

Jury gives Thatcher parole hope

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MOOSE JAW -- For a man who has repeatedly heard "denied" by the courts, Colin Thatcher finally caught a break when a jury put him one step closer to freedom.

"Thank you," the 65-year-old convicted killer whispered from the prisoner's dock Wednesday afternoon.

Thatcher nodded his head as the six-man, six-woman jury granted his wish for immediate parole eligibility after just two hours of deliberations.

It means that instead of waiting until May 2009 -- when he'll have served 25 years of his life sentence -- Thatcher can apply for parole as soon as possible.

While he declined comment, his eldest son Greg said his father asked him to make one statement: "To thank the jury and to assure them that he will never do anything to either embarrass them or make them regret their actions."

Thatcher's daughter Stephanie -- her leg trembling in her front-row seat as she awaited word from the jury -- along with big brother Greg and his wife Diane, let out an audible sigh of relief upon hearing the foreman.

"It's an agonizing few minutes as they (the jurors) walk in," Stephanie later told reporters. "We're obviously very pleased," said the smiling 29-year-old, who resides in Chicago.

Even defence lawyer Darin Chow said the case had been "nerve-wracking." He grew up with Thatcher's son Greg and attended law school with Regan, who practises in Winnipeg and had to head home to prepare for a case before the verdict came down.

"With it all over, I'm just relieved that it turned out for the best," Chow said.

The family spent about a half hour visiting with Thatcher at the courthouse before he was escorted back to jail. Greg said the discussion turned to, "How strange it was to win."

They have now set their sights on the National Parole Board, which has the final say on whether Thatcher actually gets out of prison.

Dan Denis, regional director with the board's Prairie region, said hearings are normally scheduled about five to six months from the date of application. Thatcher's hearing will be held in B.C., where he is incarcerated at the minimum-security Ferndale Institution.

While Thatcher's future will again be in limbo for the next few months pending that hearing, Greg said the wait will be different given Wednesday's verdict.

"We'd obviously like to have it done as soon as possible, but I think the most important thing is you get to look at those months with perhaps more hope."

Thatcher has spent the last 19 years in prison since his arrest May 7, 1984. The then-MLA and former son of a Saskat-chewan premier was convicted six months later of first-degree murder in the death of his ex-wife JoAnn Wilson. He received the mandatory sentence of life without parole eligibility for 25 years, but the so-called "faint-hope clause" allows lifers to ask a jury to reduce that date after serving 15 years.

In a telephone interview from her Iowa home, Wilson's mother Betty Geiger said the jury's decision came as a surprise and disappointment.

"It hurts to see him have less than the sentence that he was given," she said. "There's no second chance for her (Wilson)."

Thatcher made his first faint-hope bid in 2000 -- but it was denied when a jury couldn't unanimously find in his favor. Part of that failure was blamed on an allegation that he had

threatened to "hit or hurt" an RCMP constable during the hearing. He was subsequently acquitted.

Thatcher was allowed to make another application in two years, which is why -- in a legal rarity -- he had a second faint-hope hearing.

One of the clear differences between the first unsuccessful hearing and the second was Thatcher's decision to take the witness stand. The former millionaire rancher-politician said he'd "been ground down" by prison.

"The system's won. I've given up, and I'd just like to go home," he implored the jury in testimony last week.

One thing he hasn't given up on is his insistence that played no role in Wilson's slaying -- a crime Justice Darla Hunter in her charge to the jury described as "brutal" and "gruesome."

Two years into her second marriage and on the heels of a protracted and bitter custody and divorce fight with Thatcher, Wilson, 43, was repeatedly bludgeoned then shot in the head inside the garage of her Regina home.

Following his conviction, Thatcher appealed all the way to the Supreme Court and was denied. He also tried a mercy application for a new trial, taking appeals up to the Federal Court, and was again refused. Even last week when Thatcher took the witness stand to talk about the murder for the first time since his trial, he still denied the crime.

Crown prosecutor Bill Burge had attempted to probe Thatcher's denial in his cross-examination by confronting him with evidence from the original trial, but Hunter disallowed that line of questioning following an objection by the defence.

"I was fairly frustrated. I think it would have been important to at least demonstrate to the jury his denials and certain words and actions on his part that were inconsistent with those denials," Burge told reporters after deliberations got under way.

How that denial might factor into the parole board's decision is unclear.

Speaking generally and not about Thatcher's case, Denis said the board is charged with assessing an offender's risk if released.

"That factor (denial of guilt) alone is insufficient for the National Parole Board to say parole denied," he added.

By law, the jury at the faint-hope hearing had to consider Thatcher's character, conduct in prison, offence, and any victim-impact statements. The judge can also suggest any other relevant factors, and Hunter said jurors could consider Thatcher's age and health -- points stressed by the defence.

If he ever gets out of prison, Thatcher said he has nothing on his agenda beyond reconnecting with his three children and four grandchildren and breaking a few horses on the family's Caron-area ranch. "I hope someday I might be someplace where I never have to see another television camera," Thatcher testified.

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