

Guard named in prison shooting

By CHUCK POULSEN

B.C. Penitentiary inmate Andy Bruce told New Westminster provincial court Tuesday that prison guard Albert Hollinger shot and killed Mary Steinhauser.

Bruce made the statement, ordered into evidence by Judge Philip Govan, just before he, Claire Wilson and Dwight Lucas were committed for higher court trial on five charges arising out of last June's penitentiary hostage-taking incident.

Hollinger was named last July during an inquiry by B.C. Chief Justice John Farris as the man who mixed up the guns used

by a prison tactical squad that stormed the prison classification unit's Room 9 where Miss Steinhauser and 14 other hostages were held.

After his inquiry heard in camera testimony on the incident, Farris said Hollinger, senior security supervisor at the prison, had mixed up the weapons so it would never be known which guard shot Miss Steinhauser.

A hushed courtroom was told in the statement that Hollinger first shot Bruce twice in the jaw and then shot Miss Steinhauser.

"Hollinger reached the dutch door (to

Room 9) and couldn't get past (nurse Tom) Hudson who was . . . lying on top of the bottom half throwing his arms around and yelling.

"Hollinger then went to the first window on Hudson's right and smashed it out. Contrary to anyone's contention, neither Hollinger or any of the other guards ever called a warning before the guns started firing.

"Once that window was smashed, Dwight Lucas had to be the first one in Hollinger's line of fire. Hollinger reached in through the window with his gun just as

I was pulling Mary away from me with my right arm.

"It was then that I saw his gun buck and I was hit in the jaw once then twice in very quick succession. I fell to my knees on the floor, but I was still looking at Hollinger. Blood was shooting almost straight out from my jaw.

"I saw Mary out of the corner of my eye. She was just in front of me, down on her knees too; but leaning to her right. She was trying to move toward me and she screamed, 'Don't shoot him.'

"Just as she finished this, Hollinger, whom I'd been watching all along, fired

again and Mary fell to her side in front of me. Mary was hit by that bullet.

"I continued to look directly at Hollinger. I felt that I was dying from the amount of blood that was gushing out of me. I stared directly at Hollinger because I wanted him and any of the others that were watching to know that even when they were killing me the only thing I was giving up was my life.

". . . I was looking at Hollinger and he was aiming at me. Finally he fired again.

"I felt the bullet going through my stom-

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ach. It knocked me over on to my side behind Mary. I lay there for about five seconds and watched the blood squirting out of my jaw before everything started to close in.

"I remember the last thought I had was that if I didn't move, the blood from my jaw would get into Mary's hair."

The Farris inquiry was told that Miss Steinhauser, who was Bruce's classification officer, was killed by a single bullet to the heart.

Bruce, who told the court he had written the statement himself, said the 14 other hostages closed the door to the vault at the end of Room 9 just before the shooting started.

"Those people acted out of fear; their only concern was to get that vault door shut and keep it shut. Once that move was made Mary Steinhauser was on her own."

Bruce said he has known Hollinger for years and "I know what he's like."

"He was there. He had a gun. His superiors had given him the right to fire that gun, and by Christ someone was going to

get themselves shot without question. That it was Mary and me just made it all the better. They didn't like Mary, and they — especially Hollinger — hate me with a passion."

Bruce said penitentiary director Dragan Cernetic was aware of the ill feelings "and yet they give them guns in a situation like the hostage-taking."

He said his only intention was to make a deal with Ottawa to get out of Canada and he never had any intention of harming Miss Steinhauser.

Earlier, Lucas told the court that he delighted in terrorizing the hostages in the vault because of the "bitterness" he had developed while in solitary confinement.

"I had fun terrorizing those people — I liked it, you know — they had been terrorizing me all my life. What they went through they call terror, but they don't know what terror is."

Evidence has been given that some of the hostages had their clothes slashed by Lucas and one was kneed in the groin.

Lucas said that during one stretch in solitary confinement six inmates had committed suicide by slashing their wrists, throats, or hanging themselves.

He told Judge Govan that most people don't care about conditions in solitary but that "people will be getting killed on the street" by ex-convicts releasing their bitterness over the penal system. Lucas also told court he confirms Bruce's description of what happened at the end of the incident.

Judge Govan began to tell the convicts that there "is much in what you have said" when Wilson interrupted.

Wilson said that while solitary confinement was supposed to have been eliminated at the penitentiary (because of a recent Federal Court of Canada decision labeling it cruel and unusual punishment) there have been few changes.

"They moved us to an area with no solid doors, but then they boarded up the windows. There's only one way to get changes and you know what that is."

Several spectators in the courtroom at this point shouted: "Revolution."

Wilson: "I wasn't born with a butcher knife in my hand. Segregation is what put it there."

Govan admitted that "conditions (at the prison) are not what they ought to be in this day and year of our Lord 1976 A.D."

Bruce prefaced his earlier comments on the storming of Room 9 by saying he was not called as a witness at the Farris inquiry because he would not divulge where he obtained knives and gasoline. (The Crown has alleged that the trio used knives in holding the hostages and threatened to burn them with gasoline during the 41-hour incident).

"There are many considerations for my not answering those questions," Bruce said. "For one, I just can't ever see myself helping out the people who've been kicking my ass all these years.

"I've spent four and one-half years (in solitary) and I'm sick of seeing my friends go home in boxes; sick of seeing them slash their arms, throat and faces; sick of seeing them go insane; and I sure as hell am not going to put anyone else in this kind of position by giving names of those guys who helped me."

The three were committed to trial on charges of illegally confining 15 persons, illegal possession of offensive weapons, attempted escape, attempted extortion and robbery. The robbery charge was added at the request of prosecutor Tom Fisher and the attempted escape charge was reduced from the charge of escape.

In committing the three for trial at a date and place yet to be determined, Judge Govan suggested to Fisher that the Crown might consider staying the charges.

He said he "wondered about the utility of further charges" against the inmates, all of whom are serving life sentences.

"If this would be an abuse of process if nothing else can happen (to the three)

— there can be an application to stay the charges," said Govan.

Fisher then brought up the matter of a further charge against Lucas of assaulting a guard, Wilson shouted profanities several times as the matter was put over until next Tuesday.

There was a surprise when Govan committed the three on the additional charge of robbery, a matter which came up only briefly during the six-and-one-half day preliminary hearing.

On Friday Tony Lewis, one of the hostages, told Govan under questioning from the judge that the inmates took all the jewelry, wallets and glasses from the hostages and put them in a bucket.

Defence lawyers Mike Bolton and Bob Bellows argued that none of the items was introduced as evidence, nor was testimony given on what items each hostage lost. Bellows said the items were taken only because the inmates feared they might be used as weapons and therefore there was no intent of robbery.

Govan committed the three on the charge without comment.

The judge reduced the escape charge to attempted escape after the defence argued that the three inmates were still under confinement during the time spent in the classification unit because they had not left the prison proper and the unit was surrounded by guards.

Bolton told the judge that he would wait until the trial to argue whether the three were "reasonably justified" in trying to exhort a plane out of the country because of conditions in solitary.

The issue of reasonable justification created a constant row during the hearing until Judge Govan ruled it irrelevant.