

Judge rules there's probable cause to try man in 2005 Edgewood Park slaying

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-NEW HAVEN — After Jennifer Kos testified Tuesday about her former boyfriend, Harry Gonzalez, attacking Phillip Vinci in Edgewood Park two years ago, a Superior Court judge ruled there is probable cause for Gonzalez to be tried for murder.

Judge William Holden also was swayed by testimony Tuesday from Justin Wolfanger, who said he was jogging through the park when he saw a man he later identified as Gonzalez strike another man (Vinci) with a baseball bat.

Two people walking through the park with their dog three days later, Oct. 16, 2005, saw a body floating in the river. It was Vinci.

"The two citizens pointed out an object in the water," testified patrol Officer Hollie Tutrani Tuesday during the probable cause hearing.

Assistant State's Attorney John Waddock noted a state medical examiner ruled Vinci died from "asphyxiation due to strangulation."

Wolfanger then testified that when he came across the two men, the white male (Vinci) said to him, "Police? You police?"

Wolfanger said he was scared, so he replied, "Yeah, I'm police," and kept running. But he said the two men then started running after him. He noticed the Hispanic man was carrying a baseball bat.

Wolfanger recalled the white man calling out to him, "He took \$140 from me; he's going to hit me."

Moments later, Wolfanger said, "I heard a loud 'Aahh,' a painful sound. I saw the Hispanic male, with a baseball bat in full swing, hit the white male in the right knee area."

Wolfanger said he ran for help and flagged down a police car on Whalley Avenue. He said police went into the park, but did not ask him to go.

A few days later, when Wolfanger read in the Register that Vinci's body had been found in the river, he called police and made a statement to detectives.

Wolfanger picked Gonzalez out of a police line-up and identified a photo of Vinci as the male he had seen being attacked.

But the most detailed testimony came from Kos, who several months ago also testified against Gonzalez in a Stamford courtroom concerning the stabbing murder of retired teacher Joanne Trautwein in her Stamford home in 2005.

A jury in that case convicted Gonzalez, 40, of murder. He was sentenced to an 80-year term. Kos, 35, pleaded guilty to robbery and agreed to a 10-year prison sentence.

Kos, who came into the New Haven courtroom in a gray sweatshirt, sweatpants and handcuffs, has pleaded innocent to felony murder and other charges stemming from Vinci's death.

Her voice was subdued, her eyes were often moist as she described the role she played in a plan Gonzalez allegedly came up with to rob Vinci. She said Gonzalez knew Vinci.

Kos testified she lured Vinci into the park and into a tunnel there, where Gonzalez allegedly attacked him.

"I heard him (Vinci) scream," she said. "I turned around and ran back to my car."

A few minutes later, she added, Gonzalez got into her car and tossed the baseball bat into the back. "He said he hit him with a bat a few times, then put him in the water because he'd seen his (Gonzalez') face," Kos testified.

Kos also testified, "He told me he hit him, then he drowned him."

Under cross-examination by defense attorney Walter Bansley IV, Kos acknowledged she had used heroin and alcohol that day, and had a cocaine habit.

Although the other defense attorney, Walter Bansley III, told Holden that Kos was not a credible witness, Holden ruled the state had presented sufficient evidence to maintain charges of felony murder and murder. Gonzalez also is charged with first-degree robbery and conspiracy.