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**Business Office**  
25 Queen St. N.  
Bolton ON L7E 1C1  
(shared with Caledon Citizen)  
Toll Free 1-888-557-6626  
905-857-6626  
Fax: 905-857-6363  
admin@kingsentinel.com  
www.kingsentinel.com

**Head Office**  
34 Main St. W.  
Beeton ON LOG 1A0  
905-729-2287  
Fax: 905-729-2541

**Publishers:**  
BRUCE HAIRE  
JOHN ARCHIBALD

**Editorial**  
**Managing Editor**  
BILL REA  
editor@kingsentinel.com

**Reporter**  
Anneleen Naudts  
Jon Yanoff

**Advertising**  
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**Bill's  
Bulletin  
Board**

By Bill Rea

Some years ago, I covered a murder trial that troubled me. Truth is, it still does.

The man was convicted and sent to prison. The Crown had a fair amount of circumstantial evidence, including plausible details about a potential motive. What troubled me was the scenario that was put forth for the incident had a number of holes and inconsistencies. They were enough to make me believe a murder conviction was not warranted. The jury, however, disagreed.

Some months later, I bumped into the crown attorney who prosecuted the case. We chatted for a couple of minutes, with that particular trial coming up in the conversation. He asked for my thought, and I told him candidly that I had problems with the way things were resolved. I went on to say that it had sparked something of a crisis of faith for me in our judicial system, as I cited the names of several high-profile people who had later received murder convictions who I thought might be innocent. One of them was Robert Baltovich.

The prosecutor looked both taken aback and amused at what I was say-

ing.

"You probably think Guy Paul Morin is innocent too," he remarked (this was some time before the cloud was lifted from Morin's head.)

"Yes," I replied, meeting his gaze, "as a matter of fact I do."

"Remind me never to put you on one of my juries," the attorney chuckled.

I reflected on that conversation with some satisfaction last week, when I learned that Baltovich had been acquitted of killing Elizabeth Bain.

I wasn't kidding when I said I had problems with his conviction. I recall reading accounts of the trial at the time, and getting the feeling the case against Baltovich was weak. And it gratified me to a certain extent as the years went by, that every time I read or heard about Baltovich in the news, the story seemed to be based on growing doubt over his guilt in the matter. A time progressed, I came to believe we would see a day like last Tuesday, with Baltovich walking away free and clear.

And we again are left to wonder if there is something fundamentally wrong with our judicial system.

Add Baltovich to a growing list of convicted murderers in this country who have eventually been found to have been not guilty. I think of Morin, Stephen Truscott, David Milgaard, Donald Marshall. It's easy to cite these examples, because everyone has heard of them. The frightening part of all this is the realization that these were the wrongfully convicted people we did hear about. What about the ones who were never cleared? How many people, in Canada alone, have done long stretches behind bars, or were even executed many years ago for crimes they didn't do?

This story is tragic on a couple of levels. A young woman apparently died violently, although since her body has never been found, a big question mark hangs over that statement. The Bain family has lost a loved one, and the rest of us can only ponder what that must be like. The ordeal that Baltovich and his family have been put through is terrible, and as things developed, undeserved.

And we are left with the conclusion that assuming Elizabeth Bain was murdered, her killer could well be walking the streets today. True, there's a theory that Paul Bernardo could have been mixed up in all this, but it's only a theory at this time. And I would think the last thing the Bain family needs is for the system to get the wrong guy a second time.

That's an issue that has to be addressed just about every time we find someone has been wrongfully convicted of murder. We

have to accept that the real killer got away with it, as was evidently the case with whoever it was who killed Lynne Harper in 1959, then watched Truscott take the rap.

The fact that the wrong person can be convicted is one of my main arguments against capital punishment, and to my mind, it's an unanswerable one. How is the system supposed to apologize to the grave of a person who has been wrongfully put to death? A human life should not be the subject of a judicial translation of "Oops!"

Now I know this reads a bit like I'm knocking our judicial system, and I guess to an extent, I am. But as I've stated in this forum many times in the past, I realize there are few better systems practised in the world for dealing with criminals. But it is a fact that there is plenty of room for improvement, and we received another clear lesson in that reality last week; a lesson to go with all the others we've received over the years. Too many innocent people are being sent away for too many years, and in some cases, they are being put away for life.

Even if we don't have capital punishment any more (it's refreshing that the calls for its restoration don't seem as common as they were a couple of years ago), the fact that innocent people can go to prison in our society is something that should concern us all.

Like I stated before, that trial many years ago still troubles me. I will probably never know for sure if the man was rightly or wrongly

convicted, but I will always have some doubt. There have been several job changes for me since then, and I have lost track of the issue. I don't know what eventually happened to the man who was sent to prison, or even if he's still alive. There were people at the time who criticized and even ridiculed me for voicing my concerns over the matter.

There is a poem, known as First They Came, which is attributed to a Pastor Martin Niemoller, and it deals with the way intellectuals reacted (or failed to react) to the early days of the Nazi regime in Germany, rationalizing one didn't have to speak out when they came after the communists if one was not a communist, and it was the same when the authorities went after the social democrats, trade unionists and finally the Jews.

"When they came for me," the poem concludes, "there was no one left to speak out."

Am I going a bit over the top with this reference? Perhaps.

But you or I could be the next person facing the system for a murder we did not commit, and waiting for someone to speak out on our behalf.

You could easily argue it would never happen. I wonder if such thoughts ever entered Baltovich's mind in the years before his ordeal started.

The truth is if it could happen to a Baltovich or a Truscott, it could happen to any of us.

All we have to be is innocent.

**Editorial**

**Province has helped cut property taxes,  
But it's done it with our money**

The provincial government has been doing a lot of nice things with the money in its coffers lately.

If you don't believe us, just ask a municipal politician.

The local elected officials have been singing the praises of the crew at Queen's Park, for all the grants that have been downloaded.

The government announced in March that a good chunk for future surpluses would be channeled to municipalities. And later in the month, we had the provincial budget, that allocated \$400 million to municipalities to be spent on local roads and bridges.

There have been other

recent examples. At the Regional level, setting the budget this year was made a lot easier by the phasing out of GTA pooling, which has drained millions from the local coffers to help offset the community and social services burden that has been carried by the City of Toronto.

No one can argue that all this financial support isn't awful darned nice of Premier Dalton McGuinty and his government, but shouldn't we keep in mind from where the money is really coming? It's coming from your wallet. McGuinty and company are making the municipalities' day with tax dollars, provided by all of us.

Over the last couple of weeks, we have been wrestling through our income tax forms. Did you get a good look at the Ontario Tax portion? At the end of it, they've stuck in a chart to calculate your contribution to the Ontario Health Premium.

You must remember the health premium. That's the tax that McGuinty pledged

during the 2003 election he would not impose, then had it included in the 2004 budget. And such is the state of the provincial finances these days that revisiting the premium, reducing it or, better yet, doing away with it is out of the question.

Alas, we all had the chance to do something about that in October, and let it slip, handing the

McGuinty crowd another majority government.

The health premium is here for the foreseeable future.

Yet the government seems to have all this money that it can put big smiles on the faces of municipal politicians, at the expense of the taxpayers.

Like we said, it's awful darned nice of them.

**Don't litter!**  
*Why should the rest of us  
pick up after you?*