

One deer has been tortured near the path. Its abdomen is ripped open. Three others are scattered about with significant injuries and broken legs. One has attempted to crawl deeper into the wilderness through the packed snow and ice before its broken body expired. A fifth deer must have still been alive when it was tied to a tree. It appears this one panicked, winding around and around the trunk as a tether tightened around and around its neck. The deer is suffocated by its own fear.

On that idyllic stretch of rural property covered in crystalline snow, two bucks, three does, and a single fawn have been brutally slaughtered.

Warden Dremel observes a circle of snowmobile tracks surrounding a stampede of hoof prints. It appears there were three machines and they corralled the deer before running them down and over.

As the news breaks throughout the town and across Wisconsin, citizens voice their indignation. Outraged snowmobile clubs raise thousands of dollars as a reward for finding the perpetrators of the crime.

Informants come forward and tips lead investigators to a ravaged snowmobile dumped in the Township of Mukwa. It seems the white Polaris had been parked outside the Kegles Bowling Center in Manawa when it was stolen.

Further investigation leads the sheriff's department and DNR officials to their first suspect, a 23 year old baby-faced man named Nicholas D. Hermes. When they arrive at his residence, his girlfriend, Emily Schofenr, lets the officers search the place. Hermes doesn't have a long police record. He hasn't honed talents of stealth and deception. The officers locate a snowmobile covered in fur and blood.

Hermes is picked up at Quantum Dairy where he works, and taken in for questioning. He tells Warden Dremel that he and his girlfriend were riding his snowmobile along the trails when they met up with some friends, a couple of brothers from Weyauwega. The group was speeding along Denmark Road when a deer jumped in front of him and he accidentally hit it. The animal stumbled but managed to run away.

In the field there was a herd of thirty or forty deer startled by the revving engines. Hermes checked his vehicle for damage and claims that the next thing he knew, his friends were chasing down deer and driving over them. He tells officials he was trying to get them to stop but the brothers kept plowing over the frightened creatures. As his story progresses, Hermes portrays himself as an innocent bystander attempting to thwart the gruesome killings. He was always 50 yards behind, flashing his lights for them to stop. The first deer was hit by accident, another was clipped as he tried to avoid it, and he ran right over a third with his sled because it was lying on the ground and he couldn't turn in time. It is an oddly gory series of events for someone who claims to be acting the role of Good Samaritan.

His girlfriend contradicts Hermes' version of events and implicates him equally in the carnage.



**(Nicholas Hermes)**

One of the brothers, 23 year old Robby Kuenzi, steered a red Skidoo snowmobile over the stomach of a fallen deer, ripping the gut wide open with his studded tracks. He takes an active role rounding up the animals and crashing his machine into their bodies. He works in unison with his older brother to savage the deer. The creatures don't have a fighting chance in the icy packed snow. As Robby's vehicle glides over the terrain, the deer are tripped up by the inclement conditions of the landscape. They fall easily and are torn into where they lie



**(Robby Kuenzi)**

Big brother Rory Kuenzi drives a white Polaris snowmobile that has been “borrowed.” The 24 year old man circles the deer, dropping them with his machine and smashing back into their twitching forms. He talks about returning to the site and dressing the deer for venison, although the huntsman terminology is hardly apropos in this situation. As Emily Shofen recalls, there was talk of coming back and “getting the deer to eat.” There is blood staining the scene and fur like pine needles in the snow. It is still not enough. He drags a deer behind his vehicle and ties it to a tree before resuming the hunt.

The third accomplice can now start a sentence with “I thought I might have hit a deer” and be telling the truth. Rory Kuenzi has not run over a human tonight; he has not run his vehicle into a twenty year old peer with such force that his neck snaps. Instead of a truck, he rode a snowmobile. Instead of smashing into a handsome and promising young man in the prime of his life, he has hit a deer.



**(Rory Kuenzi)**

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The picture of a doe and spotted fawn grazing in a green field is laminated in the menu at Three Squares truck stop just outside of Waupaca. The family restaurant offers country music, friendly service, and generous portions. It is the kind of place where one might encounter a hunter in full camouflage downing a big breakfast before camping out in a blind for the rest of the day. An out-of-towner could learn the intricacies of navigating local trails from a snowmobile enthusiast warming up with a cup of coffee.

Kevin McCoy’s mother, Kathleen Marsden, arrives for our interview casually dressed and wearing a cross around her neck. She is a pretty blonde with a quick smile that must comfort patients at King Veteran’s Home where she is in charge of nursing schedules. She was a CNA for 26 years and has a nurse’s talent for putting others at ease.

**SCENE: Did Kevin know Rory Kuenzi before the night of the crime?**

Kathleen Marsden: Not as friends, but I do believe he knew of him.

**SCENE: Do you have any information about him?**

I have been in contact with the mother of one of his girlfriends. She has been trying to get her daughter away from Kuenzi for years. She was successful for a while, especially after he had beaten her. I'm sure it happened more than once. Then she went back. She's probably pretty brainwashed and very afraid. He was also arrested for child abuse. He has been in and out of the system so many times. I'm sure the computer list of his crimes isn't even the half of it.

**SCENE: What have you heard about the altercation at the party?**

KM: The party was unsupervised. It was thrown by two girls who lived as roommates on Butts Drive. Apparently it was an under-aged drinking party, but I don't know where they got the alcohol. I had heard off and on that Kevin stood up for a girl. He always stood up for his beliefs. I know for a fact that the partygoers are afraid to come forward because of the Kuenzis. Kevin walked away from the confrontation. He also knew how Mom felt about drunk driving, so that would be another reason why he walked home.

**SCENE: What do you suspect happened on Butts Drive that night?**

KM: Kevin left the party and Kuenzi was out the door soon after their confrontation. I don't know whether this is speculative or true, but supposedly the passenger riding with Kuenzi said he saw Kevin come up over the truck when he was hit. He flew onto the hood and there was an indentation left by his head. I talked to the coroner and she told me Kevin was dead immediately because his neck broke; it was totally disconnected inside. He was gone. That's actually a comfort to me. He didn't suffer.

**SCENE: Kuenzi claims the car following clipped him. A rear-end crash also sounds consistent with what happens when one hits a victim and the car behind can't break quickly enough.**

KM: Correct.

**SCENE: When I talked to DA John Snider, he blamed the Sheriff's department for bungling the investigation. Sheriff Brad Hardel disagrees. He says the DA called for an accident reconstruction specialist and the expert from Colorado retired forcing them to train new officers to complete the task. It has taken four years. How does the family feel about this?**

KM: They found a piece of Kuenzi's truck the next day. They knew who did it. Investigators interviewed the kids but they weren't telling. We're hoping the passenger in the truck will come forward. All we can do is hope. His father and I don't want them to just rush into this and make it a hit and run. We don't believe this was an accident.

It has been very disappointing. “Oh, well, this is just a kid who has been killed.” Tell me how you would feel if it was your kid?

**SCENE: When was Kevin’s body found?**

KM: It was the next morning. Actually, the man who discovered him was a CNA at King. I knew him well. He and his wife found him. The police had my boyfriend’s number and when we came back from church there was a message on the machine. The Waupaca Sheriff said, “We’re looking for Kevin McCoy’s mom.” I remember thinking, “Oh no. Was he killed? Is he dead?” I told my boyfriend, “Maybe he’s just hurt.”

I called back and they asked where I was. I told them I was in Wild Rose and they said they were going to have the sheriff come and talk to me. At this point I’m still holding out. Maybe he’s just hurt. Maybe.

The sheriff came inside and told me what happened. I was on the floor. I just collapsed.

**SCENE: And since that day, you’ve been waiting for justice. How did you feel when you heard about the deer mutilations?**

KM: I was appalled, but I think it was made to happen this way because now the case is back out there.

**SCENE: What do you hope happens to Rory Kuenzi?**

KM: I want him prosecuted for premeditated murder and locked away for life.

**SCENE: What was it like to live so close to the man who killed your son?**

KM: This is not a huge area, but I thankfully have not seen him.

**SCENE: How have family members coped over the years?**

KM: His father and I were divorced when the kids were little, but we’ve been working together for the sake of Kevin.

When my second husband died of cancer, I had to start counseling. I’ve been in therapy for eight years, so I was lucky to have that when I needed it most.

Family on both sides, step children and Kevin’s older brother Joe, have suffered. Joe was troubled for a while. The boys were close. He has gotten better. The reality of his brother being killed really hit him.

My boyfriend, Larry, who has been with me for eight years, was a great help. He has a place in Arizona and we have been able to get away together and recuperate. If Larry

hadn't been there, I don't know what I would have done. There are times I can hardly remember. He took care of so many things for me.

**SCENE: In most reports, the victim is referred to as “the pedestrian.” Who was Kevin McCoy?**

KM: Kevin wanted to go to UW-Oshkosh and study psychology. He was very good in school and most of the time got A's and B's. The teachers liked him and the other kids liked him too.

*[Kathleen Marsden brings along pictures of Kevin posing with family in his green graduation robe. Clearly enchanted by his son's irreverent humor, his father lifts the hem to expose a pair of Homer Simpson slippers.]*

He played a little football, but eventually quit. He wasn't a big kid. He also did some wrestling for a while. He was in the band and performed in a couple of high school plays. One of his last plays was The Music Man.

*[In this photograph Kevin is commanding the stage as the central character wearing starched white band trousers, a vibrant red jacket, and a bow tie.]*

He worked at few restaurants and was being promoted to shift manager at Pizza Hut. Kevin loved to cook. He would take raw potatoes, grate them up, and make hash browns from scratch. He did a lot of things like that.

*[An hour after the interview, friends from Pizza Hut would fill the front row of courtroom pews to face down Rory Kuenzi in a preliminary hearing. Each wore a stitched patch reading “In loving memory of Kevin “Billy” McCoy 1-18-1984 to 10-23-2004 R.I.P”. The “I” was replaced by a red rose.]*

We liked funny shows. I remember once he called me into the room, “Mom, you've got to see this.” We watched comedy programs like “Whose Line Is It Anyway?” and we would just sit together and laugh.

When the kids were little, I taught country line dancing and they would come with me and learn all the moves. They were such good dancers. I would have them all dressed up in their cowboy shirts and their hats.

Kevin was always an animal lover. I have a brother and sister cat. I was just going to get one of them, but he said, “Can't we get both?” Bonnie and Clyde are eleven years old. The boys are gone, but I still have them.

*[Kathleen appears happy sharing her memories, then suddenly sad. Eleven years ago her young sons were convincing her to take home a pair of cats. Now, she still has her pets, but one grown son has moved out and the other is dead.]*

**SCENE: Thank you for sharing what you know. I'm sorry to have met under these circumstances.**

KM: To be honest with you, this has been going on for so long that it's a relief just to get the story out.



**(Kevin McCoy with his mother Kathleen and father James)**

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Kevin's father, James McCoy, has a PhD in microbiology and currently works in a cardiovascular research lab in Virginia. Methodical and intelligent, he has attempted to piece together much of the crime as he waits for charges to be filed. While he feels legally limited in what he can share, through a series of emails he offered pertinent information gathered from party-goers the day after the incident and from discussions with police and the DA.

**SCENE: What do you think happened the night Kevin left the party?**

James McCoy: We don't really know whether he was planning to walk home or whether he just went out to get away from Kuenzi for a while, who I understand was behaving threateningly. After he went out, Kuenzi and his compatriots left the party. Kevin was struck and killed just over a quarter mile, or about a five minute walk, as I paced it off, from the site of the party. I have no evidence that the killing was intentional, but the confrontations, combined with Kuenzi's violent history, his normal cowardly m.o., which includes battery against women and child abuse, and the presence of alcohol, lead me to suspect it. Think about it. Kuenzi initiated a confrontation, Kevin presumably left to avoid a fight, and five minutes later Kuenzi ran him down and killed him with his car. You don't have to be a trained detective to conclude this looks suspicious.

**SCENE: What is known of the individuals who followed Kuenzi in the other cars?**

JM: As I understand it, four people in Kuenzi's group left the party in three cars. The driver of the first car passed Kevin and told police he 'saw a man walking along the road.' I was told he later changed his story and reported the person he saw was on Highway 54 and not Butts Drive. This is absurd because Kevin never made it to Highway 54. I believe this person was in no way associated with the killing but changed

his story to assist Kuenzi's alibi. According to Kuenzi, Adam Klotzbuecher allegedly tried to pass Kuenzi at the moment Kevin was struck. Klotzbuecher was inconsistent with the passing story. First he told the police he passed Kuenzi; then denied it. Like Kuenzi, Klotzbuecher is a convicted felon so I wouldn't put much faith in anything he says.

**SCENE: Are there inconsistencies in Kuenzi's story?**

JM: Kuenzi's story has more holes in it than Swiss cheese. He first told police he turned north out of the driveway, away from the site where Kevin's body was discovered. When police confronted him with broken parts from his car south of the party site, he suddenly remembered he had turned south after all.

His story regarding the death was that Klotzenbuecher's car pulled next to him to pass near the site where the body was found. He stated this passing car distracted him, causing him to look to his left at the point where Kevin allegedly was struck. His passenger stated he also looked to the left at the alleged passing car at that point and didn't see anyone. The dent in the hood from Kevin's head directly in front of the passenger seat makes it highly unlikely neither of them saw Kevin, at least once he went up onto the hood of the car, even if they didn't see him before he was struck.

The two cars did indeed make contact at some point; a paint transfer occurred between the rear of Kuenzi's truck and the front of Klotzenbuecher's car. Kuenzi said it occurred near the death site, but Klotzenbuecher originally told the police the contact occurred at the intersection of Butts Drive and Highway 54, about a half mile away. The contact could have happened any time, anywhere, and does nothing to support the passing story. Sources who have seen the official accident report told me there is no mention of the passing story in it. I believe it was fabricated after the fact by Kuenzi to provide an alibi for hitting Kevin. Kuenzi stated he stopped his truck, got out, and looked around but didn't find anything. His passenger stated they never stopped. Isn't that curious?

**SCENE: There are rumors amongst Kevin's friends that the body appeared posed. Do you know anything about how Kevin was found?**

JM: By coincidence, the husband of the couple who found the body was a co-worker and friend of Kathy's and mine from the Wisconsin Veteran's Home. On the day of the funeral they described what they found to me. While they admit they are not trained forensic specialists, both concluded that the location, position, and condition of Kevin's body and clothing seemed 'suspicious.' They feel it is odd that no member of the Waupaca County Sheriff's Department ever interviewed them about what they found. The possibility that the body was handled further contradicts the ridiculous 'I thought I might have hit a deer' story.

**SCENE: What is your opinion of the Waupaca County Sheriff's Department?**

JM: The couple who found Kevin called 911 on their cell phone and the police came. From this point on the police work was exceptional, in my opinion, just like on TV. They searched the road and found broken plastic from a turn signal. They acquired a serial number from the plastic and identified the model of the vehicle from which it came. The police went to the Kuenzi home and found the vehicle with damage that matched the broken turn signal pieces.

In the early days of the death I called the sheriff's office almost daily with questions and suggestions. I was generally treated respectfully and I was glad that they shared information with me, but eventually the general explanation was 'nobody's talking,' and it seemed to me that no one was enthused about pursuing the case. I felt then and I feel now that if the police had been more persistent someone would have cracked.

**SCENE: What about DA Snider?**

JM: DA Snider shared information and was friendly and professional. He also nearly always answered my emails and insisted the case was still open and he had no intention of letting it drop; however more recently he has been less responsive. I called and emailed him on 23 October 2008, the fourth anniversary of Kevin's death, and again when the reward fund was established. He did not reply.

**SCENE: DA Snider called for an accident report, but I was told the specialist retired. What do you know about this situation?**

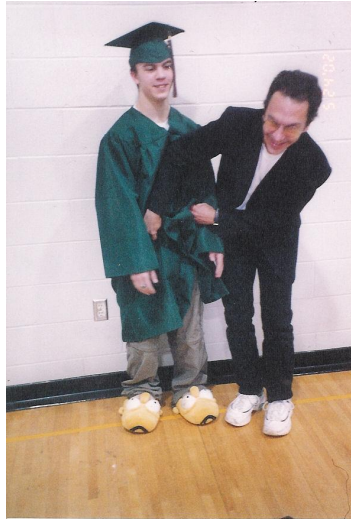
JM: About three years ago the case went to a professional accident reconstructionist, Don Vecci of Colorado, who taught a course taken by one of the deputies. The deputy approached Mr. Vecci after class and asked him if he would look at the evidence and provide an analysis to the sheriff's department, and he agreed. So Mr. Snider's comment that the reconstructionist was 'hired' by the sheriff's department is not entirely true, although it may be that he used the word 'hired' for convenience and did not mean it in the literal sense. To my knowledge no contract was signed.

At this point, the ball was dropped. Mr. Vecci never returned an analysis to the sheriff's department. After about two years, someone tried to get in touch with him and discovered he had retired. I think because the sheriff's department had made the arrangements with Mr. Vecci, Mr. Snider assumed they were on it and would deliver the report to him. Ultimately, Mr. Snider was in charge of the investigation and it seems fair to assume he might have made a phone call or two, or at least taken responsibility for the fiasco instead of trying to pass the buck onto Mr. Vecci.

**SCENE: What is the current report status?**

JM: The request for the reconstruction went to the Wausau State Patrol office in January of 2008. The report finally came out after the media made Kevin's case public following the deer-killing incident. According to the newspaper articles it supports the conclusions of the Waupaca County Sheriff's Department. I feel if it had not been for the deer-killing

by Kuenzi and his accomplices, Kevin's case might still be buried on someone's desk. Four years is a long time to wait for an accident report. I hope if anyone ever runs over one of their loved ones, the authorities responsible will take more interest in it than these public employees did.



**(Kevin with his father and Homer Simpson slippers)**

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Kathleen Marsden takes a deep breath and sits close to a friend who has arrived for support. Family, Kevin's friends, animal rights activists and press convene at the Waupaca County Courthouse for the January 23<sup>rd</sup> preliminary hearing of Robby and Rory Kuenzi. The brothers face multiple animal abuse charges for the snowmobile mangling of six deer. The count was raised another hapless creature when Rory Kuenzi admitted to hitting a final deer which he attempted to bring home to eat. Each Class I Felony carries a ten thousand dollar fine and possible imprisonment for three years and six months.



**(Robby and Rory Kuenzi with their lawyers)**

The Kuenzi brothers, scrawny in their prison jumpsuits, hold up papers in an attempt to shield their faces. Occasionally Rory looks into the crowd and is met with the stony stare

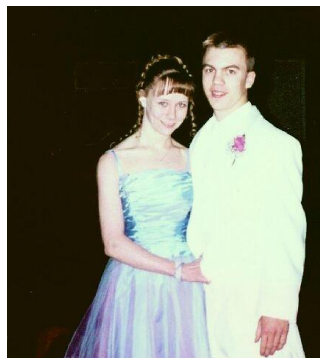
of Kevin's friends. Joe Jones looks him dead in the eye without turning away. "Kevin was the glue that held our group together," he says.

This first court appearance is uneventful. Unfortunately, the words of assistant district attorney Jim Fassbender are not heartening. In attempting to characterize the felonies, he calls the deer mangling "an outdoor version of a barroom brawl."

Fassbender refuses to expand upon this idea, claiming his policy is to not elaborate upon what he says in court. When asked for a statement on behalf of his client, Rory Kuenzi's attorney, Troy Nielsen, says, "No comment."

The same group assembles for the probable cause hearing on February 3<sup>rd</sup>. Rory Kuenzi is pleading "Not Guilty" on all charges. Considering his multiple admissions of culpability, the gallery is surprised. His attorney attempts to lower his client's bail. Kevin McCoy's mother appears distraught, muttering "No. no, no, no" under her breath. Again, Fassbender doesn't seem to be speaking for the citizens of Wisconsin when he suggests decreasing the \$25,000 bail to \$5,000 (in a later interview, Fassbender explains a sizeable bond is appropriate and does not recall asking to lower the amount in court). The judge emerges as the voice of reason and states that Rory Kuenzi would be safer behind bars. He points to a folder filled with letters (one presumes hate mail) and asserts that if Kuenzi were to be freed, he would need to be placed under 24 hour protection from vigilante action within the community. The hunter becomes the hunted.

Outside the courtroom, friends and family of Kevin McCoy convene to console one another. In a corner, Kathleen Marsden is comforting Kevin's former girlfriend. Both are in tears. They pass a formal portrait back and forth. Kevin and his girlfriend are beaming and beautiful. It is a picture of a young couple in love. A reporter asks Daniel "Dumbo" Hernandez if he is there for Rory Kuenzi and he quickly replies, "I am here *against* him. He killed my best friend."



(Kevin McCoy and his former girlfriend)

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DA John Snider and the Waupaca County Sheriff pass the buck back and forth. The accident reconstruction report has taken four years to complete, and as of this printing,

the State Patrol still wants a visibility analysis of the crime scene to determine if the headlights on Kuenzi's truck could illuminate the setting. What seems like a logical three days of assessment could take months.

Barry A.J. Fisher's 5<sup>th</sup> edition *Techniques of Crime Scene Investigation* is a rudimentary manual discussing reconstruction analysis. Evidence includes: paint chips, pieces of the vehicle left at the scene, victim/scene photographs, skid mark evidence to determine speed and direction, soil sampling, and autopsy findings. Four years later, when the scene is long compromised, what is taking so long? In a large city, perhaps crime rates preclude investigators from dedicating time to such cases. This is Waupaca, Wisconsin. How many young men were run over and left to die on deserted roads in 2004?

In the meantime, Rory Kuenzi has committed a series of heinous crimes while bureaucrats shuffle paperwork. In *Defending Our Lives*, Susan Murphy-Milano lists animal torture as an indicator of domestic abuse. In *Journey Into Darkness*, FBI criminal personality profiler John Douglas writes that cruelty to animals is a predictor of violent crime. Will ADA Fassbender stand up for the citizens of Wisconsin and ensure Kuenzi is put away for the depraved deer torture? Will he keep the community safe while investigators sort out the Kevin McCoy case? His lackluster performance in court thus far is not encouraging.

Even if Kuenzi is appropriately convicted for the snowmobile massacre, DA Snider and the Waupaca County Sheriff must come together and file charges against him for the killing of Kevin McCoy. To be sure the people of Wisconsin will make this a primary voting issue when it comes time to assess public officials.

The consolation that everything happens for a reason appears trite in the face of great loss and unspeakable grief. In this case, the wanton slaughter of innocent animals seems to encapsulate the concept. A random act of violence against deer has brought a four year old case to public attention. The primary players in this tragedy no longer operate in the shadows. The spotlight is on the city to take action. Mangled carcasses of animals on a remote trail echo the body of a young man sprawled on the side of a lonely road. Each time one imagines the deer running free through the woods at the height of their majesty, one need imagine Kevin McCoy smiling and full of promise. His is the heart that beats at the center of this case, no longer just a "pedestrian" in a news report.

And in that instant remembered you  
had been in that body of  
that deer dying, what  
does it feel like to be a deer  
dying, the death consumes  
you like birth, you are  
nowhere else but in the center.  
-Susan Griffin "Deer Skull"



*\*Donations to the Kevin McCoy Reward Fund can be made at First Bank of Waupaca,  
101 County Road QQ, Waupaca, WI 54981.*