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Local news

Highlights



Gavin's battle
 Strength and love carry Monroe family through boy's fight



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 Artistic teen makes friends and memories in school



Buried in snow
 In 1871, snow just kept on coming

Calendar

MARCH 2015

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Circuit Training
 Thu, Mar. 12, 5:30am
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Murder trial ends in hung jury

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By Scott North
 Herald Writer

Christopher Turgeon believes things that outrage many people: that God orders killings, that homosexuals must die, that all men are in authority over women and the "abomination" of feminism is punishable by death. Turgeon, who claims to be a modern manifestation of the biblical prophet Elijah, once took his beliefs about what he calls the "natural order" of the sexes so far that he refused to speak to a female 911 emergency operator. That's why some saw irony Tuesday when his three-week Snohomish County Superior Court trial ended in a hung jury, all because one strong-willed woman refused to find him guilty of first-degree murder because she believed him insane. Judge Joseph Thibodeau declared a mistrial for Turgeon, 37, and co-defendant Blaine Applin, 30, after jurors sent the judge a note late Tuesday morning. For the second time in as many days, the jurors wrote that they were split 11-to-1, with most voting to convict, and "no prospects for unanimity." Thibodeau scheduled a Thursday hearing to set a new trial date for the defendants, both former members of a defunct religious sect that Turgeon led called The Gatekeepers. The pair had admitted the March 1998 killing of a former Gatekeeper, Dan Jess, 40, of Mountlake Terrace. But their attorneys argued the men were innocent by reason of insanity, in part because they claimed the shooting was ordered by God. "I'm saddened and frustrated, as I'm sure many are," deputy prosecutor David Kurtz said. "Obviously we are not going to just

let this drop." Most of the jurors left the courthouse refusing to speak with reporters. But the woman who voted against conviction later agreed to be interviewed on the condition that her name not be published. Another woman juror also consented to an interview under the same conditions. The woman who voted against convicting Turgeon and Applin lives in south county and has an advanced degree from an Ivy League college. She said that Turgeon "pretty much stood for everything that I don't believe in," but her vote didn't trouble

her because she left her prejudices outside the jury room. "I'm not him," she said. Defense attorneys Royce Ferguson and Guss Markwell showed through expert testimony and other witnesses that Turgeon had a lifetime history of mental illness and bizarre behavior that culminated in Jess' killing, she said. Applin's attorney, Pete Mazzone, also presented a credible case that his client was a "classic case" of somebody who was mentally ill and under control of a cult leader, she said. Turgeon was complex and obnoxious on the witness stand, the kind of person who "by the time he's done talking he's really hit every button," the juror said. Still, she counseled the other jurors that the defendants and witnesses were not the most important people to pay attention to during the trial. The most important person for each juror to monitor was himself or herself, and to recognize when emotion may be clouding judgment, the juror said. But one of the jurors who voted to convict, a Lynnwood woman, said the lone

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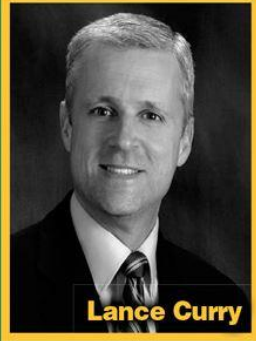

holdout was simply unwilling to entertain others' viewpoints. Some jurors initially felt that the defense may have proven their case, but modified their view as the evidence was discussed, said the juror, who has previous jury experience in a criminal case. "We spent two days trying to talk to her," the Lynnwood juror said. "I couldn't even begin to tell you all the points that were brought up." By the time the deliberations ended, the majority of jurors were convinced that both Turgeon and Applin knew what they were doing when they drove from their San Diego-area home and gunned down Jess. The defendants simply did not meet the legal definition of insanity because they understood that what they were doing was morally and legally wrong, the Lynnwood juror said. "Dan Jess is dead," the Lynnwood juror said. "That bothers me and that bothers the rest of us, too. He is the real victim. Not them (the defendants). They aren't the victims." In spite of the strong positions taken by panel members, deliberations remained civil and calm, she added. Mazzone spent nearly an hour after the mistrial ruling, talking with jurors behind closed doors. He predicted that the case will again wind up before another jury. "There will be no deals. Not because I don't want any deals, but because Blaine Applin doesn't want any deals," he said. Ferguson also said he saw little chance for a plea agreement for his client. Both men already are serving nearly 100 years in prison each for a string of robberies and other crimes in California that came after Jess' killing. Ferguson said that when the jury first let the judge know they were deadlocked, he and Turgeon discussed the possibility that a woman may be voting against conviction. The lawyer said he told his client that that would be ironic. But Ferguson said Turgeon insisted that was fitting, because a woman would be most likely to find his beliefs insane. You can call Herald Writer Scott North at 425-339-3431 or send e-mail to north@heraldnet.com.

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