The Western Star

Trying to move on

Bagbys say living without Andrew and Zachary a daily challenge

St. John, Indiana · Pennsylvania · Shirley Turner · Shirley
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ST. JOHN'S — Kate Bagby says it's a tough part of the year.

Only she and her husband David know how tough it really is.
Their grandson Zachary would have turned seven July 18 and their only son Andrew would have been 36 on Sept. 25.

Then there are the other dates the Bagbys will never forget — Aug. 18, the day Zachary was drowned in a murder-suicide in 2003, and Nov. 5, the day Andrew was found shot to death in Pennsylvania in 2001. Shirley Turner was out on bail and facing extradition to the U.S. to stand trial for Andrew's murder when she killed Zachary — her son — and herself in the waters of Conception Bay South.
"I was thinking the other day," Kate says on the phone from her home in California, "I've lived without Andrew now for eight years coming up in November. And I don't know how I've done it. And I've lived without Zachary for six years, and people say, ' You're strong, you are moving on,' but they don't know what the soul has to go through to get through it and try and do your best."
She says she could withdraw, go into a convent and pray, but doesn't because she loves David and her friends, plus Andrew and Zachary would expect her to be doing something.

David, who is also on the phone, says he copes by immersing himself in his day-to-day activities.
He admits to having mini-breakdowns when alone and he starts thinking about what happened.
" The dangerous time is when you get out of the moment and you're alone and there's absolutely nothing distracting going on and then the horror of it comes right back to the front."

Keeping busy

David says anger, rage and love have kept him working towards making that change happen.

In 2007, he released a book, " Dance with the Devil," which, among other things, questioned why Turner was allowed to have custody of Zachary while awaiting trial

The Bagbys' plight has also received a boost from the film "Dear Zachary, A Letter to a Son about his Father."

The documentary was made by Kurt Kuenne, a childhood friend of Andrew's.

The film has been screened across North America, picking up numerous awards and prompting some U.S. prosecutors to give victims greater consideration during murder trials.
David says a couple of MPs and a senator took an interest in bail reform after the documentary's showing in Ottawa.

He hopes those politicians might move the issue forward.

" We know the push is underway ... Of course, it ain't over till it's over," David says. There are a couple of other systemic changes the Bagbys would like to happen.
Kate would like to see the U.S. investigate the extradition process between that country and Canada.
David wants the sentence for murder to be a genuine life sentence and he'd like the death penalty to be put aside.

David and Kate Bagby sit in a St. John's courtroom in this 2003 file photo.

The Bagbys' efforts to evoke change were slowed by more hardship three years ago.

While stripping wallpaper, Kate fell backwards and hit her head off a ceramic tile floor.

"Ceramic tile over concrete," David notes, "so there was no give whatsoever."

Fortunately, a nephew was at their house. If he hadn't been there

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> David Bagby

These days, David is keeping busy in a courtroom as he and Kate sit with the mother of a victim during the trial for a 2005 murder.
The Bagbys and the woman are members of Parents of Murdered of Children.

It's the second trial David and Kate will sit through from start to finish.
"It's work, for sure," says David. " There's no fun at all in watching the legal system grind through its minutiae."

Kate notes that when they first came to Newfoundland — before the murder-suicide — nobody sat with them during Turner's legal proceedings.

"So we sat alone, and it was a very lonely existence. And I think we, therefore, help people like this mom. Nobody quite understands the pain unless you've been there."
Since Zachary's murder, the Bagbys have fought to reform Canada's bail system. to seek medical help, Kate says she would have died.
She suffered an intercranial hemorrhage and three skull fractures.
"I couldn't read, write or do anything for four to five months. And that really af-

Shirley Jane Turner, 42, and her 13-month old son Zachary Turner are seen in this 2003 file photo. — Telegram photos

She says she can read and write now, but doesn't write or speak as well as she did.

Her recovery is yet another hurdle for a couple challenged more than anyone can fathom.

Rotten luck

Asked if they ever wonder how or why the murders happened to their loved ones, David says they talk about that a lot.

"I just put it down to rotten luck. I can't think of any other background for it," he says, noting he is not religious.

Kate, on the other hand, is, but she doesn't think God is responsible.
"I used to say, 'I'm Kate Bagby. I live in Sunnyvale. This doesn't happen to me.' But it does happen and, when you see our group — the people who have lost a son, a daughter, a husband, a wife to murder — you know they are good people too. ... It does happen to good people. I used to be always very upset about a murder before Andrew's. But you never really know the real pain of it all. And I guess I don't think about why did it happen to me because I don't think there is an answer. I think Turner has to answer for that question and hopefully she is answering before the
Expanding on his rotten luck theory, David says some human beings are defective and don't comprehend things like co-operation, mutual respect

" Fortunately, there aren't very many of them and Andrew was unlucky enough to hook up with one, and his death is just that, rotten luck. I can't think of any systemic thing that can be done to treat or separate people like Turner before they do their first killing. But the big point, to my mind, is that government should make sure when they identify someone like that, that they don't get to
The Bagbys' story is scheduled to be part of an item on an upcoming episode of NBC's "Dateline."
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