David Milgaard Essay, Research Paper

David Milgaard

When you hear the name David Milgaard some of the things that come to mind are justice, betrayal, redemption. David Milgaard is one of the most discussed criminal law cases in Canadian history. In this essay I would just like to discuss about the issues that were involved in this case, the social issues surrounding it and also my own opinion on the case.

It was January 32, 1969 and the headlines in the local newspapers read ?Nurse Assistant found brutally murdered?. Everyone in the town of Saskatoon was shocked to read this heading in the newspaper. Gail Miller was on her way to work at about 6:45 in the morning, two hours later her body was found in a back alley by a small child. She was found dead at the scene and looked like she had been assaulted very badly before her death. Her dress, stockings and panties were down at her ankles and her shirt and brazier were torn. She had also been stabbed fifteen times. Police had nothing much to go on except for some testimonies of people. The testimonies that were given to the police all linked a man by the name of David Milgaard to the murder of Gail Miller. The testimonies came from friends of David?s who he had been staying with in Saskatoon during the time of this murder. Wilson and Cadrian were the two friends that delivered the most crucial evidence to the trial. Wilson had said that the car that the three were driving in had got stuck and they had broke up in different directions to get help. The car had broken down near the area of the murder. Then Cadrian had said that he had seen Milgaard stabbing some one in an alley. They had also said that Milgaard had re-enacted the murder at a party later that night. This evidence was enough for the Supreme court to rule a life sentence for first degree murder to Milgaard for the January 31 murder of Gail Miller.

There were many protest by the family of Milgaard against the supreme court after there court ruling. Many people think that the deciding factor in Milgaard getting released from prison after 23 years of hard time was his mother. Joyce Milgaard did everything in her power to getting her son?s ordeal straightened out. She staged many gatherings for support for her son. She worked very hard with lawyer?s for the 23 years that her son was in jail. All that worked finally paid off, in April of 1992 her son was released after the lawyers made an appeal to the Supreme Court of Canada. New topics were brought up during the appeals. New testimonies from Wilson and Cadrian also helped with the freedom of Milgaard. The two told the judge that they had lied during the original hearings and they had no idea what had really happened. There was also evidence of Milgaard being at a totally different place during the time that the murder had occurred. This came as a large shock to the judge and the entire Supreme Court.

After everything was settled and Milgaard was declared a free man there were many protest against the Supreme Court and the entire Canadian judicial system. Many people were talking about how if this could happen once how many other times could of it happened. There were also many interviews done with Milgaard to get his opinions on what had happened and how he is going about getting his life straightened out. Milgaard and his family had started a lawsuit against the Supreme Court to get compensation for the time that Milgaard had spent in jail. After a long period of deliberation and many statements made by Milgaard the court decided that a payment in the six figure range would be substantial. I personally think that Milgaard should of received a much large sum than this. Twenty three years is a long time to spend in jail, that?s half of the man?s life. I think something in the seven figure range would of been much better. Milgaard did not pursue for more money, he took it as it came and was very happy with the money that he received.

After the Milgaard had been set free, new people began to re open the case and try to find who the real killer was. Larry Fisher was a prime suspect because he had killed people and rapped people in the area of the murder.

I believe that this case is so important because it shows exactly how the judicial system can fail people. It also shows how someone can come from such troubled times and forget about all of the problems in his life and focus on getting better. This is probably one of the most high profile cases in Canadian law history. Another reason this case is important is because of all the media attention that the case received. It was one of the most written about and talked about cases across the nation. One problem though was how the media blew the case out of proportion when Milgaard was released and how they talked about ways that Milgaard might react to his freedom. Milgaard was smart though and did not listen to the stupid comments of the media and straightened out his life.

In conclusion I would just like to say that this has been one of the most interesting law cases that I have ever heard of. There was so much tribulation involved in this case. I enjoy seeing some on who has gone through very hard times in there life overcome all the obstacles that they faced and put them all behind. Personally I think that the deciding factor in this law case was the family of David Milgaard. Without her support and the support of his family for David, and them pushing the lawyers David Milgaard would not be a free man to this day. He owes everything in the world to them and is very lucky to have people like that behind him.