

Filmmaker focuses on change

SLAIN MAN'S FRIEND HOPES MOVIE AFFECTS CANADIAN LAW

By **Mike Cassidy**

Mercury News Columnist

Kurt Kuenne is racing to finish a film he never wanted to make.

Andrew Bagby, his lifelong friend, the kid he played with in Sunnyvale, was murdered in Pennsylvania in 2001. Confronted with the inexplicable, Kuenne did what he does when faced with life's mysteries. He picked up his camera.



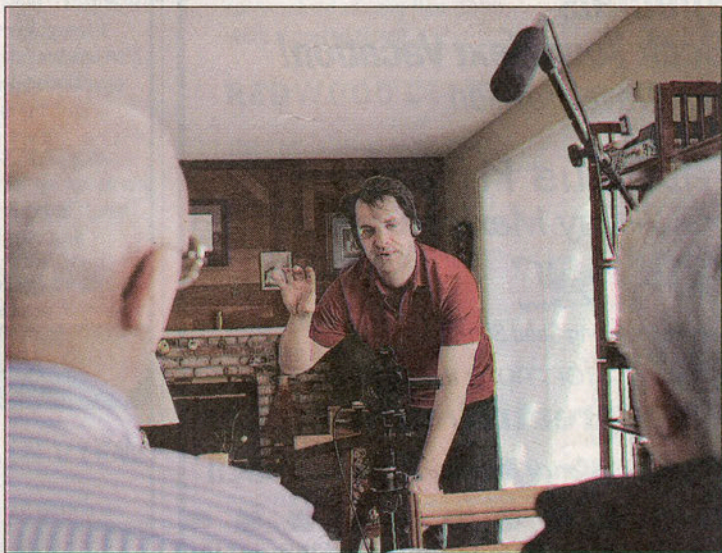
mikecassidy

in my opinion

something," Kuenne says. "I wanted to put together a comprehensive memorial."

Kuenne, 33, a Burbank filmmaker, planned to make a video to be shared only with Andrew's friends and family — a film

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GARY REYES — MERCURY NEWS

Kurt Kuenne interviews Kate and David Bagby about the death of their son, who was his friend, for a film he hopes to finish in time to be entered in the Toronto Film Festival in September.

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that would introduce the people inhabiting different circles of Andrew's life to one another. But as the tragic crimes surrounding Andrew's death became more complicated, so too did Kuennee's film.

I wrote about Andrew Bagby, a young doctor, and his courageous parents, Kate and David Bagby, in Sunday's Mercury News. The story detailed how Shirley Turner, Andrew Bagby's ex-girlfriend and the only suspect in his murder, fled to Canada after Bagby was shot to death.

It told about how she fought extradition. About how she gave birth to Andrew's son, Zachary. About how, while on bail, she killed herself and Zachary by jumping into the icy Atlantic Ocean off Newfoundland.

Aiming for change

"And then I started thinking, 'What the heck am I doing here?'" Kuennee says. After the murder-suicide, Kuennee (pronounced Kenny) decided his film needed to make a statement about a system that would allow an accused murderer to murder again. And it had to be seen by the widest audience possible.

"In a way," says David Bagby, "he's doing what we're doing. We set out to tell this story to get some change."

For his part, David Bagby has written "Dance with the Devil," set for release next week. The 344-page book tells of the Bagbys' journey of grief and calls for change in Canadian bail laws.

"What we're hoping is that the book and movie in concert, working together, will have a strong enough effect up north to get people to change the law," Kuennee says.

This is no ordinary film for Kuennee, a regular at San Jose's Cinequest film festival. He's among a tight band of Andrew's friends who hung out at the Bagbys' house.

"We met in first grade," Kuennee says of Andrew. "We just became friends pretty quickly and just were friends ever since, basically."

Kuennee started making movies in grade school, David Bagby says. Often at the Bagbys' house.

"I think it's because I let them move the furniture where they wanted," Kate says. And because the Bagbys were willing to take roles.

"I've been a judge," David says, "and Kate has been an Avon lady, stuff like that."

Andrew was also a regular star, even in college.

"He let me come down and shoot movies in his apartment," Kuennee recalls. "He had this specific hallway in his apartment that I really needed."

Now Kuennee is out to make one last movie with his old friend. His goal is to meet the June deadline to apply for entry into the Toronto International Film Festival. It's a race and money is an object.

Kuennee decided against investors. They might want creative control. Instead, he is raising donations through a non-profit at www.dearzachary.com. Kuennee, who plans to spend about \$20,000 of his own, is far short of his ideal budget, but he says he'll do what he can with what he gets.

The movie, he says, will be ready in time to submit to the Toronto festival. And if it's selected?

Oh yes. David and Kate Bagby have every intention of being there opening night.

Read Mike Cassidy's Loose Ends blog (<http://blogs.mercurynews.com/cassidy>). Contact him at mcassidy@mercurynews.com or call (408) 920-5536.