**The Steven Truscott Case**

* As a group, create a chart of evidence for and against Steven Truscott.
* Then, as individual members of the “jury” write a short paragraph deciding whether you would vote guilty or not guilty, based on the evidence and testimony.

**Timeline**

July 7, 2008, [CBC News](http://www.cbc.ca/news/credit.html)

**June 9, 1959:** Steven Truscott, 14, takes his classmate Lynne Harper, 12, on a short bicycle ride near an air force base outside Clinton, Ont., about 180 km west of Toronto.

**June 11, 1959:** Searchers find Harper's body in a nearby wood. She had been raped and strangled.

**June 12, 1959:** Police arrest Truscott.

**June 13, 1959:** Police charge Truscott in Harper's murder.

**Sept. 30, 1959:** After 15-day trial, a jury finds Truscott guilty and he is sentenced to death.

**Jan. 22, 1960:** The death penalty is commuted to life imprisonment.

**Spring of 1966:** Isabel LeBourdais's *The Trial of Steven Truscott* questions the quick police investigation and trial procedures. The book sparks a public uproar and leads the federal government to ask for a Supreme Court review.

**1966:** Supreme Court of Canada hears Truscott's case, but rules 8-1 against new trial.

**1969:** Truscott is released on parole and moves to Guelph, Ont., where he adopts a new identity, marries, and raises three children.

**1997:** James Lockyer, the Toronto lawyer who helped Guy Paul Morin overturn his wrongful conviction, takes on Truscott's case.

**March 2000:** Truscott goes public for the first time, proclaiming his innocence in a documentary broadcast on the CBC's *The Fifth Estate*. The program unveils new evidence to suggest that police may have been too hasty in pinning the death on Truscott.

**November 2001:** Truscott and his lawyers from the Association in Defence of the Wrongly Convicted file a formal appeal with the federal justice minister, asking for a review.

**January 2002:** The justice minister appoints a former Quebec judge, Fred Kaufman, to assess the case under Section 690 of the Criminal Code. Kaufman can recommend that the case be retried or reviewed by an appellate court or that a pardon be issued.

**Spring 2004:** Kaufman's report, which has not been made public, goes to the justice minister.

**Oct. 28, 2004:** Federal Minister of Justice Irwin Kotler refers the case to the Ontario Court of Appeal for review, saying there's reasonable basis to conclude a miscarriage of justice occurred in this case.

**Nov. 29, 2005:** Kaufman's report on the Truscott case is released. The report, dated April 19, 2004, says there was probably a miscarriage of justice in his case, but not enough new evidence to exonerate him.

**April 6, 2006:** Harper's remains are exhumed from her grave in southwestern Ontario with her family's consent.

**April 10, 2006:** Medical examiners are unable to find any DNA evidence from the exhumed body of Harper, Ontario's chief coroner announces.

**June 14, 2006:** An Ontario judge orders journalists Julian Sher and Theresa Burke and the CBC to hand over videotapes of two people interviewed for a 2000 documentary about Steven Truscott's case.

**June 19, 2006:** The Ontario Court of Appeal begins to review Steven Truscott's murder conviction. Ontario's chief pathologist casts doubt on the exact time when Lynne Harper died. An original autopsy concluded that Lynne Harper died in the early evening. But Dr. Michael Pollanen testifies there wasn't enough evidence to draw that conclusion. He said she could have died the following day.

**June 21, 2006:** A Michigan pathologist tells the court the original pathologist who looked at Harper's body wasn't equipped to evaluate the time of death, but did the best he could. Dr. Werner Spitz, who has more than 50 years in the field, testified that Dr. John Penistan's autopsy in 1959 was advanced, but said, "Maybe he was wrong." At the end of the day, Spitz testified he stood behind Penistan's findings.

**June 22, 2006:** Retired OPP superintendent Harry Sayeau, who helped convict Truscott in 1959, told the court he and his police colleagues did not seek out other suspects. Sayeau testified they didn't inquire about existing sexual predators with nearby OPP detachments, Crown offices, or the Royal Canadian Air Force.

**June 26, 2006:** Two experts present conflicting evidence using entomology, which uses the larval development of bugs to pinpoint the time of a person's death. The timeframe of Harper's death is key, because it can implicate or rule out Truscott as her killer. Dr. Neal Haskell, a forensic entomology professor from Purdue University in Indiana, told the court larvae must have been deposited on Harper's body before sunset on June 9, 1959, sometime between 9 p.m. and 9:30 p.m. He said Harper could have died anywhere within a few minutes to two hours before this.

Elgin Brown, a biologist working at the Ontario attorney general's crime lab at the time of the murder, testified that maggots found on Harper's body were in the first stage of development and probably hatched at 2:30 p.m. on June 10, 1959. Brown's lab notes from the time indicated he believed the eggs were laid earlier that morning.

**June 27, 2006:** Crown witness Dr. Neal Haskell is questioned about a voice mail left with Ontario Provincial Police in June 2005 saying he could damage Steven Truscott's innocence if put on the stand. The forensic entomology professor did not deny leaving the message and says he was only interested in pinpointing the time of Harper's death, the court heard. Truscott's lawyers also force Haskell to re-evaluate his earlier testimony that a family of flies, known as flesh flies, will not deposit pre-hatched larvae into a body until 24 hours after death. A defence attorney produces one of Haskell's old reports where he concluded a species of flesh fly deposited larvae in a woman's body less than 12 hours after she died.

**June 28, 2006:** Sandra Stolzman testifies Jocelyn Gaudet, a key child witness in Truscott's 1959 murder trial, admitted she lied under oath to her and a group of fellow resident nurses in Montreal in 1966. Stolzmann also testifies that Gaudet suggested that a man who was spotted driving a yellow car in the area should have been considered a prime suspect. Another nursing co-worker, Elizabeth Hulbert, seconds Stolzmann's account.

**June 29, 2006:** Forensic entomologist, Sherah VanLaerhoven, tells the Ontario Court of Appeal her review of the evidence suggests insects started laying eggs or larvae on Harper's body between 11 a.m. June 10, 1959 and 8 a.m. the following morning, making it too late for Truscott to be her killer. But, VanLaerhoven admits she couldn't rule out the possibility Harper died before sunset June 9, 1959.

**June 30, 2006:** Bob Lawson, the farmer who owns the property where Harper's body was found, testifies he saw a strange car parked near his fence line the night the 12-year-old disappeared. Lawson told the court he went to the guardhouse at the Royal Canadian Air Force Base in Clinton, Ont., to report the incident, but the officer on duty was not interested. Lawson also testifies that during Truscott's 1959 murder trial Gaudet came to his farm and asked him to change his testimony to match with hers.

**July 5, 2006:** A woman who was nine years old at the time Lynne Harper's murder tells the Ontario Court of Appeal her original statement to the police was incorrect. Karen Jutsi (her maiden name is Daum) testifies at the review that she saw Steven Truscott on a bicycle giving a ride to Harper on a country road sometime after 7 p.m. on June 9, 1959. She tells the court the road was near Lawson's Bush, the woods where Harper's body was found two days later. This contradicts Jutsi's signed statement in 1959, that said she and another young witness, Doug Oates, were on a bridge when they saw Truscott cycle past. Jutsi testifies she was shocked when she saw the statement years later because it was incorrect.

**July 7, 2006:** During the final day of testimony at the Ontario Court of Appeal, renowned U.K. pathologist Bernard Knight calls into question the key forensic evidence used to convict Steven Truscott in 1959. The retired professor, who wrote one of the standard textbooks for pathologists, criticized coroner John Penistan's use of stomach content analysis to pinpoint Lynne Harper's death. "It's so inaccurate it is hardly worth doing," Knight said outside the court. "There are so many errors in it that it's impossible to give an accurate time of death."

**Jan. 31, 2007:** The Ontario Court of Appeal begins hearing Truscott's case. Television cameras are allowed into the courtroom and the proceedings are broadcast live until they end two weeks later. ([See video coverage of the hearing](http://www.cbc.ca/news/background/truscott/video.html))

**Aug. 28, 2007:** The court overturns Truscott's conviction, declaring the case "a miscarriage of justice" that "must be quashed." However, the judges go on to say that "the court is not satisfied that the appellant has been able to demonstrate his factual innocence." Michael Bryant, Ontario's attorney general, tells reporters the Crown has no plans to appeal and offers Truscott an apology.

**April 16, 2008:** Guelph MPP Liz Sandals, of the ruling Liberals, tables a private members' motion calling for compensation for Truscott. It receives support from all parties.

**July 7, 2008:** The Ontario government announces it will pay Truscott $6.5 million in compensation for his ordeal. "We are doing what we can to bring to the conclusion this remarkable aspect of Mr. Truscott's life's journey," Chris Bentley, Ontario's attorney general, says during the announcement.