
Bunker, Miller found not guilty in Matinicus shooting incident

By Stephen Betts
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Rockland — A Knox County jury has found Edwin Vance Bunker and his daughter Janan Miller not guilty on all counts in the case of a shooting incident last summer on the island of Matinicus.

The jury deliberated for 11 hours over March 11 and 12 before reaching the verdict at 5 p.m. in the trial of the 68-year-old Matinicus lobsterman and his 45-year-old daughter.

Bunker and Miller had no comment as they left the courthouse. They gave hugs to their family and friends who were in the courtroom after the jurors left the room.

Justice Jeffrey Hjelm cautioned spectators in the courtroom, before the jurors were brought in to announce their verdict, not to show any outward reaction about the verdict. He said the jurors worked very, very hard and he later thanked them for their service to the community. He asked anyone who could not withhold their reactions to wait outside in the hallway.

The foreman of the eight-women, four-men jury stood and he stated not guilty as Hjelm asked about each of the counts that had been lodged against Bunker and Miller. Miller cried as the verdicts were being announced. Bunker had been charged with two counts of elevated aggravated assault, criminal threatening, and reckless conduct. The jury also had the option of finding him guilty of aggravated assault.

Hjelm removed all conditions of bail that had been imposed when the two were charged last year. One of the conditions for the 68-year-old life-long lobsterman Bunker was that he not go to Matinicus where the shooting occurred. The District Attorney's Office had asked for that condition to prevent

additional confrontations.

There was no dispute during the five-day trial that Bunker had shot 42-year-old Christopher Young in the neck on July 20 and that Janan Miller had brought a shotgun to the Steamboat Wharf. The issue in the trial was whether their actions were reasonable in the face of the confrontation that had developed with Young and Weston Ames over claims of cutting lobster traps.

During the deliberations March 12 jurors asked to have three taped statements played back to them. Two were statements by Young and the third was a statement by Bunker.

The jurors also asked for the legal definition of the word "agitated." Both Bunker and his daughter Janan Miller had said during testimony that they were agitated. But Hjelm responded that there was no legal definition of agitated.

The 12-member jury deliberated for three-and-a-half hours March 11 before asking presiding Hjelm if it could recess for the evening and resume at 8:30 a.m. on March 12 in Knox County Superior Court.

The fourth day of the trial of Bunker and Miller was taken up by testimony by Bunker and then closing arguments by the defense attorneys and District Attorney Geoffrey Rushlau.

Bunker was charged with two counts of elevated aggravated assault for shooting fellow lobsterman Young of Owls Head and with criminal threatening and reckless conduct for the event that occurred July 20 on Steamboat Wharf on Matinicus. His daughter Janan Miller was charged with reckless conduct during the same incident.

In testimony March 11, Bunker recounted the events on the dock that day last summer.

"I didn't have any choice. It was me or them or my daughter," Bunker said about why he fired two shots from a nine-shot revolver. One of the shots came close to striking Young's half-brother Weston Ames and the second struck Young in the neck.

Bunker said when he fired the first shot, which he claimed was not aimed at anyone, it did not faze Young. He also said that while holding onto the shotgun Miller had brought to the dock, Young lunged at both Bunker and his daughter.

Bunker also said he was afraid that either he or his daughter would be killed. He said he was afraid of the two because of how they had been acting and because he was aware of their criminal past, pointing out that Ames was a convicted felon.

Rushlau got Bunker to acknowledge that he had given Young a ride in his airplane a few weeks earlier and that he had suggested to Ames that he run for assessor on the island. Bunker said he simply told Ames he could run. He said there are only about 25 people on the island during the winter and the citizens vote for assessor. Bunker said he did not vote for Ames.

Bunker is represented by attorney Philip Cohen of Waldoboro. Miller is represented by attorney William Avantaggio.

Miller had brought the shotgun to the wharf after she saw Ames and Young waiting for her husband, Alan Miller, at the dock as he was coming into the harbor in his lobsterboat. Unbeknownst to the two defendants, Marine Patrol Officer Wesley Dean was aboard Alan Miller's boat.

Dean acknowledged he did not see the shooting but heard the cracking sound of the two shots being fired. Dean had climbed aboard the wharf as soon as he had seen Janan Miller with a shotgun but was not able to get there in time to stop the shooting. He ordered everybody to get down and took control of Bunker's nine-shot revolver and the shotgun.

Rushlau repeatedly pointed out that Ames and Young had no weapons on the day of the shooting. He said Miller bringing the shotgun to the scene created the situation.

Young spent 18 days at Central Maine Medical Center in Lewiston and continues to receive physical therapy for his injuries. He has little use of the fingers on his left hand and is not able to fully use his left arm. Rushlau said Young would not be able to work like he did before the shooting.

Young and Ames have both filed civil lawsuits against Bunker and Miller.

The shooting was a culmination of rising tensions during the previous few weeks on the island. Young acknowledged in his testimony this week that he was not in favor of Bunker's son-in-law Alan Miller fishing off Matinicus.

"Yes, we don't want any new lobstermen or anything new," Young said.

He said even though state law says the ocean bottom is owned by all, individual lobstermen know they have the rights to certain areas, and he was going to protect his area.

During the few weeks that Alan Miller was lobstering, his traps were being cut, about 10 to 15 at a time.

Then on July 19, the day before the shooting, Ames found about \$20,000 worth of his traps had been cut. Ames confronted Bunker and Miller at the dock that day, initially standing on the dock holding an oak runner and swearing at the two men.

The following morning, Young found between \$15,000 and \$20,000 of his lobster traps cut. He sped into the harbor and boarded Bunker's boat despite being told by Bunker and his sternman Tom Bernardi to stay off the boat. Young grabbed Bunker and the two wrestled until Bunker got free and pepper sprayed the younger man twice before he left the boat.

In the confrontation in which Young went aboard Bunker's boat, Young was charged with criminal trespass. Young pleaded guilty Feb. 22 to the criminal trespass and was fined \$500.

Bunker denied cutting the traps of Ames and Young.

During the deliberations by the jury Bunker and Miller waited in one of the rooms on the second floor of the courthouse. Young waited in the district attorney's section of the building.

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