

Man, 20, gets prison in slaying

Randall Beach, Register Staff

05/12/2007

NEW HAVEN — Kwaun Cole's aunt made a spontaneous last-minute plea for mercy Friday in Superior Court, saying his father had been murdered, but Cole still received a prison sentence of 13 years to serve for the shooting death in which he was involved.

The unplanned testimony by Lucretia Cole followed another emotional statement by Jacqueline Sanchez, the mother of slaying victim Carmelo Torres.

"Why not fight him with your hands? Why kill my baby? You are all punks," said Sanchez in reference to Cole and the three other young men in the car that night: Lewis Harper, Terrence McNair and Angus Clark.

Judge Richard Damiani said only God and those four men know how Torres, 17, was killed Nov. 10, 2004, on Davenport Avenue. The shooting reportedly was part of a neighborhood feud.

But Cole also spoke in court, saying he neither ever got out of the car nor fired a gun.

"I can't offer remorse toward you because I didn't do anything to your son," Cole told Sanchez as he stood and addressed the court. "I can't apologize for something I didn't do."

Cole, 20, went on trial in March for murder and conspiracy to commit murder as well as a weapons charge. But the trial ended when defense attorneys Walter Bansley III and Walter Bansley IV worked out an agreement with State's Attorney Michael Dearington.

The agreement called for Cole to plead guilty to conspiracy to commit first-degree assault and receive a 20 year sentence, suspended after he serves 13 years. He then will be on probation for three years.

Dearington has maintained Cole did fire at Torres, but didn't hit him. According to Dearington, Harper fired the fatal shot. He received a 32-year sentence.

Bansley IV told Damiani that a six-year sentence would be fairer for Cole because that's what McNair received. Clark was able to avoid any prison sentence.

But Sanchez, reading from her written statement, said to Cole, "They could give you 100 years and I will not be happy because this is not bringing my son, Carmelo, back to our family."

"You all have put a hole in my heart that no one and nobody could ever fill," Sanchez said. "I did not have my child for you fools to kill him. He was my heart, the blood that goes through my body."

She added, "But I believe in God. ... What goes around, comes around. One day, you will feel that pain you made us go through."

Cole later told her, "I believe in God, too."

His aunt also said she believes in God. "My brother was shot and killed; I watched him die. I know your pain," she added, turning toward Sanchez.

But she said her nephew "has a good heart."

"I believe him," she said. "I know he shouldn't have been with the people he was messing with, but I believe he didn't pull the trigger."

"His father was murdered," she noted.

As Damiani imposed the previously agreed-upon sentence, he told Cole, "If you have a heart and conscience as your aunt said, hopefully you'll come out (of prison) as a better person."