



Killing may be case of wrong identity

By **FREDERICK MELO, STAFF WRITERS**

January 28, 2002 2:00 AM

Friends say the two young men attacked were not at the party where the initial fight occurred. KAREN JEFFREY and SOUTH YARMOUTH — Just before learning of Spencer MacLeod's death, friend Shawn Kimball described him as a "guardian angel."

"He saved my life, Mom," Kimball said. "Spencer saved my life."

It was then a heartbroken Diana Kimball told her son that MacLeod did not survive the multiple stab wounds he received early Saturday morning during a home invasion.

Kimball is in stable condition at Cape Cod Hospital, recuperating after surgery for two stab wounds to the back that narrowly missed perforating his intestines, his mother said.

This morning, five young men were scheduled to be arraigned in Barnstable District Court - each charged with home invasion and the attacks on MacLeod, 21, and Kimball, 21.

One or more of them is also likely to be charged with murder. Cape and Islands First Assistant District Attorney Michael O'Keefe said Saturday that charges would be updated as the investigation continued.

Police are still searching for a sixth man - Rudolfo "Foo" Viera, 19, of West Yarmouth - in connection with the fatal stabbing.

If friends of MacLeod and Kimball are accurate, then the attack inside the apartment at 1329 Alewife Circle in Swan Pond Village was a case of mistaken identity.

The precipitating event, according to police, was a fight earlier in the evening outside a house on Riverside Way in what is known as the Fingers section of West Dennis, where expensive seasonal homes abut private docks.

Two young women opened up their father's seasonal house for the weekend and threw a party Friday night, investigators said.

Friends say that MacLeod and Kimball did not attend the party.

A fight began in front of the house when a group of uninvited people tried to crash the party, according to police.

The fight broke up, and those who were uninvited left, investigators said.

Some hours later, a group of young men who had been at the Dennis party went to Swan Pond Village with retaliation in mind, police said.

The men allegedly slammed through the door of the two-story Swan Pond Village apartment.

"They went after the wrong guys, the completely wrong guys. Spencer and Shawn had nothing to do with this," one young friend said last night as she wept at an informal memorial gathering outside the building at 1329 Alewife Circle. "They weren't even at that party. They had nothing to do with this at all. Somebody made a horrible, horrible mistake."

According to his friends, MacLeod was staying at the apartment because his girlfriend, Arheesha Rose, was there baby-sitting a friend's child. Kimball and another man were visiting the young woman who lived in the apartment. Friends say MacLeod saw Kimball being attacked and rushed to help him.

"He was upstairs asleep and heard the commotion," Rose said of MacLeod. "I went to check the baby."

"He went downstairs. He never should have gone downstairs," she sobbed.

"I didn't see exactly what happened. I, I went downstairs. There was blood, oh my God, there was blood. I, I got a towel and tried to help him. It was too late. It was too late," she cried.

"We owe Spencer for Shawn's life," Diane Kimball said last night during the memorial.

"He sacrificed himself to save a friend," she said of MacLeod. "He gave my son the gift of life."

More than a dozen young people attended the service last night, lighting candles and laying flowers in front of a stone near the scene of the fatal attack. Yellow police tape was still draped across the building, and a light was on upstairs in the apartment even though no one was there. Some sang "Amazing Grace" and said the Lord's Prayer. Nestled among roses was a copy of the New Believer's Bible.

A religious, respectful friend "You couldn't ask for a more loving friend," said Jeff Mendosa who had known MacLeod since the two were pals in eighth grade when they attended Mattacheese Middle School. "He didn't try to push religion on anyone, but he lived his life in a way that made you respect his beliefs."

Mendosa shied nervously away from any discussion of events leading up to the attack, saying he was too upset to "even think about that."

"It's more important that people think about what a good guy Spencer was," Mendosa said. "He was the kind of guy you could never have an argument with. He just wouldn't argue."

"Spencer knew what was important and that is having God in your life," said Jamie Anderson, a friend from Dennisport. She sang three songs at last night's memorial: "Five Steps" by Dru Hill, "Strength and Pride" by Brand "Love" by Soul Children.

"This is a horrible thing. Spencer didn't deserve to have this happen," she said. "I pray that we can learn from this. Violence is destructive. It destroys people's lives, even innocent people. Spencer was one of the least violent people I know."

MacLeod, a born-again Christian, was known to residents of Swan Pond Village as a youthful evangelist who would wander door to door, eagerly sharing his religious convictions, but never trying to push his beliefs on others.

He was a young man who came offering religious literature and invitations to church outings. Living nearby, he was a neighborhood boy residents felt comfortable allowing into their homes, said Kris Handrinos, who lives several doors from the murder scene.

"He seemed a kind of quiet kid. When Spencer came to my door, I didn't mind opening it and talking to him," she said.

Despite his religious convictions, the South Yarmouth man remained close to former high school classmates who preferred the lure of late-night parties to Sunday morning church pews. Yet he was constantly urging his peers to develop a stronger relationship with God.

"They were his friends even before he became a born-again Christian," Handrinos said. "He was always telling them to go back to church."

MacLeod was a member of Victory Chapel, a nondenominational church on Iyannough Road in Hyannis known for its religious outreach.

"He sang rap - Christian rap," Anderson said. "He wanted all of us to find the right road and invited us to join him at church, but he never tried to force us to believe what he believed."

Tangles with the law The five men charged with home invasion are: Chris P. Mello, 21, of 10 Renas Way, Dennis David W. Myland, 18, 7 Kelley's Pond Road, Dennis Zane Rasmusen, 19, 9 Pleasant St., Barnstable Brandon Sweeney, 19, 100 Pine St., Yarmouthport and Christopher Gonsalves, 19, 9 Holly St., South Dennis.

Rasmusen faces additional charges of assault and battery with a dangerous weapon.

Of the six suspects, at least four have tangled with the law.

Rasmusen served 60 days in the Barnstable County House of Correction last April for assault and battery with a dangerous weapon - a shod foot and the hood of a car - in West Yarmouth.

Gonsalves' record includes an arrest in 1999 on charges of beating a youth with a miniature baseball bat during a fight at Cape Cod Regional Technical High School. He admitted sufficient facts to a charge of assault and batter disorderly person, and paid a \$35 fee. The case was continued without a finding.

In June 2000, Sweeney was arrested in Harwich on charges of assault and battery with a dangerous weapon - a beer can - being a minor in possession of alcohol, and resisting arrest. His case was continued without a finding after he admitted sufficient facts in Orleans District Court. He was required to pay \$200 in court costs and a \$35 fee.

Viera admitted sufficient facts to a charge of shoplifting last year in Barnstable and paid \$135 in court costs. The case was continued without a finding.

Copyright © Cape Cod Media Group, a division of Ottaway Newspapers, Inc. All Rights Reserved.