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Killer's lawyer slams Record story

Adam Trotter's counsel calls recent article 'without merit' and 'reckless'

By **Cassandra Prato**
FOR THE RECORD

HAMILTON — A teenage killer's lawyer said a published allegation his client had been paid by jail guards to beat up his cellmate is "reckless and without merit."

Jed Neuberger, counsel for Adam Trotter, questioned the media's decision to publish a story Feb. 27 based on an interview with Trotter more than two years earlier.

The Kitchener-Waterloo Record article based on a telephone interview with Trotter in December 1996, reported Trotter said guards gave him two packs of cigarettes and access to Nintendo computer games, among other things, if he would give James Lonnie "a little job."

Lonnie was fatally beaten by Trotter

in September 1996 while the 13-year-olds shared a "segregation cell" at Wellington Detention Centre in Guelph. The attitudes and behaviour of jail staff has been a primary focus at the inquest.

"If I would have had a hint of (these allegations) I would have been the first to jump all over it," said Neuberger, who also represented Trotter at his manslaughter trial in 1997. "The allegation in the article... in my opinion is without merit and not supported by my assessment of the evidence. It is reckless in the face of the evidence presented (at the inquest and criminal investigation)."

Several other newspapers, including the Hamilton Spectator, the Toronto Star and the Globe and Mail, published the report.

The article attracted the inquest's attention because it noted the allegations should be scrutinized at the inquest.

Al O'Marra, chief counsel, told the coroner the public request cannot be ignored.

"This is not a matter worthy of examination at this inquest," he said. "What is attributed to Adam Trotter in December 1996 appears nowhere (in the evidence). It is particularly troubling that this information surfaced not just after Adam has testified, but after all the guards and all the (jail staff) testified."

Eon McCurdy, The Record's managing editor, said the paper waited to publish the interview because he wrongly assumed the tale would be told sometime during the inquest.

"I certainly think publishing the article was with merit. We're not suggesting for one second that what he told us was the truth. We're simply saying he told us this story," he said.

The article outlined how Trotter has told at least three different inconsistent versions of why he killed Lonnie.

"It became clearer (as the inquest progressed) that what he told us was not going to be told by anyone. The sole purpose of this article was to get it out into the public realm... so that once the information was out there, the inquest could deal with it."

Neuberger suggested it was unnecessary to have Trotter testify again. The coroner agreed.

Trotter pleaded guilty to manslaughter and is serving a five-year sentence.