

## Man gets life in torture murder

Jury took under three hours to convict victim's 'friend'

Transient, 20, was beaten and stabbed, then drowned

BOB MITCHELL  
STAFF REPORTER

A Mississauga man has received a life sentence after being found guilty of second-degree murder in the beating and torture of a New Brunswick transient.

A jury needed less than three hours yesterday to find Carl Gernhaelder, 24, guilty as charged in the murder of his friend, Richard Hughes, 20.

Judge Thomas Dunn must now decide the length of parole ineligibility to be placed on the convicted man. In a poll of the jurors following their verdict, six suggested 15 years, two thought 10 years while four members gave no recommendation.

Victim impact statements will be delivered Tuesday in a Brampton court with parole ineligibility sentencing to be given at a later date.

The eight men and four women jury decided Gernhaelder not only repeatedly beat Hughes, but also stabbed him three times — twice in the back and once in the front of his neck — before eventually drowning him in the shallow waters of a creek in north Mississauga on Oct. 18, 2004.

Gernhaelder had pleaded not guilty to second-degree murder. Two teens, 15 at the time, were also charged with second-degree murder in the case. They are still to be tried and their identities are protected by the Youth Criminal Justice Act.

Both Hughes and Gernhaelder were homeless at the time of the murder. They became friends over the summer when Hughes arrived from New Brunswick and began hanging out with some young people in Mississauga's Meadowvale area.

On the night of the murder, the jury heard that Gernhaelder, Hughes and two teens had spent about two hours drinking at an area known as The Fort.

The horrific attack began after Hughes vomited for a second time following a drinking game, in which participants took turns taking vodka shots each time they turned up the low hand in a card game.

Gernhaelder claimed he struck Hughes in the face after he vomited because one of the teens said he should be punched for "wasting alcohol."

He also claimed Hughes told him to hit him harder and when he did, Hughes fell to the ground. Gernhaelder said Hughes was then attacked by the two teens, who repeatedly punched and kicked him.

"I saw two people beating him and I joined in," Gernhaelder told the jury.

"I was drunk," he said, adding he didn't realize he had stabbed Hughes until the teens told him.

Although Gernhaelder admitted to stabbing Hughes twice in the back, he insisted he couldn't remember stabbing him in the throat, telling the jury that his alcohol consumption that night affected his memory.

Gernhaelder also vehemently denied drowning Hughes. He told the jury that one of two teens committed the murder by forcing the victim's head under water in a creek that ran through the secluded forest near Argentia and Derry Rds.

Several friends testified that Gernhaelder not only told them that he had killed Hughes but that he showed two of them his former friend's body.

Gernhaelder said he only wanted to show his friends the body to make sure the events of the night had actually happened, but Crown prosecutor Alex Cornelius told the jury he had another motive.

"You used the forest as an amusement park," Cornelius told Gernhaelder during his cross-examination. "The feature show was a dead body."