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**Man charged in Winterbottom slaying faces additional kidnapping charge**

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By Jill Fahy  
 Free Press Staff Writer

Gerald Montgomery kidnapped Laura Winterbottom before he beat, raped and strangled the 31-year-old Burlington woman in her car March 8, prosecutors allege in new court documents.

Prosecutors on Monday filed a first-degree kidnapping charge against Montgomery in Vermont District Court in Burlington. He has been charged with first-degree murder and aggravated sexual assault in the slaying that has roused fear and concern among many in the community, particularly women, for its seemingly random nature. He pleaded not guilty to the murder and sexual assault charges March 22.

The 33-year-old Montgomery did not appear in court Monday for his scheduled bail hearing. Defense attorney Richard Haesler, concerned that Montgomery may harm himself while in jail in St. Albans Town, requested he receive a competency evaluation. District Court Judge Michael Kupersmith granted the request.

Montgomery was ordered to remain in jail without bail. He is scheduled to be arraigned May 10 on the kidnapping charge.

Montgomery approached a woman standing by a car on College Street moments before he walked to another car that could have been Winterbottom's, opened the passenger side door and got in, according to statements from two sisters who were parked a few feet away from Winterbottom's car on the night of the slaying.

Court documents say police first interviewed Penelope and Emma Wall about a week after the killing. The women had been identified in an ATM videotape as having been in the area of City Hall Park, on College Street, at about 9:30 p.m. on March 8. This was the same time Laura Winterbottom was reported by those who were with her that night to have returned to her car, which also was parked in the same area of College Street.

In her statement, Penelope Wall said she was about to get into her sister's Volkswagen GTI when she was approached by a short, dark-skinned male who asked her if she knew where he could get some "pot." Wall said she told the man "no" and got into the car, where her sister was waiting.

From inside the Volkswagen, Penelope Wall and her sister said, they both watched the



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man approach another car that was parked "one or two" cars behind theirs. Emma Wall, in her statement, said she watched through the rearview mirror as the man walked over to the other car.

"He was leaning over talking to the person in the car either behind us or two cars behind us, I don't remember," Emma Wall said in her taped statement. "But I remember the lights were on in the car and the person was getting ready to drive away."

The sisters then drove off, according to their statements, making a U-turn toward Battery Street.

It wasn't until March 23, when Penelope Wall saw a picture of Montgomery in The Burlington Free Press two days after his arrest, that she identified him as the man who spoke to her on College Street.

Neither sister, in her statement, was able to describe the type or color of the car they say Montgomery approached after leaving theirs.

Winterbottom's sister, Leigh, and Dan Brindise, a former long-term boyfriend of Winterbottom, both described Winterbottom as "a very cautious person," and someone who "would never stop to pick up a stranger or agree to give a stranger a ride." Prosecutor Robert Simpson said he decided to file the kidnapping charge after Penelope Wall matched Montgomery's photograph with the man who confronted her on College Street. Simpson on Monday declined further comment.

Winterbottom's body was found March 9 in her 2001 Ford Focus, which was parked behind an unoccupied residence on Hyde Street. Court papers say she was repeatedly sexually assaulted, beaten with a blunt object and strangled between 9:29 and 10:45 p. m. the night before.

Investigators arrested Montgomery nearly two weeks later, after they matched Montgomery's DNA to that of semen found in Winterbottom's body, on her clothes and in her car.

During Monday's hearing, defense attorney Haesler said he is concerned for his client's mental health. Reports from prison officials at Northwest State Correctional Facility, where Montgomery is being held, indicate Montgomery might harm himself, Haesler said.

Haesler said Montgomery has been segregated from other prisoners and is being checked on every 15 minutes.

"Based on the things he's said and done, it's conceivable that he's at risk of harming himself," Haesler said after the hearing. He declined to elaborate.

Judge Kupersmith ruled that Montgomery should receive evaluations for both competency and sanity.

Contact Jill Fahy at 660-1898 or [jfahy@bfp.burlingtonfreepress.com](mailto:jfahy@bfp.burlingtonfreepress.com)

Memorial planned in City Hall Park

The Women's Rape Crisis Center will hold a memorial gathering for Laura Winterbottom at 7 p.m. Friday at City Hall Park in Burlington.

The event will include a candlelight vigil followed by "drumming against violence," according to a news release from the center.

For more information about the gathering, call the Women's Rape Crisis Center at 864-0555.

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