

Deal gives 'heartless' killer four years

By Mike McIntyre

A 22-year-old woman was sentenced to four years in prison yesterday for the throat-slashing death of an 18-year-old honours student at a Transcona house party.

The Canada Day 2005 killing began with an argument over bathroom use and ended with a single, fluke stab wound to the neck, court was told.

"Of all the stupid, useless wastes of people's lives," Crown attorney John Barr said yesterday.

Johanna Lopez offered up a tearful apology to the family of her victim, Tonya Kirchen, after pleading guilty to the reduced charge of manslaughter. She had been set to begin a preliminary hearing for second-degree murder.

Kirchen's family wasn't buying it.

"I feel like she's a liar. The first time I saw her she was so cold and heartless. It's like she had to force herself to say

that to us," Diana Kirchen, the victim's mother, told the *Free Press* outside court.

"It's not fair. You murder a child, you should get life. The justice system to me stinks."

The family wasn't alone in questioning the plea bargain.

Provincial court Judge Charles Newcombe said it was on the "very low end" of the scale but that he would likely get overturned on appeal if he didn't go along with it.

Two Winnipeg police homicide detectives expressed shock when they arrived in court yesterday and were told by Barr a deal had been struck for a reduced plea and sentence.

"That is not acceptable to our office," one officer was overheard telling Barr in the halls of the Law Courts.

Barr explained the sentence was "well within the range" of other precedents. He cited the intoxication of Kirchen, Lopez and many witnesses and the difficulty in proving intent as reasons for

the plea bargain.

The officer said he'd prefer to "roll the dice" at trial and that Kirchen's killing had left a lasting impression on homicide detectives.

Kirchen graduated as an honours student from River East Collegiate. To earn money for university, was working at a women's shelter. She was also engaged to be married.

Lopez, who was born in El Salvador and came to Canada in 1990, was raising her son and studying liberal arts at the University of Manitoba with the hope of becoming a lawyer. She had no prior record.

Kirchen and Lopez had never met each other but ended up at the same party at 27 Margolis Place.

Lopez and her boyfriend drew the ire of Kirchen and her friends when they refused to come out of a downstairs washroom despite repeated pounding on the door, court was told. Most witnesses believe they were having sex.

Lopez made comments to the girls that they must be lesbians to all want to go to the washroom together. Lopez then emerged moments later, her pants partially undone, and threw a drink in Kirchen's face.

Kirchen threw one back.

Lopez admitted to police she pulled a six-inch knife out of her pants and stabbed Kirchen once in the throat, cutting her jugular vein.

She was pronounced dead at hospital and is survived by her parents and three siblings.

"This is a very tragic situation. Had the knife struck her anywhere else in her body it wouldn't have resulted in this tragic circumstance," Barr said yesterday.

Lopez fled the scene with her boyfriend, who threw the bloodied knife on the roof of a nearby home. She was arrested about 18 hours later, court was told.



FAMILY PHOTO

Tonya Kirchen: stabbed at party in argument over bathroom access.