

# Opening statements made in day-care provider's trial

By Kelsey Dionne  
Verona Press correspondent

State and defense attorneys presented opening statements Monday in the trial of a Verona woman accused of causing the death of a 4-month old boy in her care in 2007.

A CT scan and an autopsy revealed that the boy, Lincoln Wilber, had suffered brain injuries and a fractured thigh prior to his death on Sept. 11, 2007, and prosecutors allege that Jennifer Hancock, 38, caused the injuries. But an attorney for the defense said the cause was a pre-existing medical condition, not abuse.

Hancock faces up to 60 years in prison if convicted on the first-degree reckless homicide charge.

## NCS

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long-term problems, and Hanemann wondered if parents of incoming kindergarten students would remain wary about New Century's future. He suggested the district needed a broader discussion about whether New Century — or other elementary schools — should increase class sizes, a topic the board has broached several times in the past year.

"This feels like a stop-gap measure," Duerst said. But other board members said they wanted to show support for NCS parents, who

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complaint, Wilber went into cardiac arrest while in Hancock's care and died four days later in UW American Family Children's Hospital. Assistant District Attorney Mary Ellen Karst reaffirmed the state's strategy of presenting testimony from numerous medical experts, saying that the injuries Wilber sustained were "non-accidental" and had to be caused by abuse. She said the state plans to use the testimony of radiologists, pathologists, pediatricians, child-abuse specialists and various neurologists.

But Hyland said a medical expert found that some of Wilber's brain injuries could have been due to a chronic condition that caused brain swelling and the bleed-

## City taking comp plan comments

The city held its final open house for its comprehensive plan Monday but will continue to take comments regarding the draft until April 17. The "public comment

ing that prosecutors said was due to physical harm. The condition could have been exacerbated, possibly leading to death, when a toddler at the day care allegedly fell on Wilber a short time before his heart stopped beating. Karst opened by telling the 14-member jury of the joy that Lincoln brought his parents and the pain they suffered after his death, saying that before Wilber was taken off life support, his parents gave him a bath, cut off a lock of his hair, and held him all night.

Hyland, meanwhile, sought to establish Hancock's honesty and credibility by playing part of Hancock's 911 phone call, in which she frankly said, "I laid him down and I can't get

him up!" Hyland called her statement an "excited utterance," a legal term referring to something a person says while emotionally excited that makes the statement more likely to be truthful. A group of 15 jurors, including three alternates, had been selected earlier in the day, but one of the alternates asked to be removed when he realized that as the father of a young child, he could not be impartial toward someone he thought might have harmed a baby. After the opening statements, Karst and Hyland examined two Verona Police Department officers, Bernie Albright and Sgt. Matthew Dart. Albright explained how he tried to resuscitate Wilber with CPR, and Dart confirmed details about photographs of Hyland's house. The attorneys also examined Kyle Wells, an emergency medical technician with Fitchrona EMS. Wells described how he and other emergency workers assessed and attempted to revive Wilber on the way to the hospital.

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