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Theatrical review

By **Christopher Long**
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Dr. Andrew Bagby was murdered on November 5, 2001 near his home in Latrobe, PA. Andrew was only 27 years old, but had already touched the lives of hundreds of people, all of whom have something to say about him. Friend and director Kurt Kuenne gives them all a chance to speak in his one-from-the-heart documentary "Dear Zachary: A Letter to a Son About His Father."

There is little mystery involved. The prime suspect is Dr. Shirley Turner, Andrew´s recent ex-girlfriend who showed up at his doorstep mysteriously the day before his murder and later claimed to have been at home in Council Bluffs, IA the whole time. Her alibi is ill-conceived and paper thin and she is arrested but, amazingly, set free on bail shortly thereafter whereupon she promptly flees to Newfoundland where she first met Andrew at medical school. Oh, and by the way, she is also pregnant with Andrew´s baby.

Kuenne designs his film as a message to Andrew´s newborn son Zachary with the intention of leaving him a record of what his father was really like. But like many recent documentaries ("Tarnation," "Capturing the Friedmans"), the film is also an act of self-therapy, a ritual sharing of grief and joy with Andrew´s friends and family.

But there´s much more to "Dear Zachary." It is also a film filled with anger. Outrage piles upon outrage. She is set free on bail the day she is arrested in Newfoundland. The extradition request is delayed for months and months during which time she gives birth to Zachary. One small break: Shirley is put behind bars once again.

Andrew´s aggrieved parents David and Kathy move to Newfoundland where they fight not only for Shirley to be brought to justice but also for custody of the child. Their ordeal is gut-wrenching. Jerked around again

and again by the system, they have no choice but to reach détente with the accused killer of their son. They not only share custody with Shirley but are forced to make a long drive each day to prison to make sure the loving mother gets to spend quality time with her son in the big house.

And that´s just the beginning. Inexplicably, Shirley is once again set free on bail. The judge explains that Shirley poses no threat to public safety because her action was directed at a specific individual. Read that again. An accused killer is deemed to be "safe" because she only intended to kill one person and, having already succeeded in her goal, is apparently ready to become a healthy, normal citizen.

To say anything more of the events in the film would provide a disservice to the reader. Suffice it to say that Kuenne´s movie changes radically during filming. He succeeds in his initial goal of capturing a portrait of Andrew. He takes a cross-country trip on which he can hardly help but bump into people who knew and loved Andrew. Andrew´s friends and family have no end of praise to heap upon Andrew but the most definitive testimony is that Kuenne finds at least a half-dozen people who wanted Andrew to serve as the best man at their wedding.

But this emerging portrait eventually takes a back seat to the rage Kuenne needs to vent, a righteous indignation so immense and so justified the medium is barely capable of capturing its potency. He rages not only against "that bitch" Shirley, but against a legal system that is the shame of Canada, one that fails so fundamentally and so consistently that it can´t even be termed broken. Justice simply does not exist. And Andrew´s friend Kurt and his furious parents David and Kathy will not allow this injustice to stand without punishment.

Kuenne´s hyperactive potpourri style can be irritating at times. One device which doesn´t work particularly well is his use of overlapping voices, an attempt to reflect the sheer number of people who want to speak on Andrew´s behalf and can´t be squeezed into one scene. But such concerns fall by the wayside in the face of such powerful material.

The film´s scathing indictment of the justice stirs up passions like documentaries such as "After Innocence" (2005) and ´Witch Hunt" (2008) but on such an intimate level that it packs an even stronger wallop. This is a North American tragedy not of epic proportion, but of a deeply personal one.

An 8/10 on the DVDTown scale.

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