

COMMISSION OF INQUIRY INTO  
CERTAIN ASPECTS OF THE TRIAL  
AND CONVICTION OF JAMES DRISKELL

\*\*\*\*\*

The Honourable Patrick LeSage, Q.C. Commissioner

\*\*\*\*\*

Transcript of Proceedings  
before the Commission sitting  
at the Winnipeg Convention Centre  
Winnipeg, Manitoba

\*\*\*\*\*

Wednesday, July 19, 2006

Volume 3

INQUIRY PROCEEDINGS

## COMMISSION STAFF:

Mr. Michael Code	Commission Counsel
Mr. Jonathan Dawe	Associate Commission Counsel
Mr. R.L. Giasson	Chief Administrative Officer
Wendy Bergmann	Administrative Assistant
Kathy Karamchand	Administrative Assistant
Nancy Pelletier	Administrative Staff
David Bruni	Legal support staff

## APPEARANCES

Mr. Alan M. Libman and	
Mr. James Lockyer	For Mr. James Driskell
Mr. E.W. Olson, Q.C.	For Province of Manitoba
Mr. Jay Prober	For George Dangerfield
Mr. D. Abra, Q.C.	For The Estate of Bruce Miller
Mr. R. Tapper, Q.C.	For Mr. Stuart Whitley
Mr. D. Gates, Q.C.	For the RCMP
Ms. K. Carswell	For the Winnipeg Police Services and certain members
Mr. R. Wolson, Q.C.	For the Winnipeg Police Services and certain members
Mr. S. Pinx, Q.C.	For the Association in Defence of the Wrongly Convicted

## INDEX OF PROCEEDINGS

DESCRIPTION:	PAGE
ROSS BURTON	
- BY MR. WOLSON	479
- BY MR. MR. GATES	540
- BY MR. CODE (Re-exam)	544
Recalled re: London File	
- BY MR. CODE	614
- BY MR. LOCKYER	616
- BY MS. CARSWELL	624
- BY MR. CODE (Re-exam)	632
RONALD CHARLES FERGUSON	
- BY MR. CODE	558
- BY MR. LOCKYER	635
- BY MR. PROBER	680
- BY MR. OLSON	683
- BY MR. ABRA	684
- BY MS. CARSWELL	692

INDEX OF EXHIBITS

2	Transit slip, October 8, 1991	663
---	-------------------------------	-----

1 WEDNESDAY, JULY 19, 2006

2 Upon commencing at 9:00 a.m.

3 THE CLERK: All rise. This commission of  
4 inquiry is now in session. Please be seated.

5 THE COMMISSIONER: Good morning, everyone. I  
6 want to again thank you for your consideration  
7 in coming here early this morning. I do  
8 appreciate it.

9 Mr. Wolson, you may proceed.

10 BY MR. WOLSON:

11 Q Thank you, sir. Is there or let me ask you, was  
12 there, back in 1990, a local prosecutor  
13 stationed in Swift Current? Was there a  
14 prosecutions office in Swift Current?

15 A Yes.

16 Q And how many prosecutors, if you can remember,  
17 were there?

18 A Two.

19 Q You would have contact with them, I take it,  
20 from time to time?

21 A Correct.

22 Q Did you raise with them the issues that we're  
23 talking about today, the arson and the  
24 Winnipeg Police Service? Did you raise that  
25 with them?

1 A No.

2 Q You had an arson case which was of major  
3 significance in the City of Swift Current?

4 A Correct.

5 Q You were suspicious of the Winnipeg Police  
6 Service, in particular, Sergeant Anderson?

7 A Correct.

8 Q All right. Now, you told us yesterday that you  
9 were immediately suspicious of Sergeant Anderson  
10 in the phone call of the 27th of October; true?

11 A True.

12 Q Did you tell Staff Sergeant Ferguson about that?

13 A Yes. It's covered in my summary of my evidence  
14 to the Commission Counsel.

15 Q I realize that. And as a result of that, did  
16 you suggest to Staff Sergeant Ferguson that you  
17 open a protected B file?

18 A Correct.

19 Q You have read over, I take it now, your  
20 statements or your reports at tab 24, which was  
21 the 1992 response to Tom Anderson's letter?

22 A I didn't read it last night, no.

23 Q Oh, you didn't?

24 A No.

25 Q Okay. Well, as I recall your evidence

1           yesterday, and if you need I will take you to  
2           the spots in your statements, you and Anderson,  
3           in effect, reached a consensus on the April 5th  
4           call. It sounded like a plan that you would not  
5           pursue Zanidean at all, but you had to take it  
6           to your superiors. Does that -- does that  
7           encapsulate your evidence on that date?

8    A       I agreed to put that recommendation through  
9           channels. I think that's what the document  
10           says.

11   Q       You considered the plan to be logical?

12   A       Correct.

13   Q       And the plan was not to charge Zanidean? That  
14           was the plan? That was what you were being  
15           asked?

16   A       I think the request was immunity.

17   Q       Yes.

18   A       Which is different from not charging him.

19   Q       All right.

20   A       That would be my discretion. Immunity is with  
21           Saskatchewan Justice.

22   Q       So you were being asked for immunity, and you  
23           thought it sounded logical, but you would have  
24           to take it up the chain of command?

25   A       Correct.

1 Q When you took it up the chain of command, as you  
2 told Mr. Code when he was asking you questions,  
3 that wasn't agreed to?

4 A Correct.

5 Q Did you then, on April -- and you found that out  
6 when you met with, or when Ferguson met with  
7 Inspector Preston, as you say in your statement  
8 or in your memorandum at tab A-24. When you  
9 found that out -- and you did, didn't you? You  
10 found out the results of the meeting between  
11 Ferguson and Preston?

12 A I would have to refer to my documents, but I  
13 think I was at that meeting.

14 Q All right. So one way or the other, whether you  
15 were there or you were told, you found out the  
16 results of the meeting?

17 A How I found out was at tab 35, was when the  
18 A-5 from Inspector Preston was sent to Staff  
19 Sergeant Ferguson and he then shared it with  
20 me.

21 Q All right. And that was that the only course --  
22 or that was -- and I'm referring to tab 35,  
23 "It would seem the only course of action  
24 open to you now is to await the trial  
25 outcome and evaluate the situation then."



1 A Correct.

2 Q So, in effect, the request for immunity was not  
3 going to be, it was not going to go. There was  
4 going to be an instruction from Preston at some  
5 future date?

6 A Correct. At that point, correct.

7 Q Yes. Well, did you call Sergeant Anderson and  
8 tell him that?

9 A The calls that took place are recorded in my  
10 reports, and at this point I would like to refer  
11 to those.

12 Q Well, let me refresh your memory. The only  
13 calls you have recorded in your notes are July  
14 calls, the 16th and the 18th of July.

15 A Okay. Then I will refer to those.

16 Q Okay. Now, he is asking you on April 5th. Is  
17 it your recollection that you did not call him  
18 back or speak to him in the month of April?

19 A I don't have any independent recollection. I am  
20 relying on the records made at the time. So  
21 whatever they indicate, we can refer to them.

22 Q There is no record of an April call, other than  
23 the 5th.

24 A Well, there you have it.

25 Q You don't say there wasn't a call, you say you

1 are relying on your records. If the records  
2 aren't here, you can't comment on it one way  
3 or the other? You have no independent  
4 recollection?

5 A Correct. I am relying on the records that are  
6 available today.

7 Q So if Sergeant Tom Anderson says that a few days  
8 after the April 5th call he called you, you  
9 can't dispute that?

10 A I guess I would say if he called me. There  
11 would be a report. And if it's missing, then I  
12 can't recall.

13 Q So you can't dispute it today, or you can't  
14 comment on it one way or the other?

15 A Today, that's correct.

16 Q You are, however, aware that Sergeant Anderson  
17 said that he called you because you got his  
18 letter. He said that he called you. You and  
19 he had conversations a few days after the 5th  
20 of April. You're aware that he says that?

21 A No, I'm not. But I can't speak for him.

22 Q Well, this is what he says, because you  
23 responded to it, at tab 25, page 2. He says in  
24 call one, although he doesn't have a date for  
25 it -- are you at page 2 of the third paragraph,

1           sir?

2    A       Yes.

3    Q       Halfway down?

4    A       Yes, getting there.

5    Q       He says, regarding the first call,

6            "In any case, he had given the matter some

7            thought and he immediately offered to

8            withdraw their pursuit of Zanidean

9            entirely. He explained that he planned to

10           interview Driskell after the murder trial

11           in an effort to gain evidence against

12           Zanidean and his sister, but that he would

13           only charge his sister."

14           You will recall that that's what he said because

15           you've responded to that in your memo at tab

16           A-24?

17   A       I think if I respond to it, that doesn't

18           necessarily mean that I agree with it.

19   Q       Oh, no, I'm not suggesting that you agree with

20           it. All I'm saying is you now recall that

21           Anderson has said this because you had this

22           letter?

23   A       He said it in a statement.

24   Q       That's right.

25   A       I don't recall that we had the conversation 16

1 years ago.

2 Q Okay. You don't recall whether or not you had  
3 that conversation?

4 A I recall what's in my records.

5 Q Okay. But, again, and I won't say this again,  
6 other than this time, because it would be  
7 improper for me to keep beating this. Your  
8 entire records aren't here. They are not  
9 available. We don't know where they are. They  
10 may be destroyed. They may be lost somewhere.  
11 You agree with that?

12 A Correct.

13 Q Okay. And then if you keep reading -- that's  
14 the last time, sir.

15 THE COMMISSIONER: Oh, good. That horse is  
16 dead.

17 BY MR. WOLSON:

18 Q Thank you. The second call he says:

19 "Approximately one week later I telephoned  
20 Burton again to ensure his proposal was  
21 agreed to by superiors."

22 Do you see that?

23 A Yes.

24 Q You can't dispute whether he made that call?  
25 You have no record of it here?

1 A Correct.

2 Q And he said:

3 "He assured me that his detachment  
4 commander had approved, and I reminded him  
5 we would not make Zanidean privy to this  
6 agreement until after he testified."

7 You see that, that's what he says?

8 A Again, I can't speak to what he said. I mean,  
9 it's written there, but that's fine.

10 Q You don't agree or disagree with it?

11 A I believe I disagree with the content, if you  
12 read my response. I am just not agreeing or  
13 disagreeing that the call was made. I don't  
14 recall.

15 Q I see.

16 A I don't have any reference.

17 Q Because it would seem unusual that if you and  
18 he have some agreement or an understanding on  
19 April 5th, and from your perspective the  
20 understanding or agreement is not going to  
21 happen, it would seem reasonable that you would  
22 call him back and tell him this, would it not?  
23 Would it not seem reasonable?

24 A In all honesty, on serious matters like this, I  
25 would be documenting it.

1 Q But would it not today seem reasonable that you  
2 would have called him back?

3 A I guess my answer is, on a serious matter like  
4 this, the absence of any documentation, from my  
5 perspective, is not reasonable. We're talking  
6 about immunity for an individual on a serious  
7 charge so that he can provide critical testimony  
8 in a murder. So I find the lack of  
9 documentation, formal, not reasonable.

10 Q Okay. Given what we've already said, which I am  
11 not going to go to again.

12 Now, when I look at the record that we do  
13 have of that April call, your call, the one that  
14 you say happened on April 5th, I see at tab 24,  
15 page 2, a reference to that call. I will wait  
16 until you get there. Are you on tab 24, A-24,  
17 page 2?

18 A Could I just qualify one thing here?

19 THE COMMISSIONER: Certainly.

20 THE WITNESS: I am talking about a lack of  
21 documentation from Sergeant Anderson in my last  
22 answer.

23 BY MR. WOLSON:

24 Q Oh, I see. You didn't have any documents from  
25 him?

1 A Correct. You're asking me if that's reasonable.  
2 From my perspective, it's not. If I was in his  
3 position, looking for immunity for a witness --  
4 Q You would have sent something?  
5 A -- I would have documented that in a big way.  
6 Q Okay. And as to whether or not there was that  
7 second call, today you don't know?  
8 A Correct.  
9 Q All right. Now, let me then go to your record  
10 of April 5th, because I think I was mistaken  
11 yesterday. You have at page 2 of tab 24, in the  
12 last paragraph, you have your C237 dated  
13 91/04/19. Do you see that?  
14 A Correct.  
15 Q And then you have an excerpt of about -- and you  
16 told us yesterday this is only an excerpt of  
17 that C237 of about eight or ten lines?  
18 A Correct.  
19 Q And then yesterday, this is where I think I was  
20 mistaken, I had also referred you to tab 32,  
21 which is your July memo, July 19th, where you  
22 had also an excerpt of a C237 talking about the  
23 April 5th call. Do you see that at page 5 of  
24 tab 32-A?  
25 A Correct.

1 THE COMMISSIONER: In the indented part there?

2 BY MR. WOLSON:

3 Q In the indented part there. But that C237  
4 refers to a C237 dated 91/04/07, right? You are  
5 referring to paragraph 3 of that C237, are you,  
6 there?

7 A For the one on 91/04/07, I am referring to  
8 paragraph 10. And then for the one on 91/04/05,  
9 I refer to paragraph 3, which is the same one  
10 you are referring to in tab 24.

11 Q So that I understand it, then, that excerpt  
12 on page 35 of A-32 is the same report as the  
13 one you are referring to at tab A-24? It is  
14 just more of the same report; is that right?

15 A Yeah. I think there is a bit of overlap, as  
16 well.

17 Q Oh, I know it's not exactly the same. But it's  
18 the same C237 you are referring to?

19 A Correct.

20 Q And that would be the C237 dated 91/04/19?  
21 That's what it says at A-24.

22 A Okay. So the one at tab 24, the excerpt is  
23 contained in the C237 of 91/04/19, and it is an  
24 excerpt of the call on 91/04/05.

25 Q Okay. So we are talking about the same C237



1 report, are we, the one dated 91/04/19? I am  
2 not trying to confuse you.

3 A No.

4 Q And I hope we are on the same page. What I am  
5 trying to ask you is, is the excerpt at A-24,  
6 page 2, C237, 91/04/19, where you have an  
7 excerpt of about ten lines or so; do you see  
8 that?

9 A Oh, I see what you are saying.

10 Q Is it a different --

11 A It is two different C237s that refer to the call  
12 on April 4, '91.

13 Q So there are two C237s?

14 A Yes. There is one April 7, '91 and there is one  
15 April 19 of '91.

16 Q All right. And what you have is excerpts from  
17 two of them. From both of them, I should say?

18 A Correct.

19 Q Okay. These aren't, in either instance, the  
20 exact words of Tom Anderson. These are sort of  
21 your gist of what he said?

22 A Yes. It's in quotes because it's quoted out of  
23 the 237.

24 Q I see. But it's your gist of what he said?

25 A Correct.

1 Q Thank you for that.

2 You said yesterday, when I referred to you  
3 Sergeant Orr's comments in his notes of what he  
4 says is your call on the 30th of May, and that's  
5 found at tab 39, page 2, you said that if you  
6 had said those things that Orr has noted  
7 there -- are you with me?

8 A Correct.

9 Q -- that it would be an act of insubordination on  
10 your part?

11 A Correct.

12 Q And what is an act of insubordination in terms  
13 of the RCMP? That's when you go against the  
14 orders of your ranking officer?

15 A Correct.

16 Q And is there a penalty for that?

17 A Under the RCMP Act, there would be an internal  
18 investigation. And depending on the nature of  
19 the investigation, there is differing  
20 penalties.

21 Q So it could be a serious consequence?

22 A Yes.

23 Q Okay. In your interview with Mr. Code at page  
24 10, under the heading "F", about the third  
25 sentence down, you say:

1 "Burton thinks he learned this aspect from  
2 Zanidean's trial testimony from Savage, who  
3 was calling the RCMP regularly during this  
4 period of time and feeding them with  
5 information."

6 A Correct.

7 Q Did you regularly speak to Savage, or do you  
8 have information that he was regularly calling  
9 your detachment? I take it that's what this  
10 means?

11 A I know he spoke to myself and Staff Sergeant  
12 Ferguson on different occasions.

13 Q Okay. And as a matter of fact, he spoke to you,  
14 Savage did, even before the trial. He spoke to  
15 you in May. We referred yesterday to a May 28th  
16 memo that you did to your file where Savage was  
17 calling you, telling you that Driskell,  
18 Mr. Driskell, may wish to make a statement?

19 A Correct.

20 Q Just to refer to that memo, just for one second,  
21 at tab A-137, that's a memo that you drew or  
22 produced dated 91/05/28, and we covered it  
23 yesterday, where Savage is telling you, you say  
24 a month earlier -- so this would have been  
25 probably in early May, or late April, right?

1 A Correct.

2 Q I am referring to point 2 of that memo, you see  
3 that?

4 A Correct.

5 Q Where you learned the things noted in that  
6 memo. Basically, what you learned from Savage  
7 was that this arson in Swift Current was set up  
8 with Hayek, Driskell and Zanidean, that's  
9 basically what you had heard, and it was for  
10 money?

11 A Correct.

12 Q Not revenge?

13 A Correct.

14 Q So Mr. Brodsky, or his investigator, obviously  
15 knew that prior to the trial of Mr. Driskell,  
16 which took place in June of 1991?

17 A Correct.

18 Q Now, I would like you to turn to tab 32, if you  
19 will, please, A-32. Now, if you turn to page 2  
20 of that, please, and you look at paragraph 3.  
21 Are you there?

22 A Yes.

23 Q 91/07/16, July 16th, which, by the way, is the  
24 same date you say that you had your July --  
25 first July conversation, and you can accept

1 this, I will take you to it in a minute, that's  
2 the same day you had your first July  
3 conversation with Sergeant Anderson. We will go  
4 to it in a minute, but --

5 A Yeah. I will take your word for it.

6 Q -- just for the sake of this line of  
7 questioning, you can accept that?

8 A Sure.

9 Q You have here:

10 "On 91/07/16, Corporal Tom Orr, D Division,  
11 witness protection, confirmed that Ray  
12 Zanidean and Fehr were not under the  
13 program."

14 That's the entry you've made there?

15 A Correct.

16 Q And that was significant because, as you've told  
17 Mr. Lockyer yesterday, Fehr was arrested, or  
18 Fehr was stopped for an impaired driving  
19 allegation. And she made a comment that, you  
20 know, they have carte blanche, they are under  
21 the Witness Protection Program?

22 A Correct.

23 Q "Corporal Orr indicated that he did not  
24 feel there was a transcript entered at the  
25 murder trial of a conversation recorded by

1 Driskell wearing a body pack."

2 Right?

3 A Correct.

4 Q That's because there was an issue. Savage, the  
5 investigator for Brodsky, thought that, or at  
6 least advised you -- when I say "you," you or  
7 one of your brother officers in Swift Current --  
8 that he had information that Mr. Driskell wore  
9 a body pack. That's what you are commenting  
10 on here? That's what you are noting here,  
11 right?

12 "Orr indicated that he did not feel there  
13 was a transcript entered at the murder  
14 trial of a conversation recorded by  
15 Driskell..."

16 That's the significance of you noting that?

17 A I would agree with that, yeah.

18 Q "Corporal Orr advised that Greg Lawlor  
19 prosecuted the Driskell murder and could  
20 clarify this point."

21 Yes?

22 A Correct.

23 Q "Corporal Orr was advised that Ray  
24 Zanidean may be charged with the '88 and  
25 '90 arsons."

- 1 A Correct.
- 2 Q "Corporal Orr was adamant that if Zanidean  
3 went to jail he would be murdered."
- 4 A Correct.
- 5 Q And just before I leave this memo for a second,  
6 if you go over at page 4 of the memo, the very  
7 next day, July 17th, and this memo you're --  
8 this entire memo is sort of a reconstruction of  
9 the -- it was written on, I think, the 19th.  
10 And it is a reconstruction of the previous  
11 three days or so. You would agree with that?
- 12 A No. Generally, I would build them  
13 contemporaneously.
- 14 Q Okay. So you were building it  
15 contemporaneously?
- 16 A Correct.
- 17 Q But it is covering a period of several days?
- 18 A Correct.
- 19 Q Paragraph 12 at page 4, you are talking there of  
20 a meeting that took place with higher-ups?
- 21 A Correct.
- 22 Q Hluska from Regina, right?
- 23 A Yeah. The last three are from Regina  
24 headquarters.
- 25 Q Wass, Hluska and Scowby are from Regina. And

1           they have certainly substantial ranking, or they  
2           had at the time? They were high-ranking  
3           officers?

4    A       Well, Inspector Wass was the only officer. The  
5           other two are non-commissioned officers.

6    Q       So they are the higher-ups, so to speak?

7    A       Well, within criminal operations --

8    Q       Higher than you were at the time?

9    A       Correct.

10   Q       Higher than Ferguson was at the time?

11   A       Correct.

12   Q       All right. I am going to suggest to you, then,  
13           that you actually spoke to Sergeant Orr again.  
14           That is you actually spoke to him on the date  
15           that you made this entry at point 3, the 16th of  
16           July 1991, you had a second conversation with  
17           him? I don't want to confuse you about first or  
18           second. I mean, I referred you yesterday to  
19           May 30th, and I referred you to it again today,  
20           where Orr says you and he had a conversation.  
21           You are aware of that?

22   A       Correct.

23   Q       You don't remember it?

24   A       Correct.

25   Q       You don't say that you take issue with what Orr



1           says in that memo that I referred you to  
2           yesterday?

3    A       Correct.

4    Q       Because you have no recall of ever speaking to  
5           Orr?

6    A       Correct.

7    Q       I'm going to suggest you spoke to him on the  
8           16th of July '91, and that's the basis for your  
9           paragraph 3 at tab 32. Do you agree or disagree  
10          that you spoke to him on July 16, 1991?

11   A       That entry doesn't indicate that I spoke with  
12          him. And I am relying on my records so --

13   Q       And you don't remember one way or the other  
14          today?

15   A       Correct. And that doesn't say that I spoke with  
16          him. It records information that he  
17          communicated to our office.

18   Q       So I guess there are two options or there may  
19          be a myriad of options. But either you spoke  
20          to him or someone else at your office spoke to  
21          him?

22   A       Correct.

23   Q       But you don't think it was you who spoke to him?

24   A       I don't recall.

25   Q       Let me then take to you tab 48, A-48. Top

1 left-hand corner, 91/07/16, July 16, 1991. Do  
2 you see that?

3 A Correct.

4 Q That's the same day that you record in your  
5 paragraph 3 at the previous memo at A-32?

6 A Correct.

7 Q Orr even makes this note, the second paragraph  
8 of tab 48:

9 "The last we heard on that was noted on  
10 page 16 of my written notes entered  
11 91/05/30 indicating there would be no  
12 prosecution of Zanidean was accepted...",  
13 it likely should say "if",  
14 "...was accepted into the Witness  
15 Protection Program."  
16 You see that?

17 MR. CODE: It does say "if".

18 BY MR. WOLSON:

19 Q I'm sorry.  
20 "...if Zanidean was accepted into the  
21 Witness Protection Program."  
22 A I see that, yes.

23 Q So that's a reference to the previous note that  
24 Orr had made that we had talked about yesterday  
25 and today, the second reference to it? You

1 see that? You agree that's another reference to  
2 it?

3 A Yeah. Those are his notes.

4 Q Yes, of course.

5 A I am not that comfortable commenting on them and  
6 what he's referring to. He may have had other  
7 notes that date, so I am really being asked to  
8 speculate on what he did.

9 Q All right. And he's coming so we will hear  
10 him.

11 A And I'm really not comfortable here.

12 Q "Apparently" -- reading on the third paragraph  
13 on that page:

14 "Apparently in the past while Driskell's  
15 lawyer, Greg Brodsky, has indicated the  
16 Swift Current RCMP have a transcript of a  
17 conversation between Driskell, who was  
18 wearing a wire, and Zanidean, in which the  
19 question of payment is made by Driskell,  
20 with Zanidean saying his sister Carol was  
21 having trouble collecting from insurance  
22 company. Apparently, what Brodsky is  
23 trying to do is discredit Zanidean's  
24 testimony when he said he burned his  
25 sister's place for revenge as he hated his

1 sister. To this end, Driskell has also  
2 supplied phone numbers and a toll that will  
3 show that calls were made between Zanidean  
4 and his sister."

5 Which is basically, in short form, in one  
6 sentence, you write at A-32 -- keep your finger  
7 at A-32 because I am going to just sort of  
8 cross-reference this call, which is basically  
9 what you have at tab A-32, page 2, point 3:

10 "Corporal Orr indicated he did not feel  
11 there was a transcript entered at the  
12 murder trial of a conversation recorded by  
13 Driskell wearing a body pack."

14 So your note and his note, there is some  
15 mention, although it's in different form, about  
16 this body pack evidence; true?

17 A True.

18 Q Then it says, you've got your -- you are holding  
19 open A-32 for me. And you are now going back  
20 for me to A-48. You will need a third hand in a  
21 minute.

22 "According to Ross Burton, Swift Current  
23 detachment, Brodsky is forcing the RCMP to  
24 investigate the arson, to force a new  
25 trial, as they are claiming Zanidean

1           perjured himself on the stand. Driskell  
2           has apparently received immunity from  
3           prosecution due to his life sentence on the  
4           murder charge."

5           Did you make those comments to him? That it's  
6           Brodsky whose forcing your hand, Swift Current's  
7           hand, in investigating the arson?

8    A       I don't recall speaking with Tom Orr and I have  
9           no record of it.

10   Q       Do you dispute it?

11   A       I have just given my answer for I don't know how  
12           many times on that issue, but --

13   Q       Because you had said yesterday in a memo, and I  
14           can take you there if you need it, but accept  
15           that you said yesterday in a memo, a July memo,  
16           that when you found out that there had been some  
17           intoxicated people next door, having a party  
18           next to the fire, that it changed your attitude,  
19           and I'm paraphrasing, towards the fire, and it  
20           would be morally and judicially wrong not to  
21           proceed against Zanidean and Driskell. You  
22           recall me questioning you about that? That's  
23           what you had said on July 7th.

24   A       Yeah. I would have to look at it to see if I  
25           said both. I would just like to look at that,

1 if you don't mind, if you are going to quote  
2 from it.

3 Q Sure. Take a look for it for a second, here is  
4 where you need that third hand, at 44, tab A-44.  
5 Are you there? I'll wait for a second. Tab  
6 A-44, the first page indicates at the top  
7 July 7, '91; right?

8 A Correct.

9 Q The second page at paragraph 3 indicates:  
10 "I must first of all state, until I read  
11 Sergeant Ferguson's investigation report, I  
12 was not aware that there was a house party  
13 next door. This was not stated anywhere.  
14 This fact causes me to now review the file  
15 from a different perspective."

16 And you go on to say that there could have been  
17 a catastrophe, in effect? I am paraphrasing  
18 rather than reading every line. You agree with  
19 that, there could have been a catastrophe,  
20 multiple homicides?

21 A Correct.

22 Q And then you say at the bottom, about three  
23 lines from the bottom:

24 "I do not feel that it would be morally or  
25 judicially prudent to grant immunity to

1           either of these individuals at this time.  
2           Furthermore, I don't feel that it is  
3           necessary to grant immunity to either of  
4           them."

5           And you go on to explain?

6    A       Correct.

7    Q       And the immunity you were talking about was, for  
8           sure, Zanidean was one of them?

9    A       I can see there three lines above it refers to  
10           both of them.

11   Q       Okay.  Zanidean and Mr. Driskell?

12   A       Correct.

13   Q       So having said that, on the 7th of July, and if  
14           you go back to tab 48, you are now, by Sergeant  
15           Orr, purported to say that, "according to Ross  
16           Burton" -- are you with me on tab 44, the second  
17           page?

18   A       Yes.

19   Q       "According to Ross Burton, Brodsky is  
20           forcing the RCMP to investigate this  
21           arson."

22           Now it is sort of a Brodsky-driven  
23           investigation?  You see where Orr says that?

24   A       Yes, I see that.

25   Q       That would be inconsistent with your July 7th

1 memo, wouldn't it? The investigation was driven  
2 because this was, in your opinion, a very  
3 serious matter and it could have had a  
4 catastrophic effect. There could have been  
5 multiple homicides?

6 A I am just looking at the date of this.

7 Q The date of this is July 16th.

8 A And what was the date of that other memo?

9 Q July 7th.

10 A Oaky.

11 Q So the two would be inconsistent?

12 A For who?

13 Q Well, your investigation, I take it, you would  
14 say today, was not Brodsky-driven?

15 A Correct, yeah.

16 Q So at 44, tab 44, I have read to you the first  
17 paragraph:

18 "According to Ross Burton, Brodsky is

19 forcing the RCMP to investigate..."

20 Go to the second paragraph.

21 A Tab 44?

22 Q Tab 44.

23 MR. CODE: It's at 48.

24 BY MR. WOLSON:

25 Q Tab 48, pardon me. The first paragraph on the



1 second page is the one that I had read to you.

2 "Detective Brodsky is forcing the RCMP to  
3 investigate."

4 You see that?

5 A Correct.

6 Q And by the way, in your memo of July 16th at tab  
7 32, in your memo of the same -- or of the same  
8 date, at least, paragraph 3, you mention nothing  
9 about this investigation being Brodsky-driven,  
10 do you?

11 A Correct.

12 Q But go on now at page, or at tab 48, second  
13 paragraph:

14 "In the same vein, I made it known to  
15 Burton that if Zanidean is charged and  
16 found guilty and sent to jail, Driskell  
17 will ensure that he does not walk out."

18 That's a polite way of saying he would be  
19 murdered or killed, right? That's open to  
20 that -- you don't want to go there?

21 A No. That's his words. Let him speak to those.

22 Q "In the same vein, I made it known to  
23 Burton that if Zanidean is found guilty and  
24 sent to jail, Driskell will ensure he does  
25 not walk out. This has been quite evident

1 from previous conversations when Zanidean  
2 was processed for possible witness  
3 protection."  
4 You see that paragraph?  
5 A Yes.  
6 Q And what you've noted at tab 32, this is the  
7 cross-reference, A-32, paragraph 3,  
8 "Corporal Orr was advised Ray Zanidean may  
9 be charged with the two arsons..."  
10 '88 and '90, right?  
11 A Correct.  
12 Q And that Orr was adamant that if Zanidean went  
13 to jail, he would be murdered, right?  
14 A Correct.  
15 Q Which fits with tab 48,  
16 "In the same vein, I made it known to  
17 Burton that if Zanidean is charged and  
18 found guilty...",  
19 because apparently Orr was told that he may  
20 be charged with the '88 and '90 arsons, right?  
21 You agree with that?  
22 A That's right.  
23 Q That's what your memo says?  
24 A Correct.  
25 Q "...Driskell will ensure that he does not

1 walk out."

2 A Correct.

3 Q It would seem that Orr is talking about a  
4 conversation with you that's consistent, in many  
5 respects, with your entry at paragraph 3 of tab  
6 32?

7 A Again, my entry doesn't indicate that I spoke  
8 with him. That's my record. I don't recall  
9 speaking with him. Again, that's all I could  
10 say.

11 Q And even more, if we continue at tab 48, the  
12 third paragraph,

13 "Investigators from Swift Current, the S/WP  
14 coordinator from Regina and a  
15 representative of the Crown are meeting the  
16 OIC crime OPS F Division tomorrow to  
17 discuss the plan."

18 So he says -- this conversation that he has  
19 noted takes place on July 16th. He is saying  
20 there is a meeting the next day. And we have  
21 already discussed, if you go back to A-32, tab  
22 12, that, in fact, there was a meeting the next  
23 day, the 17th, with the higher-ups. We have  
24 already gone there. You agree with that, don't  
25 you? There was a meeting on the 17th with the

1 higher-ups?

2 A Can I have a look? Correct.

3 Q All right. Now, you don't note anywhere, either  
4 in your overview, and you can accept this from  
5 me, at tab B-14, the overview that you wrote on  
6 November of 1991, you don't note anything about  
7 this investigation in Swift Current being  
8 Brodsky-driven; true?

9 A No offence, but I would like to look at that.

10 Q Well, I tell you it's not in there. Just take  
11 my word for it for a moment.

12 A Well --

13 Q Would you do that?

14 A Okay.

15 Q And also A-24.

16 A Actually, no offence, but you've been wrong  
17 before. So if we are going to proceed on that  
18 premise, I would like to see for myself. No  
19 offence.

20 Q You know, rather than take this inquiry's time,  
21 I'll make that point at some later time with the  
22 Commissioner.

23 A Okay.

24 Q Now, I want to go to Tom Anderson's letter,  
25 again that you responded to, that's at tab A-25.

1 Are you there?

2 A Yes.

3 Q That's Tom Anderson's letter which, in effect,  
4 you replied to in your tab 24, January 1992  
5 response, right? That's the letter to which you  
6 are responding to?

7 A Okay. I'll accept that.

8 Q Thank you. And take a look, if you will,  
9 please, at page 3 of this document that's tab  
10 25. This is Sergeant Anderson's recollection of  
11 the July 16, 1991 call, all right?

12 A Okay.

13 Q And he says he received a phone call at home  
14 from Constable Burton. Do you recall that? Do  
15 you recall calling Tom Anderson at home?

16 A I think if you review my summary, I couldn't  
17 recall who called who.

18 Q All right.

19 "During a long conversation with him, he  
20 told me his colleague, Staff Ferguson, had  
21 interviewed James Driskell."

22 That is true, isn't it? That is true that  
23 your colleague, by that time, had interviewed  
24 Driskell? That interview took place in June of  
25 1991?

1 A Okay. Well, I will accept that without  
2 referring to the documents.

3 Q Okay. So you must have told him that;  
4 otherwise, he wouldn't have known?

5 A I would have to refer to my report to see what I  
6 told him. I don't want to agree to anything  
7 without referring to my records.

8 Q Okay. Your response is in the previous tab, tab  
9 24. I'm sorry, let me take you to tab 32  
10 instead, but keep your other hand on A-25,  
11 please.

12 A Correct.

13 Q Your recollection of that phone call is in your  
14 A-32, July 19th memo, at paragraphs 4, 5, 6, 7,  
15 8; you would agree with that? That's where  
16 you're recording, in those paragraphs, your  
17 conversation with Tom Anderson?

18 A Correct.

19 Q Let me ask you this, are you saying -- maybe  
20 you're not -- that if you haven't recorded it at  
21 A-32, 4, 5, 6, 7, 8, those five paragraphs, if  
22 you have it recorded here, are you saying the  
23 conversation -- are you saying you've recorded  
24 the entire conversation in those five  
25 paragraphs?

1 A No.

2 Q So what you are saying is, there may have been  
3 other things said that you didn't record?

4 A Correct.

5 Q So if Anderson says he said other things to you  
6 in that conversation, you couldn't take issue  
7 with them if they are not recorded?

8 A That's too vague of a question. You would have  
9 to be specific about what you are saying he  
10 said.

11 Q Okay.

12 A I mean, if he told me he was the president of  
13 the Unites States, I would remember that.

14 Q And I can assure you he didn't say that, so we  
15 don't have to even go there.

16 A I am just saying, it depends on what you are  
17 saying he said.

18 Q Sure. Well, he, in tab 25, refers to four  
19 paragraphs of conversation that he said he had  
20 with you. Take a read of those paragraphs and  
21 tell me if there is something in there that you  
22 disagree with?

23 A Yes.

24 Q All right. Tell me what it is?

25 A Let's start at "he went on" and the rest of that

1 paragraph.

2 Q Yes.

3 "He went on to say that superior RCMP  
4 officers in Regina had overruled Swift  
5 Current officers and decided to charge  
6 Zanidean."

7 That's what you're saying?

8 A The rest of that paragraph.

9 Q So the first part, what I have read to you, you  
10 agree was said? That sentence that I just read,  
11 was that said by Anderson, or by you to  
12 Anderson?

13 A I would have to refer back to my last -- my  
14 C237 of July 19th to see exactly what I  
15 recorded.

16 Q Why don't do you that?

17 A Okay. What tab is it at?

18 Q It's at tab 32.

19 Let me take you through -- I had hoped you  
20 had read these. But let me then take you -- I  
21 will specifically take you through these, but  
22 why don't have you a read for a second and then  
23 I will ask you my questions.

24 A Yeah. I don't see that in here.

25 Q You don't see what in here?



1     A     Just giving it a quick read, the first part of  
2           that paragraph. I'll just check again.  
3           THE COMMISSIONER: Mr. Wolson, I'm lost here as  
4           to what is the specific reference that was put  
5           to Inspector Burton?  
6           MR. WOLSON: Well, I am now on the July 16th  
7           call.  
8           THE COMMISSIONER: Yes. But are you also at tab  
9           25?  
10          MR. WOLSON: Tab 25, third paragraph.  
11          THE COMMISSIONER: Third paragraph.  
12          MR. WOLSON: Page 3, third paragraph.  
13          THE COMMISSIONER: Page 3, third paragraph.  
14          MR. WOLSON: There are about three paragraphs  
15          there where Sergeant Anderson recounts the  
16          conversation. And what I am trying to ask of  
17          this witness is if he disagrees with that  
18          account. And in order to do that, he is  
19          looking at his account of it, which is at tab  
20          32, A-32. And I just want him to read it, and  
21          then I'll ask my questions, rather than go on in  
22          this fashion.  
23          MR. CODE: What's bogging us down here is the  
24          witness clearly said, starting at the line:  
25                 "He went to say that superior...",

1           that he disagreed from then on to the end  
2           of the paragraph. And then Mr. Wolson asked him  
3           the question as to whether he disagreed with  
4           everything before that. So the debate I think  
5           is now over what precedes the part that he  
6           clearly disagrees with.

7           MR. WOLSON: No, no.

8           THE WITNESS: That's how I understand it.

9           MR. CODE: I think that's what he's trying to  
10          say.

11          MR. WOLSON: Then I misspoke.

12          MR. CODE: There is a miscommunication going on  
13          here.

14          BY MR. WOLSON:

15          Q       Yes. So let's put it back on the right track.  
16                If you would read the paragraphs that I've asked  
17                to you read, your own paragraphs at A-32, those  
18                five paragraphs where you recount and note the  
19                essence of that call, and then I'll ask you my  
20                questions. So read A-32, paragraphs 4 through  
21                8, please?

22          A       Okay, go ahead.

23          Q       All right. Now, I want to take you to Sergeant  
24                Anderson's recollection of that call.

25          A       Okay.

1 Q And that's tab A-25, third paragraph.

2 A Yeah. I have got it.

3 Q "He went on to say..."

4 he is talking about you now,

5 "...superior RCMP officers in Regina had

6 overruled Swift Current officers and had

7 decided to charge Zanidean."

8 Do you see that?

9 A Yes.

10 Q Did you say that to him?

11 A No. What I've got in the 237 is at paragraph 7,

12 page 3:

13 "Sergeant Anderson was advised that

14 Zanidean might be charged with the 1988 and

15 1990 arsons."

16 Q So the part that you disagree with are the fact

17 that Regina overruled. You don't disagree that

18 you told him that there may be charges?

19 A What I disagree with is everything that starts

20 from "He went on to say" to the end of the

21 paragraph in its entirety.

22 Q All right. Even though you don't have recorded

23 verbatim the conversation that you had with him,

24 you can remember today that certain things

25 weren't said?

1 A I am relying on my records. They tell me what  
2 was said.

3 Q But your records are, in your words, just sort  
4 of a summary or a gist of what was said, not  
5 verbatim, that would be true, sir? Are your  
6 notes just a summary or a gist, your summary, of  
7 what was said?

8 A They are a summary, correct.

9 Q All right.

10 A I think in fairness too, here, I believe this  
11 may have been covered in my reply to his memo,  
12 was it not?

13 Q You've replied to his memo at A-24.

14 A Okay.

15 Q But you were replying in 1992, were you not?

16 A Again, the files were complete then and I had  
17 the advantage of all of my documentation.

18 Q Which we don't have.

19 A But which I had when I generated this document.

20 Q Sure. Now, July 18th you had a second  
21 conversation?

22 A I would just like to refer back.

23 Q Well, look at A-32, paragraph 9. You recount a  
24 conversation of July 18th.

25 A Well, you are asking me if I have any further

1 record on this conversation. And I believe I  
2 do, so I would just like to look at that, if I  
3 could.

4 Q What are you looking at, A-24?

5 A The paragraph that we were discussing, I would  
6 just like to look at my response to that.

7 Q Sure. That's at A-24.

8 MR. WOLSON: I wonder if we could take five  
9 minutes only. I want to review something so  
10 that I can --

11 THE COMMISSIONER: No problem.

12 MR. WOLSON: Thank you.

13 THE COMMISSIONER: Will five be sufficient?

14 MR. WOLSON: Let's take 10.

15 THE COMMISSIONER: All right, 10 minutes.

16 THE CLERK: All rise. This Commission of  
17 Inquiry is now in recess.

18 (Proceedings recessed at 10:00

19 and reconvened at 10:11)

20 THE CLERK: All rise. This Commission of  
21 Inquiry is now commenced. Please be seated.

22 BY MR. WOLSON:

23 Q The July 16th call that --

24 A I think when we broke I wanted to respond,  
25 because I felt I had additional information

1 in terms of responding to that July 16th  
2 statement of Sergeant Anderson about my being  
3 overruled.

4 THE COMMISSIONER: Yes. Yes, go ahead.

5 THE WITNESS: That's at my response to his  
6 statement at tab 24, page 3.

7 THE COMMISSIONER: Yes.

8 THE WITNESS: And halfway down it says page 3,  
9 paragraph 1 and on, which includes that portion  
10 of Sergeant Anderson's statement. And, in fact,  
11 at the second last paragraph I quote that.

12 "On the 16th of July, 1991, I received a  
13 phone call at home from Constable Burton".

14 BY MR. WOLSON:

15 Q Which page are you reading from at A-24?

16 A A-24, page 3.

17 THE COMMISSIONER: Second quote from the bottom.

18 THE WITNESS: I'm quoting from Sergeant  
19 Anderson's statement, the exact line that you  
20 were referring to. And I quoted:

21 "On the 16th of July, 1991, I received a  
22 phone call at home from Constable Burton."

23 Part of it is edited out.

24 "He went on to say that superior RCMP  
25 officers in Regina had overruled Swift

1 Current officers and had decided to charge  
2 Zanidean."

3 Some more is edited and then it continues  
4 on. On the next page, on page 4, is my  
5 response:

6 "My C237 dated 91/07/19 refers."

7 And then it is partially edited. But I go on to  
8 say:

9 "On 91/07/18 Constable Burton spoke with  
10 Sergeant Anderson."

11 Some is edited out.

12 "Sergeant Anderson also stressed that part  
13 of the deal for Zanidean's testimony was  
14 that he would not be charged for the 1990  
15 arson. They made this representation based  
16 on my statement that I would recommend this  
17 and Sergeant Upton's conversation with  
18 Corporal Orr on 91/04/10 in which he  
19 indicated we would likely not be charging  
20 Zanidean in the 1990 arson. At the time  
21 that Corporal Orr contacted Sergeant Upton,  
22 he advised him that Zanidean was already  
23 under the Witness Protection Program and he  
24 was concerned about us surfacing him for  
25 the arson. Sergeant Upton stated that we

1 would likely not do so, however, that  
2 decision would rest with the investigator.  
3 Constable Burton was not aware that  
4 Zanidean was under the Witness Protection  
5 Program until 91/04/16 when Inspector  
6 Preston called Corporal Orr to discuss the  
7 possibility of not charging Zanidean and  
8 learned this was the case. Previous C237  
9 dated 91/04/19 refers. Sergeant Anderson  
10 advised they were not aware of the 1988  
11 arson and therefore had made no deals with  
12 Zanidean in this regard. In view of this,  
13 they had no concerns with Zanidean being  
14 charged with that arson.

15 Note: I find it hard to believe that  
16 senior Winnipeg Police Service officers and  
17 the senior Crown attorney would advise  
18 Zanidean that he was granted immunity and  
19 enter into witness protection/negotiations  
20 based on this without written confirmation  
21 from Saskatchewan Justice. Would they have  
22 us believe that they were so naive as to  
23 proceed based on a telephone conversation  
24 with an RCMP constable? Further, on one  
25 page of his statement Sergeant Anderson



1 states that I, in effect, granted Zanidean  
2 immunity. And then on the next page he  
3 admits agreeing with my position that the  
4 issue would have to be left to the  
5 respective Departments of Justice.  
6 Sergeant Anderson acknowledges here that he  
7 is fully aware that immunity is within the  
8 jurisdiction of the Justice Departments.  
9 Therefore, it is patently ridiculous for  
10 him to suggest, as he does earlier, either  
11 that I granted immunity or that he believed  
12 that I could do so."

13 Q And you stand by that?

14 A Correct.

15 Q All right. Now, let's just take a look at that  
16 paragraph. You say in part of your response, I  
17 am now at the same -- I am on the same page.  
18 Let me take you to about line 6.

19 "At the time Corporal Orr contacted  
20 Sergeant Upton, he advised him that  
21 Zanidean was already under the Witness  
22 Protection Program for arson."

23 Where did you get that information?

24 MR. CODE: What about the words "for the arson."  
25

1 BY MR. WOLSON:

2 Q "for the arson", I'm sorry.

3 "At the time that Corporal Orr contacted  
4 Upton, he advised him Zanidean was already  
5 under the Witness Protection Program and he  
6 was concerned about us surfacing him for  
7 arson."

8 A Well, that's quoted, as it says at the top, out  
9 of my C237.

10 Q But where did you get the information about the  
11 Orr and Upton conversation?

12 A It's documented there and elsewhere in the file,  
13 I believe. We would have to go back through the  
14 file.

15 Q Okay. And then you say,

16 "Sergeant Upton had stated we would likely  
17 not do so, however, that decision would be  
18 left with the investigator."

19 A "...would rest with the investigator."

20 Q All right. Now, when I look at tab 33, this is  
21 what Orr says about that conversation with  
22 Upton, tab 33, 91/04/12. Are you there? Are  
23 you at 91 --

24 A Which tab are you in?

25 Q Tab 33.

1 A Okay. But the conversation that I am referring  
2 to is on 91/04/10.

3 Q Yeah. And I want to take you to tab 33.

4 A Okay.

5 Q Are you there?

6 A Yes.

7 Q 91/04/12, do you see that?

8 A Yes.

9 Q 10:55:

10 "Call Swift Current detachment further to  
11 my call of the 4th of April. At the time I  
12 spoke to second in command detachment,  
13 Sergeant Upton, and explained the situation  
14 regarding Zanidean as per note in part 7.  
15 Zanidean and Driskell were probably  
16 responsible for burning Zanidean's sister's  
17 garage. Sergeant Upton explained that he  
18 would have Constable Burton, the file  
19 investigator, call me. As there was no  
20 call, I talked to Upton again."

21 This is 11:07:

22 "Swift Current will be concluding their  
23 file and Ray Zanidean is no longer wanted  
24 for questioning."

25 So the information you got from Orr -- I'm

1           sorry, from Upton differs from Orr's  
2           conversation with Upton, you would agree with  
3           that?

4    A       Well, they are two different dates, so I don't  
5           know that they are the same conversation, so I  
6           don't want to agree to that.

7    Q       Well, the bottom line is different, isn't it?  
8           The bottom line is, on the 12th of April, he  
9           tells, according to what Orr has noted:

10                   "Swift Current will be concluding their  
11                   file and Zanidean is no longer wanted for  
12                   questioning."

13           You disagree that that's what was said, I take  
14           it?

15   A       What I would like to see would be if you have  
16           page 4 of his continuation reports, which would  
17           probably cover the 10th, which is the date  
18           Sergeant Upton he says spoke with him. For  
19           me to say these were conflicting  
20           conversations --

21   Q       Orr says there was no conversation on the 10th.  
22           I will just let you know that because we have a  
23           statement from Orr.

24   A       I can't speak to that. I can only say that the  
25           conversation I show is not this date. So for me

1 to say the conversations differ, they are two  
2 different dates.

3 Q Well, to your knowledge, because you were there  
4 in the detachment, was there ever -- to your  
5 knowledge, were you ever advised that a comment  
6 like this:

7 "Swift Current will be concluding their  
8 file with Ray Zanidean and Ray Zanidean is  
9 no longer wanted for questioning."

10 Was that ever discussed at the detachment? Were  
11 you ever made aware of that?

12 A I have no record of that. I have no  
13 recollection of that. And, in fact, the first  
14 time I saw this was at the start of the inquiry  
15 when I was provided this book.

16 Q Sure. That's the same time you saw your  
17 purported statement or conversation with Orr, as  
18 well, of the 30th of May?

19 A Correct.

20 Q Which you take issue with?

21 A I said I have no record of it and I don't recall  
22 speaking with him.

23 Q Well, you say the content of it would be an act  
24 of insubordination?

25 A Correct.

1 Q Let me take you to your statement that you made,  
2 or your discussion with Commission Counsel.  
3 Before I do that, let me take you back to tab  
4 24, last page of tab 2 -- or page 8 of tab 24.  
5 It's paragraph 5, page 8. This is a  
6 continuation of your response, your response to  
7 Sergeant Anderson's letter, you say:

8 "I believe that all of the confusion  
9 surrounding our obtaining the body pack  
10 transcript was a deliberate, delaying  
11 tactic to conceal us from the true nature  
12 of the conversations contained therein."

13 Do you see that?

14 A No. I'm not with you. Page 8?

15 THE COMMISSIONER: Yes.

16 MR. WOLSON: At the very bottom of A-24, page 8.

17 THE WITNESS: Paragraph 4?

18 THE COMMISSIONER: Paragraph 5.

19 BY MR. WOLSON:

20 Q Page 8, A-24, paragraph 5:

21 "I believe that all of the confusion  
22 surrounding our obtaining the body pack  
23 transcript was a deliberate, delaying  
24 tactic to conceal from us the true nature  
25 of the conversations contained therein."

1                   Do you see that?

2    A    Yes.

3    Q    So you had one of the RCMP members from

4           Winnipeg, a fellow by the name of Atras, try to

5           get you this information, hadn't you?

6    A    Correct.

7    Q    And, obviously, when I look at the quote that I

8           just quoted from, point 5, you thought that

9           you were getting the run-around, basically;

10          right?

11   A    Correct.

12   Q    And that Anderson and the Winnipeg Police

13          Service was not being very cooperative,

14          right? That's basically what you're saying,

15          isn't it?

16   A    My only dealings were with Sergeant Anderson.

17   Q    So he is not being cooperative, you would agree

18          with that?

19   A    With that.

20   Q    Well, let me take to you tab B-6. This is a

21          report from Corporal Atras. And who was

22          Corporal Atras? Is he from Winnipeg RCM

23          Police?

24   A    Correct.

25   Q    And is he, what, D division?

1 A I believe he was Winnipeg GIS, which would be  
2 the same type of section I was in. It is  
3 basically a plain-clothes detective.

4 Q So he is a brother RCMP member of yours from a  
5 different jurisdiction?

6 A Well, he is an RCMP member. I don't have any  
7 brothers.

8 Q Okay. All right. This is what he says, I think  
9 he says it is 91/09/03, as best I can make it  
10 out from my copy. Do you see that in the  
11 left-hand corner?

12 A Correct.

13 Q So that would be in September of '91, early  
14 September, right?

15 A Correct.

16 THE COMMISSIONER: 91/09?  
17 BY MR. WOLSON:

18 Q 91/09/03, yes, early September?

19 A Correct.

20 Q And do you know when your service complained to  
21 the Winnipeg Police Service about the lack of  
22 cooperation? A letter was sent which prompted,  
23 I know, the response from Tom Anderson that  
24 we've talked about. That would be when, do you  
25 recall?



1 A No.

2 Q I'm going to suggest to you that we will find  
3 out that that complaint was later in September,  
4 I believe. But this is the early part of  
5 September, and Atras writes the following:

6 "Writer spoke to Sergeant Tom Anderson, who  
7 was most cooperative, as expected."

8 Do you see that?

9 A Correct.

10 Q And then he notes,

11 "Transcript of Zanidean's evidence at the  
12 Driskell murder trial will be available at  
13 the end of the month free of charge. If  
14 Swift Current detachment requires this  
15 transcript ASAP, their payment is  
16 required."

17 Do you see that?

18 A Correct.

19 Q Now, I want to take you to B-10 for a second.

20 MR. CODE: Are you going to read the rest of it?

21 BY MR. WOLSON:

22 Q No. I am just talking about the cooperation  
23 that he had to say. B-10, this is now dated --  
24 do you have B-10?

25 A Yes.

1 Q 91/10/09, October 9th, do you have that?

2 A Yes.

3 Q Do you have that date, sir?

4 A Yes.

5 Q Bottom of the page:

6 "For the record...",

7 this is Atras again.

8 "For the record, I feel the Winnipeg Police

9 Department have been fully cooperative with

10 me."

11 Do you have that?

12 A Yes.

13 Q Now, about the body pack, Sergeant Anderson, in

14 an earlier conversation with you, advised you

15 that -- he advised you words to the effect that

16 the body pack, as far as he was told, was

17 something to the effect that "they hadn't

18 squared away," he used those words. Do you

19 recall those?

20 A No. Can you refer me to the document, please?

21 Q I need one second. If you just give me a

22 minute, I will give you the reference. And if

23 you give me one minute, Mr. Commissioner, I will

24 try to find that. And if not, I know this

25 witness is coming back this afternoon. And if I

1 don't -- rather than take too much time now,  
2 I'll just come back to that at that time, if you  
3 agree?

4 THE COMMISSIONER: That's fine.

5 MR. CODE: The suggestion that he come back this  
6 afternoon is to deal with the new material.

7 THE COMMISSIONER: Yes.

8 MR. CODE: I think we need to conclude his  
9 evidence, because I need to do my re-examination  
10 and I need to get started with Staff Sergeant  
11 Ferguson.

12 BY MR. WOLSON:

13 Q Paragraph 5, are you there?

14 A Yes.

15 Q Okay. You are having a conversation at  
16 paragraph 5 about the body pack?

17 A Correct.

18 Q "Sergeant Anderson stated that the  
19 transcript of their taped conversation had  
20 Driskell asking Zanidean if he squared up  
21 with his sister, and Zanidean stating, no,  
22 not yet, or words to this effect."

23 Do you see that?

24 A Yes.

25 Q So when I said to you before words to the effect

1 of squaring up, here's where the reference is of  
2 that conversation. And I'm going to read on.

3 A Okay.

4 Q "Constable Burton advised Anderson that  
5 Staff Sergeant Ferguson's recollection of  
6 the conversation and the transcript he was  
7 shown by Brodsky differs."

8 A Correct.

9 Q Now I'm going to take you to B-16.

10 A Should I mark this?

11 Q No. B-16. These are, I'm advised, the  
12 relevant -- and I've read them, so I would  
13 agree, the relevant excerpts of the body  
14 pack.

15 A Okay.

16 Q The comment from page 14 of that particular  
17 tab -- from that particular body pack, there was  
18 a great deal of body pack, but the excerpted  
19 part that I want to put to you here is here,  
20 halfway down the page of B-16.

21 A Okay.

22 Q Driskell commented:

23 "She still never squared away with you."

24 Which were similar words to the words that  
25 Anderson had used with you, right, about not

1 squaring away or squaring up, right?

2 A I mean, yes, they are there.

3 Q Now, the body pack was, of course, something  
4 that you had wanted because you thought that  
5 that might give you evidence that there was a  
6 perjury by Zanidean, or at least that it would  
7 confirm your financial theory that the arson was  
8 motivated for financial reasons, that's why you  
9 wanted to see the body pack; right?

10 A Correct.

11 Q All right. And let me read, then, the preceding  
12 sentence, which is the first sentence that has  
13 anything to do with the alleged arson in  
14 particular:

15 "They can't link us to that house in Swift  
16 Current. They couldn't."

17 Zanidean says that, right?

18 A Correct.

19 Q So they are talking about Swift Current?

20 A Correct.

21 Q And then if you just go down the page, Zanidean  
22 says:

23 "That bitch deserved it..."

24 He is obviously talking about his sister,  
25 right?

1 A I would assume.

2 Q "...that's all I can say. She fucked, she  
3 fucked me out, I'm upset she fucked me."

4 And then the comment by Mr. Driskell:

5 "She still never squared away with ya."

6 And Zanidean said:

7 "No, she is a crooked heart."

8 Do you see that?

9 A Yes.

10 Q And that's evidence that you would say that  
11 there is a financial issue going on here?

12 A Yes.

13 Q If there was a financial problem issue:

14 "The bitch deserved it, that's all I can  
15 say, she fucked me, she fucked me out, I'm  
16 upset she fucked me."

17 Those words are consistent with revenge, I  
18 take it, you would agree?

19 A I mean, they are what they are. I don't --

20 Q Do you know whether the words:

21 "She never squared away with me..."

22 pertain to a financial arrangement? Do you  
23 know?

24 A I mean, that's the evidence. I don't want to  
25 interpret it. It's there. I don't think that

1           that's my place.

2       Q       And going on down the page, which is another  
3           excerpt from another conversation:

4                 "Driskell: Yeah. Yeah. Find out the hard  
5                 way.

6                 Zanidean: Yeah, cause one of the shortage,  
7                 one for you, seven for me, so I'm short  
8                 \$800."

9                 That would -- do you say that refers to the  
10            arson?

11       A       I'm saying it appears to.

12       Q       And that's only because you had Driskell's  
13           statement, Mr. Driskell's statement which  
14           referred you to that, right?

15       A       Referred to those amounts, correct.

16       Q       That statement you didn't provide to the  
17           Winnipeg Police Service, to Sergeant Anderson,  
18           did you?

19       A       I said I don't know if it was provided by  
20           Justice, because that was way above my head, was  
21           what I said yesterday.

22       Q       But in order to know what that meant, 72 under  
23           B-16, in order to know what that meant, you  
24           would have to really have Driskell's statement,  
25           wouldn't you?

1 A I don't know. There may be other evidence out  
2 there that would help someone understand that.  
3 I can't comment on those matters.

4 Q But you're interpreting that with the aid of  
5 Driskell's statement, aren't you?

6 A That might be my take. But for me to say that's  
7 the case, I wasn't the judge at the trial. And  
8 I am really uncomfortable with being asked to  
9 make those kind of findings.

10 MR. CODE: Could I submit that we are getting  
11 entirely away from the terms of reference here?

12 THE COMMISSIONER: Well, I must say just about a  
13 minute ago I opened up the terms of reference.  
14 And I, really, Mr. Wolson, think we're really  
15 getting quite a ways away from the terms.

16 MR. WOLSON: My only comment about that is the  
17 allegation or complaint is of, in particular,  
18 Tom Anderson, and withholding certain evidence.

19 THE COMMISSIONER: Yes, but this -- that's  
20 true, withholding evidence. But this witness'  
21 belief as to whether words are more descriptive  
22 of arson or fraud, I mean, he has made his  
23 position very clear that he believes it was  
24 fraud. And I'm sure Sergeant Anderson will put  
25 his position forward and you will make your



1 submissions.

2 MR. WOLSON: Thank you.

3 THE COMMISSIONER: At the end of the day, I am  
4 not so sure that it may necessarily be all that  
5 germane, but we will wait and see.

6 BY MR. WOLSON:

7 Q Thank you. I just want to conclude, then, by --  
8 have you read the disclosures that were given  
9 out this morning, the material that you said you  
10 had compiled while you were in Toronto? Have  
11 you read them over?

12 A No. I just had an opportunity to quickly go  
13 through them for Mr. Gates for redacting  
14 purposes.

15 Q All right.

16 A And then I passed them on to him and I haven't  
17 seen them since.

18 MR. WOLSON: Thank you, then.

19 THE COMMISSIONER: Mr. Gates, I think you're the  
20 only one left. Thank you, Mr. Wolson.

21 MR. GATES: If I could just have your indulgence  
22 for a minute, sir, while I speak to Mr. Code.  
23 Thank you very much, Mr. Commissioner. I  
24 actually only have a very few questions, a very  
25 few. And they are much more pedestrian than

1 where we've been over the course of the last  
2 day.

3 BY MR. GATES:

4 Q Inspector Burton, I would like to get your  
5 evidence on RCMP record keeping, if I may.  
6 There has been a great deal of discussion over  
7 the course of the last two days about 1624s and  
8 A237s and protected A files and protected B  
9 files. So I wonder if we could just maybe back  
10 up a little bit and get you to perhaps provide  
11 us with some additional information about those  
12 terms.

13 A Okay.

14 Q First of all, a 1624, is it fair to say that  
15 that is a standard RCMP continuation report form  
16 that is used in routine investigations?

17 A Correct.

18 Q And an A237, as I understand your evidence, is  
19 another form of report that is used to convey  
20 information to more senior members of the  
21 organization by way of briefing up or sharing  
22 information?

23 A C237, not an A.

24 Q Sorry, C237.

25 A That's correct.

1 Q Protected A, could you tell us what protected A  
2 means, in a general way?

3 A Protected A means that if you are in the office  
4 as a staff, you can go into the filing cabinet,  
5 pull the file, anyone. You can go on the PIRS,  
6 the police information retrieval system, and  
7 anyone can access it.

8 Protected B, at that time, was a restricted  
9 file which would have been locked in a secure  
10 filing cabinet in Staff Sergeant Ferguson's  
11 office. As well, on the PIRS system, only  
12 certain people who needed to have access would  
13 be able to access the file electronically. It's  
14 a higher level of security.

15 Q In this instance, my understanding of your  
16 evidence is that, for the reasons that you have  
17 already articulated, there was a decision taken  
18 to start a protected B file relative to this  
19 arson investigation?

20 A Correct.

21 Q So would it be fair for me to surmise that part  
22 of the file was on the protected A file and  
23 another part of the file was on the protected B  
24 file?

25 A Correct.

1 Q Would it be correct for me to surmise that to  
2 gain a full understanding of the status of the  
3 investigation, one would have to look at both  
4 files?

5 A Correct.

6 Q I would just like to direct your attention, very  
7 briefly, to the evidence that's been given  
8 regarding a so-called complaint by the RCMP  
9 relative to the Winnipeg Police Service. As you  
10 will recall, at tab A-24 and A-25, at A-24 we  
11 have your response to Sergeant Anderson's  
12 comments on the complaint. At A-25 we have  
13 Sergeant Anderson's response to that complaint.  
14 What was your role in the lodging of that  
15 complaint?

16 A It wasn't actually a complaint.

17 THE COMMISSIONER: You made that point before,  
18 and I have forgotten how you described it. You  
19 said it wasn't a complaint.

20 THE WITNESS: What happened was the F Division  
21 contract policing officer, Inspector Wass, sent  
22 internal correspondence to his counterpart to  
23 contract policing officer in D Division in  
24 Winnipeg, basically raising concerns with  
25 Winnipeg Police Service, or Sergeant Anderson,

1           whatever, however you want to put it, in  
2           responding to our request for assistance. He  
3           had asked the D Division contract policing  
4           officer to contact his counterpart in the  
5           Winnipeg Police Service, who I believe was a  
6           deputy chief, to request that assistance be, in  
7           essence, expedited. And from what I have seen  
8           of the file, the contract policing officer in  
9           Winnipeg attached the internal correspondence  
10          from the contract policing officer in Regina,  
11          which was not supposed to happen. And when  
12          Winnipeg Police Service saw that internal  
13          correspondence, that spurred them to initiate an  
14          internal investigation.

15        Q     Thank you. Have you ever met Sergeant Anderson,  
16              Sergeant Tom Anderson?

17        A     No.

18        Q     There has been reference this morning to  
19              Mr. Driskell's trial counsel, Greg Brodsky. Do  
20              you know Mr. Brodsky?

21        A     No.

22        Q     Have you ever met Mr. Brodsky?

23        A     No.

24        Q     Have you ever spoken to Mr. Brodsky?

25        A     I don't recall ever speaking with him.

1 MR. GATES: Thank you very much, Inspector  
2 Burton. Those are my questions. Thank you,  
3 sir.

4 THE COMMISSIONER: Thank you, Mr. Gates.  
5 Mr. Code.

6 BY MR. CODE:

7 Q Just a few areas of re-examination, Officer  
8 Burton, coming out of my friend, Mr. Wolson's,  
9 cross-examination.

10 Do you recall in his cross-examination when  
11 he took you to the investigative file? Do you  
12 still have a copy of it in front of you, the  
13 protected A file, as you call it?

14 A Yes.

15 MR. CODE: And I don't know, Mr. Commissioner,  
16 whether you still have a copy or whether we can  
17 pass it up to you?

18 THE COMMISSIONER: No. I didn't have one. I  
19 spared myself that.

20 THE WITNESS: No, that I don't. Someone has  
21 taken it off of here.

22 THE COMMISSIONER: Here. You take this one,  
23 sir.

24 BY MR. CODE:

25 Q And he did that to suggest to you that the page

1 number and the paragraph numbering in this  
2 protected A file was in exact sequence and you  
3 could tell exactly what was missing and what  
4 wasn't missing. And he particularly liked the  
5 sequence between pages 40 and 41. He was using  
6 the bate stamping in the bottom right-hand  
7 corner?

8 A Correct.

9 Q You will remember using that bate stamping in  
10 the bottom right-hand corner which you said  
11 wasn't on there at the time. Somebody has put  
12 it on subsequently. That if you looked at page  
13 40 you had an entry for November 4th, 1990 that  
14 was -- had paragraph 143 attached to it. And  
15 then if you move to the next page, page 41,  
16 moving forward in the file, you found paragraph  
17 142 for the 9th -- for September 25th, 1990.

18 A Correct.

19 Q And he suggested to you that there was no  
20 activity on the file between those two dates  
21 because of this perfect sequencing of the bate  
22 stamping and the perfect sequencing of the  
23 paragraph numbers. Do you remember that area of  
24 cross-examination?

25 A Yes.

1 Q And you pointed out that the relevant page  
2 numbers were the ones on the top right-hand  
3 corner?

4 A Correct.

5 Q With the felt magic marker, and that that tended  
6 to indicate that there was, indeed, a page  
7 missing?

8 A Correct.

9 Q Do you recall that evidence?

10 A Yes.

11 Q And I would just like to test Mr. Wolson's  
12 proposition a little more broadly than those two  
13 pages. If you go back to the earlier entry,  
14 before his entry in September 25th, the one that  
15 is bate stamped 41, you find the next -- the  
16 prior -- immediately prior entry that we have in  
17 this part of the file that's survived. Go back,  
18 I suggest, to page 51 is where you will find it,  
19 still using the bate stamping in the bottom  
20 right-hand corner?

21 MR. OLSON: Which tab are we at?

22 BY MR. CODE:

23 Q We are not at a tab. We are in the  
24 investigative file, which my colleague,  
25 Mr. Wolson, was using in his cross-examination.



1 Do you have that entry? It's for August 14,  
2 1990?

3 A That's correct.

4 Q It's bate stamped page 51, and it has got a  
5 paragraph number 142; is that correct?

6 A Correct.

7 Q And that paragraph number 142 is the exact same  
8 paragraph number as the one at bate stamp 41, is  
9 it not?

10 A Correct.

11 Q So far from proceeding in per sequence, it  
12 appears that the paragraph numbers get repeated  
13 or used twice?

14 A Correct.

15 Q And far apart from there being no pages missing,  
16 if we use the bate stamp numbering, there is 10  
17 pages missing between 51 and 41, is there not?

18 A Correct.

19 Q If we use the felt marker numbering in the top  
20 right-hand corner, it goes from 183 to 199.  
21 There are some 16 pages missing; is that  
22 correct?

23 A Correct.

24 Q If we test his proposition moving in the  
25 opposite direction, in other words, moving later

1 in the file, so from his bate stamp number 40,  
2 where he has got a paragraph 143, if you proceed  
3 deeper into the file in the later dates of  
4 November and December, where you'll find the  
5 next one is bate stamp 37 where we do get  
6 perfect numerical sequences of paragraph 144 to  
7 145. Do you see that?

8 A Correct.

9 Q But we have lost 16 pages. If you use the felt  
10 marker in the top right-hand corner, it appears  
11 16 pages are missing; is that correct?

12 A Correct.

13 Q And then the next one is, again, a perfect  
14 paragraph sequence of 146, and a perfect page  
15 sequence of 218. There appears to be nothing  
16 missing in between there?

17 A Correct.

18 Q Is that correct?

19 A Yes.

20 Q But then look at the next one, bate stamped 33  
21 in the bottom right-hand corner, the magic  
22 marker, felt marker 221 in the top right-hand  
23 corner, do you see that?

24 A Correct.

25 Q For January 31, 1991?

1 A Yes.

2 Q What's the paragraph number there?

3 A 143.

4 Q 143 which was -- the last paragraph number is  
5 146. So we have somehow gone back and repeated  
6 a paragraph 143, have we not?

7 A Correct.

8 Q And in terms of the missing pages, there appears  
9 to be three missing pages between 218 and 221?

10 A That's correct.

11 Q So does it appear, from your examination,  
12 whether we used the bate stamps or the paragraph  
13 numbers, or the felt marker in the top  
14 right-hand corner, does it appear to you that we  
15 have a complete file here?

16 A No.

17 Q He then asked you -- he was using this  
18 pagination exercise to set up the proposition  
19 that you had never produced a 1624. Because if  
20 you had produced a 1624 for that October call,  
21 the pages, there appeared to be no missing  
22 paragraphs or missing pages. Do you remember  
23 that?

24 A Yes.

25 Q And your response to that was that you couldn't,

1           couldn't say one way or the other whether there  
2           was a 1624, but there was a C237. And you may  
3           have been simply building your C237. Do you  
4           remember that?

5    A       Yes.

6    Q       Now, do we have any illustrations in these  
7           records, intact records, of that practice of  
8           building a C237 when you are recording these  
9           kinds of telephone calls?

10   A       I think the best example would be the one we  
11           were on most of the morning.

12   Q       A-32?

13   A       Correct.

14   Q       If you look at A-32, which is the one intact  
15           C237 we have of your three sets of telephone  
16           calls to Anderson, or with Anderson, we don't  
17           have the intact C237 for October or April, but  
18           we do have it for July, don't we?

19   A       Correct.

20   Q       So if you just quickly look at A-32, I want to  
21           make sure the Commissioner understands your  
22           evidence about this practice of building a C237  
23           instead of keeping a daily note in a 1624. What  
24           date would you have started building this  
25           particular C237?

1 A On the 13th of July.

2 Q And that's illustrated by the fact that at  
3 paragraph 2 you make a note for the developments  
4 on July 13th; is that correct?

5 A Correct.

6 Q And then the next date that you would have added  
7 to it?

8 A Would be the 16th of July.

9 Q And you add a large number of paragraphs. A lot  
10 happens on the 16th of July, is that fair?

11 A Correct.

12 Q And that's paragraphs 3 through to 8?

13 A Correct.

14 Q And then the next date you build on it again?

15 A On the 18th.

16 Q On the 18th of July, starting at paragraph 9?

17 A Correct.

18 Q And then what date was the report completed on?

19 A On the 19th.

20 Q And that's the date that you put on the front  
21 page when you complete it and sent it up to your  
22 superior officers?

23 A Correct.

24 Q And you see at the bottom that Staff Sergeant  
25 Ferguson signs off on it. Those are his

1 initials in the bottom left-hand corner?

2 A Correct.

3 Q And Preston gets it. And he forwards it to the  
4 CROPS officer on July 22nd?

5 A Correct.

6 Q Preston obviously regarded it as a matter that  
7 should go to Regina; is that correct?

8 A Correct.

9 Q And in relation to the other two calls, the  
10 October calls in 1990, and the April calls in  
11 1991, do we know, in fact, that there was a  
12 C237, in fact, more than one C237 in relation to  
13 both of those calls?

14 A I know the November 15th C237 is referred to as  
15 missing, in regards to the October calls.

16 Q In fact, if you look at tab A-34, both of them  
17 are referred to, are they not?

18 A Correct.

19 Q Tab A-34, page 2, the top of the page quote from  
20 your November C237, which is referring back to  
21 the October call of Anderson?

22 A Correct.

23 Q And at the bottom of the page you refer to your  
24 April 19th C237, which is referring back to the  
25 April 5th call from Sergeant Anderson?

1 A Correct.

2 Q So leaving aside the debate over whether there  
3 is or isn't a 1624 for these calls, do we know  
4 that there was a C237 for all three of these  
5 sets of calls?

6 A Yes.

7 Q Was that an appropriate way to communicate the  
8 kind of information that was in those calls?

9 A Yes.

10 Q Was it the kind of information your superior  
11 officers needed to know?

12 A Yes.

13 Q Mr. Wolson suggested to you that you were overly  
14 suspicious after your first telephone call with  
15 Sergeant Anderson in October 27th in immediately  
16 starting to worry that you might be about to be  
17 set-up. Do you recall that area of questioning?

18 A Yes.

19 Q And I wanted to ask you that a year later, after  
20 you saw what happened, did you think that those  
21 initial police instincts of yours might have  
22 been correct?

23 A Yes.

24 Q Now, the last matter that I want to re-examine  
25 you on is the most important one, Inspector

1           Burton. And this is the business of the Preston  
2           memo, the A-5, I think you called it?

3    A       Correct.

4    Q       That Preston directs you and Ferguson, it's at  
5           tab A. And my note of Mr. Wolson, when he was  
6           cross-examining you on this document, and he was  
7           suggesting to you that you could do nothing  
8           further to investigate Zanidean as a result of  
9           this. And my note of your response was you  
10          disagreed with that, that it wasn't -- it didn't  
11          freeze your investigation somehow. And you said  
12          what -- I think I quoted you directly, you said:  
13          "We were simply awaiting the decision on Source  
14          Witness Protection".

15   A       Correct.

16   Q       Do you recall that area of evidence?

17   A       Yes.

18   Q       And can you explain -- do you have tab 35 open?

19   A       Yes.

20   Q       Do you have the un-redacted version of the  
21          Preston memo?

22   A       Yes.

23   Q       And can you explain to the Commissioner, please,  
24          the practical substance of that Preston memo,  
25          how you say that what really this is all about



1 is simply awaiting the decision on Source  
2 Witness Protection?

3 A Well, were waiting to see what came out of the  
4 trial and whether he would qualify for Source  
5 Witness Protection, and then we would be guided  
6 from there in terms of how it affected our  
7 investigation.

8 Q And as a practical matter, if Zanidean was  
9 admitted into the Source Witness Protection  
10 Program, what would the stance of the Swift  
11 Current detachment have been, more than likely?

12 A Well, our policy is that it would be reviewed as  
13 to any potential charges, and wherever possible,  
14 we wouldn't proceed with investigating or  
15 charging someone in the program, if it was  
16 approved at the right levels.

17 Q If the RCMP was content that this was somebody  
18 who should be in the formal Witness Protection  
19 Program, that would obviously severely restrict  
20 your ability to charge them, is that a fair way  
21 of putting it?

22 A Correct.

23 Q All right. So then when we jump forward to  
24 Corporal Orr's notes at tab A-139, and I know  
25 you are very defensive about this note because

1           you've got no recollection of this call, and  
2           you've got no record of your own to refer to.  
3           But I want you to put that aside and look at the  
4           substance of what he is attributing to you. I'm  
5           only interested in the content here.

6    A       Okay.

7    Q       He says: "He advised there would be no  
8           proceedings against Zanidean, either as a  
9           witness or an accused." There certainly there  
10          could never be proceedings against him as a  
11          witness, so that is a bit of a non-sequitur, but  
12          "there would be no proceedings against Zanidean  
13          as an accused if he is accepted under the  
14          program." And my question to you is this, is  
15          the substance of what Orr has noted there any  
16          different than the substance of what Preston is  
17          saying back at A?

18   A       No.

19           MR. CODE: Thank you very much.

20           THE COMMISSIONER: Thank you. Now, as I  
21          understand it, Inspector Burton is going to come  
22          back at a later time?

23           MR. CODE: Yes. Mr. Gates very kindly reviewed  
24          this bundle of materials from the London office  
25          overnight. And I think there was some very

1 minor redacting. And Mr. Giasson had our office  
2 photocopy them this morning. They were  
3 circulated to counsel at 9:00 a.m. so,  
4 obviously, nobody has had a chance to read them.  
5 Except I know Mr. Olson was paying close  
6 attention to the cross-examination of  
7 Mr. Wolson, so he may have flipped through them  
8 already.

9 But my colleagues have all agreed that they  
10 will use the lunch recess to quickly flip  
11 through them. Mr. Gates assures us that there  
12 is nothing of substance here. But it is a lot  
13 of press clippings and current e-mails. But if  
14 there is anything arising out of these that  
15 would require further cross-examination,  
16 Constable Burton will be back, we will then,  
17 once again, Constable Burton would be back at  
18 2:00 to answer any further questions.

19 THE COMMISSIONER: But for that, you are  
20 excused.

21 THE WITNESS: Thank you, sir.

22 (Constable Burton is excused by Commissioner)

23 THE COMMISSIONER: Now, although we did have a  
24 10-minute break, the reporter has had a pretty  
25 active morning, and I think we should take a

1 regular break now. If you want to make it 10  
2 minutes instead of 15, I'm fine with that. But  
3 otherwise, it will be a 15-minute break.

4 MR. CODE: I will have Staff Sergeant Ferguson  
5 ready.

6 THE CLERK: All rise. This Commission of  
7 Inquiry is now in recess.

8 (Proceedings recessed at 11:04 and reconvened at  
9 11:21 a.m.)

10 THE CLERK: All rise. This Commission of  
11 Inquiry is now recommenced. Please be seated.

12 MR. CODE: I call former Staff Sergeant Ferguson  
13 as my second witness.

14 THE CLERK: Do you wish to swear on the Bible or  
15 to affirm?

16 THE WITNESS: Swear on the Bible.

17 Ronald Charles Ferguson, having first been  
18 duly sworn, testifies as follows:

19 BY MR. CODE:

20 Q Staff Sergeant Ferguson, thank you for being  
21 here today. It's been a while since you've been  
22 in the stand, I'll bet.

23 A Yes, it has, at least 12 years.

24 Q So you have come out of retirement to testify,  
25 once again?

1 A That's correct.

2 Q And you've come from Saskatchewan, I understand?

3 A That's correct.

4 Q I'm going to try to be much briefer with you  
5 than I was with your colleague, your former  
6 colleague, Officer Burton. And, accordingly, if  
7 I could ask you at the outset, have you had a  
8 chance to review your witness interview  
9 statement, your summary, at tab A-12 of the book  
10 of documents? Have you had a chance to look it  
11 over? Indeed, did you have a chance to look it  
12 over when it was prepared?

13 A Yes, I did. I received it upon my arrival. I  
14 did receive an initial draft shortly before I  
15 left Regina, and I received this on my arrival  
16 in Regina Monday night.

17 Q That's after the interview, you're talking  
18 about?

19 A That's correct.

20 Q And are you content -- have you had a sufficient  
21 opportunity to review it to satisfy yourself of  
22 its accuracy?

23 A Yes. I'm satisfied with the accuracy. As you  
24 can appreciate, when I initially was  
25 interviewed, I did not have the opportunity to

1           rely on crime reports, et cetera, et cetera, so  
2           I did it from memory, as opposed to having full  
3           documentation to more exactly specify dates,  
4           times, places, et cetera.

5       Q     Fair enough. We've -- the production of the  
6           documents has been a work in progress, as we  
7           have gone along. And we have tried to do the  
8           interviews at the same time as we have been  
9           getting some of these files.

10      A     That's correct.

11      Q     Your recollection may be a little better now  
12           than it was when we did this interview back on  
13           May 17th?

14      A     Yes, certainly.

15      Q     Because you've had a better chance to review  
16           more documents?

17      A     That's correct.

18      Q     All right. I want to briefly touch on your  
19           career and ask you some general matters about  
20           the Swift Current detachment and your  
21           relationship with then Constable Burton. First  
22           of all, we see from your interview that you  
23           joined the RCMP in 1960. So by the time of the  
24           Hayek arson in the summer of 1990, you would  
25           have had 30 years experience then; is that

1 correct?

2 A That is correct.

3 Q And did that experience include the  
4 investigation of major crimes?

5 A Yes. I joined in 1960, as you mentioned, sir.  
6 With the exception of two years on the musical  
7 ride, I spent my entire service in various  
8 locations in the Province of Saskatchewan. 14  
9 to 15 years of those years was spent  
10 investigating drug, major crime, what was then  
11 called general investigation section, which was  
12 plain-clothes investigative duties.

13 Q So GIS, which Officer Burton referred to, is a  
14 plain-clothes investigative unit?

15 A Yes, that's correct.

16 Q And you spent most of your years doing that kind  
17 of work?

18 A Yes, that's correct.

19 Q And did that work include doing homicides?

20 A Yes, it did.

21 Q Now, we know you get promoted to staff sergeant  
22 in 1988, shortly before the Hayek arson?

23 A Yes.

24 Q And you effectively take up the position of  
25 Chief of Police for Swift Current; is that

1 correct?

2 A That is correct. We had the municipal contract  
3 to police the City of Swift Current, so we were  
4 housed in a separate building. And as far as  
5 the RCMP were concerned, I was a staff sergeant  
6 in charge. As far as City officials, I was the  
7 Chief of Police.

8 Q Now, we know what chiefs of police do nowadays,  
9 they sit behind desks and manage large numbers  
10 of officers, and they don't get out into the  
11 field and do much investigating.

12 A Well --

13 Q Were you the kind of fellow who liked to stay  
14 behind your desk back in those days?

15 A Well, I think everybody feels the Chief of  
16 Police has a duty to sit behind the desk and do  
17 nothing. My son is in the RCMP and that's what  
18 he accused me of.

19 THE COMMISSIONER: As far as -- I was going to  
20 tell you, where I grew up the Chief of Police  
21 was the only police officer, so he couldn't sit  
22 behind a desk all day.

23 THE WITNESS: Right. Thank you,  
24 Mr. Commissioner.

25 Most of my service and my interest had



1           been in the investigative field. So even  
2           though -- I would say the structure of the  
3           municipal detachment, even though I was in  
4           charge of the detachment and normally would  
5           have been more involved in the administrative  
6           duties of the detachment, my second in command,  
7           who was a sergeant, he felt more comfortable  
8           doing that duty. And I preferred to become more  
9           involved in the operational part of it, as far  
10          as what we considered serious crime or  
11          controversial incidents. So I chose to become  
12          more actively involved in overseeing those type  
13          of incidents.

14          BY MR. CODE:

15          Q       And you were able to delegate the managerial  
16                  administrative work to your 2IC, Sergeant  
17                  Upton?

18          A       Yes.

19          Q       And did Upton have the same investigative  
20                  background that you did?

21          A       In my opinion, he didn't. I don't think he felt  
22                  as comfortable being involved in criminal  
23                  investigations. He certainly did handle the  
24                  more routine criminal matters, as far as  
25                  directing and looking after the shifting and

1           that type thing.

2    Q       So it was a good fit in terms of the profiles of  
3           the two of you, that you could get involved in  
4           the major crimes and he would look after the  
5           administration for you?

6    A       Yes, that's correct.

7    Q       Now, specifically, did you get involved in the  
8           Hayek arson?

9    A       Yes, I did. Not the initial date of the  
10           arson. But within, I believe, one or two days  
11           after -- I believe it was the day after. I had  
12           had some, although not formal courses, if I  
13           recall, but some experience in other arson  
14           investigations. And from what the  
15           investigating members had told me, I was very  
16           interested in visiting the scene, and I did that  
17           a day or two days later and made certain  
18           observations.

19   Q       And we know you eventually, actually, go out and  
20           you are the fellow who takes the statement from  
21           Driskell?

22   A       That's correct.

23   Q       Which becomes an important piece of evidence in  
24           the investigation?

25   A       That is correct.

1 Q So you were still going out into the field and  
2 interviewing important witnesses?

3 A Yes, that's right. And actively involved, I  
4 guess, in directing the other investigators as  
5 far as telephone tolls, real estate inquiries,  
6 insurance applications and that type of thing.

7 Q Now, then, Constable Burton, we know he has  
8 gone on to have this impressive career that we  
9 see in his C.V. at tab 3. And he is now an  
10 inspector in Toronto doing white collar fraud  
11 investigations. How much experience did Burton  
12 have at that time when you were supervising him  
13 in 1990?

14 A He had limited investigative experience as far  
15 as major incidents. But I had recommended that  
16 he take a position as one of plain-clothes  
17 investigators for the City, as opposed to GIS  
18 for the City, because of his analytical -- he  
19 was very analytical, very dogged, and I felt the  
20 experience would suit him, you know, to his  
21 benefit.

22 Q How did the two of you get along?

23 A I think we got along fine. Constable Burton,  
24 Inspector Burton now, is a very, very serious,  
25 meticulous individual, and intelligent. He was

1 always very courteous, very polite. He  
2 certainly was not an outgoing person like many  
3 of the members are. I would say we got along  
4 very well.

5 Q And in terms of the Hayek arson, in particular,  
6 which was what my main focus is on, did he  
7 appreciate or resent your involvement, your  
8 direction, your supervision and, indeed, your  
9 going right out into the field on the case?  
10 What was his attitude towards your  
11 involvement in that investigation that he was  
12 leading?

13 A I believe he appreciated it. I believe that was  
14 the first arson case that he had got involved  
15 in. So I think the whole arson thing, or scene,  
16 with myself assisting him through the  
17 walk-through of the scene, I think that he felt  
18 that it was helpful to him.

19 Q All right. Was there ever any tensions  
20 throughout the course of the investigation  
21 where you felt that he resented your  
22 involvement?

23 A No, not at all.

24 Q One last thing about Officer Burton, at this  
25 general introductory stage I wanted to ask you,

1           what were his practices in terms of report  
2           writing?

3     A     He was, as I mentioned earlier, very, very  
4           analytical, so his reports were very well  
5           written. They were very timely and very  
6           detailed. He was excellent at report writing,  
7           very literate, obviously.

8     Q     Did you ever have to keep after him to write  
9           reports? You know how some people, they don't  
10          get around to writing their reports, they don't  
11          like their paperwork. Was he good at paperwork  
12          or poor at getting it done?

13    A     He was very good at paperwork. You probably  
14          just described me in the latter case.

15    Q     I know somebody else who doesn't like to write.

16                 Finally, was there ever any suggestion in  
17                 your years with him -- and, incidentally, he  
18                 stayed on with you afterwards until you left; is  
19                 that correct?

20    A     That's correct.

21    Q     You left in '95?

22    A     Yes. I left the end of November of '95. I left  
23           the RCMP, but was officially retired at the end  
24           of July of '96.

25    Q     You had come there in '88; is that correct?

1 A That's correct.

2 Q So you were with them for seven years?

3 A Yes. As far as my memory serves me, yes.

4 Q And throughout that time, was there ever any  
5 suggestion in relation to his work that he was  
6 the kind of officer who would falsify or mislead  
7 his superior officers in his report writing?

8 A Absolutely not. I never, ever had any reason to  
9 question his integrity.

10 Q All right. Now, turning to the Hayek arson,  
11 Staff Sergeant, you've had a chance to review  
12 this snapshot of the investigative file that we  
13 have put together in this book of documents.  
14 And I am not going to take you through all of  
15 the individual documents, we did that with  
16 Officer Burton. I want you to step back and  
17 give us a high-level view of how the Swift  
18 Current detachment regarded this case, in terms  
19 of its gravity, in terms of its strengths, in  
20 terms of your attitude or your investigative  
21 stance? Can you tell us generally the view of  
22 this case from your detachment?

23 A Well, right from the outset it was quite  
24 apparent to me that this was a crime committed  
25 in a very professional manner. And by that I am

1 referring to draft holes cut in the wall, the  
2 presence of accelerants. So I was very keen on  
3 having the investigation pursued.

4 As the investigation developed over  
5 several -- long period of time, it became  
6 apparent that quite possibly one of the  
7 Zanidean family members was responsible. And  
8 that it probably was at the request of the  
9 insured person and the owner of the home, Carol  
10 Hayek, who was the sister of the gentleman, in  
11 particular, Reath Zanidean.

12 I was very anxious to have charges laid  
13 against any and all persons involved in this  
14 crime. I wished to pursue -- as time went on,  
15 and three names arose, that of Mr. James  
16 Driskell, Carol Hayek and Reath Zanidean. I was  
17 very anxious to pursue a conspiracy charge  
18 against at least all three, or unindicted  
19 co-conspirators should evidence come from one to  
20 support charges against two, as an example, and  
21 also to lay arson charges as well. I considered  
22 this an extremely serious crime for the City of  
23 Swift Current. Certainly the community  
24 considered it an extremely serious crime. And  
25 I was most anxious to see this taken before the

1 courts.

2 Q And in terms of the strength of your case, what  
3 was your assessment of the quality of the  
4 evidence that you eventually were able to  
5 collect after a very long investigation, as you  
6 put it?

7 A I believe a lot of it was purely circumstantial,  
8 until I met with Mr. James Driskell and received  
9 what I would class as an unwarned statement from  
10 him involving his involvement with Mr. Reath  
11 Zanidean in the actual burning and the explosion  
12 in the house. The evidence that had been  
13 gathered to date and the evidence following my  
14 discussions and meeting with Mr. Driskell  
15 completely corroborated Mr. Driskell's  
16 statement. And I felt very, very confident that  
17 we had a very, very good case of arson.

18 Q So on the basis of a statement, an accomplice  
19 statement that was independently corroborated,  
20 you felt you could go forward with at least two  
21 of the three conspirators?

22 A That is correct.

23 Q And what was your attitude towards Driskell at  
24 that point as to whether to charge him?

25 A When I had discussed the matter with him, at the



1 request of Mr. Driskell, Mr. Greg Brodsky, his  
2 counsel, and a private investigator, I believe  
3 by the name of Brian Savage, I had assured that  
4 my meeting with Mr. Driskell would only focus on  
5 the actual arson in Swift Current, and that the  
6 statement, of course, be unwarned, which  
7 therefore would not be admissible against him.

8 Mr. Brodsky and Mr. Driskell's intent, in  
9 my opinion, and as versed by them, in sitting  
10 and speaking to me and providing this  
11 information, was I attempt to get immunity for  
12 Mr. Driskell on the arson case. Without the  
13 immunity, of course, Mr. Driskell would not be  
14 prepared to provide a warned confession, if I  
15 can put it that way, and therefore the evidence  
16 against Mr. Zanidean again would certainly not  
17 be as strong and would be reduced to, again,  
18 more of a circumstantial case.

19 Q All right. Leaving aside Mr. Driskell, then,  
20 who we can see from the documentation throughout  
21 that you were trying to get immunity for him and  
22 recommending this approach you've suggested of  
23 accomplice testimony that was corroborated by  
24 your circumstantial case. What was your  
25 attitude towards Ray Zanidean and his sister,

1 Carol Hayek? Throughout the course of the  
2 prosecution, what was your stance in relation to  
3 laying charges against those two?

4 A I was most anxious in proceeding with charges.  
5 I suppose, as time went on and as the end result  
6 now, my personal feeling was that I was a little  
7 upset that nothing was proceeded with against  
8 Reath Zanidean, because he appeared to be the  
9 one that was walking away absolutely free of at  
10 least two major crimes, that being the 1988  
11 arson and the 1990 arson.

12 I'm sorry, Michael, I didn't really  
13 understand the question.

14 Q No, no. I was just trying to get your view of  
15 the two Zanideans, and I think you've given it  
16 to us.

17 A If I might expand on Carol Hayek, our evidence  
18 had indicated that there had been at least four  
19 to five previous insurance claims made under  
20 false names by her. And so I felt that that  
21 would have been a real plus if we could also  
22 charge and convict her of insurance fraud, as  
23 well as the conspiracy to commit arson.

24 Q And, finally, in terms of this general overview  
25 of the case, what was the detachment's working

1 theory as to the motive for the crime?

2 A Yes, the motive for the crime, as I felt we  
3 could support by evidence fairly strongly, was  
4 strictly financial. And, again, that was  
5 supported by information I had received from  
6 Mr. Driskell.

7 Q All right. As the investigation begins to  
8 focus on possible perpetrators, we see in the  
9 file these various requests for assistance go  
10 out. And, in particular, a request for  
11 assistance from Winnipeg to interview Reath  
12 Zanidean in the summer of 1990. Late July the  
13 telex goes out. And in early August you get a  
14 response back saying that the interview is about  
15 to happen --

16 A That's correct.

17 Q -- to determine his whereabouts at the time of  
18 the fire and whether he had any injuries,  
19 hospitalizations?

20 A That is correct.

21 Q And, again, without going to those individual  
22 documents with you, could I simply ask you the  
23 general question about what is the practice and  
24 protocol between police forces in separate  
25 jurisdictions where your crime, if I could call

1           it that, has evidence situated in another  
2           jurisdiction? Is it appropriate for to you  
3           simply go in and seize that evidence, or  
4           investigate, or do you rely on assistance? What  
5           is the ordinary practice and professional duties  
6           in these circumstances?

7       A     Well, as a courtesy, certainly, we would go to  
8           the various jurisdictions that police the area  
9           and request their assistance, based on the fact  
10          that I feel we all have a professional  
11          obligation, as well, we are all sworn to keep  
12          the peace, uphold the law, preserve law, et  
13          cetera.

14       Q     So the approach is the one you took here, to  
15          request assistance rather than to just march in  
16          there yourself?

17       A     Absolutely.

18       Q     And is there a tradition in terms of whether  
19          those requests are honoured? What has your  
20          experience been in your many years of policing?

21       A     Generally, yes, we have had very good  
22          cooperation from the various police departments,  
23          police agencies, and even within the RCMP.

24       Q     And in the course of this investigation, we  
25          see not just the request for the interview of

1           Zanidean, but eventually we see the request for  
2           the body packs, requests for the oral notebook  
3           admissions that Zanidean had made. Were you  
4           aware of all of these various requests for  
5           assistance from the Winnipeg Police?

6    A       Yes, I was.

7    Q       And, again, I think we can rely on the  
8           documentary record to show how those were  
9           resolved eventually.

10           Now, I want to turn to the core of the  
11           issue that Inspector Burton addressed, and that  
12           is the three sets of phone calls he has with  
13           Sergeant Anderson in October of 1990, April of  
14           1991, and July of 1991 are the three key events  
15           on which you can give evidence relevant to this  
16           inquiry. So starting with the October 1990  
17           phone call -- and, of course, you weren't party  
18           to any of these phone calls?

19   A       No, I was not.

20   Q       So I am simply going to ask you some follow-up  
21           questions about some of the circumstances  
22           surrounding these calls, or what one would  
23           expect, depending on the contents of the calls.  
24           So could I, first of all, take you to tab -- I  
25           am going to take you to two accounts we have

1 from Sergeant Anderson of the October call.  
2 This is late October, 1990, either October 27th  
3 or October 30th. And the first account is found  
4 in his notebook at tab 23. So if you could turn  
5 to tab A-23 in the book before you?

6 A Yes, I have it.

7 Q On the second to last page, you will see his  
8 note for October 30th that refers back to a call  
9 on the 27th. And then it's over the page to the  
10 last page where we have the note I wanted to put  
11 to you. It is a little bit difficult to read  
12 his writing, so let me simply read it out to  
13 you.

14 A I'm sorry, did you say tab?

15 Q 23.

16 A Oh, I'm sorry. I'm on the wrong one.

17 Q Tab 23, the second to last page, you will see  
18 the date October 30th. Do you have that in the  
19 middle of the page, tab 23?

20 A Yes.

21 Q Second to last page?

22 A Yes.

23 Q There is a date "October 30th" in the middle of  
24 the page?

25 A That's correct.

1 Q That refers to an earlier call on October 27th  
2 with the Swift Current detachment. And then if  
3 you could turn the page to the last page?

4 A Yes.

5 Q And I'll read his writing to you, because I've  
6 had it deciphered for me by Sergeant Anderson  
7 himself.

8 "Burton confirmed he is handling. I  
9 informed him of our dealings with Ray  
10 Zanidean and comments to us that he and  
11 Driskell responsible for their arson."

12 I notice you are flipping. Have you got  
13 that?

14 A Yes, I have that. That's at the very top of the  
15 page.

16 Q The very top of the last page at tab 23. And  
17 then, finally, the last paragraph in the note  
18 says,

19 "Burton advises no evidence to confirm, but  
20 investigation will continue."

21 A That is correct.

22 Q And is that account consistent with what your  
23 understanding was of the status of the  
24 investigation at that time and the follow-up to  
25 this call?

1 A Yes, that's correct.

2 Q So there is nothing in that note that would  
3 concern you or appear inconsistent with what you  
4 know about the investigation?

5 A No. No.

6 Q All right. If we turn to his second account  
7 of it, it is at tab A-25. And this is in a  
8 report that he writes a year later. And the  
9 conversation is described at the top of page 2?

10 A Yes.

11 Q You see that long paragraph at the top of page  
12 2?

13 A Yes, that's right.

14 Q If you could just quickly review that. In  
15 particular, I am interested in the middle part  
16 of the paragraph starting:

17 "Constable Burton made a suggestion, to  
18 which I readily agreed. He offered to  
19 delay their pursuit of Ray Zanidean until  
20 after he testified at our murder trial. He  
21 also said he would somehow flag Zanidean's  
22 name on RCMP intelligence files so that no  
23 other RCMP officer investigating their  
24 arson would pursue him. I told Constable  
25 Burton that we had made no deals with Ray



1           Zanidean and we would not make him privy to  
2           this agreement."

3           Do you see that?

4    A    Yes, I do.

5    Q    And my question to you is, did you ever receive  
6           any report or oral briefing from Constable  
7           Burton that is consistent with the latter part  
8           of the paragraph that I have just read out to  
9           you?

10   A    No. I guess, for one thing, Constable Burton  
11           would certainly have no authority to make a  
12           statement like that. Secondly, with respect to  
13           flagging RCMP intelligence files, I don't know  
14           how that could be done, unless you entered:  
15           "Do not look for Ray Zanidean." I don't know  
16           how that could be -- I've no way of knowing how  
17           that could be accomplished.

18   Q    So it's an odd suggestion?

19   A    It's an odd suggestion.

20   Q    So he wouldn't have the authority to do it, nor  
21           would he have the ability to do it, is what  
22           you're saying?

23   A    No. I suppose it could be accomplished in a  
24           very cryptic manner. In other words, we do  
25           have available to us an observation category,

1           where if a person is checked, supposedly at a  
2           certain location, that a certain policemen be  
3           notified.

4       Q     Well, leaving aside the procedural complexities  
5           of pulling this off, assuming you wanted to do  
6           this. I am more interested in the substance of  
7           it, this idea that Burton made a suggestion to  
8           delay the pursuit of Zanidean until after the  
9           trial. Is there anything you were ever told or  
10          heard that was consistent with that by Constable  
11          Burton at the time?

12       A     No.

13       Q     And would you expect him, knowing what you know  
14           about Constable Burton, to have reported this  
15           conversation to you if it had happened?

16       A     Yes.

17       Q     And, finally, is the attitude towards the  
18           investigation, that's conveyed by this  
19           suggestion that he is supposed to have made, is  
20           the attitude towards the investigation  
21           consistent with the Swift Current detachment's  
22           approach to the case?

23       A     Well, no. And as I mentioned earlier, I was  
24           quite anxious to have charges proceeded  
25           against -- against Reath Zanidean, in

1 particular.

2 Q All right. Moving on, then, to the April call,  
3 the next set of calls. And there is a much  
4 closer relationship between Burton's account and  
5 Anderson's account of this call. There is a  
6 substantial degree of agreement between them  
7 that appears, both in terms of what they talked  
8 about and what they reported that they talked  
9 about. So let me take to you Constable Burton's  
10 account of the call.

11 A Yes.

12 Q It's at tab 24. And this is the one you would  
13 have seen in the contemporaneous C237s. Do you  
14 have tab 24 open?

15 A Yes. It's a report, tab 24?

16 Q Yes.

17 A Yes, I do.

18 Q Now, this is a later report, but it quotes from  
19 the contemporaneous C237 at page 2 at the  
20 bottom. You see, at the middle of page 2, there  
21 is a reference,

22 "My C237 dated April 19, '91..."

23 Do you have that in the middle of page two?

24 A That's tab 24 again?

25 Q Tab 24, page 2, in the middle.

1 "My C237 dated April 19, '91..."

2 A Tab 24.

3 Q Page 2, middle of the page?

4 A Yes.

5 "My C237 dated April 19, '91..."

6 Yes. I am sorry. I have it now.

7 Q That's quite all right. And that is Burton's  
8 account of the April 5th call with Anderson?

9 A That is correct.

10 Q If you could just read those three paragraphs  
11 there quickly to refresh your memory. I just  
12 want to ask you a couple of questions about  
13 them.

14 A Yes.

15 Q And the first point that I wanted to ask you  
16 about is, obviously, a new fact appears to arise  
17 here, and that is Zanidean's potential entry  
18 into the Witness Protection Program --

19 A That's correct.

20 Q -- as a result of immediate threats to his  
21 safety that had arisen. And we have documents  
22 in the file suggesting that that, indeed, was  
23 being reported to the police, that there were  
24 active threats against him.

25 And my question to you is, would that have

1 an impact on your charging decisions in relation  
2 to Zanidean? Is this a relevant consideration  
3 for you?

4 A The whole matter rested on whether or not he was  
5 able to enroll in the Witness Protection  
6 Program. If he was not able to enroll in the  
7 Witness Protection Program, I was quite desirous  
8 we proceed with charges. If he was enrolled in  
9 the Witness Protection Program, then certainly  
10 there would arise problems.

11 Number one, we would be very, very -- it  
12 would be very foolish of us to try and find him,  
13 which would certainly ruin the Witness  
14 Protection Program for other individuals that  
15 certainly needed protection. And, of course,  
16 number one, if you are going to charge somebody,  
17 you have to find them first. And if they have  
18 a change of identity, change of location, that  
19 would make it very, very difficult.

20 Q And you would be exposing them by bringing them  
21 to court?

22 A We would be exposing him. And certainly we  
23 would be in contradiction of all policy with  
24 respect to the Witness Protection Program. I'm  
25 not fully familiar with all of the workings of

1           this program, but I do have some knowledge of  
2           what is necessary to enter into it and what one  
3           could expect if he is accepted into it.

4    Q       So the information Sergeant Anderson was  
5           bringing to Constable Burton's attention here  
6           was highly relevant to your charging decisions?

7    A       That's correct.

8    Q       And the second question I wanted to ask you  
9           about this phone call is that the process that  
10          is set out here by Constable Burton, that he  
11          would make a recommendation through channels is  
12          the language he uses.

13   A       That is correct.

14   Q       He accepts the logic of Anderson's -- the  
15          proposal Anderson is putting to him. And he  
16          reaches an agreement that this makes sense that  
17          we not charge him if he is going to be in the  
18          Witness Protection Program, and he says:

19                 "I'll make a recommendation through  
20                 channels."

21   A       That is correct.

22   Q       So I wanted to ask you about the process. Is  
23          that the correct process within the RCMP?

24   A       Yes. It would be merely a recommendation  
25          outlining the facts for the requirement by the

1           investigative member, but then it becomes an  
2           extremely formal and in-depth process which  
3           would go upwards through channels to our officer  
4           commanding. I certainly would not be able to  
5           authorize any such thing. It would have to go  
6           up through channels to our officer commanding,  
7           who would be unable to make that decision, who  
8           then would make his recommendation --

9       Q     That is Inspector Preston?

10      A     This is Inspector Preston. To the officer in  
11           charge of criminal operations for the province  
12           and, in fact, the Saskatchewan Department of  
13           Justice. And then they would, in turn, give  
14           their approval to -- and I believe each  
15           province, certainly F Division and D Division,  
16           to my understanding, have what is known as a  
17           witness protection coordinator to look after the  
18           logistics in setting up the individual to enter  
19           or to be disqualified from entering.

20      Q     The policy you have just described of it going  
21           from you to Preston, and then from Preston to  
22           the CROPS officer in Regina and to Department of  
23           Justices is, indeed, set out in a policy. I am  
24           not going to --

25      A     That's correct, yes, it is.

1 Q You will be happy to know that I will not take  
2 you back to that policy, but I will put it to  
3 your colleague Orr.

4 A Certainly because of the seriousness of it, it  
5 is extremely strictly adhered to and monitored.

6 Q All right. So if you flip the page to page 2 of  
7 that document, I'm sorry, to page 3 of that  
8 document, you will see where we go next here in  
9 terms of Burton's report of the next steps at  
10 the top of page 3. Do you see those two  
11 paragraphs at the top of page 3?

12 A I'm sorry, that again is 24?

13 Q Yes. Exactly where you are, the same tab, 24.

14 A Yes.

15 Q Just carrying right on at the top of page 3, he  
16 is quoting from this ongoing C237 that has been  
17 built over a number of days?

18 A Yes, that's correct.

19 Q Was that a -- if I could just pause, was that a  
20 normal practice with C237s, you would add to  
21 them on a daily basis as you would work through  
22 an event?

23 A Yes.

24 Q So at the top of page 3 you've got his entries  
25 for the 11th of April, the 15th of April and the



1 16th of April?

2 A That is correct.

3 Q Do you see those?

4 A Yes, I do.

5 Q And, again, I'm asking you the obvious here,  
6 Staff Sergeant Ferguson, was that the normal  
7 and appropriate procedure to follow in this  
8 case?

9 A Yes, that's correct. It would have to start  
10 with Inspector Preston and go up. And that was  
11 covered on the 11th of April, according to this  
12 report.

13 Q Now, you note at the last entry, after he's  
14 finished building this C237, is he reports on  
15 Inspector Preston's conversation with  
16 Corporal Orr. Do you see that on the 16th of  
17 April?

18 A Yes, I do.

19 Q And he records it, the information that he  
20 receives, to his understanding, is that  
21 Zanidean is now under the "Witness Protection  
22 Program"?

23 A That is correct.

24 Q And what would your understanding be, when  
25 you read that report, as to which program he's

1 in?

2 A Well, my understanding would be that he is in  
3 the formalized Witness Protection Program. In  
4 other words, he is offered all protection that  
5 would be necessary for him. And there is a lot  
6 of confusion, I think, here because various  
7 people referred to it as a protected witness.  
8 Now, the normal person would assume that that  
9 is a person under the Witness Protection  
10 Program. But a protected person might be one  
11 whom the police are sitting outside his house.

12 Q Hiding him in a hotel?

13 A Exactly. Spirit him out of the city or the  
14 province, whatever, yes.

15 Q So what you're adverting to is the distinction  
16 between the RCMP formally taking responsibility  
17 for somebody under their program?

18 A Yes.

19 Q With the various agreements in place?

20 A Right.

21 Q And the informal practices that all police  
22 forces engage in to look after their witnesses  
23 pending trial; is that fair?

24 A That is correct.

25 Q And would Constable Burton, at this stage of his

1 career, have been sensitive to the nuances about  
2 witness protection? Would he have been involved  
3 in witness protection, to your knowledge?

4 A He probably wasn't directly involved in  
5 witness protection, but certainly would be  
6 quite knowledgeable in the workings, and  
7 certainly in the rigid formalities concerning a  
8 person under the Witness Protection Program.  
9 And I think we all gather that just from  
10 watching crime movies.

11 Q So from your reading of this report, then, at  
12 the top of page 4, it appears he is in the  
13 formal RCMP program?

14 A Yes. And that remained my understanding for  
15 quite sometime, until it eventually was  
16 clarified, I believe, with -- by Inspector  
17 Preston, who we had gone to because of various  
18 problems, I guess, that we had encountered  
19 during the investigation.

20 Q You are jumping ahead to July. And I am going  
21 to keep you chronological.

22 A Okay.

23 Q We are still back in April here.

24 A Right.

25 Q So I want you to look at the way Inspector

1           Preston phrased it in April, which is slightly  
2           different from the way Anderson phrases it.

3    A       Yes.

4    Q       So look at tab 35.  And this is the report that  
5           Burton -- Burton's actually appending it.  It is  
6           what he calls the A-5 that he relies on when he  
7           drafts his C237.

8    A       Yes.  That's a transit slip from Inspector  
9           Preston.

10   Q       Do you have the unedited version of it?

11   A       I have the unedited version, yes.

12   Q       And you see what Preston says -- and,  
13           incidentally, was Preston an experienced  
14           investigator?

15   A       Yes.  Inspector Preston was on major crime  
16           investigative units, actually in Winnipeg, with  
17           the RCMP for quite some time prior to moving to  
18           Saskatchewan.

19   Q       Would he have done major homicides with witness  
20           protection issuance?

21   A       I personally don't know.  But, again, like I  
22           say, he was in major crime for several, several  
23           years.

24   Q       All right.  Now, what he says in his memo is  
25           that he has spoken to Orr.  So he is getting

1           this straight from the horse's mouth?

2    A       Yes.

3    Q       And we know from Orr what Orr will say about  
4           this. He is the next witness.

5    A       Right.

6    Q       But he says,

7           "Ray Zanidean is now under 'witness  
8           protection'..."

9           with no capital W or capital P,

10          "...and out of province. He will remain so  
11          until trial in June '91. Then it is their  
12          intention to relocate him again

13          permanently. It would seem that the only  
14          course of action open to you now is to  
15          await the trial outcome and evaluate the  
16          situation then."

17   A       Yes, sir.

18   Q       On a careful reading of that, is Preston  
19          saying he is already in the Witness Protection  
20          Program?

21   A       Initially that is what I, again in reading it  
22          quickly, had assumed. And, again, this would  
23          just corroborate other information that we have  
24          received indicating that he was in the Witness  
25          Protection Program. But when you look at it

1 carefully, he has italics and in small letters:

2 "witness protection and out of the  
3 province."

4 And the fact that consideration would be  
5 given at a later date to possibly relocate him  
6 permanently would suggest, here is a witness  
7 that is being held away or secreted, if I could  
8 use that word. And I don't know if this is what  
9 happened, but here is a witness that prosecutors  
10 or police felt may come to harm, so they were  
11 keeping him, if I could use the term, under  
12 wraps. Again, by saying that consideration be  
13 made to relocate him, if he was relocated  
14 following the trial, I would assume that then it  
15 would be only if he was formally admitted into  
16 the Witness Protection Program. Again, the  
17 inspector's footnote here is that we will await  
18 until the trial outcome and at that time  
19 evaluate the situation.

20 Q All right. And what is the outcome he is  
21 referring to there that will determine the  
22 decisions you make?

23 A I'm sorry, sir?

24 Q You have just read his footnote.

25 A Right.

1 Q And I'm asking you to spell it out for us, what  
2 is the outcome that you are awaiting that will  
3 allow you to reevaluate this situation?

4 A The outcome would be, in my opinion, was he  
5 admitted into the Witness Protection Program?

6 Q And if he was, what would your decision be in  
7 relation to charging?

8 A Again, the decision would be that it would be  
9 very improper for us to proceed against a person  
10 that had been afforded protection under that  
11 program.

12 Q All right. Now, there is one further note in  
13 this period on the same topic that I wanted to  
14 refer you to, and that's at tab 39. Where about  
15 a month later, that transit slip from Preston is  
16 on April 16th, and a little over a month later,  
17 six weeks later, on May 30th, on the eve of  
18 trial -- are you on tab 39?

19 A Yes, I am.

20 Q And if you turn to page 2, you have Corporal  
21 Orr's note of a conversation he recalls having  
22 with Constable Burton?

23 A Yes.

24 Q And the substance of what's said there is that  
25 there will be no proceedings against Zanidean if

1 he is accepted under the program?

2 A Yes. And that's consistent with our  
3 understanding. If he was accepted in the  
4 program, then there would be no charges. It was  
5 always my desire that if he was not accepted  
6 into the program that we proceed with charges  
7 against Reath Zanidean.

8 Q All right. That moves us into the post-trial  
9 period. And, in particular, there are a number  
10 of developments here that I want to quickly  
11 review with you. If you turn to tab A-42,  
12 there's a report of yours there that we didn't  
13 review with Constable Burton because it concerns  
14 your activities and not his. And that is your  
15 June 30th report. Do you have that?

16 A Yes, the 30th of June '91.

17 Q And you're reporting on your interview with  
18 Mr. Driskell?

19 A Yes, that's correct.

20 Q In Winnipeg. You attended in Winnipeg and spoke  
21 to some Winnipeg Police Officers while you were  
22 there to let them know that you were in town to  
23 interview Driskell; is that correct?

24 A Yes, that's correct.

25 Q And you see that at the top of page 3 and in



1 your witness statement. Do you remember who the  
2 Winnipeg officers were?

3 A No, I don't. No.

4 MR. WOLSON: Which tab?

5 BY MR. CODE:

6 Q I'm at tab 42. It's in his witness statement,  
7 as well, Mr. Wolson.

8 A Yes. This meeting with Mr. Driskell and  
9 Mr. Brodsky had been pre-arranged. Mr. Driskell  
10 was being held in, how we'd best describe it,  
11 as the Winnipeg City Police holding cells. And  
12 I just had a brief conversation. I don't even  
13 know the content of the conversation, really,  
14 with some officers that were in the office.

15 Q I am not interested in the conversation. I  
16 merely brought it up because Mr. Wolson made a  
17 suggestion this morning to your former colleague  
18 that this relates to, and I'm sure he has got  
19 the point.

20 What I am interested in is, in the middle  
21 of that first paragraph, you discuss the whole  
22 issue of immunity for Driskell. I'm at the top  
23 of page 3 of your report.

24 A Yes, that's correct. That's correct, yes.

25 Q But you also discuss the possibility of immunity

1 for Zanidean. You say,

2 "We would be agreeable to offer this same  
3 sanction to Reath Zanidean, if need be, to  
4 gain sufficient evidence to prosecute Carol  
5 Hayek."

6 And my question to you is, am I reading  
7 that paragraph correctly, that the assumption in  
8 that paragraph is that the immunity decisions  
9 have not yet been made?

10 A Oh, no. They had not been made at all.

11 Q Neither in relation to Driskell nor Zanidean?

12 A No.

13 Q Neither of them had immunity?

14 A No.

15 Q And that was consistent with Preston's direction  
16 that you were going to await the outcome of the  
17 trial and see if he got into the Witness  
18 Protection Program?

19 A That is correct.

20 Q All right. And the second point is, at the  
21 bottom of that page, the same page, you set out  
22 the corroboration of Driskell's statement. And  
23 you've already alerted us to that analysis of  
24 the case that you did?

25 A That's correct.

1 Q You felt it was a compelling piece of evidence;  
2 is that fair?

3 A Yes.

4 Q And, finally, could I ask you to look at the  
5 last page of the report, page 4? The very last  
6 paragraph you say:

7 "The purpose of this report at this time is  
8 to provide sufficient information in order  
9 that F Division CROPS may seek formal  
10 immunity on behalf of James Driskell."

11 A That is correct. Again, the evidence  
12 supporting -- the corroborating evidence given  
13 to me by Mr. Driskell, in the presence of his  
14 lawyer would be the, if I want to put it that  
15 way, the nail on the coffin to ensure conviction  
16 against Reath Zanidean, because of all of the  
17 corroboration that we had.

18 Q Yes.

19 A Again, this was given to me on the request that  
20 his cooperation would be finalized if he was  
21 offered immunity.

22 Q Again, my focus here is simply on the process,  
23 officer.

24 A Yes.

25 Q What you're doing here is a perfect illustration

1 of the policy you told us about. You are  
2 sending the request for immunity up the lines to  
3 Preston?

4 A Yes. I'm sorry, but if you look further down,  
5 even Inspector Preston forwarded that then to  
6 the officer in charge of criminal operations.

7 Q That was going to be my next question. You sent  
8 it to your boss, Preston, and you're asking him  
9 to send it on to CROPS in Regina?

10 A For a decision.

11 Q Which he does?

12 A Yes.

13 Q And I want to look carefully at what you say.  
14 It is not for a decision, it is to seek formal  
15 immunity?

16 A To seek a decision.

17 Q Who does he seek it from?

18 A Well, he would seek concurrence from the  
19 criminal operations, who must then receive that  
20 from Saskatchewan Justice.

21 Q Justice is the ultimate decision-maker?

22 A Yes, that's correct.

23 Q And that was the process that had gone on back  
24 in April, when Burton made his recommendation  
25 about immunity for Zanidean, but it got stopped

1 at Preston's level because he said: We are  
2 going to await the outcome of the trial?

3 A That is correct.

4 Q This one's going on to Regina, as I read it?

5 A Yes, that's correct.

6 Q All right. The next tab, tab 43, is, if you  
7 will allow me to say so, a fairly prescient  
8 piece of analysis by you, Staff Sergeant  
9 Ferguson. I know you think Burton is the big  
10 analyst, but this may be the best piece of  
11 analysis in the file, in my opinion.

12 At tab 43 you write a report dated  
13 July 4th. And you make a number of points in  
14 your report that I want to just make sure I'm  
15 understanding correctly.

16 A Yes.

17 Q Have you got tab 43?

18 A Yes.

19 Q You have tab 43 open?

20 A Yes.

21 Q This is just leading up to the final set of  
22 phone calls with Sergeant Anderson. The first  
23 point that you make in the first paragraph is  
24 you believe you now have sufficient evidence to  
25 charge all three of them with conspiracy; is

1           that correct?

2    A       That is correct.

3    Q       And the second point you make, or the second  
4           point I want to seek clarification on from you  
5           is, you see at your 2(a) at the bottom of that  
6           first page, you clearly appear to be still under  
7           the impression that Zanidean is, in fact, under  
8           the Witness Protection Program?

9    A       Yes, that's correct.

10   Q       And you repeat that over the page?

11   A       Yes.

12   Q       And this is what gets clarified fairly quickly.  
13           It is here in July that that assumption of yours  
14           gets corrected.

15           And, thirdly, at the bottom of the first  
16           page and over on to the top of the second page,  
17           you raise this issue of Zanidean's alleged  
18           perjury?

19   A       Yes, that's correct.

20   Q       You have obviously been informed about his  
21           testimony about the Swift Current arson; is that  
22           correct?

23   A       That is correct.

24   Q       And you got that from Mr. Brodsky and his  
25           ex-RCMP investigator, Mr. Savage?

1 A That is correct.

2 Q That he has testified that this was all about  
3 revenge and not about money?

4 A That is correct.

5 Q And the concern you express, and it would be  
6 best for you to articulate it, is set out over  
7 the page. What is this reference to the  
8 Marshall case, and you feel there is a new  
9 complicating factor here, if I can put it that  
10 way?

11 A I was very concerned as to whether or not full  
12 disclosure of this information had been made to  
13 the prosecutor, in the very least, and probably  
14 Manitoba Justice. I was concerned that full  
15 disclosure was required. I believe the  
16 Stinchcombe case had not been done. And, again,  
17 this was my interpretation from Mr. Brodsky, and  
18 it did cause me a great concern.

19 Q And you felt, as I read this, that if you didn't  
20 lay charges, you might be perceived to be  
21 complicit in some kind of a cover-up?

22 A Yes, exactly. I felt that, having knowledge  
23 that perhaps Mr. Zanidean's statement, as I had  
24 mentioned in the last paragraph of page 1, that  
25 the evidence may be tainted, and that by not

1 bringing this information forward it  
2 certainly -- you know, certainly there could be  
3 an inference drawn by some that we were  
4 complicit and a party to some type of cover-up,  
5 if you want to put it that way, or that we were  
6 holding important evidence -- withholding  
7 important evidence, pardon me.

8 Q Was your understanding of the Donald Marshall  
9 case that there had been serious disclosure  
10 problems in that case?

11 A Yes, it was.

12 Q Indeed, the well known report of the Marshall  
13 Commission had come out in 1989, about a year  
14 before you wrote this memo; is that correct?

15 A I don't recall. I know it was before I did the  
16 memo. But I know that this probably, again,  
17 afforded me some concern.

18 Q All right. And, finally, you conclude the memo  
19 at the bottom of page 2 by again requesting F  
20 Division CROPS' attention to the matter and  
21 liaison between the two justice departments; is  
22 that correct?

23 A Yes, that's correct.

24 Q And the reason for the need for liaison between  
25 the two justice departments was what? Why were



1           you recommending that CROPS make sure the two  
2           justice departments get together on this?

3       A     In order to ensure that full disclosure of what  
4           I felt was important facts be disclosed. And we  
5           have also requested a briefing to receive some  
6           guidance on what further action we might take as  
7           far as the investigation is concerned.

8       Q     All right. The next tab, tab 44, is a memo of  
9           Inspector Burton's, or a report of Inspector  
10          Burton's that comes three days after yours on  
11          July 7th?

12      A     Yes.

13      Q     Again, we are in the period leading up to these  
14          high-level meetings in Regina on the 17th and  
15          the phone calls from Anderson on the 16th and  
16          the 18th. And without going through this memo  
17          of Burton's with you in detail, we went through  
18          it with him --

19      A     Yes.

20      Q     -- he takes a very vigorous pro-prosecution,  
21          pro-charge approach here. He doesn't want  
22          immunity being given to anybody, neither  
23          Zanidean or Driskell. He wants to -- he has got  
24          this strategy. He thinks he can get a  
25          confession out of Hayek. And they won't need --

1           you won't need to give immunity to anybody. You  
2           can charge all three of them. Have I summarized  
3           the essence of it?

4    A       Yes, that seemed, as you mentioned, that was a  
5           course of action that Constable Burton was  
6           looking at or proposing. Again, he had outlined  
7           some of the concerns he had, as I had done,  
8           outlining, I guess, more the evidence against  
9           Carol Hayek.

10   Q       But the point I'm interested in here, in asking  
11           for your views on, was Burton softer or tougher  
12           on this crime than you were, in terms of his  
13           attitude towards laying charges, or were you on  
14           the same page?

15   A       I guess that's very difficult to answer. I  
16           certainly wanted a charge against Reath Zanidean  
17           presented to the courts. I suppose I did not  
18           really feel that Hayek --

19                       (DISCUSSION OFF THE RECORD)

20   Q       Sorry, carry on.

21   A       I did not really feel that Hayek would be the  
22           person to fold in this case. From past  
23           knowledge of her character, et cetera, I did  
24           not feel that she would confess. However,  
25           again, Constable Burton was the prime

1           investigator. And he had shown a good  
2           understanding of the case and if -- he's  
3           correct in one way. If Hayek did confess,  
4           certainly the evidence of Mr. Driskell, or  
5           whatever happened to Mr. Zanidean, would not be  
6           an issue, if she did confess. To me, I felt  
7           that was very high order and probably very  
8           unlikely that she would do that.

9           However, I've always been of the opinion  
10          that I would rather see something negative than  
11          nothing positive. So, in other words, there is  
12          nothing to be lost if Burton was able to  
13          interview Hayek and, in fact, get a  
14          statement. I was not optimistic it would  
15          happen.

16        Q     You were a little bit more seasoned in the -- in  
17               the reality of getting confessions out of  
18               fraudsmen?

19        A     I felt that it would be highly unlikely that  
20               she would confess. She had been around a long  
21               time.

22        Q     But you were willing to give it a try, or let  
23               him try?

24        A     Yes. Because I felt there would be nothing  
25               ventured, nothing gained. Because there would

1 be still no decision made until, you know, he  
2 was successful or not successful.

3 Q Once again, you are on a level of detail and  
4 process that's way, way finer than the level I'm  
5 on. I'm simply interested in, were both of you  
6 in favour of laying charges here?

7 A Yes.

8 MR. CODE: Now, my colleague, Mr. Wolson, has  
9 just brought to my attention that Officer Burton  
10 is still here. And he may be subject to further  
11 cross-examination on the documents, so it  
12 probably would be best that he step outside.

13 (Mr. Burton exits the Commission of Inquiry)

14 BY MR. CODE:

15 Q Now, the last point leading up to these letters  
16 of the final phone calls from Sergeant Anderson  
17 is the -- you learn in the next few days, in the  
18 next week, definitively, that Zanidean is not in  
19 the Source Witness Protection Program?

20 A That is correct.

21 Q And without going through these documents with  
22 you, at tab A-32 we have the report of Burton  
23 advising that Orr has alerted you to this new  
24 development on the 16th. At tab A-46, A-47 and  
25 A-48, you've got the head office officers in

1 Regina finding out the same thing from Orr?

2 A That is correct.

3 Q So in mid-July, everybody learns that he's not  
4 in witness protection?

5 A That is correct.

6 Q So the practical impediments that that posed are  
7 now gone, is that fair?

8 A Yes, correct.

9 Q And then the final document I want to conclude  
10 on, then, is these phone calls, the final phone  
11 calls, from Sergeant Anderson, which are  
12 summarized at tab 32 by Officer Burton and at  
13 tab 25 by Sergeant Anderson. And without going  
14 through Burton's version in detail, at tab 32 is  
15 the document where Burton reports on the calls  
16 from Anderson. And this is the one intact C237  
17 that we have?

18 A Yes.

19 Q It's not just excerpts, it's the full report.  
20 And if you go to the last page --

21 THE COMMISSIONER: I'm sorry, Mr. Code, I was  
22 writing something. Is this tab A-24?

23 MR. CODE: Tab A-32.

24 THE COMMISSIONER: Tab A-32.

25

1 BY MR. CODE:

2 Q It's the one intact 237 that reports on the July  
3 calls. And is that your initials on the last  
4 page of it?

5 A That is correct.

6 Q So you received that report. And what did you  
7 do with it?

8 A Again, this would be forwarded on to my officer  
9 commanding, Inspector Preston, and F Division  
10 criminal operations.

11 Q So you forwarded it to Preston. And Preston  
12 thought it was significant enough to forward it  
13 on to Crim Ops in Regina?

14 A That is correct.

15 Q And is that the appropriate reporting vehicle, a  
16 C237, for these kind of calls from a colleague  
17 in another jurisdiction, like Sergeant Anderson,  
18 having discussions about immunity for an  
19 important witness in the homicide?

20 A Yes. A C237 is the more formal way of  
21 reporting. In fact, it's called an  
22 investigation report, as opposed to other types  
23 of reports here, which you will note are called  
24 an occurrence report.

25 THE COMMISSIONER: Sorry, they are called what?

1 THE WITNESS: An occurrence report.

2 BY MR. CODE:

3 Q An occurrence report is like a 1624?

4 A That is correct.

5 Q It's just a note that goes on the file?

6 A Yes. Now, the C237 would be, as it is

7 designated, it is an investigation report. So

8 it would outline suspected or known criminal

9 activity, the evidence that has been presented,

10 which would be a more formal way of reporting

11 criminal incidents to the officer commanding, or

12 higher up to F Division headquarters, or to the

13 Crown agent, that type of thing. It's a more

14 formal vehicle.

15 Q The C237 is?

16 A The C237.

17 Q For this kind of information, these calls with

18 Anderson, and discussions about immunity for

19 Crown witnesses on major charges, C237, you're

20 saying, is the appropriate vehicle?

21 A Yes. If it was going forward, yes, sir,

22 certainly.

23 Q Preston clearly thought it should go to the

24 CROPS officer?

25 A That is correct.

1 Q So lastly, then, the content of what Anderson  
2 says was in this call we find at tab 25. If I  
3 could conclude your examination on this, I think  
4 we have a couple of minutes before the lunch  
5 recess?

6 THE COMMISSIONER: Yes, we have a few.

7 BY MR. CODE:

8 Q Tab 25 of page 2?

9 A Right.

10 Q Could you read the long paragraph in the middle?  
11 And I'm particularly interested in starting,  
12 dropping about four lines into that first  
13 paragraph, you see in the sentence starting:

14 "During the first conversation I explained  
15 the dilemma."

16 A Yes, I do.

17 Q I'm sorry, I have directed you to completely the  
18 wrong paragraph. It's page 3 where the July  
19 16th call is. I do apologize.

20 A Oh, I'm sorry. I have it now, yes.

21 Q We are back in April there?

22 A Yes.

23 Q July 16th is in the middle of page 3?

24 A Yes.

25 Q And I'm particularly interested in about four or



1 five lines in there.

2 "He went on to say..."

3 A Oh, yes, okay.

4 Q "...superior RCMP officers in Regina had  
5 overruled Swift Current officers and had  
6 decided to charge Zanidean. Constable  
7 Burton was most apologetic and expressed  
8 disbelief that his superiors considered  
9 their arson more important than our murder.  
10 He attributed this strange decision to his  
11 superiors' lack of investigative experience  
12 and suggested that I must also be familiar  
13 with the ridiculous decisions of  
14 higher-ranking officers."

15 Have I read that accurately?

16 A That's the way it's written, yes.

17 Q All right. And I wanted to ask you, is there  
18 any reality to the suggestion that the Swift  
19 Current officers did not want to charge Zanidean  
20 and had been overruled by officers in Regina?

21 A No. The eventual result, of course, was quite  
22 the opposite. We were anxious to charge  
23 Zanidean. And eventually, due to integrity  
24 problems as laid out by Sask Justice, it would  
25 not be in anybody's best interest to charge

1 Mr. Zanidean with the 1990 arson, due to  
2 implications that there may be inferences that  
3 he had immunity.

4 Q Leaving aside the ultimate result, which I quite  
5 agree with you we know is the exact opposite of  
6 what's set out here. But I want you to address  
7 the question from the perspective of July 16th.  
8 Remember, you are heading down to Regina the  
9 next day.

10 A Right.

11 Q July 17th.

12 A Right.

13 Q To meet with the CROPS officers. Is there any  
14 reality, from the perspective of July 16th, to  
15 the suggestion that you did not want to charge  
16 Zanidean and you had been overruled? The Regina  
17 officers had decided to charge Zanidean?

18 A No, that's not correct.

19 Q What was your position at this stage?

20 A Again, my position was we proceed with charges  
21 if he was not admitted into the Witness  
22 Protection Program.

23 Q And what was the position of the Regina  
24 officers? Had they made a decision?

25 A Eventually, not to lay charges.

1 Q But on July 16th, as of July 16th, had they  
2 overruled you? Had they made a decision?

3 A Oh, no, not at all.

4 Q Did the Regina officers lack investigative  
5 experience?

6 A Well, it almost looks like coming out of NYPD  
7 when I read this. No. I and Constable Burton  
8 had the highest respect, especially for  
9 Inspector Preston, and certainly for  
10 Mr. Quinney, who was in charge of Sask Justice  
11 at the time. Their integrity, their  
12 investigative background, their knowledge,  
13 their intelligence was completely  
14 unquestionable.

15 Q Is the content here consistent with what you  
16 know of Burton's character? Is he the kind of  
17 officer who bad-mouths senior officers or had  
18 resentment toward the hierarchy in the system?

19 A I've never, ever seen any indication that that  
20 would come from the mouth of Constable Burton.  
21 MR. CODE: Those are all my questions. Thank  
22 you very much.

23 THE COMMISSIONER: We will break until 2:00  
24 o'clock.

25 THE CLERK: All rise. This Commission of

1 Inquiry is adjourned until 2:00.

2 (Proceedings recessed at 12:33

3 and reconvened at 2:00 p.m.)

4 THE CLERK: All rise. This Commission of  
5 Inquiry is now recommenced. Please be seated.

6 MR. CODE: Good afternoon, Mr. Commissioner. I  
7 have canvassed my colleagues, or at least most  
8 of them I think, whether any of them have any  
9 cross-examination of Officer Burton arising out  
10 of his newly disclosed material from the London  
11 file, the current file. I'm advised there are a  
12 few questions. So, I thought if I could  
13 introduce the material, I have got two questions  
14 in my examination on them, and then I will turn  
15 the floor over to my colleagues.

16 BY MR. CODE:

17 Q Officer Burton, we received this stack of press  
18 clippings and emails about an inch, three  
19 quarters of an inch thick, this morning and have  
20 reviewed it over the lunch hour. And the only  
21 questions I wanted to ask you about it, based on  
22 Mr. Dawe's and my review, is that one notices in  
23 reading some of your emails and memos in the  
24 last two years, starting in 2003, 2004, that  
25 there are a couple of obvious errors that you

1           make. For example, you appear to be operating  
2           on the assumption that Zanidean had testified  
3           that he had a full grant of immunity in relation  
4           to the Swift Current arson, and we see that  
5           error repeated a number of times in your memo.  
6           And I simply wanted to ask you for the  
7           explanation for that kind of error?

8    A       That was prepared without the benefit of the  
9           files from 16 years ago and was essentially done  
10          off the top of my head. And I was aware there  
11          would probably be errors in there. And I think  
12          if you look, I put a caveat in there that I did  
13          not have access to my records, but this was the  
14          best that I could provide in the circumstances.  
15          It was prepared for the purpose of giving the  
16          senior management a general flavour for what had  
17          transpired here, and I didn't hold it out as a  
18          reliable or accurate recitation of the facts.

19   Q       So just to be clear, you are sitting in your  
20          office in the IMETS detachment in downtown  
21          Toronto writing these emails to your CROPS  
22          officer in London, and the Swift Current files  
23          and the Regina files and the Winnipeg files are  
24          all somewhere in RCMP archives?

25   A       Correct.

1 MR. CODE: Thank you very much.

2 THE COMMISSIONER: Thank you. Mr. Lockyer.

3 BY MR. LOCKYER:

4 Q Do you have the documents before you, sir?

5 A No.

6 Q Okay. Can you get a page 46, sir, please, of  
7 the document, or it is really a series of  
8 documents. Before I ask you about this entry,  
9 and I know it is not written by you, but it is  
10 as a consequence of someone speaking to you, I  
11 just want to introduce it by way of chronology.  
12 It is page 46, Mr. Commissioner, at the bottom  
13 right-hand corner.

14 THE COMMISSIONER: Yes.

15 BY MR. LOCKYER:

16 Q It is a reference to a call received from you at  
17 8:15, I imagine in the morning, I think that the  
18 RCMP probably work on a 24 hour clock, on  
19 November 26 of 2003, sir. And just to put that  
20 in a historical context, we heard about your  
21 interview in 1993, ten years earlier, with  
22 Inspectors Ewatski and Hall. Remember they  
23 interviewed you as part of some kind of a review  
24 of the case?

25 A Correct.

1 Q And that, for your information, sir, was turned  
2 into a 170 odd page report entitled the Perry  
3 Dean Harder Homicide Review, the drafting of  
4 which was completed in 1993 and was authored by  
5 four officers from the Winnipeg Police Service,  
6 two of whom were Ewatski and Hall. All right?

7 A Um-hum.

8 Q We then move forward ten plus years, and on  
9 November 24 of 2003, which is two days before  
10 this phone call that you made, Associate Chief  
11 Justice Oliphant of the Manitoba Queen's Bench  
12 ordered that that report be made a part of the  
13 public record. So for the first time the  
14 contents of that report became a part of the  
15 public record. Are you following me?

16 A Yes.

17 Q The following day Chief, now Chief Ewatski, held  
18 a press conference which was broadcast on CBC  
19 News World nationally. In other words, the  
20 entirety of his press conference was broadcast  
21 to I guess everyone in the country if they  
22 actually wanted to sit down and watch it. All  
23 right?

24 Then the following day we have reference to  
25 this call, and the day after that, in other

1 words, November 27th, the 26th would have been a  
2 Wednesday, Chief Justice Oliphant's release of  
3 the report was on a Monday, Ewatski's press  
4 conference was on a Tuesday, this document  
5 refers to a call from you on a Wednesday. On  
6 the Thursday, Mr. Driskell's bail hearing was  
7 argued before Mr. Justice Scurfield of the  
8 Manitoba Queen's Bench. And on Friday,  
9 November 28, Mr. Driskell was ordered released  
10 by Mr. Justice Scurfield, after he had reserved  
11 judgment over night. So that's sort of the week  
12 that this happens bang in the middle of, so to  
13 speak. And the entry reads and I quote -- first  
14 of all, do you know whose writing this is?

15 A It looks like Peter Jones.

16 Q And who is he?

17 A He was the Criminal Operations O Division, a  
18 reviewer who was assigned as the coordinator on  
19 this matter.

20 Q And where was he located?

21 A London.

22 Q He writes,

23 "I received a call from Sergeant Ross  
24 Burton..."

25 This would be on November 26, 2003.



1 "He was concerned about the comments of the  
2 Winnipeg Police Chief on this matter when  
3 the chief was being interviewed. I advised  
4 Ross to start documenting what was being  
5 said, time, date and verse. I also  
6 suggested that he should talk to Staff  
7 Sergeant Ross Gervin..."

8 A Gervin.

9 Q "...in F Division CROPS..."  
10 in other words criminal operations, that's F  
11 being Saskatchewan?

12 A Correct.

13 Q "...to let him know of his concerns."  
14 In other words to let Gervin know of Burton's  
15 concerns, right?

16 A Correct.

17 Q "Sergeant Burton is concerned because what  
18 the Winnipeg Chief is saying is contrary to  
19 what he has documented. First of all, do  
20 you remember this phone call, sir, three  
21 years ago, less than, two and a half years  
22 ago?

23 A Not really. I don't remember the conversation,  
24 I just know it was made.

25 Q Did you watch Chief Ewatski on News World as the

1 press conference took place, or did you see a  
2 clip of it later in the evening?

3 A I don't remember the actual -- what form of  
4 media it was, just that I did see his comments.

5 Q One way you might remember it is as pretty well  
6 as soon as the cameras closed down on Chief  
7 Ewatski, the Deputy Attorney General held what  
8 might best be called a dueling press conference  
9 immediately thereafter which was also broadcast  
10 live on CBC News World. You had this rather  
11 unusual, two press conferences with a Police  
12 Chief and a Deputy Attorney General, sort of  
13 very much at loggerheads as to what had happened  
14 in the past. Did you see the latter? Do you  
15 remember seeing these sort of dueling press  
16 conferences?

17 A I don't recall whether I read it or saw it on  
18 TV.

19 Q All right. Do you remember what it is that  
20 Chief Ewatski had said that caused you  
21 sufficient concern, sir, given that what he was  
22 saying was contrary to what you documented, that  
23 resulted in you calling, I forget his name, the  
24 chap in London?

25 A Peter Jones.

1 Q Peter Jones, thank you.

2 A No, I don't remember now.

3 Q All right. Because there is no other, at least,  
4 I mean, we haven't had a lot of time to digest  
5 the contents of these documents, but there  
6 doesn't seem to be any other reference as such  
7 to -- have you read these through yourself?

8 A No.

9 Q All right. I couldn't find any other reference  
10 to this particular call or, indeed, what it was  
11 that Chief Ewatski had said that you had  
12 difficulty with. And unfortunately, I don't  
13 have the press release that Chief Ewatski  
14 released here. I have it, but it is in a box  
15 somewhere and --

16 A I have heard that before.

17 Q Yes, indeed. And I certainly couldn't get it  
18 over lunch, but I will certainly be getting it  
19 in due course for this inquiry.

20 So you have no memory what it was that you  
21 disagreed with that Chief Ewatski had said on  
22 the television?

23 A No.

24 Q All right. Thank you, that's all. Sorry, just  
25 one more thing.

1           Was the purpose of this phone call, sir,  
2           and you have a vague memory of it as best I can  
3           tell, but this presumably would give you some  
4           better memory of it. Was the purpose of this  
5           call self-protection, or was the purpose of this  
6           call a concern that even now it seems to you  
7           that the Winnipeg Police Force, now through its  
8           chief, is not getting things right, or a bit of  
9           both?

10    A     I would say the latter.

11    Q     And the concern, from your perspective, the  
12           Winnipeg Police Force through its chief still  
13           wasn't getting things right, was that a concern  
14           that also related to whether Mr. Driskell was  
15           getting it right, or his counsel was getting the  
16           right story from the Winnipeg Police Service?

17    A     I can't say at this time that that was in my  
18           mind. I think it was, as I say, I just don't  
19           remember.

20    Q     All right, thanks.

21           MR. PROBER: Good afternoon, Mr. Commissioner.

22           THE COMMISSIONER: Mr. Prober.

23           MR. PROBER: I have no questions at the moment  
24           for Inspector Burton, but we have not finished a  
25           detailed examination of this material that's

1           been produced. So I'm certain that the  
2           Commission would, if necessary, if I have some  
3           questions arising out of this, would see that  
4           Inspector Burton could be recalled. I take it  
5           that wouldn't be a problem?

6           THE COMMISSIONER: I will succumb to any  
7           reasonable suggestions.

8           MR. WOLSON: And I too have no questions. I  
9           haven't been through this document in its  
10          entirety. Mr. Gates, however, has said to my  
11          friend, Commission Counsel, that there is  
12          nothing new in here. And certainly I take him  
13          at his word in that regard. I only want to  
14          review it and analyze it carefully. And once I  
15          do, if there is anything that I want to ask the  
16          witness, of moment, I'm not going to suggest he  
17          be recalled if it is trivial, but of moment, I  
18          may make a submission to you at some later time.  
19          Thank you.

20          THE COMMISSIONER: Thank you, Mr. Wolson.

21          MR. CODE: Just to be clear about what Mr. Gates  
22          said to me, he didn't say there is nothing new,  
23          it is all new, we all just saw it for the first  
24          time today. What he said was there is nothing  
25          material to the terms of reference of the

1 inquiry. And from our view, it substantially  
2 seems to be the case.

3 THE COMMISSIONER: Mrs. Carswell.

4 MS. CARSELL: I will keep going back and forth  
5 until Mr. Code finishes. I wasn't dancing.

6 THE COMMISSIONER: Not by yourself anyway.

7 MS. CARSWELL: No. I would echo the concerns of  
8 both Mr. Prober and Mr. Wolson. I have tried my  
9 best over the lunch hour to do an analysis of  
10 this. It appears there is some indication that  
11 there was in existence in 2003 perhaps some  
12 material that has not been provided, but in  
13 order to do that, I'm going to have to do a  
14 comparative, and an hour and a half just isn't  
15 sufficient time.

16 BY MS. CARSELL:

17 Q I do have one concern, though, that I would like  
18 to address with this witness, and if he could  
19 perhaps turn to page 113, Inspector Burton, of  
20 the material please? And this, I take it, is a  
21 briefing note that you prepared to  
22 Superintendent McLaughlin; is that correct?

23 A Correct.

24 Q On April 11th of 2003?

25 A Correct.

1 Q All right. And if I could read down, you say,  
2 "Sir, attached please find the following:"  
3 The first is Globe and Mail articles, and then  
4 the next is a copy from a F Division annual  
5 assessment which was done at the time.

6 "With the exception of my notebooks, this  
7 is the only official documentation that I  
8 possess on this matter."

9 Did you have your notebooks available to you at  
10 the time that you produced this material?

11 A What I did was Commission Counsel asked me to  
12 review them, and I don't know if it is in my  
13 summary or not, but what I advised them is, as I  
14 expected my practice was, in my notebook I would  
15 just put the date, the files I worked on and the  
16 file number. I only recorded things in my  
17 notebook if something happened in the field, if  
18 I had to arrest somebody, or something  
19 unexpected of that nature. So the notebooks  
20 just say Hayek, the file number.

21 Q So if you interviewed someone in the field, for  
22 example, the neighbour or the hairdresser, that  
23 wouldn't be noted in those notebooks?

24 A No, it would only be something that was, I  
25 guess, what I would say is something unexpected

1           like an arrest, an inculpatory statement,  
2           something of that nature. Anything else, my  
3           file served essentially as my notebook.

4    Q       I understand that was your practice. But my  
5           concern is that, given that the file is  
6           substantially gone, I take it you still have  
7           these notebooks?

8    A       Yes.

9    Q       And I take it you wouldn't object to producing a  
10           copy of your notes for us?

11   A       No. Well, there really are no notes, it is just  
12           a caption, file number to show what dates I  
13           worked on it.

14   Q       That's fine, that might place some things in  
15           time for us. I'm sure you can appreciate that  
16           that's a concern to us.

17   A       Sure.

18   Q       Going to the page then that Mr. Lockyer referred  
19           you to, that being page 46, and I'm not going to  
20           ask you again what it was that you were  
21           concerned about, because you've told us that you  
22           can't remember what your concern was, but I take  
23           it that you had at least some instruction,  
24           you've indicated that this note was reduced to  
25           writing correctly, as far as you know, to write



1 down those things that you were concerned about?

2 A Correct.

3 Q And I've gone through here and there is nothing  
4 that I can find indicating any, as it is put,  
5 time, date, verse. Would you agree with me?

6 A Correct.

7 Q In effect, you had a general concern when you  
8 heard the news conference and then there was  
9 nothing of concern that resulted you in reducing  
10 it to writing?

11 A No, I don't know if it is recorded in here, it  
12 may not be, but what I told Peter Jones was to  
13 get ahold of NOC in Ottawa, the National  
14 Operation Centre, because they operate 24 hours  
15 a day and they record all media that goes on.  
16 And I said that's their job, not mine. So I  
17 told them if he alerted NOC as to what he is  
18 interested in, they would flag all of the  
19 material and provide it to him. I had no  
20 intention of doing that myself.

21 Q But certainly what I'm concerned about is you  
22 reference in here, or it is referenced in here  
23 that you were concerned because this was  
24 something contrary to what you had documented.  
25 And I'm wondering what documents you are

1 referring to? You told us that you didn't have  
2 anything really with you at the time. What was  
3 it that you are referring to in that note?

4 A It would have been the files from 2000, 2001,  
5 2002 --

6 Q You had those files at that time?

7 A -- or no, '90, '91, '92 -- no.

8 Q It would appear to me, and you can take the time  
9 to flip through this, because I did it very  
10 quickly and I don't wish to mislead you, but it  
11 would appear to me from reading the email string  
12 that's going through this, that at yet the Swift  
13 Current files were not in your hands on  
14 November 26th of 2003 when this phone call  
15 occurs?

16 A Correct.

17 Q So, other than we now know you had your  
18 notebook, or notebooks in April of 2003, that  
19 you had some reference to, as well as the  
20 submission for a promotion, that you clipped  
21 some of this incident out and put it in;  
22 correct?

23 A Correct.

24 Q And then you had some, what you refer to as key  
25 points that you attached to that initial

1 memorandum, including some, as Mr. Code pointed  
2 out, obvious errors, that being,  
3 "Driskell's refusal to provide a statement  
4 was a key factor in the inability to  
5 proceed with the charges. This is somewhat  
6 ironic since it is Driskell who is  
7 complaining about our failure to charge  
8 Zanidean with the arson."

9 That would be a misstatement of fact by you as  
10 well, because you have a statement from  
11 Driskell?

12 A Again, I never held this out to be reliable, I  
13 did it without my records. So that's all I can  
14 say. I know there is errors in there and I can  
15 only acknowledge that.

16 Q And I'm not trying to, you know, beat you up  
17 about those errors. What I'm trying to do is  
18 say that it appears there may be more documents  
19 that could have assisted us, and I would like --  
20 you have already committed to providing your  
21 notes -- if you find any other documents on this  
22 matter, if you could provide them through Mr.  
23 Gates, that would be most helpful?

24 A I can only say that I have none.

25 MS. CARSELL: All right. Again,

1 Mr. Commissioner, subject, as my learned  
2 friend's are, to a more in-depth analysis of  
3 this -- thank you, inspector.

4 THE COMMISSIONER: Thank you, Ms. Carswell. Mr.  
5 Olson?

6 MR. OLSON: No, I take the same position, it is  
7 doubtful that I would have any questions, but I  
8 would like the opportunity to review it. Thank  
9 you.

10 MR. ABRA: Ditto, Mr. Commissioner.

11 THE COMMISSIONER: Thank you, Mr. Abra. Mr.  
12 Gates?

13 MR. GATES: Thank you very much,  
14 Mr. Commissioner. I don't actually have any  
15 questions for Inspector Burton, but I do want to  
16 offer a bit of explanation for the materials  
17 that I put in front of the Commission and my  
18 friends.

19 This was received somewhat hastily  
20 yesterday. It came via fax, and as sometimes  
21 occur, the fax didn't come through particularly  
22 well, there was some technical difficulties. So  
23 what should have been one fax ended up being  
24 five faxes. There was substantial duplication.  
25 So if my very perceptive colleagues have picked

1 up on the fax page numbers in the upper  
2 right-hand corner of each and every page, they  
3 will very quickly come to the conclusion that  
4 they are not in chronological order. I, in  
5 going through the materials this morning, did my  
6 best to reduce the duplication that is already  
7 there, and I can simply say that I have given  
8 them everything that I was provided, and that  
9 the chronology of the pages, as depicted by the  
10 fax numbers, is simply the result of the fact  
11 that we had technical difficulties in receiving  
12 the fax.

13 My second point, sir, has to do with  
14 disclosure. I apologize to you, sir, and to my  
15 friends. I was not aware of the existence of  
16 this file, there is no intention whatsoever to  
17 withhold information from either the  
18 Commissioner or my friends. The position of the  
19 RCMP has always been to be fully cooperative  
20 with this Commission of Inquiry and the  
21 important work that it is doing.

22 I have personally had extensive discussions  
23 with RCMP officials in Manitoba, Saskatchewan,  
24 and at headquarters regarding the RCMP files  
25 that do and do not exist as a result of RCMP

1 policy having to do with the retention of  
2 records. And I am satisfied, sir, that we have  
3 produced for you all of the relevant records  
4 that still exist.

5 Having said that, we will continue to ask  
6 questions of appropriate RCMP officials about  
7 the potential existence of other sources of  
8 records. And I think it is common ground with  
9 my friend, the Commission Counsel, and my  
10 colleagues, that our disclosure obligations are  
11 ongoing ones and they aren't exhausted at any  
12 given point in time. Thank you, sir.

13 THE COMMISSIONER: Thank you.

14 MR. CODE: If I could just re-examine on the two  
15 points that my colleagues cross-examined on.

16 BY MR. CODE:

17 Q Inspector Burton, this continuation report of  
18 Officer Johns where he notes you as saying that  
19 you are concerned about the chief's press  
20 conference presumably, and that what he is  
21 saying is contrary to what is documented --

22 THE COMMISSIONER: Constable Jones, I think,  
23 isn't it?

24 MR. CODE: Jones, I am sorry.

25 THE WITNESS: Correct.

1 BY MR. CODE:

2 Q I take it a better way of phrasing that, had  
3 Jones been quoting you verbatim, would be to say  
4 that what the Chief is saying is contrary to  
5 what you believe is documented in the Swift  
6 Current file?

7 A Correct.

8 Q And since Mr. Lockyer has told us he has got a  
9 transcript of that press conference, and since  
10 we have got your Swift Current file, I take it,  
11 we can compare them ourselves, the Commission  
12 can draw its own conclusions as to whether the  
13 Chief said anything that's contrary to your  
14 file?

15 A Correct.

16 Q And in relation to your note taking practice,  
17 can I have you turn to tab A-1, the very first  
18 page of it?

19 A I will have to get my materials.

20 Q Let me read it to you, because you are quite  
21 right you disclosed all of this in the witness  
22 statement, and it was disclosed to everyone.  
23 There is a heading that says,

24 "Burton's practice re notes and reports.

25 Burton's practice was to keep only sparse

1 notes in his notebook unless he was taking  
2 a statement in the field. Instead he would  
3 dictate notes into a tape recorder  
4 producing a running dictated report like a  
5 notebook. At the end of the day, the tape  
6 would be given to the stenographer pool who  
7 would type it up overnight as a 1624  
8 report."

9 Does that accurately reflect your note taking  
10 practice?

11 A Correct.

12 Q In other words, the 1624s were anything of  
13 substance, because you would dictate them into  
14 the tape recorder in the field?

15 A Correct.

16 Q So something like the interview of the  
17 hairdresser, which we know ends up in a 1624,  
18 can I assume that that was likely the subject of  
19 a dictated tape in the field?

20 A Correct.

21 MR. CODE: Thank you.

22 THE COMMISSIONER: Thank you, Inspector Burton.

23 MR. LOCKYER: Mr. Commissioner, I said I had a  
24 copy of the press release, so my friend  
25 understands, not a transcript. I wonder if



1 Ms. Carswell has access to the transcript of the  
2 release itself?

3 MS. CARSELL: I don't know believe I do,  
4 Mr. Lockyer.

5 THE COMMISSIONER: Inspector Burton, I would  
6 just like to say, thank you for your attendance  
7 over the last two and a half days. And it is  
8 possible that we may recall you, you have heard  
9 the discussion, but we will deal with that if  
10 and when it arises.

11 THE WITNESS: Thank you, sir.

12 THE COMMISSIONER: Thank you very much.

13 MR. CODE: So I think we are back to the  
14 cross-examination now of Staff Sergeant  
15 Ferguson. We are through one witness, this is a  
16 seminal event.

17 RONALD CHARLES FERGUSON: Recalled  
18 BY MR. LOCKYER:

19 Q Mr. Ferguson, I want to start by asking you a  
20 little bit about your trip to Winnipeg in June  
21 of 1991, when you interviewed Mr. Driskell  
22 presumably at Stony Mountain Penitentiary. Is  
23 that right?

24 A No, he was at Winnipeg City Police at that time.  
25 Originally the arrangements were made to

1 interview him at Stony Mountain, but he and  
2 Mr. Brodsky were actually at Winnipeg City  
3 Police Office. And I apologize, I did meet you,  
4 I can't remember your name, what your name is  
5 and who you represent.

6 Q James Lockyer is my name and I'm representing  
7 Mr. Driskell's interests at this inquiry.

8 A Thank you.

9 Q All right. So the interview was on June 27th of  
10 '91, as I recall; is that right?

11 A That's correct.

12 Q First of all, why did you make the trip and not  
13 PC Burton, who was the more familiar presumably  
14 with the file?

15 A Because one of the communications I had had was  
16 from Mr. Brodsky. Another communication I had  
17 had was from Mr. Driskell. I had also had  
18 previous experiences interviewing inmates, and  
19 initially I thought the interview would take  
20 place at Stony Mountain. And so this is the  
21 reason that I had earlier on thought that I  
22 would prefer to take the trip.

23 Q Given the problems that your detachment  
24 apparently had with the Winnipeg Police Service,  
25 did that have anything to do with it, that

1           perhaps it is better a more senior officer went  
2           than a less senior officer?

3    A       No, that hadn't entered my mind at all.

4    Q       When you got there, sir, did you meet any of the  
5           officers who had been involved in dealing with  
6           Mr. Zanidean?

7    A       I can't recall. I have tried to recall whether  
8           I have met any of the investigating members. To  
9           my recollection, I don't recall meeting any of  
10          the individuals involved. I spent a short time  
11          in an office. There were plain clothes officers  
12          there waiting for them to bring Mr. Driskell  
13          from, I assumed, holding cells to the interview  
14          room. I just cannot recall whether I had met  
15          any of the investigating officers or not.

16   Q       When you were interviewed by Commission Counsel,  
17          sir, and your statement was prepared and  
18          produced, you referred to some impressions, and  
19          as well something that was said to you while you  
20          were at Winnipeg Police Station; is that right?

21   A       That is correct. And it was a plains clothes  
22          officer, a detective that was present in the  
23          room who made the remark that, I hope we are not  
24          going to have a murderer walk, or I hope you are  
25          not going to let a murderer walk for the sake of

1 an arson.

2 Q Presumably there was more to the conversation  
3 than that?

4 A I can't recall anything further. I was not  
5 going to expand on it. My purpose was to sit  
6 down with Mr. Driskell and get a statement from  
7 him.

8 Q Do you remember if you responded to that remark,  
9 sir, you are going to let a murderer go free for  
10 an arson?

11 A I wouldn't have responded.

12 Q Probably safer not to, in the circumstances?

13 A Correct.

14 Q Did you get any impression as to how, I mean,  
15 presumably they knew, certainly some of them  
16 knew who you were and why you were there?

17 A Obviously, because arrangements have had to be  
18 made and certainly they wouldn't release  
19 Mr. Driskell into an interview room with a  
20 stranger. So I obviously would have identified  
21 myself.

22 Q And you must have called ahead, I mean, they  
23 must have known you were coming?

24 A That's correct.

25 Q And do you remember who you dealt with in that

1 regard?

2 A I do not recall.

3 Q Was Orr still around in those days?

4 A I had never met Mr. Orr.

5 Q Did you ever have any dealings with Mr. Orr?

6 A I never had any dealings with Corporal Orr.

7 Q At all?

8 A Not at all.

9 Q Did you get any impression when you were at the  
10 Winnipeg Police Service, and I don't know if we  
11 call it headquarters or --

12 A That's correct.

13 Q As to what they thought of you, sir?

14 A No, I felt it was cordial, they were being  
15 professional and cordial. And they produced  
16 Mr. Driskell to me, took me to an interview room  
17 with Mr. Brodsky and Mr. Driskell, and we sat  
18 down and conducted an interview.

19 Q When you spoke to -- your statement to  
20 Commission Counsel, sir, concludes with this  
21 statement,

22 "His..."

23 meaning yours, I'm at page 9, tab 2 of the book  
24 that you have there at page 9, sir. Just  
25 reading the last four lines, perhaps even going

1 up a little., You see where it says "after  
2 Driskell's trial," it is about seven lines up  
3 from the bottom:

4 "After Driskell's trial, Zanidean's  
5 placement in the RCMP program is no longer  
6 an issue. Their concern..."

7 meaning the Winnipeg Police Service's concern,

8 "...was to protect his credibility.

9 Ferguson did not consider this last concern  
10 legitimate. His impression was that the  
11 Winnipeg Police regarded him as a small  
12 town police chief who was not looking at  
13 the big picture. Although Swift Current  
14 was a small jurisdiction with little major  
15 crime, Ferguson was an experienced officer  
16 who had been involved in major  
17 investigations and prosecutions."

18 Do you remember saying that, in effect, in your  
19 statement to Commission Counsel, sir?

20 A Yes, that was perhaps a personal impression.  
21 When you compare a murder with an arson,  
22 generally what would be the more serious crime?  
23 And certainly the taking of somebody's life  
24 would be the more serious crime.

25 Q Of course. Just going through what is said

1           there, first of all, you came to believe that  
2           the Winnipeg Police Service's concern by the  
3           time Mr. Driskell is being convicted is simply  
4           to protect their witness's, meaning Zanidean's,  
5           credibility; is that right?

6    A       That was my impression, yes.

7    Q       Which you didn't think --

8    A       That was my personal opinion.

9    Q       Which you didn't think was a legitimate concern?

10   A       No. I had my agenda. I felt the arson was  
11           serious for a community of Swift Current. And  
12           unless, as I had mentioned in earlier testimony,  
13           unless Mr. Zanidean was placed in the Witness  
14           Protection Program, and not just a protected  
15           witness, I felt strongly that we should proceed  
16           with charges against him, and Winnipeg would  
17           deal with their murder investigation as they saw  
18           fit and obligated to do.

19   Q       And your impression, sir, of being the small  
20           town police chief, was that an impression that  
21           you primarily gained when you were in Winnipeg  
22           in June of '91?

23   A       Certainly those words were never said to me.

24   Q       Right. But is that when you gained that  
25           impression, is when you were here --

1 A It was the impression from the remark made that,  
2 you know, are you going to let a murderer walk  
3 for the sake of an arson? In other words,  
4 again, what is the more serious offence here?

5 Q What is perhaps of some interest, sir, is what  
6 Sergeant Anderson is saying just 19 days later  
7 in a report, the report that he wrote on  
8 July 16th of 1991. Perhaps you could look at  
9 that? It is the first set of tabs. Have a look  
10 at tab 25, would you, sir? And this is --  
11 sorry, he didn't write it, I shouldn't have said  
12 he wrote it 19 days later, but it is a comment  
13 that he made with reference to an event 19 days  
14 later. At page 3, this is Sergeant Anderson's  
15 response to what has been called "the complaint"  
16 made by the RCMP to the Winnipeg Police Service  
17 about Anderson's conduct?

18 A Yes, that is correct.

19 Q And I appreciate it wasn't a complaint per se,  
20 but that's how we are referring to it here, just  
21 to put in all one word.

22 A Yes, taken several months later, or produced  
23 several months later.

24 Q If you look at page 3, sir, of what Anderson is  
25 saying, three paragraphs down he is describing



1           this phone call that he received, a phone call  
2           he received on July 16th, '91. I think I'm  
3           right saying that Mr. Code read this to you and  
4           you read it?

5    A       Yes, I did read it.

6    Q       And this paragraph reads,

7                        "On the 16th of July '91, I received a  
8                        phone call at home from Constable Burton.  
9                        During a long conversation with him he told  
10                      me his colleague, Staff Sergeant Ferguson,  
11                      had interviewed James Driskell..."

12           it would have been 19 days previously, or two  
13           and a half weeks,

14                      "...and obtained a statement in which he  
15                      implicated Zanidean in the arson he told us  
16                      about, as well as another arson which  
17                      occurred earlier and of which we were not  
18                      aware. He went on to say that superior  
19                      RCMP officers in Regina had overruled Swift  
20                      Current and had decided to charge Zanidean.  
21                      Constable Burton was most apologetic and  
22                      expressed disbelief that his superiors  
23                      considered their arson..."

24           THE COMMISSIONER: Mr. Lockyer, just slow down a  
25           little, I think the reporter is having a bit of

1 difficulty. We all have a tendency to speak  
2 more quickly when we are reading.

3 MR. CODE: We don't have to think so much.

4 BY MR. LOCKYER:

5 Q "Constable Burton was most apologetic and  
6 expressed disbelief that his superiors  
7 considered their arson more important than  
8 our murder. He attributed this strange  
9 decision to his superior's lack of  
10 investigative experience and suggested I  
11 must also be familiar with the ridiculous  
12 decisions of higher ranking officers."

13 Now, if we then look back at the impressions  
14 that you got and indeed what you remember was  
15 said to you just two and a half weeks earlier,  
16 this is almost an echo of what, first of all,  
17 the impression you received, and secondly what  
18 you remember being told. But Anderson is  
19 attributing the echo, so to speak, to Burton,  
20 rather than it being said by a Winnipeg Police  
21 Officer. Do you understand the point?

22 A I felt in reading this, and I must say that I  
23 had not seen this until just very recently, I  
24 felt in reading this that, as I said earlier, it  
25 would be totally out of character for Constable

1           Burton.

2       Q     That is not quite the point.  I don't mean to  
3           cut you off, but you said that to Commission  
4           Counsel and I understand that.  What I'm  
5           interested in is this, sir; you hadn't seen this  
6           before you gave your statement to Commission  
7           Counsel?

8       A     That is correct.

9       Q     You have seen it much more recently than that?

10      A     Yes.

11      Q     And if you look at what they are attributing to  
12           Burton, sir, that is Anderson is attributing to  
13           Burton in conversation, he is saying, first of  
14           all, that Burton is expressing disbelief that  
15           his superiors considered their arson more  
16           important than our murder.  That's an echo of  
17           what the Winnipeg Police Officer had said to you  
18           two and a half weeks earlier in the police  
19           station, isn't it?

20      A     I would agree that that impression is there,  
21           yes, sir.

22      Q     Do you understand that we have Anderson  
23           attributing this remark to Burton?

24      A     Yes, sir.

25      Q     But it is a remark that a Winnipeg Police

1           Officer had made to you 19 days before this  
2           phone call ever happened.

3    A       Not in the exact words, but certainly the gist  
4           of the message, yes.

5    Q       The words you recalled when you spoke to  
6           Commission Counsel were,

7                        "Are you going to let a murderer go free  
8                        for an arson?"

9    A       Yes, that's right.

10           THE COMMISSIONER:  Actually I think he said  
11           "walk."

12           MR. CODE:  I think it is go free in the actual  
13           statement, is it walk or go free?

14           THE COMMISSIONER:  His testimony was, are you  
15           going to let a murderer walk for the sake of.

16           THE WITNESS:  I would not have used the word go  
17           free, I can't see myself using that.  I can see  
18           myself saying, would you let a murderer walk.

19           MR. LOCKYER:  Just for what it is worth, page 7,  
20           tab 2, the quote is,

21                        "Are you going to let a murderer go free  
22                        for an arson?"

23           THE COMMISSIONER:  It is lost in translation  
24           somewhere, but I'm sure walk is probably the  
25           more common --

1 THE WITNESS: Indeed.

2 THE COMMISSIONER: -- parlance.

3 BY MR. LOCKYER:

4 Q So we have that being said to you on June 27?

5 A That's correct.

6 Q And now we discover that Anderson is attributing  
7 Burton saying that just 19 days after you heard  
8 it being said, in effect, the same words,  
9 certainly the same sentiment; am I right?

10 A Did you wish my impression or my -- after  
11 reading this, my personal impression of the  
12 content of that paragraph?

13 Q Well, I think perhaps the impression one might  
14 get, sir, might cause one to conclude that the  
15 chap who spoke to you on June 27th might have  
16 been Sergeant Anderson?

17 A I couldn't say that at all, no.

18 Q And the second thing that's in here, sir, that  
19 Anderson attributes to Burton, that you  
20 certainly came to believe as an impression after  
21 your trip to the Winnipeg Police Station, was  
22 what you said you were being viewed as a small  
23 town police chief who wasn't looking at the big  
24 picture, and what Anderson claims Burton said to  
25 him, that you had a lack of investigative

1           experience and that that would be the cause for  
2           the decision to continue to pursue Zanidean for  
3           the arson. Do you see that point?

4       A     I see the point. I just don't really understand  
5           where you are going with this, sir. As I said  
6           in my examination-in-chief, that was not correct  
7           because it was Swift Current City that wanted to  
8           pursue the arson charges, not only 1990, but  
9           because of legal reasons, when that fell  
10          through, I was quite insistent that we proceed  
11          against Mr. Zanidean for the 1988 arson. And  
12          this information had also been provided by  
13          Mr. Driskell.

14                 Now, to me in reading this, I felt it was  
15                 quite superfluous in going on about the senior  
16                 officer's lack of investigative experience, I  
17                 must also be familiar with ridiculous decisions  
18                 of higher ranking officers, to me that's barroom  
19                 rantings and that's very unlike Constable Burton  
20                 to ever make a statement like that, if I might  
21                 use that as an example. In other words, someone  
22                 obviously has problems with the abilities and  
23                 the intelligence of superior officers, but I do  
24                 not feel Constable Burton shared or would have  
25                 made that statement.

1 Q Just -- I don't know if you quite follow this,  
2 sir, but just to try and explain to you by the  
3 way of concluding this, I guess what I'm putting  
4 to you indirectly is that what Anderson reported  
5 Burton as saying were perhaps Anderson's  
6 thoughts, not unlike the thoughts that were  
7 expressed to you by an unknown officer, who was  
8 perhaps Anderson, some two and a half weeks  
9 earlier?

10 A That is possible, but that's nothing that I  
11 could ever testify because I do not know.  
12 That's just a personal impression, sir.

13 Q Tab 43, sir, this brings us back to your  
14 July 4th, 1991 report. This report was  
15 addressed, as I understand it, was addressed to  
16 Preston; is that right?

17 A That is correct.

18 Q Okay. And the purpose of the report was  
19 essentially to, it might be fair to say, to get  
20 some things higher up, so you weren't the one  
21 who was sort of at the top of the line in terms  
22 of responsibility, is that fair? You were  
23 trying --

24 A Yes, that is where the chain of command would  
25 start, from myself, who had no authority to make

1 decisions of this nature.

2 Q And this report, sir, is made a matter of seven  
3 days, a week after you have been in the Winnipeg  
4 Police Service headquarters; am I right?

5 A That is correct.

6 Q Would I be right in saying, sir, that some of  
7 the sentiments that you express in this report,  
8 you would have gleaned in whole or in part from  
9 that trip to Winnipeg a week earlier?

10 A Certainly.

11 Q Okay. And if we look then and go back over a  
12 couple of the matters that Commission Counsel  
13 brought to your attention, item A, you say  
14 you -- are with me on page 1?

15 A Yes, I am.

16 Q At the bottom of the page you say, the last two  
17 lines,

18 "The ramifications of the evidence tainted  
19 by a perjured witness will certainly affect  
20 the murder conviction against Driskell.  
21 Winnipeg Police Services are certainly  
22 concerned with the possibility of the  
23 convicted murder walking for the sake of an  
24 arson charge."

25 A Yes.



1 Q Is that fairly reflective of the attitude that  
2 you picked up a week earlier in Winnipeg?

3 A I would say reflective not of attitude, but  
4 reflective of the statement.

5 Q Item B, sir, is where you make the Donald  
6 Marshall reference, and that you are obviously  
7 worried that if you don't pursue Zanidean, you  
8 could subsequently be accused of not pursuing  
9 him as a way of hiding information that could  
10 undermine the credibility of a significant  
11 witness against Mr. Driskell at his trial. Is  
12 that a fair summary?

13 A Absolutely.

14 Q Right. And I want to ask you, sir, why that  
15 would be so much of a concern of yours? Would  
16 you not have assumed, or would you have thought  
17 to yourself back in July of 1991 that everything  
18 that you were providing to the Winnipeg Police  
19 Service would, in the normal course of events,  
20 make its way to Mr. Driskell's counsel, pursuant  
21 to the simple rules of Stinchcombe that you  
22 referred to? Why would you be so worried if you  
23 thought that in the normal course of the events  
24 things would make their way to Mr. Brodsky, or  
25 were you worried they weren't going to?

1 A I was worried that perhaps they weren't going  
2 to.

3 Q And why did you worry about that, sir? What  
4 caused you to be --

5 A I suppose it was my impression that it appeared  
6 to be lengthy delays in several requests that we  
7 had made.

8 Q Could I summarize it this way, perhaps, if the  
9 Winnipeg Police Service weren't being entirely  
10 upfront with you from a fellow police force,  
11 there was good reason to think they may be even  
12 less up front with counsel for someone charged  
13 with murder?

14 A Again, that's something that I could not testify  
15 to, sir.

16 Q Is that something that worried you, that's what  
17 I'm asking you?

18 A That was something that certainly worried me,  
19 yes, I was concerned about it. Certainly the  
20 inference, especially following the Marshall  
21 case, the supposition by media, et cetera, would  
22 be that we were also complacent in attempting to  
23 circumvent justice.

24 Q When we go, and I appreciate Mr. Code has read  
25 all of these things to you, so I don't want

1 to -- I'm trying not to read everything all over  
2 again. If you look then at paragraph 2, the  
3 last paragraph, you said,

4 "The following is submitted to more fully  
5 appraise F Division criminal operations, as  
6 no doubt there will have to be considerable  
7 liaison between Saskatchewan and Manitoba  
8 Justice, as well as the enforcement bodies  
9 that are now involved. It would possibly  
10 be beneficial to conduct a briefing with  
11 criminal operations in order that I might  
12 receive some guidance on what my future  
13 action might be on this investigation."

14 Do you remember writing that, sir?

15 A That is correct.

16 Q Were you aware when you wrote that, sir, that as  
17 least as far as I know, as of July 4th of 1991,  
18 there hadn't been any liaison whatsoever between  
19 Saskatchewan and Manitoba Justice?

20 A I had no direct knowledge but I wanted to  
21 ensure --

22 Q Yes?

23 A -- I wanted to ensure that the gravity of the  
24 situation in my mind had to be addressed  
25 immediately.

1 Q So, really what you were doing, perhaps rather  
2 through the back door, so to speak, in item 2  
3 here, and I don't mean to be critical, but I  
4 understand why, you were going through the back  
5 door by way of saying, Saskatchewan Justice and  
6 Manitoba Justice need to get involved in this so  
7 that everything gets aired. Is that fair?

8 A Well, certainly my immediate supervisors, not  
9 only my immediate supervisors, but our senior  
10 executive of the Saskatchewan RCMP, and  
11 certainly Saskatchewan Justice, would have to be  
12 fully aware of this. Now, whether Saskatchewan  
13 justice deemed, and no doubt normally they would  
14 have to deem it necessary to consult with  
15 Manitoba Justice, that would be a function that  
16 would be decided between the two justice  
17 departments. I would have no control over that.

18 Q But this particular statement in this report  
19 might give a boost to the likelihood that there  
20 would be some communication between the two  
21 justice departments?

22 A I didn't want to see any delays. I wanted to  
23 impress on the gravity, in my opinion, of what  
24 the fallout could be, and I wanted to ensure  
25 that they understood the seriousness of this and

1 act on it immediately. So, yes, I suppose, as  
2 you say, give it a boost, ensure the boost was  
3 there.

4 Q One of the concerns, sir, that might arise out  
5 of this inquiry is that ultimately, when things  
6 like this arise, there is too many chains of  
7 command for things to get through --

8 A That is correct.

9 Q - something happens?

10 A That is correct.

11 Q It is going from Burton to you, to Preston,  
12 to -- I can't remember the names now, but to  
13 someone else?

14 A Right.

15 Q To Quinney?

16 A Yes.

17 Q To Manitoba is sort of the chain here?

18 A That quite often creates delays, yes. Also  
19 change in command as far as officers changing,  
20 senior management changing, prosecutors  
21 changing, justice officials changing, yes.

22 Q It also gives it more of a chance for things to  
23 get lost at some staging post instead of moving  
24 on to the next staging post, don't you think?

25 A Certainly.

1 Q I'm wondering, sir, if in these circumstances,  
2 if you ever had to face them again, which you  
3 obviously won't, not unless you have a second  
4 childhood, so to speak, and start all over again  
5 in a second career.

6 A I may have a second career, sir, you never know.

7 Q Good. Is it that -- perhaps let me ask you  
8 this: What do you think would be done in a  
9 situation like this where a police officer,  
10 let's try and put you into a very general class,  
11 so to speak, the circumstances you were in on  
12 July 4th of '91, you have got some information,  
13 you are worried it is not getting into the right  
14 places, you are worried it is not getting to  
15 Manitoba Justice, you are worried it is not  
16 getting to counsel for someone who has been  
17 convicted of murder, and so on and so forth, you  
18 are worried about Marshall, all of these kinds  
19 of things are floating around in your head and,  
20 indeed, causing you to write this report. If we  
21 then put you into a more generalized situation,  
22 sir, of an officer who has information about a  
23 case that he has no direct involvement in but is  
24 playing some -- has some involvement at a  
25 tangential level, if you follow me, which is how

1           you might classify your involvement with  
2           Zanidean, it was tangential, not directly  
3           involved in the Driskell prosecution but clearly  
4           was tangentially important and significant to  
5           it, as you appreciate it. What do you think an  
6           officer in those circumstances should do, or  
7           what system should be set up to enable him to  
8           deal with the situation rather than have to just  
9           fire memos off up a chain of command and then  
10          perhaps lose them and get them lost thereafter.

11        A    You would have to change the whole legal system,  
12            wouldn't you?

13        Q    I don't know, would you?

14        A    Yes, there has to be a chain of command. There  
15            has to be a boss, there has to be reporting. I  
16            don't think Saskatchewan Justice or Manitoba  
17            Justice would appreciate Constable Burton on  
18            myself knocking on the door and going in and  
19            telling them how to do their job.

20        Q    I understand. I'm not so sure you are wrong.  
21            But if we visualize -- perhaps normally, sir,  
22            when this kind of problem arises, it is more  
23            likely to all happen within the same provincial  
24            borders. I appreciate it didn't in this case,  
25            you are in Saskatchewan and they are in

1 Manitoba, so to speak. But if you are all in  
2 the same borders, let's assume for a moment we  
3 push you across the border -- Saskatchewan  
4 borders Manitoba, doesn't it?

5 A It was on Monday, sir, yes.

6 Q It did yesterday?

7 A Yes.

8 Q I'm not from here, obviously.

9 THE COMMISSIONER: We would never have guessed.

10 BY MR. LOCKYER:

11 Q If we just push you over the border, sir,  
12 heading east, could it be helpful if say we  
13 had -- maybe this is just wishful thinking on my  
14 part, maybe it is a bit out of -- maybe it is  
15 not a sensible suggestion, but it is something  
16 that has occurred to me. If you had a Crown  
17 Attorney appointed as some kind of ombudsman,  
18 within the Crown Attorney's office for a  
19 province, to take and deal with problems like  
20 this, so that you could have gone to someone in  
21 Winnipeg in the Crown's office in Manitoba  
22 Justice, specifically designed to deal with  
23 difficulties that a police officer had  
24 encountered in so far as he got involved in an  
25 investigation peripheral to a more important



1 investigation and wanted to make sure what he  
2 had done or was doing or knew got into the right  
3 hands, where the more serious investigation was  
4 involved, do you think that might be --

5 A We all do have a professional code of conduct.  
6 Also, there is a Law Society that is available  
7 for any unprofessional conduct, et cetera. So  
8 there are safeguards in place now.

9 Q I'm not so interested in --

10 A The College of Physicians and Surgeons, there is  
11 regulations and regulatory bodies for everything  
12 in Canada, if I could put it that way.

13 Q That's true, but that's kind of an after the  
14 fact organization?

15 A That is correct.

16 Q And I'm more interested in, what I would have  
17 liked to see, and I suspect most people in this  
18 room would have liked to have seen in this case,  
19 is your knowledge and that of Burton getting  
20 ultimately to Mr. Driskell's counsel before he  
21 is tried for murder. Do you see the point?  
22 Going to a Law Society after he has been  
23 convicted of murder is kind of a little bit  
24 late. I'm more interested in how you could have  
25 got the information before the murder trial, and

1 perhaps a way of doing it, leaving aside the two  
2 different jurisdictions issue, is to have a  
3 body, a person to go to whose task is to deal  
4 with that kind of problem. Do you see what I  
5 mean?

6 A I think that is still all before the fact.  
7 Until the ultimate decision was made to lay  
8 charges or grant immunity in order to seek  
9 evidence to support the charges, this is all  
10 before the fact, and it would be totally  
11 unrealistic to report problems if no problems  
12 existed.

13 Q At least from Burton, I think we have got the  
14 impression that he was genuinely worried about  
15 the Winnipeg Police Services' conduct long  
16 before Mr. Driskell's trial commenced. Do you  
17 see the point? And yet that never got through,  
18 of course, and he had every reason to think it  
19 hadn't got through to Mr. Driskell's counsel.  
20 Do you see the point?

21 A I am sorry, I just have a hard time following  
22 you, sir, I apologize.

23 Q That's all right. I'm sure it is my fault.

24 Let me move on. A report, sir, that we  
25 haven't -- I say we, the Commission hasn't

1 looked at is a report of, I believe it is  
2 Inspector Wass, I'm just going to put it before  
3 you. Perhaps you can identify it. It is a  
4 handwritten report which, Mr. Commissioner, I  
5 made available to you, as I speak, and everyone  
6 else has a copy of it.

7 THE COMMISSIONER: Perhaps just before we do  
8 that, if I might just interrupt for a moment.  
9 Mr. Code, did you wish to have the Burton  
10 supplement filed as an exhibit?

11 MR. CODE: I didn't see anything in it that was  
12 worthy of making it an exhibit.

13 THE COMMISSIONER: All right. We will just then  
14 for the moment not file it, but if someone  
15 wishes to at a later time, they may. So then I  
16 think we probably -- should we file this as an  
17 exhibit, Mr. Lockyer?

18 MR. LOCKYER: Yes, please, Mr. Commissioner. It  
19 does raise an issue that I actually raised with  
20 Commission Counsel, at least one of them, just  
21 before we came back after lunch. And that is  
22 the status of all of the documentation that the  
23 Commission has on this case, I would have -- I  
24 had sort of imagined that you, Mr. Commissioner,  
25 would have had access to all of the documents in

1 possession of Commission Counsel that relate to  
2 this case, and not just documents filed before  
3 you as an exhibit. Am I wrong in that  
4 assumption?

5 THE COMMISSIONER: You are absolutely right, I  
6 have access, but I have not availed myself of  
7 it. But I think -- well, let's not deal with  
8 that right at this moment. We can maybe --

9 MR. LOCKYER: I'm just a bit worried that the  
10 failure to file something may mean you can't  
11 review it and look at it and consider it. If  
12 that's the case, I would just want to file  
13 everything, including the document you just  
14 addressed Mr. Code on, if only because I  
15 referred to one of the documents in it.

16 MR. CODE: I would oppose that process, so we  
17 will argue that point. I think we should mark  
18 this if Mr. Lockyer is relying on it.

19 THE COMMISSIONER: Let's deal with what we have  
20 before us at the moment. And this transit slip,  
21 I guess October 8th, 1991 from Inspector --

22 MR. LOCKYER: Wass is my handwriting, where it  
23 says "Wass." Sorry. That's the only part of my  
24 handwriting on the document, the rest of the  
25 document is original.

1 THE COMMISSIONER: Well, the document from  
2 whomever will be marked as exhibit 2.  
3 (EXHIBIT 2: Transit slip, October 8, 1991)

4 BY MR. LOCKYER:

5 Q I do believe I'm right in saying, though,  
6 Mr. Ferguson, that this is a memo drafted by  
7 Mr. Wass. Am I right?

8 A It is addressed from the officer in charge of  
9 criminal operations, and I did not know  
10 Inspector Wass very well, I have never seen his  
11 handwriting, but I do know that he was the  
12 officer in charge of Criminal Ops. I can't make  
13 out the initials as to who, but I would assume  
14 just from the content that, yes, he would have  
15 been the author.

16 Q If I could take you through this document, sir,  
17 of October 8th of '91, so we have now moved  
18 passed your Donald Marshall memo, if I can call  
19 it that, by some three months, would I be right  
20 in saying?

21 A That is correct.

22 Q And the subject, I think as you know, Zanidean  
23 is still very much up for grabs; right?

24 A Yes, sir.

25 Q And what he has written is this:

1 "Re Zanidean et al. I am most concerned  
2 about what appears to be happening on the  
3 matter, not only in the past, but also what  
4 is transpiring on an ongoing basis. As we,  
5 or should I say Swift Current detectives  
6 were having some..."

7 A Sorry, sir, Swift Current detachment.

8 Q Fair enough. I thought I could see an "S"  
9 there, but I will take it the way you said it.

10 "As we, or should I say Swift Current  
11 detachment, were having some difficulty in  
12 getting the assistance of Winnipeg Police  
13 Department to obtain a transcript of  
14 evidence concerning Zanidean's testimony at  
15 Driskell's murder trial, we asked for the  
16 assistance of D Division through Crim Ops  
17 on August 15 of 1991. We specifically  
18 asked for a copy of the transcript as  
19 noted. It was indicated that it should be  
20 obtained through some other source rather  
21 than Winnipeg. From all indications, it  
22 appears that our..."

23 Is that CI section? GI section, sorry?

24 A GI section.

25 Q Yes,

1            "...GIS in Winnipeg are still trying to get  
2            the transcript through Winnipeg Police  
3            Department, when for obvious reasons (the  
4            current appeal)..."

5            I think it would be "they" is the word missing,  
6            "...don't want us to get it."

7            Do you follow me?

8            A        Yes.

9            Q        In other words, for obvious reasons, namely the  
10            current appeal, they don't want us to get it,  
11            that is the transcript.

12            "I also find some of the comments contained  
13            in the most recent report of October 7, '91  
14            from Constable Burton which..."

15            A        Which I was given.

16            Q        "...which I was given yesterday.

17            A, Sergeant Anderson stated that he was  
18            currently under investigation as a result  
19            of a complaint made by our force.

20            B, Sergeant Anderson was very interested in  
21            assisting us in light of Zanidean's  
22            cooperation with them, and in my opinion,  
23            he has given us the runaround for a year.  
24            It is equally apparent that Corporal Atras  
25            has not given the request his best shot and

1 he seems to be part of Sergeant Anderson's  
2 fan club.

3 D, the officer in charge of Swift Current  
4 contacted Corporal Jim Orr of D Division  
5 Witness Protection Program and now Zanidean  
6 is part of the program. I find each of  
7 these points very disturbing."

8 Now, would Wass have got much of his information  
9 in this regard from you, sir?

10 A He would have got that information, as you will  
11 notice when we talk about the investigation  
12 reports on this whole matter, we refer to them  
13 as C237s, copies were forwarded in each instant  
14 to the criminal operations officer, as well as  
15 any correspondence from Inspector Preston, my  
16 officer commanding, would be forwarded and was  
17 in fact forwarded from what appears on  
18 footnotes, to the criminal operations officer,  
19 who was Inspector Wass.

20 So when we talk about the tapes, due to the  
21 lengthy delay, I, in fact, directed or suggested  
22 to my superior, Inspector Burton -- pardon me,  
23 the investigating member, Inspector Burton, and  
24 my superior officer, Inspector Preston, that we  
25 could wait no longer and that we should in fact



1 purchase the total court transcript, if  
2 necessary. It was shortly after, if I recall  
3 correctly, that Corporal Jim, and I believe it  
4 is Atras, who is in Winnipeg GI section,  
5 corresponded back to us and advised that he  
6 thinks he can now get them. So, the purchase,  
7 which would have been extremely costly for total  
8 court transcripts, when we were only interested  
9 in one page, would have been extremely high, but  
10 we were prepared to make that expenditure  
11 because we desperately wanted to get our hands  
12 on the content of those tape transcripts.

13 Q If I just go back, I think I misread B, I said  
14 Sergeant Anderson was very interested, I misread  
15 that, it was,

16 "Sergeant Anderson was never interested in  
17 assisting us in light of Zanidean's  
18 cooperation with them, and in my opinion he  
19 has given us the runaround for a year."

20 All right, so I think I misread that to you. Do  
21 you see where I am? I read it as Sergeant  
22 Anderson was very interested in assisting us,  
23 which is actually the opposite of what it says?

24 A Again, his handwriting is like mine, it is  
25 terrible, but I believe that's correct, you have

1           interpreted that right.

2     Q     The next paragraph C, I read you about Corporal  
3           Atras. Corporal Atras is RCMP, is that right?

4     A     That is correct.

5     Q     In fact, we heard this morning that he gave a  
6           bit of a testimonial to the Winnipeg Police  
7           Service in a report that he did about this case.  
8           You wouldn't know that but --

9     A     I have no knowledge of that.

10    Q     But Corporal Atras was RCMP Winnipeg, is that  
11          correct?

12    A     That was my understanding.

13    Q     Did you know, sir, that the powers that be in  
14          the RCMP in Saskatchewan seemed to view Atras as  
15          being a member of Sergeant Anderson's fan club,  
16          that's the words --

17    A     I would not have the slightest idea about that,  
18          sir.

19    Q     You don't know where that came from?

20    A     I have no idea. I never met Corporal Atras, I  
21          never talked to him, and I never heard anything  
22          about his abilities or character.

23    Q     All right. Then this last statement, sir, D, in  
24          the last paragraph,

25                 "The officer in charge of Swift Current

1                   contacted Corporal Jim Orr of D  
2                   Division..."

3                   That would presumably have been you, would it?

4    A            No, that would be Inspector Preston.

5    Q            My mistake, sorry.

6                   "...of D Division Witness Protection  
7                   Program and now Zanidean is part of the  
8                   program."

9                   Did you know that in October, October of '91,  
10                  there still seems to be this confusion coming  
11                  through Orr as to whether or not Zanidean is a  
12                  part of the Witness Protection Program?

13   A            Certainly, that has been a very, very confusing  
14                  issue right from day one. Because this was the  
15                  impression of Inspector Wass obviously. That  
16                  was my impression. And then the next  
17                  communication we would get until finally,  
18                  finally Inspector Preston contacted Corporal  
19                  Orr, I believe, later than this, and Corporal  
20                  Orr advised him no, he did not qualify for the  
21                  Witness Protection Program.

22                  Again, I think where the confusion lies, is  
23                  a witness being protected for his own safety  
24                  with no official contract, or is a witness  
25                  qualified and has entered into the Witness

1 Protection Program?

2 As we talked in my evidence-in-chief there,  
3 when Inspector Preston wrote that note he  
4 italicized witness protection. In other words,  
5 he didn't use the word Witness Protection  
6 Program, but he did say witness protection.  
7 Certainly, it would have been a lot clearer if  
8 everybody would have communicated, look, we are  
9 hiding this guy out for his own safety.

10 Q If you look at tab B-19, sir, would you do that,  
11 of your book, so it is the second 19. I think  
12 you are there looking at a memo written by, I  
13 don't know his rank, a Mr.Hluska?

14 A That would have been at that time perhaps  
15 Sergeant Terry Hluska, who was a crime report  
16 reader for criminal operations.

17 Q Right, stationed in Regina?

18 A And I don't see where it is signed.

19 Q Right at the back, you can see initials on the  
20 last page, bottom right-hand corner, which we  
21 understand are his?

22 A Yes, T.W.H., Staff Sergeant, chief reader, so he  
23 would work directly under Inspector Wass at that  
24 time, or whoever was the criminal operations  
25 officer.

1 Q So he is in Regina?

2 A Yes, at that time he would have been in Regina  
3 headquarter office.

4 Q And he says -- we have now moved on from the  
5 last memo of Inspector Wass. Did I just hear  
6 someone suggest that these two handwritings are  
7 the same?

8 THE COMMISSIONER: They certainly look like they  
9 are.

10 MR. LOCKYER: So I am thinking the same thing,  
11 so I am thinking what I wrote on the October 8  
12 one should be changed to Hluska from Wass.

13 MR. CODE: Hluska initials the report, but it is  
14 Wass -- Wass is the CPO.

15 MR. LOCKYER: So it is Wass writing in both.

16 MR. CODE: The contract policing officer is  
17 Wass.

18 BY MR. LOCKYER:

19 Q So we are actually looking again at something  
20 written by Wass, sir. He comes back to this  
21 issue some months later, 15th of January '92 he  
22 says,

23 "As a result of a meeting with Mr. Richard  
24 Quinney, Saskatchewan Justice, we were  
25 advised that Saskatchewan Justice were

1 going to correspond with the Manitoba  
2 Attorney General representing their  
3 position re Zanidean and Driskell, as well  
4 as the Saskatchewan RCMP. In light of all  
5 of the circumstances, it appears charges  
6 against both will not be successful,  
7 therefore pursuing Zanidean's sister may be  
8 all that can be done.

9 Mr. Quinney called me after lunch to advise  
10 that he had called Mr. Miller, Manitoba  
11 Attorney General office, to discuss the  
12 matter. And the Manitoba Attorney  
13 General...

14 and I think that says rep,  
15 "...indicated he could appreciate our  
16 position and concern about how this matter  
17 was handled. Mr. Miller seemed to feel  
18 Corporal Tom Orr, our witness protection  
19 coordinator in D Division...."

20 THE COMMISSIONER: Perhaps if I can interrupt,  
21 there should be a page there, witness, he has  
22 the redacted version. Do we have an unredacted  
23 version of --

24 MR. LOCKYER: I do, but I kind of need it.

25 THE COMMISSIONER: Yes. What you have just been

1 given is the version without the blacked out  
2 portion.

3 THE WITNESS: Thank you, Mr. Chairman.

4 BY MR. LOCKYER:

5 Q So reading the blacked out portion, sir, second  
6 line, page 2,

7 "Mr. Miller seemed to feel Corporal Tom  
8 Orr, RCMP, our witness protection  
9 coordinator in D Division caused a great  
10 deal of the problems that developed."

11 Now, what I want to ask you, sir, is again  
12 dealing with Corporal Orr, did you ever deal  
13 with Corporal Orr yourself?

14 A No, I had no dealings with him whatsoever.

15 Q So when you are hearing that, at one moment that  
16 Zanidean is in the Witness Protection Program,  
17 then he isn't, then he is. Here we are in  
18 October again, if you go back to the previous  
19 memo --

20 A That is correct.

21 Q -- once again we seem to have a senior officer  
22 thinking he is in the Witness Protection  
23 Program.

24 A That's correct.

25 Q It's your information he was never in it for a

1 minute, or an hour of a day?

2 A That is what I understand.

3 Q You are never getting the information directly  
4 from Orr, who is the chap who really ought to  
5 know in this regard?

6 A No, this information appeared to be coming from  
7 Constable Burton, or from reports from Sergeant  
8 Anderson to Constable Burton, communication  
9 by -- even Inspector Wass says he talked to Orr,  
10 and he was in the Witness Protection Program.  
11 So certainly it was a very, very confusing issue  
12 which created an awful lot of problems for us.  
13 Should we proceed with charges? Should we  
14 forget it? Is there another tact we can take?  
15 Just what is the situation here? And, again,  
16 this probably could be attributed to the wording  
17 used by various people, a protected witness, a  
18 witness in protection program.

19 Q Presumably one could -- sorry?

20 A So if you suggested to me, could something be  
21 changed in the future, yes, people could speak  
22 plain English.

23 Q Well, one assumes that the people on site in  
24 Winnipeg, and Anderson in particular, knew at  
25 all times whether or not Zanidean was in a



1           Witness Protection Program, but the  
2           communication coming out to you and your  
3           officers is what has got to be very confusing;  
4           is that right?

5    A       Yes, I found very frustrating and very  
6           confusing, yes.

7    Q       Finally, sir, I want to finish off with this  
8           whole issue of disclosure.  If you go to tab 21,  
9           sir, in other words go forwards from where you  
10          are, it is B-21, in other words.  We have, if  
11          you look at page 2, sir, a letter dated  
12          January 16th of '92, from Saskatchewan Justice  
13          Mr. Quinney in particular?

14   A       Yes.

15   Q       Where he is writing to -- I don't know about his  
16          counterpart, but close enough -- his counterpart  
17          in Manitoba Justice, Mr. Bruce Miller?

18   A       Yes, that is correct, yes.

19   Q       And you will see, sir, and you mention this  
20          decision yourself, if you look at page 2 of the  
21          letter, in paragraph three down, commencing  
22          with,

23                        "We felt it only prudent..."

24          All right, do you see where I am?

25   A       Yes, I have it.

- 1 Q If you go down sort of the last five lines of  
2 that paragraph, sir, there is reference there by  
3 Mr. Quinney to Manitoba Justice, which really  
4 seems to finally be somewhat reflective of what  
5 you had written back in July of the previous  
6 year, a desire expressed on the part of  
7 Mr. Quinney for Manitoba Justice to disclose  
8 this information that's in this letter to  
9 counsel for Mr. Driskell. Do you see that, sir?
- 10 A Yes, it says to establish ongoing obligation to  
11 continue, to continue disclosure.
- 12 Q And your understanding, sir, is that the  
13 Stinchcombe decision requires disclosure  
14 ultimately to counsel for an accused person?
- 15 A Yes, on a continued basis.
- 16 Q Yes. And do you know, sir, were you consulted  
17 at all in the context of this letter going out  
18 from Mr. Quinney, given that it seemed to  
19 reflect what you had written some six months  
20 before on July 4th of 1991?
- 21 A No, sir.
- 22 Q Do you know whether your report would have been  
23 available to Mr. Quinney when he wrote this  
24 letter?
- 25 A Yes.

1 Q You think it would have been?

2 A Absolutely.

3 Q I see.

4 A And I believe there is correspondence directed  
5 from criminal operations to Mr. Quinney  
6 attaching copies of our concerns.

7 Q And then, sir, and I don't know if you have seen  
8 this, at tab 24 Mr. Quinney has another go at it  
9 with the Winnipeg or Manitoba Justice. He  
10 writes again to Mr. Miller, and if you read the  
11 last two lines, you will see he is even more  
12 direct this time. He doesn't bother to refer to  
13 Stinchcombe, he just says,  
14 "I trust this will be of assistance to you  
15 in providing appropriate disclosure to  
16 Mr. Driskell's counsel."

17 A Yes, right from the outset it was important, of  
18 course, that Mr. Brodsky be updated.

19 Q And that's March 9 of '92, that letter you will  
20 see at the top?

21 A Yes, sir.

22 Q So we have moved on another couple of months  
23 now?

24 A Yes, sir.

25 Q Were you privy to -- let me ask it this way --

1           were there substantial concerns, sir, in both  
2           the Saskatchewan RCMP and also, as best you  
3           could tell, in Saskatchewan Justice, that all of  
4           this information simply wasn't making its way to  
5           where it had to go and should go?

6    A       I had personal concerns, yes.

7    Q       But it seemed to go beyond you, it certainly got  
8           to Mr. Quinney?

9    A       Yes.

10   Q       Kind of odd for one senior Crown to write to  
11           another and keep reminding them they have got  
12           disclosure obligations, I would think. It just  
13           doesn't seem like the kind of thing that one  
14           Crown would normally write to another?

15   A       I have known Mr. Quinney in a professional  
16           capacity for probably 35 years, and he is a man  
17           of the highest integrity. And certainly he  
18           probably had even more serious concerns than I  
19           had, being more knowledgeable in law procedures,  
20           et cetera.

21   Q       That this wasn't getting where it should?

22   A       That would be my impression.

23   Q       All right. Thank you, sir, those are my  
24           questions.

25   A       Thank you.

1 THE COMMISSIONER: We will take our afternoon  
2 recess. Fifteen minutes.

3 THE CLERK: All rise. This Commission of  
4 Inquiry is now in recess.

5 (Proceedings recessed at 3:29 p.m. and  
6 reconvened at 3:42 p.m.)

7 THE CLERK: All rise. This Commission of  
8 inquiry is now commenced.

9 MR. LOCKYER: Mr. Commissioner, Commission  
10 Counsel has pointed out that I misinterpreted  
11 one aspect of the document that I filed as an  
12 exhibit, if I could make that clear.

13 If you go to D on the last page where it  
14 says in the last paragraph,

15 "The officer in charge of Swift Current  
16 contacted Corporal Jim Orr of the D  
17 Division Witness Protection Program and now  
18 Zanidean is part of the Witness Protection  
19 Program."

20 I suggested that means that Orr is once again  
21 saying in October that Zanidean is in the  
22 Witness Protection Program. That's a misreading  
23 of the document. What is being done here is, if  
24 you go back to page 2, is the author of this  
25 document, Inspector Wass, at the bottom of page

1           2 is referring to some comments made by a memo,  
2           a report rather of Constable Burton's the day  
3           before, October 7th. What I didn't do is then  
4           go to that document of Burton's to see that that  
5           reference was to what Orr said back in April of  
6           1991. So I thought I should clear that up.

7           MR. CODE: It refers back to the Preston memo at  
8           tab 35. We have already got it, which is why I  
9           didn't include this in the book because it is  
10          simply recycling old information.

11          MR. LOCKYER: I'm not sure I would agree with  
12          that comment. There is stuff in there I  
13          wouldn't call recycling, but the rest of the  
14          document.

15          MR. PROBER: Mr. Commissioner.

16          THE COMMISSIONER: Mr. Prober.

17          BY MR. PROBER:

18          Q        Good afternoon, Mr. Ferguson, my name is Jay  
19                    Prober and I am the counsel for George  
20                    Dangerfield, one of the prosecutors in this  
21                    matter.

22          A        Good afternoon, sir.

23          Q        Good afternoon. I would like the record to  
24                    reflect that Mr. Lockyer needs a lesson in  
25                    Canadian geography and we should take up a

1 collection to get him that lesson.

2 In any event, I just have a couple of  
3 questions, sir. You said this morning, if I  
4 heard you correctly, that you were very  
5 concerned that Manitoba prosecutors get that  
6 disclosure with respect to Zanidean?

7 A Yes, I believe that was my evidence, sir.

8 Q And you were being referred at the time to tab  
9 A-43?

10 A Bear with me a moment, sir.

11 Q Sure.

12 A That is my report dated --

13 Q I know what it is, I'm just saying when you  
14 expressed your concern that the Manitoba  
15 prosecutors get that disclosure, that's what you  
16 were looking at; correct?

17 A Yes, that would be correct.

18 Q Did you phone the Manitoba prosecutors and give  
19 them that disclosure?

20 A No, sir.

21 Q Okay.

22 A I contacted my superior officer, which would  
23 have been his function -- or I shouldn't say  
24 that, his responsibility to go to the  
25 appropriate people in Sask Justice to have that

1 forwarded.

2 Q That thought really wouldn't have entered your  
3 mind in terms of calling the Manitoba  
4 prosecutors, despite the fact that you were very  
5 concerned that they get that disclosure?

6 A No, that wouldn't have entered my personal mind,  
7 no. I didn't feel that I had the authority to  
8 conduct other person's business, sir.

9 Q Well, it was your business in the sense that you  
10 were concerned; right?

11 A That is correct, and that's why I referred it to  
12 my supervising officer.

13 Q And you did so promptly?

14 A I am sorry?

15 Q You did so promptly, you referred it to your  
16 supervisor promptly?

17 A Yes, I believe I did, yes, sir.

18 Q We see that from the documents.

19 Did you phone -- you had had some contact  
20 with Mr. Brodsky, did you speak with Mr. Brodsky  
21 about that, or did you believe Mr. Brodsky  
22 already knew that?

23 A I had no way of knowing whether he already knew  
24 that. But my assurance, and that is included in  
25 one of my reports as well, my assurance to



1 Mr. Brodsky and Mr. Driskell was that they would  
2 be advised as soon as a decision was made as to  
3 the immunity that we would be seeking for  
4 Mr. Driskell.

5 Q Fair enough. Would it be fair to say then, sir,  
6 that you had no contact whatsoever with  
7 Mr. Dangerfield on this matter?

8 A Absolutely no contact, sir, with Manitoba  
9 Justice whatsoever.

10 MR. PROBER: Thanks very much.

11 THE WITNESS: Thank you, sir.

12 THE COMMISSIONER: Thanks, Mr. Prober.

13 BY MR. OLSON:

14 Q Mr. Ferguson, Bill Olson, I represent the  
15 Attorney General of Manitoba and Gregg Lawlor,  
16 who assisted in the prosecution of Mr. Driskell  
17 in June of '91.

18 A Yes, good afternoon.

19 Q I gather from your last answer, sir, that you  
20 had no contact with Mr. Lawlor at any time in  
21 respect of the ongoing trial, either pre or  
22 post?

23 A That is correct.

24 Q All right. We know from what your evidence was  
25 earlier this afternoon, sir, that some of your

1 reports, one or more apparently made their way  
2 up to Saskatchewan Justice through that chain of  
3 command that you described?

4 A That is correct.

5 Q But you had no involvement in any decisions made  
6 by Saskatchewan Justice, nor did you participate  
7 at all in any communications with Manitoba  
8 Justice as to what should be decided upon in  
9 those issues?

10 A That is correct.

11 Q Can I also take it, sir, that you had no  
12 knowledge of either the disclosure policies or  
13 practices followed by Manitoba Crowns at that  
14 time, that is in June of 1991?

15 A I had no knowledge, except the legal precedent  
16 in Canadian law as set down in Stinchcombe.

17 Q Well, Stinchcombe had not yet occurred, sir.

18 A Okay. I guess I didn't know whether the  
19 concerns that perhaps I had were shared, as far  
20 as the legal aspect of complete disclosure, no.

21 MR. OLSON: Right. Thank you very much, sir.

22 BY MR. ABRA:

23 Q Mr. Ferguson, my name is Doug Abra, sir, I'm  
24 acting on behalf of the late Bruce Miller. You  
25 have seen reference to him in the letters that

1           you reviewed, sent by Mr. Quinney to Manitoba  
2           Justice?

3    A       Yes, sir.

4    Q       And in particular your attention was drawn to  
5           tab B-21, which was a letter that Mr. Quinney  
6           sent to Bruce Miller?

7    A       Yes, that is correct.

8    Q       Now, did you see that letter at the time or  
9           shortly after it was written, or have you only  
10          come to see it during the course of your  
11          meetings with Mr. Code and so on?

12   A       I have only come to see it after, in our  
13          meetings with Mr. Code as part of the package,  
14          sir.

15   Q       So at the time, when the letter was sent in  
16          January of 1992, you didn't receive a copy of  
17          it?

18   A       I don't recall ever seeing a copy of this  
19          before, sir.

20   Q       And the same with the tab B-24, Mr. Ferguson,  
21          another letter from Mr. Quinney to Mr. Miller?

22   A       Yes, sir.

23   Q       You didn't see that one prior to this inquiry  
24          and your involvement in this inquiry?

25   A       Not to my recollection, sir.  No, sir.

- 1 Q And I assume, based on that, that any letters of  
2 reply that Mr. Miller may have sent, you didn't  
3 see?
- 4 A No, I definitely didn't see any replies.
- 5 Q Did you ever deal with Bruce Miller at all  
6 during this matter, sir?
- 7 A Not at all, sir.
- 8 Q Had you ever met him, ever talked to him?
- 9 A No, sir.
- 10 Q There was, in your view, a fairly significant  
11 misunderstanding, at least as far as your  
12 detachment was concerned, and you and Constable  
13 Burton in particular, and even Inspector Preston  
14 it would appear, as to whether or not  
15 Mr. Zanidean in fact was in the formal Witness  
16 Protection Program?
- 17 A Yes. We appeared to be getting a lot of  
18 conflicting statements with respect to his  
19 status.
- 20 Q Okay. And you were under the impression for  
21 some significant period of time, I gather, that  
22 indeed he was in the formal Witness Assistance  
23 Program, and you later found out that indeed  
24 that wasn't the case; is that correct?
- 25 A Yes, that would be correct.

1 Q Was Preston's impression the same, do you know?

2 A I believe it was initially, yes, until he had  
3 conferred with Corporal Orr himself to try and  
4 straighten out this conundrum, if I can put it  
5 that way.

6 Q Okay. According to the memo that Mr. Code  
7 showed you this morning, it would seem that when  
8 then Inspector Preston -- is he still with the  
9 force, by the way, do you know, or is he  
10 retired?

11 A No, he retired as a Chief Superintendent, I  
12 believe, out of British Columbia, approximately  
13 five years ago.

14 Q Because he had a lot of service in Manitoba, as  
15 you are probably aware.

16 A Yes, yes.

17 Q Now, Inspector Preston, as he was at that time,  
18 did send that memo, or at least after speaking  
19 to Orr, and he used the term witness protection.  
20 Are you aware whether or not at that point he  
21 thought that Zanidean was in the Witness  
22 Protection Program, or he was not, or do you  
23 know?

24 A My impression was that at that time he thought  
25 he was. Now, in reading carefully the structure

1 of the memo, I then felt that this is perhaps  
2 again a phrase where he has in italics and small  
3 letters, witness protection, and out of the  
4 province. So, again, this could mean that it is  
5 a witness that's being protected for his safety  
6 and is being kept under wraps until a trial  
7 date. So I find it difficult -- I suppose it is  
8 trying to read exactly what he meant by using  
9 small letters and italics and saying out of the  
10 province, but he does say that this will be  
11 assessed at a later date and formal relocation  
12 may take place at a later date. So when I read  
13 that, again, to me, formal relocation would be  
14 normally part and parcel of a formalized Witness  
15 Protection Program, where a contract is entered  
16 into, sanctioned by, in this case Manitoba or  
17 Saskatchewan Justice or whatever, sanctioned by  
18 them. And certainly under contract, the person  
19 under the Witness Protection Program, as well as  
20 the people monitoring or providing him the  
21 protection, had legal obligations to fulfill  
22 certain items.

23 Q Is it fair to say, and I recognize, sir, it may  
24 be a very, very difficult, if not an impossible,  
25 question for you to answer because we are

1 talking about 15, 16 years ago or whatever?

2 A Yes.

3 Q Is it fair to say that when you saw Preston's  
4 memo at the time, you thought that Zanidean was  
5 in the formal witness assistance program?

6 A Yes, at that time I did think that.

7 Q It is on rereading it now, some 15 years later,  
8 that you are beginning to see that it might have  
9 a different meaning?

10 A Yes, it had to be read I guess more careful,  
11 because of the apparent confusion, it appeared  
12 that Orr at one time said he was, and then later  
13 on said that he had been approached to put him  
14 in the Witness Protection Program, which means  
15 then he is not.

16 Q So is it fair to say at this time, now, you  
17 don't really know what Preston knew back in 1990  
18 and 1991?

19 A That is correct.

20 Q Okay. Inspector Wass, by the way, is that Bob  
21 Wass that used to be in Manitoba as well?

22 A Yes, I believe he came from Manitoba as well. I  
23 didn't know Inspector Wass well and I didn't  
24 know his history, but I do know he arrived in  
25 Saskatchewan just a short time prior to this

1 matter.

2 Q And his service had been elsewhere before that?

3 A Yes.

4 Q But his first name is Bob?

5 A Yes, and I do recall that he was originally from  
6 Manitoba.

7 Q All right. Thank you.

8 And the last series of questions, sir, and  
9 hopefully just one or two, you had spoke to  
10 Mr. Brodsky, I gather directly before you came  
11 to Winnipeg to interview Mr. Driskell after  
12 Mr. Driskell's trial? To make the arrangements  
13 to come, did you talk --

14 A Yes, that is correct, as far as I can recall. I  
15 also recall talking to Mr. Driskell, and there  
16 was concern that Mr. Brodsky remain in the room  
17 as a witness to the interview. And I said,  
18 absolutely, I had no problems with that. My  
19 intention was not to attempt to take a culpatory  
20 statement.

21 Q Sorry, I may not have made my question clear,  
22 though. What I'm asking you is before you  
23 actually came to Winnipeg, did you speak to  
24 Mr. Brodsky, at least on the telephone, about  
25 setting up the meeting with Mr. Driskell and so



1 on?

2 A As I recall, yes, it was at Mr. Brodsky -- it  
3 would not have been myself that called him, but  
4 as I recall, he called me.

5 Q Was that before Mr. Driskell's trial, or do you  
6 remember?

7 A No, that was after.

8 Q It was after.

9 A Yes, sir.

10 Q Okay. But you were aware of the fact that, at  
11 least from Constable Burton, that Mr. Brian  
12 Savage, a former RCMP member, had spoken to  
13 Burton way back in April of 1991?

14 A Yes.

15 Q About Mr. Driskell's version of events as far as  
16 the fire was concerned?

17 A Yes, sir.

18 Q Okay. And it was for that reason, and Savage in  
19 fact offered to have Mr. Driskell give a  
20 statement at some point --

21 A That is correct.

22 Q -- as to what Mr. Driskell's version of events  
23 was?

24 A That is correct.

25 Q And then it was arranged. And I was a little

1 bit unclear, sir, on one final point. Had you  
2 received, or had you had been given permission  
3 to give Mr. Driskell immunity when you took the  
4 statement, or was that still an open question?

5 A No, that was certainly an open question, and  
6 that was included in my report. My assurance  
7 verbally was made to Mr. Driskell and  
8 Mr. Brodsky that I would be seeking immunity. I  
9 certainly had no authority to grant it, but I  
10 would be seeking it, again, in hopes of using  
11 Mr. Driskell's evidence to support a charge or  
12 charges against Hayek and Zanidean.

13 Q That's fine, sir. Thank you very much. Thank  
14 you, Mr. Commissioner.

15 THE COMMISSIONER: Thank you, Mr. Abra.

16 BY MS. CARSELL:

17 Q Good afternoon, Mr. Ferguson, my name is  
18 Kimberly Carswell and I'm counsel for the  
19 Winnipeg Police Service, sir.

20 A Good afternoon.

21 Q When I listened to your evidence, sir, you were  
22 fairly clear in that you don't recall who you  
23 spoke to in the Winnipeg Police Service; is that  
24 correct?

25 A That is correct.

1 Q Did you speak to anyone in the Winnipeg Police  
2 Service about making arrangements to come and  
3 interview Mr. Driskell, or was that done  
4 entirely through Mr. Brodsky?

5 A I did not make any personal arrangements, that  
6 was done through Mr. Brodsky, as I recall. I do  
7 recall that I did not have contact and say I'm  
8 coming in such and such a date, I would like to  
9 interview him at Stony Mountain. That was all  
10 prearranged, and I'm assuming by Mr. Brodsky.

11 Q So until the time you arrived in Winnipeg on  
12 July 27th of 1991, had you personally spoken to  
13 anyone from the Winnipeg Police Service?

14 A I can't recall doing that, no.

15 Q And you understand, we have heard from Constable  
16 Burton that his problem with Winnipeg Police  
17 Service was in relation to his dealings with one  
18 person; is that correct?

19 A Yes, that's probably correct. I guess the whole  
20 frustration and displeasure was the delay in all  
21 of the requests that were made and these --  
22 there would have been various people probably  
23 that could have attended, rather than one person  
24 alone. Because, you know, I would assume the  
25 natural course of action is that one individual,

1 I know for a fact, was asked if he could find  
2 Reath Zanidean, and months went by, and finally  
3 a report came that he knocked on the door two or  
4 three times and couldn't find him. So there  
5 were different people involved. My  
6 understanding was probably the brunt of  
7 Inspector Burton's frustrations were aimed,  
8 because that's who he had the most contact with,  
9 at Sergeant Anderson.

10 Q Now you just mentioned something that was of  
11 interest to me. You mentioned that you got a  
12 report from somebody about them knocking on the  
13 door three or four times, Mr. Zanidean's door?

14 A Yes, that's correct.

15 Q And you recall receiving that report?

16 A I recall reading it.

17 Q All right.

18 A I think it went on to say that on three  
19 occasions he found no one home, and then that  
20 was all we heard from that individual for  
21 several months.

22 Q All right. And then I understand that  
23 individual, that would have been a Sergeant  
24 Mann, contacted Constable Burton and advised him  
25 he would hear from Sergeant Anderson in respect

1 of the matter. Do you recall hearing anything  
2 about that?

3 A Yes, I believe that is correct, I recall that.

4 Q So there was a report then sent by Sergeant  
5 Mann, that would be your recollection, about his  
6 attempts to locate Ray Zanidean and knocking on  
7 the door?

8 A As I recall, yes.

9 Q Thank you. You indicated that when you attended  
10 at the Stony Mountain, or you thought you were  
11 going to be attending at Stony Mountain, but  
12 when you attended at the Winnipeg Police Service  
13 on July 27th of 1991, what you were concerned  
14 about? And I have taken down your evidence and  
15 I'm not a stenographer, so if I'm wrong, I hope  
16 you will correct me. You indicated that you  
17 were concerned that full disclosure had not been  
18 made to the prosecutor in Manitoba Justice?

19 A This was not immediate at that time, this was  
20 following receiving the statement from  
21 Mr. Driskell.

22 Q All right. So, you weren't concerned that  
23 Mr. Brodsky was unaware of obviously what  
24 Mr. Driskell was telling you about the arson, he  
25 was in the room, he knew it?

1 A Absolutely.

2 Q All right. So your concern at this particular  
3 point wasn't necessarily defence counsel being  
4 absent information, it was the Crown was absent  
5 information that you felt should be in the  
6 Crown's hands; is that correct? Is that a fair  
7 way to put it?

8 A Sorry, could you rephrase that? I apologize.

9 Q At the point we are talking about, your concern  
10 then is not that Mr. Brodsky, Mr. Driskell's  
11 counsel doesn't have certain information, it is  
12 the fact that the Crown doesn't have certain  
13 information that they should have?

14 A That's probably a more correct way of putting  
15 it, yes, ma'am. As far as to whose  
16 responsibility it was, no, I would not feel it  
17 is defence counsel's responsibility.

18 Q I didn't suggest it was. I was suggesting that  
19 your concern at the time wasn't in relation to  
20 defence counsel having disclosure, but in fact  
21 was in relation to the Crown having it?

22 A I follow you now. That's correct.

23 Q We will get into responsibility in a minute.

24 You also indicated to me something that I  
25 only got partly down and I wasn't sure I

1 understood. You said that this was based on  
2 your interpretation of what happened from  
3 Brodsky. Can you help me out at all there?

4 A I am sorry, I can't.

5 Q All right. But, in any event, you were  
6 obviously familiar with the obligation on police  
7 to bring forward valid information to the Crown;  
8 is that correct?

9 A Yes.

10 Q And the obligation isn't on police to bring  
11 forward that information to defence counsel, is  
12 it?

13 A Yes, I believe it is.

14 Q It is? But is it directly to defence or is it  
15 through the Crown?

16 A It is definitely, yes, I would assume procedure  
17 wise it would be extremely incumbent on an  
18 investigating officer or a police officer to  
19 notify Crown if charges certainly had been laid.

20 Q Certainly. But let's take an example. You do  
21 an investigation, you have laid a charge,  
22 subsequent information comes out in relation to  
23 that charge.

24 A Right.

25 Q You reduce it to a report --

1 A Right.

2 Q -- as a police officer. Your obligation as a  
3 police officer, I suggest, is to disclose that  
4 report to the Crown Attorney?

5 A Yes.

6 Q Who in turn disclose it to defence.

7 A Yes, and I follow what you are saying, and I  
8 would agree with that, yes.

9 Q All right. It wouldn't be for you as a police  
10 officer to produce a report and then provide it  
11 directly to defence counsel? That's not what  
12 Stinchcombe contemplates, is it?

13 A No.

14 Q Just in relation to what happened by way of  
15 process back in Swift Current back in '90 and  
16 '91. We heard there was two type of files  
17 really, a protected A file that would be sort of  
18 the main part of the investigative file, if I  
19 can call it that, would that be correct?

20 A Yes, that is correct.

21 Q And there was a protected B file on some  
22 occasions as well?

23 A Yes. There would be strict rules in  
24 reclassifying the file.

25 Q All right.



1 A And I'm sure you are aware, protected B  
2 generally would contain information that is a  
3 higher level of security, as far as access to,  
4 it would contain information to identify an  
5 informant or information that may identify an  
6 informant, it would be intelligence gathered  
7 that may not ever be provable, it may contain  
8 contentious problems that have arisen in the  
9 investigation, and it may contain personal  
10 observations or opinions of the investigating  
11 officer that is not for public consumption, if I  
12 could use that correctly. In other words,  
13 access is protected to that information.

14 Q All right. Now let's say that you have, for  
15 example, a charge that has been laid in an  
16 arson, since this is an arson, and you've got a  
17 situation where you have both a protected A and  
18 a protected B file in relation to that arson.

19 What material would go to the Crown?

20 A All material would go to Crown.

21 Q So everything in the B file would go to the  
22 Crown Attorney?

23 A Yes, that would be my way of handling it. Now,  
24 I would -- prior to that, I would ask whether  
25 there was any information that in the best of

1 public interest should be vetted, i.e., names.

2 Q So it wasn't the case then that you would  
3 prepare a prosecutors' information sheet or  
4 something of that nature --

5 A Oh, yes.

6 Q -- and only provide that to the Crown?

7 A Again, no, I can't see providing unprovable  
8 intelligence to the Crown, I can't see the value  
9 of it. Now whether I would do that or not, I  
10 don't recall our procedures, that's ten or 12  
11 years ago. But the investigators, or you called  
12 it the court brief, is that the way you --

13 Q That's the way someone has referred to it for  
14 me, so I'm trying to use --

15 A Generally, the court brief would be taken from  
16 the crime report, the C237, which would outline  
17 suspects and evidence. Then that would be  
18 placed say in a "can say," I think you used that  
19 term, as to what each witness that you  
20 anticipate is a valuable witness, what evidence,  
21 verbal evidence they can provide to the Crown  
22 prosecutor at a trial.

23 Q All right. Now, for example, if you were to  
24 receive something important during the course of  
25 an investigation, say an admission from an

1 individual, where would, in your view, that be  
2 properly placed? Would it be in a C237 or would  
3 it be in a 1624?

4 A Well, I don't believe -- and I don't understand  
5 the significance of the various type of forms,  
6 because to me it has no relevance whatsoever.  
7 But what I would do is that would be put on a  
8 C237, classed as a crime, or investigative  
9 report.

10 Q All right.

11 A A 1624, as you have mentioned, generally is like  
12 a --

13 Q We have heard it called an occurrence report?

14 A It is an occurrence report. So, in other words,  
15 if you have a hit-and-run, you would open up a  
16 file, who is the witness? It would be available  
17 for the administrative staff to properly enter  
18 names in what is referred to as the police  
19 information retrieval system.

20 If that information was to go further,  
21 either to senior decision-makers in the RCMP, or  
22 to Crown counsel, then the appropriate, in my  
23 opinion, avenue, would be in a C237, or even  
24 subsequently a can say evidence or a  
25 prosecutor's information report.

1 Q All right. Thank you. Now you indicated in  
2 your interview to Commission Counsel at tab A-2,  
3 you were asked about your assessment of  
4 Constable Burton. I just want to confirm that  
5 you were of the view that he has a tendency  
6 perhaps to be overly suspicious, that was your  
7 impression of him?

8 A That was perhaps, in reading that, that was  
9 perhaps a poor choice of words as to describe  
10 his character and personality. And I think to  
11 more accurately describe him would be cautious,  
12 he was very cautious. And I apologize if  
13 that -- it is just poor wording on my part when  
14 I talked about his character.

15 Q That's fine. When Mr. Lockyer was asking you  
16 questions, he drew your attention to tab A-25.  
17 And if you could just look at tab A-25, that was  
18 the material that was obtained from Sergeant  
19 Anderson in relation to the complaint that was  
20 received by the Winnipeg Police Service through  
21 D Division about what had happened in the file?

22 A Yes.

23 Q And I believe your evidence was that you had  
24 never seen this particular document before you  
25 were interviewed by Commission Counsel. Is that

1 correct?

2 A I don't recall seeing that, no.

3 Q All right. Can I draw your attention to tab  
4 24-A, the document immediately preceding that  
5 one. And this is a report prepared by Constable  
6 Burton; is that correct?

7 A Yes, it appears to be, yes.

8 Q And it deals with his review of the statement of  
9 Tom Anderson?

10 A That's correct.

11 Q And it appears you have signed off on that on  
12 the ninth page?

13 A Yes, I did look at it and I did sign off, yes.

14 Q So it is likely then that you did see Sergeant  
15 Anderson's statement in conjunction with this  
16 document when you would have reviewed them in  
17 1992, it appears January?

18 A Yes, that's possible. As I stated, I don't  
19 recall seeing that, but I don't recall, quite  
20 possibly I did, yes, ma'am. That was 16 years  
21 ago and I have seen a lot of reports before and  
22 since.

23 Q No doubt, sir, you had seen 30 years of reports  
24 before that?

25 A 36, yes, ma'am.

1 Q Up until this point?

2 A Yes.

3 Q If I could have one minute, Mr. Commissioner?

4 THE COMMISSIONER: Certainly.

5 BY MS. CARSELL:

6 Q So other than the one day then, that being the  
7 July 27th day that you attended Winnipeg, you  
8 had no other dealings with Winnipeg City Police  
9 Officers in this matter; is that correct?

10 A Not in this matter. Over the years I had  
11 dealings with various drug section members, but  
12 I had no dealings with any of the officers that  
13 are mentioned in this investigation, no.

14 Q All right. So when Mr. Lockyer suggests that  
15 there were difficulties with the Winnipeg Police  
16 Service as a whole, by using that word, we are  
17 really talking about the one officer that you  
18 had contact with who made that unfortunate  
19 remark to you?

20 A Yes. Unfortunately, I guess police officers all  
21 get painted with the same brush and I apologize  
22 for leaving that inference. But certainly I  
23 have had very, very good cooperation over the  
24 years and rapport with various members of both  
25 the Winnipeg City Police and Winnipeg RCMP

1           Officers.

2    Q       All right. Thank you very much, sir.

3    A       You are welcome.

4           MS. CARSELL: Thank you, Mr. Commissioner.

5           THE COMMISSIONER: Thank you, Mrs. Carswell.

6           MR. WOLSON: Mr. Commissioner, I'm going to be a  
7           little bit of time and it is almost 4:30 now.  
8           The one problem with going last or penultimately  
9           is that it is often late in the day and fatigue  
10          sets in. So it is now just shy of 4:30 by about  
11          10 minutes. I would rather not -- it is a long  
12          way of saying I would rather not have my  
13          cross-examination interrupted over the evening.  
14          Would you mind terribly if I were to commence  
15          tomorrow morning, with one promise to you, that  
16          having heard what the witness has said, I will  
17          scour my notes and edit and likely save the time  
18          tomorrow morning.

19          THE COMMISSIONER: You will be very terse and  
20          concise tomorrow morning.

21          MR. WOLSON: I will be as concise as I can.  
22          Thank you, sir.

23          THE COMMISSIONER: Madam reporter, you can give  
24          me a copy of that undertaking. I realize it is  
25          earlier than usual, but it has been a long day

1 and I will concur with your request.

2 MR. WOLSON: Thank you, sir.

3 THE COMMISSIONER: 9:00 o'clock tomorrow  
4 morning. I should have asked if anyone else had  
5 any objection to that before I made my ruling,  
6 but I assume no one does.

7 THE CLERK: All rise. This Commission of  
8 Inquiry is now adjourned.

9 (Proceedings adjourned at 4:20 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



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

COURT REPORTER'S CERTIFICATE

CECELIA REID and LISA REID, duly appointed  
Official Examiners in the Province of Manitoba,  
do hereby certify the foregoing pages are a true  
and correct transcript of our Stenotype notes as  
taken by us at the time and place hereinbefore  
stated.

-----

Cecelia Reid  
COURT REPORTER

-----

Lisa Reid  
COURT REPORTER

A				
<b>abilities</b> 648:22 668:22	693:25 <b>active</b> 557:25 582:24	622:21 679:1 680:18,22,23 683:18,25 692:17 692:20	481:2 483:7 484:7 484:16 485:21 488:21 491:20 495:3 511:15 512:17 513:5 514:11,12 515:15 517:13 520:2 521:10,12 522:9 522:25 523:6 529:12,16 530:23 531:6 532:13 533:18 534:4,25 537:17 538:18,24 542:25 543:15,16 550:16,16 552:21 552:25 553:15 575:13 576:1 577:6 582:8 584:4 584:15 590:2 599:22 603:15 606:16 607:11,13 607:16 608:17 609:18 610:1 642:6,24 644:18 645:12,22 647:6 647:16,19,24 649:4,8 665:17,20 667:14,16,22 674:8,24 694:9,25 702:19 703:9	702:12 704:21 <b>apparent</b> 568:24 569:6 665:24 689:11 <b>apparently</b> 501:12 501:14,22 503:2 508:19 636:24 684:1 <b>appeal</b> 665:4,10 <b>appear</b> 549:11,14 578:3 600:6 615:1 628:8,11 686:14 <b>APPEARANCES</b> 476:9 <b>appeared</b> 549:21 572:8 652:5 674:6 686:17 689:11 <b>appears</b> 537:11 547:12 548:10,15 549:8 581:7 582:16 589:12 624:10 629:18 664:2,22 666:17 672:5 703:7,11,17 <b>appending</b> 590:5 <b>applications</b> 565:6 <b>appointed</b> 658:17 707:6 <b>appraise</b> 653:5 <b>appreciate</b> 479:8 559:24 566:7 626:15 642:19 652:24 657:5,17 657:24 672:15 <b>appreciated</b> 566:13 <b>approach</b> 571:22 574:14 580:22 603:21 <b>approached</b> 689:13 <b>appropriate</b> 553:7 574:2 587:7 608:15 609:20 632:6 677:15 681:25 701:22 <b>approval</b> 585:14 <b>approved</b> 487:4 555:16 <b>approximately</b> 486:19 687:12 <b>April</b> 481:3 482:5 483:16,18,22 484:8,20 487:19 488:13,14 489:10 489:23 491:12,14 491:15 493:25 525:11 526:8 550:17 552:10,24
<b>ability</b> 555:20 579:21	<b>actively</b> 563:12 565:3	<b>agencies</b> 574:23 <b>agenda</b> 641:10 <b>agent</b> 609:13 <b>ago</b> 486:1 538:13 615:9 619:21,22 687:13 689:1 700:11 703:21 <b>agree</b> 485:18,19 486:11 487:10 496:17 497:11 499:9 501:1 504:18 508:21 509:24 512:6,15 514:10 526:2,6 529:17 533:3 534:13 536:18 612:5 627:5 645:20 680:11 698:8 <b>agreeable</b> 596:2 <b>agreed</b> 481:8 482:3 486:21 557:9 578:18 <b>agreeing</b> 487:12 523:3 <b>agreement</b> 487:6,18 487:20 579:2 581:6 584:16 <b>agreements</b> 588:19 <b>ahead</b> 516:22 520:4 589:20 638:22 <b>ahold</b> 627:13 <b>aid</b> 538:4 <b>aimed</b> 694:7 <b>aired</b> 654:7 <b>al</b> 664:1 <b>Alan</b> 476:10 <b>alerted</b> 596:23 606:23 627:17 <b>allegation</b> 495:19 538:17 <b>alleged</b> 535:13 600:17 <b>allow</b> 593:3 599:7 <b>amounts</b> 537:15 <b>analysis</b> 596:23 599:8,11 624:9 630:2 <b>analyst</b> 599:10 <b>analytical</b> 565:18 565:19 567:4 <b>analyze</b> 623:14 <b>Anderson</b> 480:6,9	<b>Anderson's</b> 480:21 510:24 511:3,10 516:24 520:10,19 528:7 542:11,13 581:5 584:14 642:14,17 649:5 666:1 668:15 703:15 <b>annual</b> 625:4 <b>answer</b> 488:3,22 503:11 557:18 604:15 683:19 688:25 <b>anticipate</b> 700:20 <b>anxious</b> 569:12,17 569:25 572:4 580:24 611:22 <b>anybody</b> 603:22 604:1 <b>anybody's</b> 611:25 <b>anyway</b> 624:6 <b>apart</b> 547:15 <b>apologetic</b> 611:7 643:21 644:5 <b>apologize</b> 610:19 631:14 636:3 660:22 696:8	
<b>able</b> 541:13 563:15 570:4 583:5,6 585:4 605:12	<b>activities</b> 594:14 <b>activity</b> 545:20 609:9 <b>actual</b> 570:11 571:5 620:3 646:12 <b>adamant</b> 497:2 508:12 <b>add</b> 551:9 586:20 <b>added</b> 551:6 <b>additional</b> 519:25 540:11 <b>address</b> 612:6 624:18 <b>addressed</b> 575:11 649:15,15 653:24 662:14 663:8 <b>adhered</b> 586:5 <b>adjourned</b> 614:1 706:8,9 <b>administration</b> 564:5 <b>administrative</b> 476:4,5,6,7 563:5 563:16 701:17 <b>admissible</b> 571:7 <b>admission</b> 700:25 <b>admissions</b> 575:3 <b>admits</b> 523:3 <b>admitted</b> 555:9 592:15 593:5 612:21 <b>advantage</b> 518:17 <b>advertising</b> 588:15 <b>advise</b> 522:17 672:9 <b>advised</b> 496:6,18,23 508:8 517:13 521:22 522:10 523:20 524:4 527:5 532:14,15 534:4,11 556:7 614:11 619:3 625:13 667:5 669:20 671:25 683:2 694:24 <b>advises</b> 577:19 <b>advising</b> 606:23 <b>affect</b> 650:19 <b>affirm</b> 558:15 <b>afforded</b> 593:10 602:17 <b>afternoon</b> 532:25 533:6 614:6	<b>Abra</b> 476:14 477:19 630:10,11 684:22 684:23 692:15 <b>absence</b> 488:4 <b>absent</b> 696:4,4 <b>absolutely</b> 568:8 572:9 574:17 651:13 662:5 677:2 683:8 690:18 696:1 <b>accelerants</b> 569:2 <b>accept</b> 494:25 495:7 503:14 510:4 511:7 512:1 <b>accepted</b> 500:12,14 500:20 556:13 584:3 594:1,3,5 <b>accepts</b> 584:14 <b>access</b> 541:7,12,13 615:13 635:1 661:25 662:6 699:3,13 <b>accomplice</b> 570:18 571:23 <b>accomplished</b> 579:17,23 <b>account</b> 515:18,19 576:3 577:22 578:6 581:4,5,10 582:8 <b>accounts</b> 575:25 <b>accuracy</b> 559:22,23 <b>accurate</b> 615:18 <b>accurately</b> 611:15 634:9 702:11 <b>accused</b> 556:9,13 562:18 651:8 676:14 <b>acknowledge</b> 629:15 <b>acknowledges</b> 523:6 <b>act</b> 492:9,12,17 527:23 655:1 <b>acting</b> 684:24 <b>action</b> 482:23 591:14 603:6 604:5 653:13		

<p>552:25 575:13 581:2,22 582:1,5 582:8 586:25,25 587:1,11,17 589:23 590:1 593:16 598:24 610:21 624:24 628:18 680:5 691:13 <b>archives</b> 615:24 <b>area</b> 545:23 553:17 554:16 574:8 <b>areas</b> 544:7 <b>argue</b> 662:17 <b>argued</b> 618:7 <b>arisen</b> 582:21 699:8 <b>arises</b> 635:10 657:22 <b>arising</b> 557:14 614:9 623:3 <b>arose</b> 569:15 <b>arranged</b> 691:25 <b>arrangement</b> 536:22 <b>arrangements</b> 635:25 638:17 690:12 693:2,5 <b>arrest</b> 625:18 626:1 <b>arrested</b> 495:17 <b>arrival</b> 559:13,15 <b>arrived</b> 689:24 693:11 <b>arson</b> 479:23 480:2 494:7 502:24 503:7 505:21 521:15,20,25 522:11,14 523:22 523:24 524:2,7 535:7,13 537:10 538:22 541:19 560:24 561:22 564:8,10,13 566:5 566:14,15 568:10 569:21 570:17 571:5,12 572:11 572:11,23 577:11 578:24 600:21 611:9 612:1 615:4 629:8 638:1,10 640:21 641:10 642:3 643:15,16 643:23 644:7 645:15 646:8,22 648:3,8,11 650:24 695:24 699:16,16 699:18 <b>arsons</b> 496:25 508:9</p>	<p>508:20 517:15 <b>articles</b> 625:3 <b>articulate</b> 601:6 <b>articulated</b> 541:17 <b>ASAP</b> 531:15 <b>aside</b> 553:2 556:3 571:19 580:4 612:4 660:1 <b>asked</b> 481:15,22 501:7 516:2,16 538:8 543:3 549:17 625:11 664:15,18 694:1 702:3 706:4 <b>asking</b> 482:2 483:16 489:1 518:25 533:20 587:5 593:1 598:8 604:10 635:19 652:17 690:22 702:15 <b>aspect</b> 493:1 679:11 684:20 <b>ASPECTS</b> 475:2 <b>assessed</b> 688:11 <b>assessment</b> 570:3 625:5 702:3 <b>assigned</b> 618:18 <b>assistance</b> 543:2,6 573:9,11 574:4,9 574:15 575:5 664:12,16 677:14 686:22 689:5 <b>Assistant</b> 476:5,6 <b>assisted</b> 629:19 683:16 <b>assisting</b> 566:16 665:21 667:17,22 <b>Associate</b> 476:3 617:10 <b>Association</b> 476:21 <b>assume</b> 536:1 588:8 592:14 634:18 658:2 663:13 686:1 693:24 697:16 706:6 <b>assumed</b> 591:22 637:13 651:16 <b>assumes</b> 674:23 <b>assuming</b> 580:5 693:10 <b>assumption</b> 596:7 600:13 615:2 662:4 <b>assurance</b> 682:24 682:25 692:6 <b>assure</b> 513:14</p>	<p><b>assured</b> 487:3 571:3 <b>assures</b> 557:11 <b>Atras</b> 529:4,21,22 531:5 532:7 665:24 667:4 668:3,3,10,14,20 <b>attached</b> 543:9 545:14 625:2 628:25 <b>attaching</b> 677:6 <b>attempt</b> 571:11 690:19 <b>attempting</b> 652:22 <b>attempts</b> 695:6 <b>attendance</b> 635:6 <b>attended</b> 594:20 693:23 695:9,12 704:7 <b>attending</b> 695:11 <b>attention</b> 542:6 557:6 584:5 602:20 606:9 650:13 685:4 702:16 703:3 <b>attitude</b> 503:18 566:10 568:20 570:23 571:25 580:17,20 604:13 651:1,3 <b>attorney</b> 522:17 620:7,12 658:17 672:2,11,12 683:15 698:4 699:22 <b>Attorney's</b> 658:18 <b>attributed</b> 611:10 644:8 674:16 <b>attributes</b> 647:19 <b>attributing</b> 556:4 644:19 645:11,12 645:23 647:6 <b>August</b> 547:1 573:13 664:17 <b>author</b> 663:15 679:24 <b>authored</b> 617:4 <b>authority</b> 579:11,20 649:25 682:7 692:9 <b>authorize</b> 585:5 <b>available</b> 484:6 486:9 531:12 579:25 625:9 659:6 661:5 676:23 701:16 <b>availed</b> 662:6 <b>avenue</b> 701:23</p>	<p><b>await</b> 482:24 591:15 592:17 596:16 599:2 <b>awaiting</b> 554:13 555:1 593:2 <b>aware</b> 484:16,20 498:21 504:12 522:3,10 523:7 527:11 575:4 615:10 631:15 643:18 653:16 654:12 687:15,20 691:10 699:1 <b>awful</b> 674:12 <b>A-1</b> 633:17 <b>A-12</b> 559:9 <b>A-137</b> 493:21 <b>A-139</b> 555:24 <b>A-2</b> 702:2 <b>A-23</b> 576:5 <b>A-24</b> 482:8 485:16 488:16 490:13,21 491:5 510:15 518:13 519:4,7 520:15,16 528:16 528:20 542:10,10 607:22 <b>A-25</b> 510:25 512:10 517:1 542:10,12 578:7 702:16,17 <b>A-32</b> 490:12 494:19 500:5 502:6,7,9 502:19 508:7 509:21 512:14,21 515:20 516:17,20 518:23 550:12,14 550:20 606:22 607:23,24 <b>A-34</b> 552:16,19 <b>A-42</b> 594:11 <b>A-43</b> 681:9 <b>A-44</b> 504:4,6 <b>A-46</b> 606:24 <b>A-47</b> 606:24 <b>A-48</b> 499:25 502:20 606:25 <b>A-5</b> 482:18 554:2 590:6 <b>a.m</b> 479:2 557:3 558:9 <b>A237</b> 540:18 <b>A237s</b> 540:8 <hr/><b>B</b><hr/><b>B</b> 480:17 540:8 541:8,18,23 651:5 665:20 667:13</p>	<p>698:21 699:1,18 699:21 <b>back</b> 479:12 483:18 487:22 488:2 502:19 505:14 509:21 514:13 516:15 518:22 524:13 528:3 532:25 533:2,5 540:9 546:13,17 549:5 552:20,24 556:17,22 557:16 557:17 560:12 562:14 568:16 573:14 576:8 586:2 589:23 598:23 610:21 624:4 635:13 644:13 649:13 650:11 651:17 654:2,4 661:21 667:5,13 670:19 671:20 673:18 676:5 679:24 680:5,7 689:17 691:13 698:15,15 <b>background</b> 563:20 613:12 <b>bad-mouths</b> 613:17 <b>bail</b> 618:6 <b>bang</b> 618:12 <b>barroom</b> 648:18 <b>based</b> 521:15 522:20,23 574:9 614:21 686:1 697:1 <b>basically</b> 494:6,9 502:5,8 529:9,14 530:3 542:24 <b>basis</b> 499:8 570:18 586:21 664:4 676:15 <b>bate</b> 545:6,9,21 546:15,19 547:4,8 547:16 548:1,5,20 549:12 <b>Bear</b> 681:10 <b>beat</b> 629:16 <b>beating</b> 486:7 <b>beginning</b> 689:8 <b>begins</b> 573:7 <b>behalf</b> 597:10 684:24 <b>belief</b> 538:21 <b>believe</b> 487:11 518:10 519:1 522:15,22 524:13</p>
--	---	--	--	---

<p>528:8,21 530:1 531:4 543:5 564:10,11 566:13 566:13 570:7 571:2 585:14 589:16 599:24 601:15 633:5 635:3 641:1 647:20 661:1 663:5 667:3,25 669:19 677:4 681:7 682:17,21 687:2,12 689:22 695:3 697:13 701:4 702:23 <b>believed</b> 523:11 <b>believes</b> 538:23 <b>Bench</b> 617:11 618:8 <b>beneficial</b> 653:10 <b>benefit</b> 565:21 615:8 <b>Bergmann</b> 476:5 <b>best</b> 530:9 550:10 595:10 599:10 601:6 606:12 611:25 615:14 620:8 622:2 624:9 631:6 665:25 678:2 699:25 <b>bet</b> 558:22 <b>better</b> 560:11,15 622:4 633:2 637:1 <b>beyond</b> 678:7 <b>Bible</b> 558:14,16 <b>big</b> 489:5 599:9 640:13 647:23 <b>Bill</b> 683:14 <b>bit</b> 490:15 540:10 556:11 576:11 605:16 622:8 630:16 635:20 643:25 658:14 659:23 662:9 668:6 692:1 705:7 <b>bitch</b> 535:23 536:14 <b>blacked</b> 673:1,5 <b>blanche</b> 495:20 <b>Bob</b> 689:20 690:4 <b>bodies</b> 653:8 659:11 <b>body</b> 496:1,9 502:13,16 528:9 528:22 532:13,16 533:16 534:13,17 534:18 535:3,9 575:2 660:3 <b>bogging</b> 515:23 <b>book</b> 527:15 559:9</p>	<p>568:13 576:5 639:23 670:11 680:9 <b>boost</b> 654:19 655:2 655:2 <b>border</b> 658:3,11 <b>borders</b> 657:24 658:2,4 <b>boss</b> 598:8 657:15 <b>bother</b> 677:12 <b>bottom</b> 504:22,23 520:17 526:7,8 528:16 532:5 545:6,10 546:19 548:21 551:24 552:1,23 581:20 596:21 600:5,15 602:19 616:12 640:3 650:16 670:20 679:25 <b>box</b> 621:14 <b>break</b> 557:24 558:1 558:3 613:23 <b>Brian</b> 571:3 691:11 <b>brief</b> 595:12 700:12 700:15 <b>briefe</b> 559:4 <b>briefing</b> 540:21 579:6 603:5 624:21 653:10 <b>briefly</b> 542:7 560:18 <b>bring</b> 637:12 697:7 697:10 <b>bringing</b> 583:20 584:5 602:1 <b>brings</b> 649:13 <b>British</b> 687:12 <b>broadcast</b> 617:18 617:20 620:9 <b>broadly</b> 546:12 <b>Brodsky</b> 494:14 496:5 501:15,22 502:23 503:6 505:19 506:18 507:2 534:7 543:19,20,22,24 571:1,8 595:9 600:24 601:17 636:2,16 639:17 651:24 677:18 682:20,20,21 683:1 690:10,16 690:24 691:2 692:8 693:4,6,10 695:23 696:10 697:3</p>	<p><b>Brodsky-driven</b> 505:22 506:14 507:9 510:8 <b>broke</b> 519:24 <b>brother</b> 496:7 530:4 <b>brothers</b> 530:7 <b>brought</b> 595:16 606:9 650:13 <b>Bruce</b> 476:14 675:17 684:24 685:6 686:5 <b>Bruni</b> 476:8 <b>brunt</b> 694:6 <b>brush</b> 704:21 <b>build</b> 497:12 551:14 <b>building</b> 497:14 550:3,8,22,24 562:4 587:14 <b>built</b> 586:17 <b>bundle</b> 556:24 <b>burned</b> 501:24 <b>burning</b> 525:16 570:11 <b>Burton</b> 477:4 486:20 493:1 502:22 505:16,19 506:18 507:15,23 508:17 511:14 515:5 520:13,22 521:9 522:3 525:18 534:4 540:4 544:2,8 554:1 556:21 557:16,17,22 559:6 560:21 561:13 565:7,11 565:23,24 566:24 568:16 575:11 577:8,19 578:17 578:25 579:7,10 580:7,11,14 584:10 588:25 590:5 593:22 594:13 598:24 599:9 604:5,11,25 605:12 606:9,13 606:22 607:12,15 611:7 613:7,20 614:9,17 618:24 619:17 622:24 623:4 624:19 630:15 632:17 634:22 635:5 636:13 643:8,21 644:5,19 645:1,12 645:13,14,23 647:7,19,24</p>	<p>648:19,24 649:5 655:11 657:17 659:19 660:13 661:9 665:14 666:22,23 674:7,8 686:13 691:11,13 693:16 694:24 702:4 703:6 <b>Burton's</b> 581:4,9 582:7 584:5 586:9 590:5 603:9,10,17 607:14 613:16 619:14 633:24,25 680:2,4 694:7 <b>business</b> 554:1 682:8,9 <b>B-10</b> 531:19,23,24 <b>B-14</b> 510:5 <b>B-16</b> 534:9,11,20 537:23 <b>B-19</b> 670:10 <b>B-21</b> 675:10 685:5 <b>B-24</b> 685:20 <b>B-6</b> 529:20</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>C</b> 668:2 <b>cabinet</b> 541:4,10 <b>call</b> 480:10 481:4 483:7,17,22,25 484:8,24 485:5 486:18,24 487:13 487:22 488:13,13 488:15 489:7,23 490:24 491:11 492:4 502:8 511:11,13 512:13 515:7 516:19,24 519:23 520:13,22 525:10,11,19,20 544:13 549:20 552:21,25 553:14 556:1 558:12 573:25 575:17 576:1,8 577:1,25 581:2,5,10 582:8 584:9 610:2,19 616:16 617:10,25 618:5,23 619:20 621:10 622:1,5,6 628:14 639:11 643:1,1,8 646:2 663:18 680:13 698:19 <b>called</b> 484:8,10,17 484:18 488:2 511:17 522:6</p>	<p>554:2 561:11 608:21,23,25 620:8 638:22 642:15 672:9,10 691:3,4 700:11 701:13 <b>calling</b> 493:3,8,17 511:15 620:23 682:3 <b>calls</b> 483:9,13,14 502:3 550:9,16 552:9,10,10,13,15 553:3,5,8 575:12 575:18,22,23 581:3 590:6 599:22 603:15 606:16 607:10,11 607:15 608:3,16 609:17 <b>cameras</b> 620:6 <b>Canada</b> 659:12 <b>Canadian</b> 680:25 684:16 <b>canvassed</b> 614:7 <b>capacity</b> 678:16 <b>capital</b> 591:9,9 <b>caption</b> 626:12 <b>career</b> 560:19 565:8 589:1 656:5,6 <b>careful</b> 591:18 689:10 <b>carefully</b> 592:1 598:13 623:14 687:25 <b>Carol</b> 501:20 569:9 569:16 572:1,17 596:4 604:9 <b>carry</b> 604:20 <b>carrying</b> 586:15 <b>CARSELL</b> 624:4 624:16 629:25 635:3 692:16 704:5 705:4 <b>Carswell</b> 476:17 477:11,20 624:3,7 630:4 635:1 692:18 705:5 <b>carte</b> 495:20 <b>case</b> 480:2 485:6 522:8 538:7 566:9 566:14 567:14 568:18,22 570:2 570:17 571:12,18 571:24 572:25 580:22 587:8 596:24 601:8,16 602:9,10 604:22</p>
--	---	--	---	---

<p>605:2 616:24 624:2 652:21 656:23 657:24 659:18 661:23 662:2,12 668:7 686:24 688:16 700:2 <b>catastrophe</b> 504:17 504:19 <b>catastrophic</b> 506:4 <b>category</b> 579:25 <b>cause</b> 537:6 601:18 647:14 648:1 <b>caused</b> 620:20 652:4 673:9 <b>causes</b> 504:14 <b>causing</b> 656:20 <b>cautious</b> 702:11,12 <b>caveat</b> 615:12 <b>CBC</b> 617:18 620:10 <b>Cecelia</b> 707:6,16 <b>cells</b> 595:11 637:13 <b>Centre</b> 475:13 627:14 <b>certain</b> 475:2 476:18,20 517:24 538:18 541:12 564:17 580:2,2 623:1 688:22 696:11,12 <b>certainly</b> 488:19 498:1 556:9 560:14 563:23 566:2 569:23 571:16 574:7 579:11 583:9,13 583:15,22 585:4 585:15 586:4 589:5,7 602:2,2 604:16 605:4 609:22 613:9 621:17,18 623:12 627:21 638:15,18 640:23 641:23 646:3 647:9,20 650:10,19,21 652:18,19 654:8 654:11 655:25 669:13 670:7 671:8 674:11 678:7,17 688:18 692:5,9 697:19,20 704:4,22 <b>CERTIFICATE</b> 707:2 <b>certify</b> 707:8 <b>cetera</b> 560:1,1,4</p>	<p>574:13 604:23 652:21 659:7 678:20 <b>chain</b> 481:24 482:1 649:24 655:17 657:9,14 684:2 <b>chains</b> 655:6 <b>Chairman</b> 673:3 <b>chance</b> 557:4 559:8 559:10,11 560:15 568:11 655:22 <b>change</b> 583:18,18 655:19 657:11 <b>changed</b> 503:18 671:12 674:21 <b>changing</b> 655:19,20 655:21,21 <b>channels</b> 481:9 584:11,20 585:3,6 <b>chap</b> 620:24 647:15 674:4 <b>character</b> 604:23 613:16 644:25 668:22 702:10,14 <b>charge</b> 481:13 485:13 488:7 503:4 514:5 517:7 521:1 531:13 555:20 562:6 563:4 569:17 570:24 572:22 583:16 584:17 585:11 598:6 599:25 604:2,16 611:6,19,22,25 612:15,17 613:10 629:7 643:20 650:24 663:8,12 666:3 668:25 679:15 692:11 697:21,23 699:15 <b>charged</b> 496:24 507:15 508:9,17 508:20 517:14 521:14 522:14 652:12 <b>charges</b> 517:18 555:13 569:12,20 569:21 572:3,4 580:24 583:8 594:4,6 601:20 604:13 606:6 609:19 612:20,25 629:5 641:16 648:8 660:8,9 672:5 674:13 692:12 697:19</p>	<p><b>charging</b> 481:18 521:19 522:7 555:15 583:1 584:6 593:7 <b>Charles</b> 477:14 558:17 635:17 <b>check</b> 515:2 <b>checked</b> 580:1 <b>chief</b> 476:4 543:6 561:25 562:7,15 562:20 617:10,17 617:17 618:2 619:2,3,18,25 620:6,12,20 621:11,13,21 622:8,12 633:4,13 640:12 641:20 647:23 670:22 687:11 <b>chiefs</b> 562:8 <b>chief's</b> 632:19 <b>childhood</b> 656:4 <b>choice</b> 702:9 <b>chose</b> 563:11 <b>chronological</b> 589:21 631:4 <b>chronology</b> 616:11 631:9 <b>CI</b> 664:23 <b>circulated</b> 557:3 <b>circumstances</b> 574:6 575:21 615:14 638:12 656:1,11 657:6 672:5 <b>circumstantial</b> 570:7 571:18,24 <b>circumvent</b> 652:23 <b>city</b> 480:3 562:3,6 565:17,18 569:22 588:13 595:11 635:24 636:2 648:7 704:8,25 <b>claiming</b> 502:25 <b>claims</b> 572:19 647:24 <b>clarification</b> 600:4 <b>clarified</b> 589:16 600:12 <b>clarify</b> 496:20 <b>class</b> 570:9 656:10 <b>classed</b> 701:8 <b>classify</b> 657:1 <b>clear</b> 538:23 615:19 623:21 679:12 680:6 690:21 692:22</p>	<p><b>clearer</b> 670:7 <b>clearly</b> 515:24 516:6 600:6 609:23 657:3 <b>CLERK</b> 479:3 519:16,20 558:6 558:10,14 613:25 614:4 679:3,7 706:7 <b>clip</b> 620:2 <b>clipped</b> 628:20 <b>clippings</b> 557:13 614:18 <b>clock</b> 616:18 <b>close</b> 557:5 675:16 <b>closed</b> 620:6 <b>closer</b> 581:4 <b>clothes</b> 637:11,21 <b>club</b> 666:2 668:15 <b>code</b> 476:2 477:7,9 477:12,15 482:2 492:23 500:17 506:23 515:23 516:9,12 523:24 531:20 533:5,8 538:10 539:22 544:5,6,15,24 546:22 556:19,23 558:4,12,19 563:14 595:5 606:8,14 607:21 607:23 608:1 609:2 610:7 613:21 614:6,16 616:1 623:21 624:5 629:1 632:14,16,24 633:1 634:21 635:13 643:3 644:3 646:12 652:24 659:5 661:9,11 662:14 662:16 671:13,16 680:7 685:11,13 687:6 <b>coffin</b> 597:15 <b>collar</b> 565:10 <b>colleague</b> 511:20,23 546:24 559:5,6 586:3 595:17 606:8 608:16 643:10 <b>colleagues</b> 557:9 614:7,15 630:25 632:10,15 <b>collect</b> 570:5 <b>collecting</b> 501:21</p>	<p><b>collection</b> 681:1 <b>College</b> 659:10 <b>Columbia</b> 687:12 <b>come</b> 533:2,5 556:21 558:24 559:2 567:25 569:19 592:10 602:13 613:20 630:21 631:3 685:10,12 690:13 693:2 <b>comes</b> 603:10 671:20 697:22 <b>comfortable</b> 501:5 501:11 563:7,22 <b>coming</b> 479:7 501:9 532:25 544:8 613:6 638:23 669:10 674:6 675:2 693:8 <b>command</b> 481:24 482:1 525:12 563:6 649:24 655:7,19 657:9,14 684:3 <b>commander</b> 487:4 <b>commanding</b> 585:4 585:6 608:9 609:11 666:16 <b>commence</b> 705:14 <b>commenced</b> 519:21 660:16 679:8 <b>commencing</b> 479:2 675:21 <b>comment</b> 484:2,14 495:19 527:5 534:16 536:4 538:3,16 642:12 680:12 <b>commented</b> 534:22 <b>commenting</b> 496:9 501:5 <b>comments</b> 492:3 503:5 542:12 577:10 619:1 620:4 665:12 680:1 <b>commission</b> 475:1 475:12 476:1,2,3 479:3 480:14 519:16,20 528:2 558:6,10 602:13 606:13 613:25 614:4 623:2,11 625:11 630:17 631:20 632:9 633:11 637:16</p>
---	---	---	---	--

<p>639:20 640:19 645:3,6 646:6 650:12 660:25 661:20,23 662:1 679:3,7,9 702:2 702:25 706:7 <b>Commissioner</b> 475:5 479:5 486:15 488:19 490:1 510:22 515:3,8,11,13 519:11,13,15 520:4,7,17 528:15 528:18 530:16 532:23 533:4,7 538:12,19 539:3 539:19,23 542:17 544:4,15,18,22 550:21 554:23 556:20 557:19,22 557:23 562:19,24 607:21,24 608:25 610:6 613:23 614:6 616:2,12,14 622:21,22 623:6 623:20 624:3,6 630:1,4,10,11,14 631:18 632:13,22 634:22,23 635:5 635:12 643:24 646:10,14,23 647:2 658:9 661:4 661:7,13,18,24 662:5,19 663:1 671:8 672:20,25 679:1,9 680:15,16 683:12 692:14,15 704:3,4 705:4,5,6 705:19,23 706:3 <b>commit</b> 572:23 <b>committed</b> 568:24 629:20 <b>common</b> 632:8 646:25 <b>communicate</b> 553:7 <b>communicated</b> 499:17 670:8 <b>communication</b> 636:16 654:20 669:17 674:8 675:2 <b>communications</b> 636:15 684:7 <b>community</b> 569:23 641:11 <b>company</b> 501:22 <b>comparative</b> 624:14</p>	<p><b>compare</b> 633:11 640:21 <b>compelling</b> 597:1 <b>compiled</b> 539:10 <b>complacent</b> 652:22 <b>complained</b> 530:20 <b>complaining</b> 629:7 <b>complaint</b> 531:3 538:17 542:8,12 542:13,15,16,19 642:15,19 665:19 702:19 <b>complete</b> 518:16 549:15 551:21 684:20 <b>completed</b> 551:18 617:4 <b>completely</b> 570:15 610:17 613:13 <b>complexities</b> 580:4 <b>complicating</b> 601:9 <b>complicit</b> 601:21 602:4 <b>conceal</b> 528:11,24 <b>concern</b> 578:3 601:5,18 602:17 620:21 622:6,11 622:13 624:17 626:5,16,22 627:7 627:9 640:6,7,9 641:2,9 651:15 672:16 681:14 690:16 696:2,9,19 <b>concerned</b> 521:24 524:6 562:5 601:11,14 603:7 619:1,17 626:21 627:1,21,23 632:19 650:22 652:19 664:1 681:5 682:5,10 686:12 691:16 695:13,17,22 <b>concerning</b> 589:7 664:14 <b>concerns</b> 522:13 542:24 594:13 604:7 619:13,15 624:7 655:4 677:6 678:1,6,18 684:19 <b>concise</b> 705:20,21 <b>conclude</b> 533:8 539:7 602:18 607:9 610:3 647:14 <b>concludes</b> 639:20 <b>concluding</b> 525:22</p>	<p>526:10 527:7 649:3 <b>conclusion</b> 631:3 <b>conclusions</b> 633:12 <b>concur</b> 706:1 <b>concurrence</b> 598:18 <b>conduct</b> 642:17 653:10 659:5,7 660:15 682:8 <b>conducted</b> 639:18 <b>conference</b> 617:18 617:20 618:4 620:1,8 627:8 632:20 633:9 <b>conferences</b> 620:11 620:16 <b>conferred</b> 687:3 <b>confess</b> 604:24 605:3,6,20 <b>confession</b> 571:14 603:25 <b>confessions</b> 605:17 <b>confident</b> 570:16 <b>confirm</b> 535:7 577:19 702:4 <b>confirmation</b> 522:20 <b>confirmed</b> 495:11 577:8 <b>conflicting</b> 526:19 686:18 <b>confuse</b> 491:2 498:17 <b>confusing</b> 669:13 674:11 675:3,6 <b>confusion</b> 528:8,21 588:6 669:10,22 689:11 <b>conjunction</b> 703:15 <b>consensus</b> 481:3 <b>consequence</b> 492:21 616:10 <b>consider</b> 640:9 662:11 <b>considerable</b> 653:6 <b>consideration</b> 479:6 583:2 592:4,12 <b>considered</b> 481:11 563:10 569:21,24 611:8 643:23 644:7 645:15 <b>consistent</b> 509:4 536:17 577:22 579:7 580:10,21 594:2 596:15 613:15 <b>conspiracy</b> 569:17</p>	<p>572:23 599:25 <b>conspirators</b> 570:21 <b>constable</b> 511:14 520:13,22 521:9 522:3,24 525:18 534:4 557:16,17 557:22 560:21 565:7,23 578:17 578:24 579:6,10 580:10,14 581:9 584:5,10 588:25 593:22 594:13 604:5,25 611:6 613:7,20 632:22 643:8,21 644:5,25 648:19,24 657:17 665:14 674:7,8 680:2 686:12 691:11 693:15 694:24 702:4 703:5 <b>consult</b> 654:14 <b>consulted</b> 676:16 <b>consumption</b> 699:11 <b>contact</b> 479:19 543:4 682:19 683:6,8,20 693:7 694:8 704:18 <b>contacted</b> 521:21 523:19 524:3 666:4 669:1,18 679:16 681:22 694:24 <b>contain</b> 699:2,4,7,9 <b>contained</b> 490:23 528:12,25 665:12 <b>contemplates</b> 698:12 <b>contemporaneous</b> 581:13,19 <b>contemporaneously</b> 497:13,15 <b>content</b> 487:11 527:23 555:17 556:5 559:20 595:13 610:1 613:15 647:12 663:14 667:12 <b>contentious</b> 699:8 <b>contents</b> 575:23 617:14 621:5 <b>context</b> 616:20 676:17 <b>continuation</b> 526:16 528:6 540:15 632:17</p>	<p><b>continue</b> 509:11 577:20 632:5 648:2 676:11,11 <b>continued</b> 676:15 <b>continues</b> 521:3 <b>contract</b> 542:21,23 543:3,8,10 562:2 669:24 671:16 688:15,18 <b>contradiction</b> 583:23 <b>contrary</b> 619:18 620:22 627:24 632:21 633:4,13 <b>control</b> 654:17 <b>controversial</b> 563:11 <b>conundrum</b> 687:4 <b>Convention</b> 475:13 <b>conversation</b> 485:25 486:3 494:25 495:3,25 496:14 498:16,20 501:17 502:12 509:4,18 511:19 512:17,23,24 513:6,19 515:16 517:23 518:21,24 519:1 521:17 522:23 524:11,21 525:1 526:2,5,21 526:25 527:17 532:14 533:15,19 534:2,6 537:3 578:9 580:15 587:15 593:21 595:12,13,15 610:14 619:23 638:2 643:9 645:13 <b>conversations</b> 484:19 508:1 526:20 527:1 528:12,25 <b>convey</b> 540:19 <b>conveyed</b> 580:18 <b>convict</b> 572:22 <b>convicted</b> 476:23 641:3 650:23 656:17 659:23 <b>conviction</b> 475:3 597:15 650:20 <b>cooperation</b> 530:22 531:22 574:22 597:20 665:22 667:18 704:23 <b>cooperative</b> 529:13</p>
--	---	---	--	--

<p>529:17 531:7 532:9 631:19 <b>coordinator</b> 509:14 585:17 618:18 672:19 673:9 <b>copies</b> 666:13 677:6 <b>copy</b> 530:10 544:12 544:16 625:4 626:10 634:24 661:6 664:18 685:16,18 705:24 <b>cordial</b> 639:14,15 <b>core</b> 575:10 <b>corner</b> 500:1 530:11 545:7,10 546:3,20 547:20 548:10,21,23 549:14 552:1 616:13 631:2 670:20 <b>Corporal</b> 495:10,23 496:18,23 497:2 502:10 508:8 521:18,21 522:6 523:19 524:3 529:21,22 555:24 587:16 593:20 639:6 665:24 666:4 667:3 668:2 668:3,10,20 669:1 669:18,19 672:18 673:7,12,13 679:16 687:3 <b>correct</b> 479:21 480:4,7,18 481:12 481:25 482:4 483:1,6,6 484:5 484:15 486:12 487:1 489:1,8,14 489:18,25 490:19 491:18,25 492:8 492:11,15 493:6 493:19 494:1,4,11 494:13,17 495:15 495:22 496:3,22 497:1,4,16,18,21 498:9,11,22,24 499:3,6,15,22 500:3,6 504:8,21 505:6,12 506:15 507:5,11 508:11 508:14,24 509:2 510:2 512:12,18 513:4 518:8 523:14 527:19,25 529:6,11,24 530:12,15,19</p>	<p>531:9,18 533:17 534:8 535:10,18 535:20 537:15 540:17,25 541:20 541:25 542:1,5 545:8,18 546:4,8 547:3,5,6,10,14 547:18,22,23 548:8,11,12,17,18 548:24 549:7,10 550:13,19 551:4,5 551:11,13,17,23 552:2,5,7,8,18,22 553:1,22 554:3,15 555:22 559:1,3,19 560:10,17 561:1,2 561:15,18 562:1,2 564:6,22,25 567:19,20,25 568:1 570:22 573:16,20 576:25 577:21 578:1 582:9,19 584:7,13 584:21,23 585:25 586:18 587:2,9,23 588:24 594:19,23 594:24 595:24,24 596:19,25 597:11 598:22 599:3,5 600:1,2,9,19,22 600:23 601:1,4 602:14,22,23 605:3 606:20 607:2,5,8 608:5 608:14 609:4,25 612:18 615:25 616:25 619:12,16 624:22,23,25 627:2,6 628:16,22 628:23 632:25 633:7,15 634:11 634:15,20 636:11 637:21 638:13,24 639:12 642:18 645:8 647:5 648:6 649:17 650:5 653:15 655:8,10 659:15 663:21 667:25 668:4,11 673:20,24 675:18 681:16,17 682:11 683:23 684:4,10 685:7 686:24,25 689:19 690:14 691:21,24 692:24 692:25 693:18,19 694:14 695:3,16</p>	<p>696:6,14,22 697:8 698:19,20 703:1,6 703:10 704:9 707:9 <b>corrected</b> 600:14 <b>correctly</b> 596:7 599:15 626:25 667:3 681:4 699:12 <b>correspond</b> 672:1 <b>corresponded</b> 667:5 <b>correspondence</b> 542:22 543:9,13 666:15 677:4 <b>corroborate</b> 591:23 <b>corroborated</b> 570:15,19 571:23 <b>corroborating</b> 597:12 <b>corroboration</b> 596:22 597:17 <b>costly</b> 667:7 <b>counsel</b> 476:2,3 480:14 528:2 543:19 557:3 571:2 622:15 623:11 625:11 632:9 637:16 639:20 640:19 645:4,7 646:6 650:12 651:20 652:12 656:16 659:20 660:19 661:20 662:1 676:9,14 677:16 679:10 680:19 692:18 696:3,11 696:20 697:11 698:11 701:22 702:2,25 <b>counsel's</b> 696:17 <b>counterpart</b> 542:22 543:4 675:16,16 <b>country</b> 617:21 <b>couple</b> 582:12 610:4 614:25 650:12 677:22 681:2 <b>course</b> 482:21,23 501:4 535:3 540:1 540:7 566:20 571:6,13 572:1 574:24 575:17 583:15 591:14 604:5 611:21 621:19 640:25 651:19,23 660:18 677:18 685:10</p>	<p>693:25 700:24 <b>courses</b> 564:12 <b>court</b> 583:21 667:1 667:8 700:12,15 707:2,17,21 <b>courteous</b> 566:1 <b>courtesy</b> 574:7 <b>courts</b> 570:1 604:17 <b>cover</b> 526:17 <b>covered</b> 480:13 493:22 518:11 587:11 <b>covering</b> 497:17 <b>cover-up</b> 601:21 602:4 <b>co-conspirators</b> 569:19 <b>CPO</b> 671:14 <b>created</b> 674:12 <b>creates</b> 655:18 <b>credibility</b> 640:8 641:5 651:10 <b>Crim</b> 608:13 664:16 <b>crime</b> 509:16 560:1 561:10 563:10 568:24 569:14,22 569:24 573:1,2,25 589:10 590:15,22 604:12 640:15,22 640:24 670:15 700:16 701:8 <b>crimes</b> 561:4 564:4 572:10 <b>criminal</b> 498:7 563:22,24 585:11 598:6,19 608:10 609:8,11 618:17 619:10 653:5,11 663:9,12 666:14 666:18 670:16,24 677:5 <b>critical</b> 488:7 654:3 <b>crooked</b> 536:7 <b>CROPS</b> 552:4 585:22 597:9 598:9 602:20 603:1 609:24 612:13 615:21 619:9 <b>cross-examination</b> 544:9,10 545:24 546:25 557:6,15 606:11 614:9 635:14 705:13 <b>cross-examined</b> 632:15 <b>cross-examining</b></p>	<p>554:6 <b>cross-reference</b> 502:8 508:7 <b>Crown</b> 509:15 522:17 609:13,19 658:16,18 678:10 678:14 696:4,12 696:21 697:7,15 697:19 698:4 699:19,20,22 700:6,8,21 701:22 <b>Crowns</b> 684:13 <b>Crown's</b> 658:21 696:6 <b>cryptic</b> 579:24 <b>culpatory</b> 690:19 <b>current</b> 479:13,14 480:3 494:7 496:7 501:16 502:22 509:13 510:7 514:5 517:6 521:1 525:10,22 526:10 527:7 531:14 535:16,19 555:11 557:13 560:20 561:25 562:3 568:18 569:23 571:5 577:2 580:21 600:21 611:5,19 614:11 615:4,22 628:13 633:6,10 640:13 641:11 643:20 648:7 664:5,7,10 665:4,10 666:3 668:25 679:15 698:15 <b>currently</b> 665:18 <b>Current's</b> 503:6 <b>cut</b> 569:1 645:3 <b>C.V</b> 565:9 <b>C237</b> 489:12,17,22 490:3,4,5,18,20 490:23,25 491:6 514:14 521:6 522:8 524:9 540:23,24 550:2,3 550:8,15,17,22,25 552:12,12,14,20 552:24 553:4 581:19,22 582:1,5 586:16 587:14 590:7 607:16 608:16,20 609:6 609:15,16,19 700:16 701:2,8,23 <b>C237s</b> 491:11,13</p>
--	---	---	---	--

581:13 586:20 666:13	<b>deal</b> 521:13 533:6 534:18 540:6 635:9 641:17 657:8 658:19,22 660:3 662:7,19 673:10,12 686:5	<b>delays</b> 652:6 654:22 655:18 <b>delegate</b> 563:15 <b>deliberate</b> 528:10 528:23 <b>Department</b> 532:9 585:12,22 664:13 665:3 <b>departments</b> 523:5 523:8 574:22 602:21,25 603:2 654:17,21 <b>depending</b> 492:18 575:23 <b>depends</b> 513:16 <b>depicted</b> 631:9 <b>deputy</b> 543:6 620:7 620:12 <b>describe</b> 595:10 702:9,11 <b>described</b> 542:18 567:14 578:9 585:20 684:3 <b>describing</b> 642:25 <b>DESCRIPTION</b> 477:3 <b>descriptive</b> 538:21 <b>deserved</b> 535:23 536:14 <b>designated</b> 609:7 <b>designed</b> 658:22 <b>desire</b> 594:5 676:6 <b>desirous</b> 583:7 <b>desk</b> 562:14,16,22 <b>desks</b> 562:9 <b>desperately</b> 667:11 <b>despite</b> 682:4 <b>destroyed</b> 486:10 <b>detachment</b> 487:3 493:9 502:23 525:10,12 527:4 527:10 531:14 555:11 560:20 563:3,4,6 568:18 568:22 577:2 615:20 636:23 664:7,11 686:12 <b>detachment's</b> 572:25 580:21 <b>detail</b> 603:17 606:3 607:14 <b>detailed</b> 567:6 622:25 <b>detective</b> 507:2 530:3 637:22 <b>detectives</b> 664:5 <b>determine</b> 573:17	592:21 <b>developed</b> 569:4 673:10 <b>development</b> 606:24 <b>developments</b> 551:3 594:10 <b>dictate</b> 634:3,13 <b>dictated</b> 634:4,19 <b>differ</b> 527:1 <b>different</b> 481:18 491:10,11 493:12 502:15 504:15 526:4,7 527:2 530:5 556:16 590:2 660:2 689:9 694:5 <b>differing</b> 492:19 <b>differs</b> 526:1 534:7 <b>difficult</b> 576:11 583:19 604:15 688:7,24 <b>difficulties</b> 630:22 631:11 658:23 704:15 <b>difficulty</b> 621:12 644:1 664:11 <b>digest</b> 621:4 <b>dilemma</b> 610:15 <b>direct</b> 542:6 653:20 656:23 677:12 <b>directed</b> 610:17 666:21 677:4 <b>directing</b> 563:25 565:4 <b>direction</b> 547:25 566:8 596:15 <b>directly</b> 554:12 589:4 657:2 670:23 674:3 690:10 697:14 698:11 <b>directs</b> 554:4 <b>disagree</b> 487:10,11 499:9 513:22 517:16,17,19 526:13 <b>disagreed</b> 516:1,3 554:10 621:21 <b>disagreeing</b> 487:13 <b>disagrees</b> 515:17 516:6 <b>disbelief</b> 611:8 643:22 644:6 645:14 <b>disclose</b> 676:7 698:3 698:6	<b>disclosed</b> 603:4 614:10 633:21,22 <b>disclosure</b> 601:12 601:15 602:9 603:3 631:14 632:10 675:8 676:11,13 677:15 678:12 681:6,15 681:19 682:5 684:12,20 695:17 696:20 <b>disclosures</b> 539:8 <b>discover</b> 647:6 <b>discredit</b> 501:23 <b>discretion</b> 481:20 <b>discuss</b> 509:17 522:6 595:21,25 672:11 <b>discussed</b> 509:21 527:10 570:25 <b>discussing</b> 519:5 <b>discussion</b> 528:2 540:6 604:19 635:9 <b>discussions</b> 570:14 608:18 609:18 631:22 <b>displeasure</b> 693:20 <b>dispute</b> 484:9,13 486:24 503:10 <b>disqualified</b> 585:19 <b>distinction</b> 588:15 <b>disturbing</b> 666:7 <b>Ditto</b> 630:10 <b>division</b> 495:10 509:16 529:25 542:20,23 543:3 585:15,15 597:9 602:20 608:9 609:12 618:17 619:9 625:4 653:5 664:16 666:4 669:2,6 672:19 673:9 679:17 702:21 <b>document</b> 481:9 511:9 518:19 532:20 554:6 586:7,8 607:9,15 616:7 618:4 623:9 662:13,24,25 663:1,16 679:11 679:23,25 680:4 680:14 702:24 703:4,16 <b>documentary</b> 575:8 <b>documentation</b>
-------------------------	--	---	---	--



<p>488:4,9,21 518:17 560:3 571:20 625:7 661:22 <b>documented</b> 489:5 524:12 619:19 620:22 627:24 632:21 633:5 <b>documenting</b> 487:25 619:4 <b>documents</b> 482:12 488:24 512:2 559:10 560:6,16 568:13,15 573:22 582:21 606:11,21 616:4,8 621:5 627:25 629:18,21 661:25 662:2,15 682:18 <b>dogged</b> 565:19 <b>doing</b> 561:16,19 563:8 565:10 597:25 627:20 631:21 654:1 659:2 660:1 693:14 <b>Donald</b> 602:8 651:5 663:18 <b>door</b> 503:17 504:13 654:2,5 657:18 694:3,13,13 695:7 <b>doubt</b> 653:6 654:13 703:23 <b>doubtful</b> 630:7 <b>Doug</b> 684:23 <b>downtown</b> 615:20 <b>draft</b> 559:14 569:1 <b>drafted</b> 663:6 <b>drafting</b> 617:3 <b>drafts</b> 590:7 <b>draw</b> 633:12 703:3 <b>drawn</b> 602:3 685:4 <b>drew</b> 493:21 702:16 <b>Driskell</b> 475:3 476:11 485:10 493:17,18 494:8 494:15 496:1,8,15 496:19 501:17,19 502:1,13 503:1,21 505:11 507:16,24 508:25 511:21,24 525:15 531:12 533:20 534:22 536:4 537:4 564:21 569:16 570:8,14,23 571:1 571:4,12,13,19 573:6 577:11</p>	<p>594:18,23 595:8,9 595:22 596:11 597:10,13 603:23 605:4 618:9 622:14 629:6,11 635:21 636:17 637:12 638:6,19 639:16,17 641:3 643:11 648:13 650:20 651:11 657:3 672:3 676:9 683:1,4,16 690:11 690:15,25 691:19 692:3,7 693:3 695:21,24 <b>Driskell's</b> 501:14 537:12,13,24 538:5 543:19 570:15 571:8 596:22 618:6 629:3 636:7 640:2 640:4 651:20 659:20 660:16,19 664:15 677:16 690:12 691:5,15 691:22 692:11 696:10 <b>driven</b> 506:1 <b>driving</b> 495:18 <b>dropping</b> 610:12 <b>drug</b> 561:10 704:11 <b>due</b> 503:3 611:23 612:1 621:19 666:20 <b>dueling</b> 620:8,15 <b>duly</b> 558:18 707:6 <b>duplication</b> 630:24 631:6 <b>duties</b> 561:12 563:6 574:5 <b>duty</b> 562:16 563:8</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>earlier</b> 493:24 523:10 532:14 546:13 567:3 577:1 580:23 616:21 636:21 641:12 643:17 644:15,24 645:18 649:9 650:9 651:2 683:25 705:25 <b>early</b> 479:7 493:25 530:13,18 531:4 573:13 <b>east</b> 658:12 <b>echo</b> 624:7 644:16</p>	<p>644:19 645:16 <b>edit</b> 705:17 <b>edited</b> 520:23 521:3 521:7,11 <b>effect</b> 481:3 483:2 504:17 506:4 511:3 523:1 532:15,17 533:22 533:25 627:7 640:18 647:8 <b>effectively</b> 561:24 <b>effort</b> 485:11 <b>eight</b> 489:17 <b>either</b> 491:19 499:19 505:1,3 510:3 523:10 556:8 576:2 631:17 683:21 684:12 701:21 <b>electronically</b> 541:13 <b>email</b> 628:11 <b>emails</b> 614:18,23 615:21 <b>enable</b> 657:7 <b>encapsulate</b> 481:7 <b>encountered</b> 589:18 658:24 <b>ended</b> 630:23 <b>ends</b> 634:17 <b>enforcement</b> 653:8 <b>engagement</b> 588:22 <b>English</b> 674:22 <b>enroll</b> 583:5,6 <b>enrolled</b> 583:8 <b>ensure</b> 486:20 507:17,24 508:25 597:15 603:3 653:21,23 654:24 655:2 <b>enter</b> 522:19 584:2 585:18 701:17 <b>entered</b> 495:24 496:13 500:10 502:11 579:14 637:3 669:25 682:2,6 688:15 <b>entering</b> 585:19 <b>entire</b> 486:8 497:8 512:24 561:7 <b>entirely</b> 485:9 538:11 652:9 693:4 <b>entirety</b> 517:21 617:20 623:10 <b>entitled</b> 617:2 <b>entries</b> 586:24</p>	<p><b>entry</b> 495:14 498:15 499:11 509:5,7 545:13 546:13,14 546:16 547:1 582:17 587:13 616:8 618:13 <b>equally</b> 665:24 <b>error</b> 615:5,7 <b>errors</b> 614:25 615:11 629:2,14 629:17 <b>especially</b> 613:8 652:20 <b>essence</b> 516:19 543:7 604:3 <b>essentially</b> 615:9 626:3 649:19 <b>establish</b> 676:10 <b>estate</b> 476:14 565:5 <b>et</b> 560:1,1,4 574:12 604:23 652:21 659:7 664:1 678:20 <b>evaluate</b> 482:25 591:15 592:19 <b>eve</b> 593:17 <b>evening</b> 620:2 705:13 <b>event</b> 586:22 635:16 642:13 681:2 697:5 <b>events</b> 575:14 651:19,23 691:15 691:22 <b>eventual</b> 611:21 <b>eventually</b> 564:19 570:4 575:1,9 589:15 611:23 612:25 <b>everybody</b> 562:15 607:3 670:8 <b>evidence</b> 480:13,25 481:7 485:11 502:16 531:11 533:9 535:5 536:10,24 538:1 538:18,20 540:5 540:18 541:16 542:7 546:9 550:22 554:16 564:23 569:19 570:4,12,13 571:15 572:17 573:3 574:1,3 575:15 577:19 596:4 597:1,11,12 599:24 601:25</p>	<p>602:6,7 604:8 605:4 609:9 650:18 660:9 664:14 681:7 683:24 692:11,21 695:14 700:17,20 700:21 701:24 702:23 <b>evidence-in-chief</b> 670:2 <b>evident</b> 507:25 <b>Ewatski</b> 616:22 617:6,17 621:25 620:7,20 621:11 621:13,21 <b>Ewatski's</b> 618:3 <b>exact</b> 491:20 520:19 545:2 547:7 612:5 646:3 <b>exactly</b> 490:17 514:14 545:3 560:3 586:13 588:13 601:22 688:8 <b>examination</b> 549:11 610:3 614:14 622:25 <b>examination-in-c...</b> 648:6 <b>Examiners</b> 707:7 <b>exampler</b> 550:10 569:20 615:1 625:22 648:21 697:20 699:15 700:23 <b>excellent</b> 567:6 <b>exception</b> 561:6 625:6 <b>excerpt</b> 489:15,16 489:22 490:11,22 490:24 491:5,7 537:3 <b>excerpted</b> 534:18 <b>excerpts</b> 491:16 534:13 607:19 <b>excused</b> 557:20,22 <b>executive</b> 654:10 <b>exercise</b> 549:18 <b>exhausted</b> 632:11 <b>exhibit</b> 661:10,12 661:17 662:3 663:2,3 679:12 <b>EXHIBITS</b> 478:1 <b>exist</b> 631:25 632:4 <b>existed</b> 660:12 <b>existence</b> 624:11 631:15 632:7</p>
--	---	--	--	---

<p><b>exits</b> 606:13  <b>expand</b> 572:17          638:5  <b>expect</b> 575:23          580:13 584:3  <b>expected</b> 531:7          625:14  <b>expedited</b> 543:7  <b>expenditure</b> 667:10  <b>experience</b> 560:25          561:3 564:13          565:11,14,20          574:20 611:11          613:5 644:10          648:1,16  <b>experienced</b> 590:13          640:15  <b>experiences</b> 636:18  <b>explain</b> 505:5          554:18,23 649:2  <b>explained</b> 485:9          525:13,17 610:14  <b>explanation</b> 615:7          630:16  <b>explosion</b> 570:11  <b>exposing</b> 583:20,22  <b>express</b> 601:5 650:7  <b>expressed</b> 611:7          643:22 644:6          649:7 676:6          681:14  <b>expressing</b> 645:14  <b>extensive</b> 631:22  <b>extremely</b> 569:22          569:24 585:2          586:5 667:7,9          697:17  <b>ex-RCMP</b> 600:25  <b>e-mails</b> 557:13  <b>E.W</b> 476:12</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>F</b> 492:24 509:16          542:20 585:15          597:9 602:19          608:9 609:12          619:9,10 625:4          653:5  <b>face</b> 656:2  <b>fact</b> 493:13 504:14          509:22 517:16          520:10 527:13          551:2 552:11,12          552:16 574:9          582:16 585:12          592:4 600:7          605:13 608:21</p>	<p>629:9 631:10          659:14 660:6,10          666:17,21,25          668:5 682:4          686:15 691:10,19          694:1 696:12,20  <b>factor</b> 601:9 629:4  <b>facts</b> 584:25 603:4          615:18  <b>failure</b> 629:7          662:10  <b>fair</b> 540:14 541:21          551:10 555:20          560:5 588:23          597:2 607:7          649:19,22 651:12          654:7 664:8 683:5          683:5 688:23          689:3,16 696:6  <b>fairly</b> 573:3 599:7          600:12 651:1          686:10 692:22  <b>fairness</b> 518:10  <b>fallout</b> 654:24  <b>false</b> 572:20  <b>falsify</b> 568:6  <b>familiar</b> 583:25          611:12 636:13          644:11 648:17          697:6  <b>family</b> 569:7  <b>fan</b> 666:2 668:15  <b>far</b> 532:16 547:11          547:15 562:4,6,19          563:9,24 565:5,14          568:3 603:7          626:25 653:17          655:19 658:24          684:19 686:11          690:14 691:15          696:15 699:3  <b>fashion</b> 515:22  <b>fatigue</b> 705:9  <b>fault</b> 660:23  <b>favour</b> 606:6  <b>fax</b> 630:20,21,23          631:1,10,12  <b>faxes</b> 630:24  <b>feeding</b> 493:4  <b>feel</b> 495:24 496:12          502:10 504:24          505:2 532:8          574:10 601:8          604:18,21,24          648:24 672:17          673:7 682:7          696:16</p>	<p><b>feeling</b> 572:6  <b>feels</b> 562:15  <b>Fehr</b> 495:12,17,18  <b>fell</b> 648:9  <b>fellow</b> 529:4 562:13          564:20 652:10  <b>felt</b> 519:25 546:5          547:19 548:9,22          549:13 563:7,21          565:19 566:17,21          570:16,20 572:20          573:2 592:10          597:1 601:19,22          603:4 605:6,19,24          639:14 641:10,15          644:22,24 648:14          675:23 688:1          696:5  <b>Ferguson</b> 477:14          480:12,16 482:6          482:11,19 493:12          498:10 511:20          533:11 551:25          554:4 558:4,12,17          558:20 587:6          599:9 635:15,17          635:19 640:9,15          643:10 663:6          680:18 683:14          684:23 685:20          692:17  <b>Ferguson's</b> 504:11          534:5 541:10  <b>field</b> 562:11 563:1          565:1 566:9          625:17,21 634:2          634:14,19  <b>Fifteen</b> 679:2  <b>file</b> 477:8 480:17          493:16 504:14          524:12,14 525:18          525:23 526:11          527:8 541:5,9,13          541:18,22,22,23          541:24 543:8          544:11,13 545:2          545:16,20 546:17          546:24 548:1,3          549:15 568:12          573:9 582:22          599:11 609:5          614:11,11 625:16          625:20 626:3,5,12          631:16 633:6,10          633:14 636:14          661:14,16 662:10          662:12 698:17,18</p>	<p>698:21,24 699:18          699:21 701:16          702:21  <b>filed</b> 661:10 662:2          679:11  <b>files</b> 518:16 540:8,9          542:4 560:9          578:22 579:13          615:9,22,23,23          625:15 628:4,6,13          631:24 698:16  <b>filing</b> 541:4,10  <b>final</b> 599:21 606:16          607:9,10 692:1  <b>finalized</b> 597:20  <b>finally</b> 567:16          572:24 577:17          580:17 597:4          602:18 669:17,18          675:7 676:4 694:2  <b>financial</b> 535:7,8          536:11,13,22          573:4  <b>find</b> 488:8 522:15          531:2 532:24          537:4 546:15,18          548:4 583:12,17          610:2 621:9 625:2          627:4 629:21          665:12 666:6          688:7 694:1,4  <b>finding</b> 607:1  <b>findings</b> 538:9  <b>fine</b> 487:9 533:4          558:2 565:23          626:14 692:13          702:15  <b>finer</b> 606:4  <b>finger</b> 502:6  <b>finish</b> 675:7  <b>finished</b> 587:14          622:24  <b>finishes</b> 624:5  <b>fire</b> 503:18,19          573:18 657:9          691:16  <b>first</b> 485:5 494:25          495:2 498:17          504:6,10 506:16          506:25 514:9          515:1 527:13          535:12 540:14          553:14 558:17          560:21 566:14          575:24 576:3          582:15 583:17          595:21 599:22,23</p>	<p>600:6,15 610:12          610:14 617:13          618:13 619:19          623:23 625:3          633:17 636:12          641:1 642:9          644:16 645:13          690:4  <b>fit</b> 564:2 641:18  <b>fits</b> 508:15  <b>five</b> 512:21,24          516:18 519:8,13          572:19 611:1          630:24 676:1          687:13  <b>flag</b> 578:21 627:18  <b>flagging</b> 579:13  <b>flavour</b> 615:16  <b>flip</b> 557:10 586:6          628:9  <b>flipped</b> 557:7  <b>flipping</b> 577:12  <b>floating</b> 656:19  <b>floor</b> 614:15  <b>focus</b> 566:6 571:4          573:8 597:22  <b>fold</b> 604:22  <b>follow</b> 587:7 649:1          656:25 665:7          696:22 698:7  <b>followed</b> 684:13  <b>following</b> 531:5          570:13 592:14          617:15,17,24          625:2 652:20          653:4 660:21          695:20  <b>follows</b> 558:18  <b>follow-up</b> 575:20          577:24  <b>foolish</b> 583:12  <b>footnote</b> 592:17,24  <b>footnotes</b> 666:18  <b>force</b> 502:24 622:7          622:12 652:10          665:19 687:9  <b>forces</b> 573:24          588:22  <b>forcing</b> 502:23          503:6 505:20          506:19 507:2  <b>foregoing</b> 707:8  <b>forget</b> 620:23          674:14  <b>forgotten</b> 542:18  <b>form</b> 502:5,15          540:15,19 620:3</p>
--	---	---	--	---

<p><b>formal</b> 488:9 555:18 564:12 585:2 589:13 597:9 598:14 608:20 609:10,14 686:15,22 688:11 688:13 689:5 <b>formalities</b> 589:7 <b>formalized</b> 588:3 688:14 <b>formally</b> 588:16 592:15 <b>former</b> 558:12 559:5 595:17 691:12 <b>forms</b> 701:5 <b>forth</b> 624:4 656:17 <b>forward</b> 538:25 545:16 555:23 570:20 602:1 608:12 609:21 617:8 697:7,11 <b>forwarded</b> 598:5 608:8,11 666:13 666:16,17 682:1 <b>forwards</b> 552:3 675:9 <b>found</b> 482:5,9,10,15 482:17 492:5 503:16 507:16,23 508:18 545:16 576:3 675:5 686:23 694:19 <b>four</b> 513:18 572:18 610:12,25 617:5 639:25 694:13 <b>fraud</b> 538:22,24 565:10 572:22 <b>fraudsmen</b> 605:18 <b>free</b> 531:13 572:9 638:9 646:7,12,13 646:17,21 <b>freeze</b> 554:11 <b>Friday</b> 618:8 <b>friend</b> 544:8 623:11 632:9 634:24 <b>friends</b> 630:18 631:15,18 <b>friend's</b> 630:2 <b>front</b> 544:12 551:20 630:17 652:12 <b>frustrating</b> 675:5 <b>frustration</b> 693:20 <b>frustrations</b> 694:7 <b>fucked</b> 536:2,3,3,15 536:15,16 <b>fulfill</b> 688:21</p>	<p><b>full</b> 542:2 560:2 601:11,14 603:3 607:19 615:3 695:17 <b>fully</b> 523:7 532:9 583:25 631:19 653:4 654:12 <b>function</b> 654:15 681:23 <b>further</b> 518:25 522:24 525:10 554:8 557:15,18 593:12 598:4 603:6 606:10 638:4 701:20 <b>Furthermore</b> 505:2 <b>future</b> 483:5 653:12 674:21</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gain</b> 485:11 542:2 596:4 <b>gained</b> 605:25 641:21,24 <b>garage</b> 525:17 <b>Gates</b> 476:16 477:6 539:13,19,21 540:3 544:1,4 556:23 557:11 623:10,21 629:23 630:12,13 <b>gather</b> 589:9 683:19 686:21 690:10 <b>gathered</b> 570:13 699:6 <b>general</b> 541:2 560:19 561:11 566:25 572:24 573:23 615:16 620:7,12 627:7 656:10 672:2,11 672:13 683:15 <b>generalized</b> 656:21 <b>generally</b> 497:12 568:21 574:21 640:22 699:2 700:15 701:11 <b>generated</b> 518:19 <b>gentleman</b> 569:10 <b>genuinely</b> 660:14 <b>geography</b> 680:25 <b>George</b> 476:13 680:19 <b>germane</b> 539:5 <b>Gervin</b> 619:7,8,14 <b>getting</b> 485:4 529:9 538:10,15 560:9</p>	<p>567:12 590:25 605:17 621:18 622:8,13,15,15 656:13,14,16 659:19 664:12 674:3 678:21 686:17 <b>GI</b> 664:23,24 667:4 <b>Giasson</b> 476:4 557:1 <b>GIS</b> 530:1 561:13 565:17 665:1 <b>gist</b> 491:21,24 518:4 518:6 646:3 <b>give</b> 532:21,22,23 535:5 568:17 575:15 585:13 604:1 605:22 622:3 654:19 655:2 681:18 691:19 692:3 705:23 <b>given</b> 485:6 488:10 503:11 539:8 542:7 572:15 592:5 597:12,19 603:22 620:21 626:5 631:7 632:12 634:6 636:23 665:15,16 665:23,25 667:19 673:1 676:18 692:2 <b>gives</b> 655:22 <b>giving</b> 515:1 615:15 <b>gleaned</b> 650:8 <b>Globe</b> 625:3 <b>go</b> 483:3 488:11 489:9 492:13 495:3 497:6 504:16 505:5,14 506:20 507:12,20 509:21 510:24 513:15 515:21 516:22 520:4 521:7 524:13 535:21 539:12 541:4,5 546:13,17 552:7 564:19 570:20 573:9 574:3,7 585:3,5 586:8 587:10 607:20 609:23 638:9 646:7,12,13 646:16,21 650:11 652:24 660:3 667:13 673:18</p>	<p>675:8,9 676:1 677:8 678:5,5,7 679:13,24 680:4 681:24 699:19,20 699:21 701:20 <b>goes</b> 547:20 573:13 609:5 627:15 <b>going</b> 483:3,3,4 487:20 488:11 498:12 499:7 502:7,19 504:1 510:17 516:12 531:2,20 534:2,9 536:11 537:2 556:21 559:4 562:19 565:1 566:9 568:14 573:21 575:20,25 583:16 584:17 585:20,24 589:20 596:16 598:7 599:2,4 603:16 606:21 607:13 609:21 623:16 624:4,13 626:18 626:19 628:12 631:5 637:24,25 638:5,9 639:25 640:25 642:2 646:7,15,21 648:5 648:15 651:25 652:1 654:4 655:11 657:18 659:22 661:2 672:1 676:17 695:11 705:6,8 <b>good</b> 479:5 486:15 564:2 567:11,13 570:17 574:21 605:1 614:6 622:21 652:11 656:7 680:18,22 680:23 683:18 692:17,20 704:23 <b>grabs</b> 663:23 <b>grant</b> 504:25 505:3 615:3 660:8 692:9 <b>granted</b> 522:18 523:1,11 <b>gravity</b> 568:19 653:23 654:23 <b>great</b> 534:18 540:6 601:18 673:9 <b>Greg</b> 496:18 501:15 543:19 571:1 <b>Gregg</b> 683:15 <b>grew</b> 562:20</p>	<p><b>ground</b> 632:8 <b>guess</b> 484:10 488:3 499:18 565:4 579:10 589:18 604:8,15 617:21 625:25 649:3 662:21 684:18 689:10 693:19 704:20 <b>guessed</b> 658:9 <b>guidance</b> 603:6 653:12 <b>guided</b> 555:5 <b>guilty</b> 507:16,23 508:18 <b>guy</b> 670:9</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>hairdresser</b> 625:22 634:17 <b>half</b> 619:21 624:14 635:7 643:13 644:15 645:18 649:8 <b>halfway</b> 485:3 520:8 534:20 <b>Hall</b> 616:22 617:6 <b>hand</b> 502:20 503:6 503:7 504:4 512:10 <b>handle</b> 563:23 <b>handled</b> 672:17 <b>handling</b> 577:8 699:23 <b>hands</b> 628:13 659:3 667:11 696:6 <b>handwriting</b> 662:22 662:24 663:11 667:24 <b>handwritings</b> 671:6 <b>handwritten</b> 661:4 <b>happen</b> 487:21 543:11 573:15 605:15 657:23 <b>happened</b> 488:14 542:20 553:20 580:15 592:9 605:5 620:13 625:17 646:2 697:2 698:14 702:21 <b>happening</b> 664:2 <b>happens</b> 551:10 618:12 655:9 <b>happy</b> 586:1 <b>hard</b> 522:15 537:4 660:21</p>
---	--	--	---	--

<p><b>Harder</b> 617:3  <b>harm</b> 592:10  <b>hastily</b> 630:19  <b>hated</b> 501:25  <b>Hayek</b> 494:8 560:24  561:22 564:8  566:5 568:10  569:10,16 572:1  572:17 596:5  603:25 604:9,18  604:21 605:3,13  625:20 692:12  <b>head</b> 537:20 606:25  615:10 656:19  <b>heading</b> 492:24  612:8 633:23  658:12  <b>headquarter</b> 671:3  <b>headquarters</b>  497:24 609:12  631:24 639:11  650:4  <b>hear</b> 501:9 671:5  694:25  <b>heard</b> 494:9 500:9  580:10 616:20  621:16 627:8  635:8 647:7 668:5  668:21 681:4  693:15 694:20  698:16 701:13  705:16  <b>hearing</b> 618:6  673:15 695:1  <b>heart</b> 536:7  <b>held</b> 592:7 595:10  617:17 620:7  629:12  <b>help</b> 538:2 697:3  <b>helpful</b> 566:18  629:23 658:12  <b>hereinbefore</b>  707:10  <b>hiding</b> 588:12 651:9  670:9  <b>hierarchy</b> 613:18  <b>high</b> 605:7 667:9  <b>higher</b> 498:8,10  541:14 609:12  644:12 648:18  649:20 699:3  <b>higher-ranking</b>  611:14  <b>higher-ups</b> 497:20  498:6 509:23  510:1  <b>highest</b> 613:8</p>	<p>678:17  <b>highly</b> 584:6 605:19  <b>high-level</b> 568:17  603:14  <b>high-ranking</b> 498:2  <b>historical</b> 616:20  <b>history</b> 689:24  <b>hit-and-run</b> 701:15  <b>Hluska</b> 497:22,25  670:15 671:12,13  <b>hold</b> 615:17  <b>holding</b> 502:18  595:11 602:6  637:13  <b>holes</b> 569:1  <b>home</b> 511:13,15  520:13,22 569:9  643:8 694:19  <b>homicide</b> 608:19  617:3  <b>homicides</b> 504:20  506:5 561:19  590:19  <b>honesty</b> 487:24  <b>Honourable</b> 475:5  <b>honoured</b> 574:19  <b>hope</b> 491:4 637:23  637:24 695:15  <b>hoped</b> 514:19  <b>hopefully</b> 690:9  <b>hopes</b> 692:10  <b>horse</b> 486:15  <b>horse's</b> 591:1  <b>hospitalizations</b>  573:19  <b>hotel</b> 588:12  <b>hour</b> 614:20 616:18  624:9,14 674:1  <b>hours</b> 627:14  <b>house</b> 504:12  535:15 570:12  588:11  <b>housed</b> 562:4</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> 580:7 668:17  668:20  <b>identified</b> 638:20  <b>identify</b> 661:3 699:4  699:5  <b>identity</b> 583:18  <b>illustrated</b> 551:2  <b>illustration</b> 597:25  <b>illustrations</b> 550:6  <b>imagine</b> 616:17  <b>imagined</b> 661:24  <b>IMETS</b> 615:20</p>	<p><b>immediate</b> 582:20  654:8,9 695:19  <b>immediately</b> 480:9  485:7 546:16  553:15 620:9  653:25 655:1  703:4  <b>immunity</b> 481:16  481:20,22 483:2  488:6 489:3 503:2  504:25 505:3,7  522:18 523:2,7,11  571:11,13,21  595:22,25 596:8  596:13 597:10,21  598:2,15,25  603:22 604:1  608:18 609:18  612:3 615:3 660:8  683:3 692:3,8  <b>impact</b> 583:1  <b>impaired</b> 495:18  <b>impediments</b> 607:6  <b>implicated</b> 643:15  <b>implications</b> 612:2  <b>important</b> 553:25  564:23 565:2  602:6,7 603:4  608:19 611:9  631:21 644:7  645:16 657:4  658:25 677:17  700:24  <b>impossible</b> 688:24  <b>impress</b> 654:23  <b>impression</b> 600:7  638:14 639:9  640:10,20 641:6  641:19,20,25  642:1 644:17  645:20 647:10,11  647:13,20 649:12  652:5 660:14  669:15,16 678:22  686:20 687:1,24  702:7  <b>impressions</b> 637:18  644:13  <b>impressive</b> 565:8  <b>improper</b> 486:7  593:9  <b>inability</b> 629:4  <b>inch</b> 614:18,19  <b>incident</b> 628:21  <b>incidentally</b> 567:17  590:13  <b>incidents</b> 563:11,13</p>	<p>565:15 609:11  <b>include</b> 561:3,19  680:9  <b>included</b> 682:24  692:6  <b>includes</b> 520:9  <b>including</b> 629:1  662:13  <b>inconsistent</b> 505:25  506:11 578:3  <b>inculpatory</b> 626:1  <b>incumbent</b> 697:17  <b>indented</b> 490:1,3  <b>independent</b> 483:19  484:3  <b>independently</b>  570:19  <b>INDEX</b> 477:1 478:1  <b>indicate</b> 483:21  499:11 509:7  546:6  <b>indicated</b> 495:23  496:12 501:15  502:10 521:19  572:18 626:24  664:19 672:15  695:9,16 696:24  702:1  <b>indicates</b> 504:6,9  <b>indicating</b> 500:11  591:24 627:4  <b>indication</b> 613:19  624:10  <b>indications</b> 664:21  <b>indirectly</b> 649:4  <b>individual</b> 488:6  565:25 568:15  573:21 585:18  693:25 694:20,23  701:1  <b>individuals</b> 505:1  583:14 637:10  <b>indulgence</b> 539:21  <b>inference</b> 602:3  652:20 704:22  <b>inferences</b> 612:2  <b>informal</b> 588:21  <b>informant</b> 699:5,6  <b>information</b> 493:5,8  496:8 499:16  519:25 523:23  524:10 525:25  529:5 540:11,20  540:22 541:6  553:8,10 571:11  573:5 584:4  587:19 591:23</p>	<p>597:8 601:12  602:1 609:17  617:1 631:17  648:12 651:9  656:12,22 659:25  666:8,10 673:25  674:3,6 676:8  678:4 680:10  696:4,5,11,13  697:7,11,22 699:2  699:4,5,13,25  700:3 701:19,20  701:25  <b>informed</b> 577:9  600:20  <b>initial</b> 553:21  559:14 564:9  628:25  <b>initially</b> 559:24  591:21 636:19  687:2  <b>initials</b> 552:1 608:3  663:13 670:19  671:13  <b>initiate</b> 543:13  <b>injuries</b> 573:18  <b>inmates</b> 636:18  <b>inquiries</b> 565:5  <b>inquiry</b> 475:1,20  479:4 519:17,21  527:14 558:7,11  575:16 606:13  614:1,5 621:19  624:1 631:20  636:7 655:5 679:4  679:8 685:23,24  706:8  <b>inquiry's</b> 510:20  <b>insistent</b> 648:10  <b>inspector</b> 482:7,18  498:4 515:5 522:5  540:4 542:21  544:1 553:25  556:21 565:10,24  575:11 585:9,10  587:10,15 589:16  589:25 590:8,15  598:5 603:9,9  608:9 613:9  622:24 623:4  624:19 630:3,15  632:17 634:22  635:5 661:2  662:21 663:10  666:15,19,22,23  666:24 669:4,15  669:18 670:3,23</p>
--	---	--	---	---

<p>671:5 674:9 679:25 686:13 687:8,17 689:20 689:23 694:7 <b>Inspectors</b> 616:22 <b>inspector's</b> 592:17 <b>instance</b> 491:19 541:15 <b>instant</b> 666:13 <b>instincts</b> 553:21 <b>instruction</b> 483:4 626:23 <b>insubordination</b> 492:9,12 527:24 <b>insurance</b> 501:21 565:6 572:19,22 <b>insured</b> 569:9 <b>intact</b> 550:7,14,17 607:16 608:2 <b>integrity</b> 568:9 611:23 613:11 678:17 <b>intelligence</b> 578:22 579:13 613:13 648:23 699:6 700:8 <b>intelligent</b> 565:25 <b>intent</b> 571:8 <b>intention</b> 591:12 627:20 631:16 690:19 <b>interest</b> 562:25 611:25 642:5 694:11 700:1 <b>interested</b> 564:16 578:15 580:6 595:15,20 604:10 606:5 610:11,25 627:18 645:5 659:9,16,24 665:20 667:8,14 667:16,22 <b>interesting</b> 556:5 <b>interests</b> 636:7 <b>internal</b> 492:17 542:22 543:9,12 543:14 <b>interpret</b> 536:25 <b>interpretation</b> 601:17 697:2 <b>interpreted</b> 668:1 <b>interpreting</b> 538:4 <b>interrupt</b> 661:8 672:20 <b>interrupted</b> 705:13 <b>interview</b> 485:10 492:23 511:24</p>	<p>559:8,17 560:12 560:22 573:11,14 574:25 594:17,23 605:13 616:21 634:16 636:1,9,19 637:13 638:19 639:16,18 690:11 690:17 693:3,9 702:2 <b>interviewed</b> 511:21 511:23 559:25 616:23 619:3 625:21 635:21 637:16 643:11 702:25 <b>interviewing</b> 565:2 636:18 <b>interviews</b> 560:8 <b>intoxicated</b> 503:17 <b>introduce</b> 614:13 616:11 <b>introductory</b> 566:25 <b>investigate</b> 502:24 505:20 506:19 507:3 554:8 574:4 <b>investigating</b> 503:7 555:14 561:10 562:11 564:15 578:23 637:8,15 666:23 697:18 699:10 <b>investigation</b> 492:18,19 504:11 505:23 506:1,13 507:9 510:7 541:19 542:3 543:14 554:11 555:7 561:4,11 564:24 566:11,20 569:3,4 570:5 573:7 574:24 577:20,24 578:4 580:18,20 589:19 603:7 608:22 609:7 641:17 653:13 658:25 659:1,3 665:18 666:11 697:21 699:9 700:25 704:13 <b>investigations</b> 540:16 563:23 564:14 565:11 640:17 <b>investigative</b> 544:11 546:24 561:12,14</p>	<p>563:1,19 565:14 568:12,20 585:1 590:16 611:11 613:4,12 644:10 647:25 648:16 698:18 701:8 <b>investigator</b> 494:14 496:5 522:2 524:18,19 525:19 571:2 590:14 600:25 605:1 <b>investigators</b> 509:13 565:4,17 700:11 <b>involved</b> 563:5,9,12 563:22 564:3,7 565:3 566:14 569:13 589:2,4 637:5,10 640:16 653:9 654:6 657:3 658:24 659:4 694:5 <b>involvement</b> 566:7 566:11,22 570:10 656:23,24 657:1 684:5 685:24 <b>involving</b> 570:10 <b>in-depth</b> 585:2 630:2 <b>ironic</b> 629:6 <b>issuance</b> 590:20 <b>issue</b> 496:4 498:25 503:12 513:6 523:4 527:20 536:11,13 575:11 595:22 600:17 605:6 640:6 660:2 661:19 669:14 671:21 674:11 675:8 <b>issues</b> 479:22 684:9 <b>italicized</b> 670:4 <b>italics</b> 592:1 688:2,9 <b>item</b> 650:13 651:5 654:2 <b>items</b> 688:22 <b>i.e</b> 700:1</p>	<p>548:25 671:21 675:12 685:16 703:17 <b>Jay</b> 476:13 680:18 <b>Jim</b> 666:4 667:3 669:1 679:16 <b>job</b> 627:16 657:19 <b>Johns</b> 632:18 <b>joined</b> 560:23 561:5 <b>Jonathan</b> 476:3 <b>Jones</b> 618:15 620:25 621:1 627:12 632:22,24 633:3 <b>judge</b> 538:7 <b>judgment</b> 618:11 <b>judicially</b> 503:20 504:25 <b>July</b> 475:17 479:1 483:13,14 489:21 489:21 494:23,24 494:25 495:2 497:7 498:16 499:8,10 500:1 503:15,23 504:7 505:13,25 506:7,9 507:6 509:19 511:11 512:14 514:14 515:6 518:20,24 519:23 520:1,12,21 550:18 551:1,4,8 551:10,16 552:4 567:24 573:12 575:14 589:20 599:13 600:13 603:11 608:2 610:18,23 612:7 612:11,14 613:1,1 642:8 643:2,7 649:14 651:17 653:17 656:12 676:5,20 693:12 695:13 704:7 <b>jump</b> 555:23 <b>jumping</b> 589:20 <b>June</b> 494:16 511:24 591:11 594:15,16 635:20 636:9 641:22 647:4,15 683:17 684:14 <b>jurisdiction</b> 523:8 530:5 574:2 608:17 640:14 <b>jurisdictions</b> 573:25 574:8 660:2 <b>justice</b> 481:21</p>	<p>522:21 523:5,8 537:20 585:13 598:20,21 601:14 602:21,25 603:2 611:24 613:10 617:11 618:2,7,10 652:23 653:8,19 654:5,6,11,13,15 654:16,21 655:21 656:15 657:16,17 658:22 671:24,25 675:12,17 676:3,7 677:9 678:3 681:25 683:9 684:2,6,8 685:2 688:17 695:18 <b>Justices</b> 585:23</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>K</b> 476:17 <b>Karamchand</b> 476:6 <b>Kathy</b> 476:6 <b>keen</b> 569:2 <b>keep</b> 486:7,13 502:6 512:10 567:8 574:11 589:21 624:4 633:25 678:11 <b>keeping</b> 540:5 550:23 592:11 <b>kept</b> 688:6 <b>key</b> 575:14 628:24 629:4 <b>killed</b> 507:19 <b>Kimberly</b> 692:18 <b>kind</b> 538:9 553:8,10 561:16 562:13 568:6 601:21 608:16 609:17 613:16 615:7 616:23 657:22 658:17 659:13,23 660:4 672:24 678:10,13 <b>kindly</b> 556:23 <b>kinds</b> 550:9 656:18 <b>knew</b> 494:15 638:15 638:16 659:2 674:24 682:22,23 689:17 695:25 <b>knocked</b> 694:3 <b>knocking</b> 657:18 694:12 695:6 <b>know</b> 486:9 489:7 490:17 493:11 495:20 503:11 510:20 526:5,22</p>
---	---	---	---	---

530:20,23 532:24 536:20,23 537:19 537:22,23 538:1 543:20 544:15 552:11,14 553:3 553:11 555:24 557:5 561:21 562:8 564:19 565:7,20 567:9,15 578:4 579:13,15 580:13 586:1 590:21 591:3 592:8 594:22 595:13 599:9 602:2,15,16 606:1 612:5 613:16 616:9 618:14 619:13,14,24 625:12 626:25 627:11 628:17 629:14,16 634:17 635:3 639:10 642:2 649:1,11 653:17 656:6 657:13 663:9,11 663:22 668:8,13 668:19 669:9 670:13 674:5 675:15 676:16,22 677:7 681:13 683:24 684:18 687:1,9,23 689:17 689:23,24,24 693:24 694:1 <b>knowing</b> 579:16 580:13 682:23 <b>knowledge</b> 527:3,5 584:1 589:3 601:22 604:23 613:12 653:20 659:19 668:9 684:12,15 <b>knowledgeable</b> 589:6 678:19 <b>known</b> 507:14,22 508:16 512:4 585:16 602:12 609:8 638:23 678:15	<b>language</b> 584:12 <b>large</b> 551:9 562:9 <b>lastly</b> 610:1 <b>late</b> 493:25 573:12 576:2 659:24 684:24 705:9 <b>law</b> 574:12,12 659:6 659:22 678:19 684:16 <b>Lawlor</b> 496:18 683:15,20 <b>lawyer</b> 501:15 597:14 <b>lay</b> 569:21 601:20 612:25 660:7 <b>laying</b> 572:3 604:13 606:6 <b>leading</b> 566:12 599:21 603:13 606:15 <b>learn</b> 606:17 <b>learned</b> 493:1 494:5 494:6 522:8 630:1 <b>learns</b> 607:3 <b>leave</b> 497:5 <b>leaving</b> 553:2 571:19 580:4 612:4 660:1 704:22 <b>left</b> 523:4 524:18 539:20 559:15 567:18,21,22,22 <b>left-hand</b> 500:1 530:11 552:1 <b>legal</b> 476:8 648:9 657:11 684:15,20 688:21 <b>legitimate</b> 640:10 641:9 <b>lengthy</b> 652:6 666:21 <b>LeSage</b> 475:5 <b>lesson</b> 680:24 681:1 <b>letter</b> 480:21 484:18 485:22 510:24 511:3,5 528:7 530:22 675:11,21 676:8,17,24 677:19 685:5,8,15 685:21 <b>letters</b> 592:1 606:15 684:25 686:1 688:3,9 <b>let's</b> 513:25 516:15 519:14 523:15 656:10 658:2 662:7,19 697:20	699:14 <b>level</b> 541:14 599:1 606:3,4 656:25 699:3 <b>levels</b> 555:16 <b>liaison</b> 602:21,24 653:7,18 <b>Libman</b> 476:10 <b>lies</b> 669:22 <b>life</b> 503:3 640:23 <b>light</b> 665:21 667:17 672:4 <b>liked</b> 545:4 562:13 659:17,18 <b>likelihood</b> 654:19 <b>limited</b> 565:14 <b>line</b> 495:6 504:18 515:24 520:19 523:18 526:7,8 649:21 673:6 <b>lines</b> 489:17 491:7 504:23 505:9 598:2 610:12 611:1 639:25 640:2 650:17 676:1 677:11 <b>link</b> 535:15 <b>Lisa</b> 707:6,20 <b>listened</b> 692:21 <b>literate</b> 567:7 <b>little</b> 540:10 546:12 560:11 572:6 576:11 593:16 605:16 635:20 640:1,14 643:25 659:23 691:25 705:7 <b>live</b> 620:10 <b>local</b> 479:12 <b>locate</b> 695:6 <b>located</b> 618:20 <b>location</b> 580:2 583:18 <b>locations</b> 561:8 <b>locked</b> 541:9 <b>Lockyer</b> 476:11 477:10,16 495:17 616:2,3,15 626:18 633:8 634:23 635:4,18 636:6 643:24 644:4 646:19 647:3 658:10 661:17,18 662:9,18,22 663:4 671:10,15,18 672:24 673:4 679:9 680:11,24	702:15 704:14 <b>lodging</b> 542:14 <b>loggerheads</b> 620:13 <b>logic</b> 584:14 <b>logical</b> 481:11,23 <b>logistics</b> 585:18 <b>London</b> 477:8 556:24 614:10 615:22 618:21 620:24 <b>long</b> 511:19 569:5 570:5 578:11 605:20 610:10 643:9 660:15 705:11,25 <b>longer</b> 525:23 526:11 527:9 640:5 666:25 <b>look</b> 488:12 494:20 503:24,25 504:3 510:2,9 511:8 518:23 519:2,6 523:15 524:20 529:7 542:3 548:20 550:14,20 552:16 556:3 559:10,11 564:4 579:15 585:17 588:22 589:25 590:4 591:25 597:4 598:4,13 615:12 642:8,9,24 644:13 645:11 650:11 653:2 662:11 670:8,10 671:8 675:11,20 702:17 703:13 <b>looked</b> 545:12 661:1 <b>looking</b> 489:3 506:6 515:19 519:4 563:25 604:6 640:12 647:23 670:12 671:19 681:16 <b>looks</b> 613:6 618:15 <b>lose</b> 657:10 <b>lost</b> 486:10 515:3 548:9 605:12 646:23 655:23 657:10 <b>lot</b> 551:9 557:12 570:7 588:5 621:4 670:7 674:12 686:17 687:14 703:21 <b>lunch</b> 557:10 610:4	614:20 621:18 624:9 661:21 672:9 <hr/> <b>M</b> <hr/> <b>M</b> 476:10 <b>Madam</b> 705:23 <b>magic</b> 546:5 548:21 <b>Mail</b> 625:3 <b>main</b> 566:6 698:18 <b>major</b> 480:2 561:4 561:10 564:4 565:15 572:10 590:15,19,22 609:19 640:14,16 <b>making</b> 661:12 678:4 693:2 <b>man</b> 678:16 <b>manage</b> 562:9 <b>management</b> 615:16 655:20 <b>managerial</b> 563:15 <b>Manitoba</b> 475:14 476:12 601:14 617:11 618:8 631:23 653:7,19 654:6,15 655:17 656:15 657:16 658:1,4,21 672:1 672:10,12 675:17 676:3,7 677:9 681:5,14,18 682:3 683:8,15 684:7,13 685:1 687:14 688:16 689:21,22 690:6 695:18 707:7 <b>Mann</b> 694:24 695:5 <b>manner</b> 568:25 579:24 <b>march</b> 574:15 677:19 <b>mark</b> 534:10 662:17 <b>marked</b> 663:2 <b>marker</b> 546:5 547:19 548:10,22 548:22 549:13 <b>Marshall</b> 601:8 602:8,12 651:6 652:20 656:18 663:18 <b>material</b> 533:6 539:9 614:10,13 622:25 623:25 624:12,20 625:10 627:19 699:19,20 702:18
<hr/> <b>L</b> <hr/> <b>lack</b> 488:8,20 530:21 611:11 613:4 644:9 647:25 648:16 <b>laid</b> 569:12 611:24 697:19,21 699:15				

<p><b>materials</b> 556:24 630:16 631:5 633:19 <b>matter</b> 485:6 488:3 493:13 506:3 552:6 553:24 555:8 570:25 583:4 602:20 618:19 619:2 625:8 629:22 650:2 664:3 666:12 672:12,16 680:21 683:7 686:6 690:1 695:1 704:9,10 <b>matters</b> 487:24 538:3 560:19 563:24 650:12 <b>ma'am</b> 696:15 703:20,25 <b>McLaughlin</b> 624:22 <b>mean</b> 485:18 487:8 498:18 513:12 535:2 536:19,24 538:22 621:4 638:14,22 645:2 654:3 660:5 662:10 688:4 <b>meaning</b> 639:23 640:7 641:4 689:9 <b>means</b> 493:10 541:2 541:3 679:20 689:14 <b>meant</b> 537:22,23 688:8 <b>media</b> 620:4 627:15 652:21 <b>meet</b> 612:13 636:3 637:4 <b>meeting</b> 482:10,13 482:16 497:20 509:15,20,22,25 570:14 571:4 595:8 637:9 671:23 690:25 <b>meetings</b> 603:14 685:11,13 <b>member</b> 530:4,6 585:1 666:23 668:15 691:12 <b>members</b> 476:18,20 529:3 540:20 564:15 566:3 569:7 637:8 704:11,24 <b>memo</b> 485:15 489:21 493:16,20</p>	<p>493:21 494:2,6 497:5,6,7,8 499:1 500:5 503:13,15 503:15 506:1,8 507:6,7 508:23 512:14 518:11,13 554:2,21,24 590:24 602:14,16 602:18 603:8,16 615:5 663:6,18 670:12 671:5 673:19 680:1,7 687:6,18 688:1 689:4 <b>memorandum</b> 482:8 629:1 <b>memory</b> 483:12 560:2 568:3 582:11 621:20 622:2,4 <b>memos</b> 614:23 657:9 <b>mention</b> 502:15 507:8 675:19 <b>mentioned</b> 561:5 567:3 580:23 601:24 604:4 641:12 694:10,11 701:11 704:13 <b>merely</b> 584:24 595:16 <b>message</b> 646:4 <b>met</b> 482:6,6 543:15 543:22 570:8 637:8,14 639:4 668:20 686:8 <b>meticulous</b> 565:25 <b>Michael</b> 476:2 572:12 <b>middle</b> 576:19,23 578:15 581:20,23 581:25 582:3 595:20 610:10,23 618:12 <b>mid-July</b> 607:3 <b>Miller</b> 476:14 672:10,17 673:7 675:17 677:10 684:24 685:6,21 686:2,5 <b>mind</b> 504:1 622:18 637:3 653:24 682:3,6 705:14 <b>mine</b> 627:16 667:24 <b>minor</b> 557:1 <b>minute</b> 495:1,4 502:21 532:22,23</p>	<p>538:13 539:22 674:1 696:23 704:3 <b>minutes</b> 519:9,15 558:2 610:4 679:2 705:11 <b>miscommunication</b> 516:12 <b>misinterpreted</b> 679:10 <b>mislead</b> 568:6 628:10 <b>misread</b> 667:13,14 667:20 <b>misreading</b> 679:22 <b>missing</b> 484:11 545:3,4 546:7 547:15,17,21 548:11,16 549:8,9 549:21,22 552:15 665:5 <b>misspoke</b> 516:11 <b>misstatement</b> 629:9 <b>mistake</b> 669:5 <b>mistaken</b> 489:10,20 <b>misunderstanding</b> 686:11 <b>moment</b> 510:11 622:23 623:16,17 658:2 661:8,14 662:8,20 673:15 681:10 <b>Monday</b> 559:16 618:3 658:5 <b>money</b> 494:10 601:3 <b>monitored</b> 586:5 <b>monitoring</b> 688:20 <b>month</b> 483:18 493:24 531:13 593:15,16 <b>months</b> 642:22,23 663:19 671:21 676:19 677:22 694:2,21 <b>morally</b> 503:20 504:24 <b>morning</b> 479:5,7 539:9 543:18 550:11 557:2,25 595:17 614:19 616:17 631:5 668:5 681:3 687:7 705:15,18,20 706:4 <b>motivated</b> 535:8 <b>motive</b> 573:1,2</p>	<p><b>Mountain</b> 635:22 636:1,20 693:9 695:10,11 <b>mouth</b> 591:1 613:20 <b>move</b> 545:15 617:8 660:24 <b>moved</b> 663:17 671:4 677:22 <b>moves</b> 594:8 <b>movies</b> 589:10 <b>moving</b> 545:16 547:24,25 581:2 590:17 655:23 <b>Mr.Hluska</b> 670:13 <b>multiple</b> 504:20 506:5 <b>municipal</b> 562:2 563:3 <b>murder</b> 485:10 488:8 495:25 496:13,19 502:12 503:4 531:12 578:20 611:9 640:21 641:17 644:8 645:16 650:20,23 652:13 656:17 659:21,23 659:25 664:15 <b>murdered</b> 497:3 507:19 508:13 <b>murderer</b> 637:24 637:25 638:9 642:2 646:7,15,18 646:21 <b>musical</b> 561:6 <b>myriad</b> 499:19</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>nail</b> 597:15 <b>naive</b> 522:22 <b>name</b> 529:4 571:3 578:22 620:23 636:4,4,6 680:18 684:23 690:4 692:17 <b>names</b> 569:15 572:20 655:12 700:1 701:18 <b>Nancy</b> 476:7 <b>National</b> 627:13 <b>nationally</b> 617:19 <b>natural</b> 693:25 <b>nature</b> 492:18 528:11,24 625:19 626:2 650:1 700:4 <b>necessarily</b> 485:18 539:4 696:3</p>	<p><b>necessary</b> 505:3 584:2 588:5 623:2 654:14 667:2 <b>need</b> 481:1 502:20 503:14 504:4 532:21 533:8,9,10 596:3 602:24 603:25 604:1 654:6 672:24 <b>needed</b> 541:12 553:11 583:15 <b>needs</b> 680:24 <b>negative</b> 605:10 <b>neighbour</b> 625:22 <b>neither</b> 596:11,13 603:22 <b>never</b> 534:23 536:5 536:21 549:19 556:10 568:8 613:19 629:12 639:4,6 641:23 656:6 658:9 660:17 663:10 667:16 668:20,21 668:21 673:25 674:3 702:24 <b>new</b> 502:24 533:6 582:16 601:8 606:23 623:12,22 623:23 <b>newly</b> 614:10 <b>news</b> 617:19 619:25 620:10 627:8 <b>night</b> 480:22 559:16 618:11 <b>ninth</b> 703:12 <b>NOC</b> 627:13,17 <b>non-commissioned</b> 498:5 <b>non-sequitur</b> 556:11 <b>normal</b> 586:20 587:6 588:8 651:19,23 <b>normally</b> 563:4 654:13 657:21 678:14 688:14 <b>note</b> 500:7,23 502:14,14 510:3,6 516:18 522:15 525:14 550:23 551:3 554:5,9 555:25 576:8,10 577:17 578:2 587:13 593:12,21 608:23 609:5 624:21 626:24</p>
--	--	--	--	--

<p>628:3 633:16 634:9 670:3 <b>notebook</b> 575:2 576:4 625:14,17 626:3 628:18 634:1,5 <b>notebooks</b> 625:6,9 625:19,23 626:7 628:18 <b>noted</b> 492:6 494:5 500:9 508:6 509:19 526:9 556:15 625:23 664:19 <b>notes</b> 483:13 492:3 500:10 501:3,7 518:6 531:10 555:24 626:10,11 629:21 632:18 633:24 634:1,3 705:17 707:9 <b>notice</b> 577:12 666:11 <b>notices</b> 614:22 <b>notified</b> 580:3 <b>notify</b> 697:19 <b>noting</b> 496:10,16 <b>November</b> 510:6 545:13 548:4 552:14,20 567:22 616:19 617:9 618:1,9,25 628:14 <b>nowadays</b> 562:8 <b>nuances</b> 589:1 <b>number</b> 545:1 547:5,7,8 548:1 549:2,4 551:9 583:11,16 586:17 594:9 599:13 615:5 625:16,20 626:12 <b>numbering</b> 545:1 547:16,19 <b>numbers</b> 502:2 545:23 546:2 547:12 549:13 562:9 631:1,10 <b>numerical</b> 548:6 <b>NYPD</b> 613:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 618:17 <b>Oaky</b> 506:10 <b>object</b> 626:9 <b>objection</b> 706:5 <b>obligated</b> 641:18 <b>obligation</b> 574:11</p>	<p>676:10 697:6,10 698:2 <b>obligations</b> 632:10 678:12 688:21 <b>observation</b> 579:25 <b>observations</b> 564:18 699:10 <b>obtain</b> 664:13 <b>obtained</b> 643:14 664:20 702:18 <b>obtaining</b> 528:9,22 <b>obvious</b> 587:5 614:25 629:2 665:3,9 <b>obviously</b> 494:14 529:7 535:24 552:6 555:19 557:4 567:7 582:16 600:20 638:17,20 648:22 651:6 656:3 658:8 669:15 695:23 697:6 <b>occasions</b> 493:12 694:19 698:22 <b>occur</b> 630:21 <b>occurred</b> 643:17 658:16 684:17 <b>occurrence</b> 608:24 609:1,3 701:13,14 <b>occurs</b> 628:15 <b>October</b> 478:3 480:10 532:1 549:20 550:17 552:10,15,21 553:15 575:13,16 576:1,2,2,3,8,18 576:23 577:1 662:21 663:3,17 665:13 669:9,9 671:11 673:18 679:21 680:3 <b>odd</b> 579:18,19 617:2 678:10 <b>offence</b> 510:9,16,19 642:4 <b>offer</b> 596:2 630:16 <b>offered</b> 485:7 578:18 588:4 597:21 691:19 <b>office</b> 479:14 499:17,20 541:3 541:11 556:24 557:1 595:14 606:25 615:20 636:3 637:11 658:18,21 671:3</p>	<p>672:11 <b>officer</b> 476:4 492:14 498:4 542:21,23 543:4,8,10 544:7 552:4 559:6 561:13 562:21 566:24 568:6,16 578:23 585:3,6,10 585:22 597:23 598:6 606:9 607:12 608:8 609:11,24 613:17 614:9,17 615:22 632:18 637:1,2,22 640:15 644:21 645:17 646:1 649:7 656:9,22 657:6 658:23 663:8,12 666:3,14 666:16,18,24 668:25 670:25 671:16 673:21 679:15 681:22 682:12 697:18,18 698:2,3,10 699:11 704:17 <b>officers</b> 496:7 498:3 498:5 514:4,5 517:5,6 520:25 521:1 522:16 551:22 553:11 562:10 568:7 594:21 595:2,14 606:25 611:4,5,14 611:19,20 612:13 612:17,24 613:4 613:17 617:5 637:5,11,15 643:19 644:12 648:18,23 655:19 675:3 704:9,12,20 705:1 <b>officer's</b> 648:16 <b>official</b> 625:7 669:24 707:7 <b>officially</b> 567:23 <b>officials</b> 562:6 631:23 632:6 655:21 <b>Oh</b> 480:23 485:19 486:15 488:24 490:17 491:9 576:16 596:10 610:20 611:3 613:3 700:5 <b>OIC</b> 509:16 <b>okay</b> 480:25 483:15</p>	<p>483:16 486:2,5,13 488:10 489:6 490:22,25 491:19 492:23 493:13 497:14 505:11 510:14,23 511:7 511:12 512:1,3,8 513:11 514:17 516:22,25 518:14 524:15 525:1,4 530:8 533:15 534:3,15,21 540:13 556:6 589:22 611:3 616:6 649:18 650:11 681:21 684:18 686:20 687:6 689:20 691:10,18 <b>old</b> 680:10 <b>Oliphant</b> 617:11 <b>Oliphant's</b> 618:2 <b>Olson</b> 476:12 477:18 546:21 557:5 630:5,6 683:13,14 684:21 <b>ombudsman</b> 658:17 <b>once</b> 557:17 558:25 606:3 623:14 673:21 679:20 <b>ones</b> 546:2 632:11 <b>one's</b> 599:4 <b>ongoing</b> 586:16 632:11 664:4 676:10 683:21 <b>open</b> 480:17 482:24 502:19 507:19 554:18 581:14 591:14 599:19 692:4,5 701:15 <b>opened</b> 538:13 <b>operate</b> 627:14 <b>operating</b> 615:1 <b>Operation</b> 627:14 <b>operational</b> 563:9 <b>operations</b> 498:7 585:11 598:6,19 608:10 618:17 619:10 653:5,11 663:9 666:14,18 670:16,24 677:5 <b>opinion</b> 506:2 563:21 571:9 593:4 599:11 605:9 641:8 654:23 665:22 667:18 701:23</p>	<p><b>opinions</b> 699:10 <b>opportunity</b> 539:12 559:21,25 630:8 <b>oppose</b> 662:16 <b>opposed</b> 560:2 565:17 608:22 <b>opposite</b> 547:25 611:22 612:5 667:23 <b>Ops</b> 509:16 608:13 663:12 664:16 <b>optimistic</b> 605:14 <b>options</b> 499:18,19 <b>oral</b> 575:2 579:6 <b>order</b> 515:18 537:22,23 597:8 603:3 605:7 624:13 631:4 653:11 660:8 <b>ordered</b> 617:12 618:9 <b>orders</b> 492:14 <b>ordinary</b> 574:5 <b>organization</b> 540:21 659:14 <b>original</b> 662:25 <b>originally</b> 635:25 690:5 <b>Orr</b> 492:6 495:10 495:23 496:12,18 496:23 497:2 498:13,20,25 499:5 500:7,24 502:10 503:8 505:15,23 508:8 508:12,19 509:3 521:18,21 522:6 523:19 524:3,11 524:21 525:25 526:9,21,23 527:17 556:15 586:3 587:16 590:25 591:3,3 606:23 607:1 639:3,4,5,6 666:4 669:1,11,19,20 672:18 673:8,12 673:13 674:4,9 679:16,20 680:5 687:3,19 689:12 <b>Orr's</b> 492:3 526:1 555:24 593:21 <b>Ottawa</b> 627:13 <b>ought</b> 674:4 <b>outcome</b> 482:25 591:15 592:18,20 593:2,4 596:16</p>
---	--	---	---	---



<p>599:2  <b>outgoing</b> 566:2  <b>outline</b> 609:8          700:16  <b>outlined</b> 604:6  <b>outlining</b> 584:25          604:8  <b>outset</b> 559:7 568:23          677:17  <b>outside</b> 588:11          606:12  <b>overlap</b> 490:15  <b>overly</b> 553:13 702:6  <b>overnight</b> 556:25          634:7  <b>overruled</b> 514:4          517:6,17 520:3,25          611:5,20 612:16          613:2 643:19  <b>overseeing</b> 563:12  <b>overview</b> 510:4,5          572:24  <b>owner</b> 569:9  <b>o'clock</b> 613:24          706:3</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 591:9  <b>pack</b> 496:1,9 502:13          502:16 528:9,22          532:13,16 533:16          534:14,17,18          535:3,9  <b>package</b> 685:13  <b>packs</b> 575:2  <b>page</b> 477:3 484:23          484:25 488:15,17          489:11,23 490:12          491:4,6 492:5,23          494:19 497:6,19          500:10 501:13          502:9 504:6,9          505:17 507:1,12          511:9 515:12,13          517:12 520:6,8,15          520:16 521:4,4          522:25 523:2,17          526:16 528:4,4,5          528:14,16,20          532:5 534:16,20          535:21 537:2          544:25 545:12,15          545:15 546:1,6,18          547:4 548:14          551:21 552:19,19          552:23 576:7,9,10          576:17,19,21,24</p>	<p>577:3,3,15,16          578:9,11 581:19          581:20,23,25          582:3,3 586:6,6,7          586:10,11,15,24          589:12 593:20          594:25 595:23          596:21,21 597:5,5          600:6,10,16,16          601:7,24 602:19          604:14 607:20          608:4 610:8,18,23          616:6,12 617:2          624:19 626:18,19          631:1,2 633:18          639:23,24 642:14          642:24 646:19          650:14,16 667:9          670:20 672:21          673:6 675:11,20          679:13,24,25          703:12  <b>pages</b> 545:5 546:13          547:15,17,21          548:9,11 549:8,9          549:21,22 631:9          707:8  <b>pagination</b> 549:18  <b>painted</b> 704:21  <b>paperwork</b> 567:11          567:11,13  <b>paragraph</b> 484:25          489:12 490:5,8,9          494:20 497:19          499:9 500:5,7          501:12 504:9          506:17,20,25          507:8,13 508:4,7          509:5,12 514:1,8          515:2,10,11,12,13          516:2 517:1,11,21          518:23 519:5          520:9,11 523:16          528:5,17,18,20          533:13,16 545:1          545:14,16,23          547:5,7,8,12          548:2,6,14 549:2          549:4,6,12 551:3          551:16 577:17          578:11,16 579:8          595:21 596:7,8          597:6 599:23          601:24 610:10,13          610:18 643:6          647:12 653:2,3          668:2,24 675:21</p>	<p>676:2 679:14  <b>paragraphs</b> 512:14          512:16,21,25          513:19,20 515:14          516:16,17,18,20          549:22 551:9,12          582:10 586:11          642:25  <b>paraphrasing</b>          503:19 504:17  <b>parcel</b> 688:14  <b>pardon</b> 506:25          602:7 666:22  <b>parlance</b> 647:2  <b>part</b> 490:1,3 492:10          514:9 515:1 516:5          517:16 520:23          521:12 523:16          525:14 531:4          534:19 541:21,23          546:17 563:9          578:15 579:7          616:23 617:12,14          650:8 658:14          662:23 666:1,6          669:7,12 676:6          679:18 685:13          688:14 698:18          702:13  <b>partially</b> 521:7  <b>participate</b> 684:6  <b>particular</b> 480:6          534:16,17 535:14          538:17 550:25          566:5 569:11          573:10 578:15          581:1 594:9          621:10 654:18          674:24 675:13          685:4 686:13          696:2 702:24  <b>particularly</b> 545:4          610:11,25 630:21  <b>partly</b> 696:25  <b>party</b> 503:17          504:12 575:17          602:4  <b>pass</b> 544:17  <b>passed</b> 539:16          663:18  <b>patently</b> 523:9  <b>Patrick</b> 475:5  <b>pause</b> 586:19  <b>paying</b> 557:5  <b>payment</b> 501:19          531:15  <b>PC</b> 636:13</p>	<p><b>peace</b> 574:12  <b>pedestrian</b> 539:25  <b>Pelletier</b> 476:7  <b>penalties</b> 492:20  <b>penalty</b> 492:16  <b>pending</b> 588:23  <b>Penitentiary</b> 635:22  <b>penultimately</b>          705:8  <b>people</b> 503:17          541:12 567:9          588:7 659:17          674:17,21,23          681:25 688:20          693:22 694:5  <b>perceived</b> 601:20  <b>perceptive</b> 630:25  <b>perfect</b> 545:21,22          548:6,13,14          597:25  <b>period</b> 493:4 497:17          569:5 593:13          594:9 603:13          686:21  <b>peripheral</b> 658:25  <b>perjured</b> 503:1          650:19  <b>perjury</b> 535:6          600:18  <b>permanently</b>          591:13 592:6  <b>permission</b> 692:2  <b>perpetrators</b> 573:8  <b>Perry</b> 617:2  <b>person</b> 566:2 569:9          580:1 588:8,9,10          589:8 593:9          604:22 660:3          676:14 688:18          693:18,23  <b>personal</b> 572:6          640:20 641:8          647:11 649:12          678:6 682:6 693:5          699:9  <b>personality</b> 702:10  <b>personally</b> 590:21          631:22 693:12  <b>persons</b> 569:13  <b>person's</b> 682:8  <b>perspective</b> 487:19          488:5 489:2          504:15 612:7,14          622:11  <b>pertain</b> 536:22  <b>Peter</b> 618:15 620:25          621:1 627:12</p>	<p><b>phone</b> 480:10 502:2          511:13 512:13          520:13,22 575:12          575:17,18 584:9          599:22 603:15          606:16 607:10,10          617:10 619:20          622:1 628:14          643:1,1,8 646:2          681:18 682:19  <b>photocopy</b> 557:2  <b>phrase</b> 688:2  <b>phrased</b> 590:1  <b>phrases</b> 590:2  <b>phrasing</b> 633:2  <b>Physicians</b> 659:10  <b>picked</b> 630:25          651:2  <b>picture</b> 640:13          647:24  <b>piece</b> 564:23 597:1          599:8,10  <b>Pinx</b> 476:21  <b>PIRS</b> 541:5,11  <b>place</b> 483:9 494:16          497:20 501:25          509:19 511:24          537:1 588:19          620:1 626:14          636:20 659:8          688:12 707:10  <b>placed</b> 641:13          700:18 701:2  <b>placement</b> 640:5  <b>places</b> 560:4 656:14  <b>plain</b> 637:11 674:22  <b>plains</b> 637:21  <b>plain-clothes</b> 530:3          561:12,14 565:16  <b>plan</b> 481:4,11,13,14          509:17  <b>planned</b> 485:9  <b>playing</b> 656:24  <b>please</b> 479:4 494:19          494:20 511:9          512:11 516:21          519:21 532:20          554:23 558:11          614:5 616:6          624:20 625:2          661:18  <b>plus</b> 572:21 617:8  <b>point</b> 483:6,10          494:2 496:20          498:15 502:9          510:21 529:8          542:17 570:24</p>
---	---	--	--	--

<p>582:15 595:19 596:20 599:23 600:3,4 604:10 606:15 631:13 632:12 644:21 645:2 648:3,4 659:21 660:17,20 662:17 687:20 691:20 692:1 696:3,9 704:1 <b>pointed</b> 546:1 629:1 679:10 <b>points</b> 599:13 628:25 632:15 666:7 <b>police</b> 476:17,19 479:24 480:5 522:16 529:12,23 530:21 532:8 537:17 541:6 542:9,25 543:5,12 553:21 561:25 562:3,7,8,16,20 562:21 573:24 574:8,22,23 575:5 582:23 588:11,21 592:10 594:21 595:11 617:5 619:2 620:11 622:7,12,16 635:24 636:3,24 637:20 639:10 640:7,11,12 641:2 641:20 642:16 644:20 645:17,18 645:25 647:21,23 650:4,21 651:18 652:9,10 656:9 658:23 660:15 664:12 665:2 668:6 692:19,23 693:1,13,16 695:12 697:6,10 697:18 698:2,3,9 701:18 702:20 704:8,15,20,25 <b>policemen</b> 580:2 <b>policies</b> 684:12 <b>policing</b> 542:21,23 543:3,8,10 574:20 671:16 <b>policy</b> 555:12 583:23 585:20,23 586:2 598:1 632:1 <b>polite</b> 507:18 566:1 <b>pool</b> 634:6 <b>poor</b> 567:12 702:9</p>	<p>702:13 <b>portion</b> 520:9 673:2 673:5 <b>posed</b> 607:6 <b>position</b> 489:3 523:3 538:23,25 561:24 565:16 612:19,20,23 630:6 631:18 672:3,16 <b>positive</b> 605:11 <b>possess</b> 625:8 <b>possession</b> 662:1 <b>possibility</b> 522:7 595:25 650:22 <b>possible</b> 508:2 555:13 573:8 635:8 649:10 703:18 <b>possibly</b> 569:6 592:5 653:9 703:20 <b>post</b> 655:23,24 683:22 <b>post-trial</b> 594:8 <b>potential</b> 555:13 582:17 632:7 <b>powers</b> 668:13 <b>practical</b> 554:24 555:8 607:6 <b>practice</b> 550:7,22 573:23 574:5 586:20 625:14 626:4 633:16,24 633:25 634:10 <b>practices</b> 567:1 588:21 684:13 <b>pre</b> 683:21 <b>prearranged</b> 693:10 <b>precedent</b> 684:15 <b>precedes</b> 516:5 <b>preceding</b> 535:11 703:4 <b>prefer</b> 636:22 <b>preferred</b> 563:8 <b>premise</b> 510:18 <b>prepare</b> 700:3 <b>prepared</b> 559:12 571:14 615:8,15 624:21 637:17 667:10 703:5 <b>prescient</b> 599:7 <b>presence</b> 569:2 597:13 <b>present</b> 637:22 <b>presented</b> 604:17</p>	<p>609:9 <b>preserve</b> 574:12 <b>president</b> 513:12 <b>press</b> 557:13 614:17 617:18,20 618:3 620:1,8,11,15 621:13 632:19 633:9 634:24 <b>Preston</b> 482:7,11,18 483:4 522:6 552:3 552:6 554:1,4,21 554:24 556:16 585:9,10,21,21 587:10 589:17 590:1,9,12,13,15 591:18 593:15 598:3,5,8 608:9 608:11,11 609:23 613:9 649:16 655:11 666:15,24 669:4,18 670:3 680:7 686:13 687:8,17 689:17 <b>Preston's</b> 587:15 596:15 599:1 687:1 689:3 <b>presumably</b> 622:3 632:20 635:22 636:13 638:2,15 669:3 674:19 <b>pretty</b> 557:24 620:5 <b>previous</b> 497:10 500:5,23 508:1 512:8 522:8 572:19 636:18 673:18 676:5 <b>previously</b> 643:12 <b>pre-arranged</b> 595:9 <b>primarily</b> 641:21 <b>prime</b> 604:25 <b>prior</b> 494:15 546:16 546:16 590:17 685:23 689:25 699:24 <b>private</b> 571:2 <b>privy</b> 487:5 579:1 677:25 <b>probably</b> 493:25 525:15 526:17 567:13 569:8 589:4 601:13 602:16 605:7 606:12 615:11 616:18 638:12 646:24 661:16 674:16 678:16,18 687:15 693:19,22</p>	<p>694:6 696:14 <b>Prober</b> 476:13 477:17 622:21,22 622:23 624:8 680:15,16,17,19 683:10,12 <b>problem</b> 519:11 536:13 623:5 657:22 660:4 693:16 705:8 <b>problems</b> 583:10 589:18 602:10 611:24 636:23 648:22 658:19 660:11,11 673:10 674:12 690:18 699:8 <b>procedural</b> 580:4 <b>procedure</b> 587:7 697:16 <b>procedures</b> 678:19 700:10 <b>proceed</b> 479:9 503:21 510:17 522:23 548:2 555:14 583:8 593:9 594:6 612:20 629:5 641:15 648:10 674:13 <b>proceeded</b> 572:7 580:24 <b>proceeding</b> 547:11 572:4 <b>proceedings</b> 475:11 475:20 477:1 519:18 556:8,10 556:12 558:8 593:25 614:2 679:5 706:9 <b>process</b> 584:9,22,23 585:2 597:22 598:23 606:4 662:16 698:15 <b>processed</b> 508:2 <b>produce</b> 698:10 <b>produced</b> 493:22 549:19,20 623:1 625:10 632:3 637:18 639:15 642:22 <b>producing</b> 626:9 634:4 <b>production</b> 560:5 <b>professional</b> 568:25 574:5,10 639:15 659:5 678:15</p>	<p><b>profiles</b> 564:2 <b>program</b> 495:13,21 500:15,21 521:23 522:5 523:22 524:5 555:10,15 555:19 556:14 582:18 583:6,7,9 583:14,24 584:1 584:18 587:22,25 588:3,10,17 589:8 589:13 591:20,25 592:16 593:5,11 594:1,4,6 596:18 600:8 606:19 612:22 640:5 641:14 666:5,6 669:7,8,12,21 670:1,6 673:16,23 674:10,18 675:1 679:17,19,22 686:16,23 687:22 688:15,19 689:5 689:14 <b>progress</b> 560:6 <b>promise</b> 705:15 <b>promoted</b> 561:21 <b>promotion</b> 628:20 <b>prompted</b> 530:22 <b>promptly</b> 682:13,15 682:16 <b>properly</b> 701:2,17 <b>proposal</b> 486:20 584:15 <b>proposing</b> 604:6 <b>proposition</b> 546:12 547:24 549:18 <b>prosecute</b> 596:4 <b>prosecuted</b> 496:19 <b>prosecution</b> 500:12 503:3 572:2 657:3 683:16 <b>prosecutions</b> 479:14 640:17 <b>prosecutor</b> 479:12 601:13 695:18 700:22 <b>prosecutors</b> 479:16 592:9 655:20 680:20 681:5,15 681:18 682:4 700:3 <b>prosecutor's</b> 701:25 <b>protect</b> 640:8 641:4 <b>protected</b> 480:17 540:8,8 541:1,1,3 541:8,18,22,23 544:13 545:2</p>
--	--	--	--	---

<p>588:7,10 641:14 669:23 674:17 688:5 698:17,21 699:1,13,17,18 <b>protection</b> 495:11 495:21 500:15,21 508:3 521:23 522:4 523:22 524:5 554:14 555:2,5,9,18 582:18 583:5,7,9 583:14,15,24 584:18 585:17 587:21 588:3,4,9 589:2,3,5,8 590:20 591:8,19 591:25 592:2,16 593:5,10 596:18 600:8 606:19 607:4 612:22 641:14 666:5 669:6,12,21 670:1 670:4,5,6 672:18 673:8,16,22 674:10,18 675:1 679:17,18,22 686:16 687:19,22 688:3,15,19,21 689:14 <b>protection/negoti...</b> 522:19 <b>protocol</b> 573:24 <b>provable</b> 699:7 <b>provide</b> 488:7 537:16 540:10 571:14 597:8 615:14 627:19 629:3,22 698:10 700:6,21 <b>provided</b> 527:15 537:19 624:12 631:8 648:12 <b>providing</b> 571:10 629:20 651:18 677:15 688:20 700:7 <b>province</b> 476:12 561:8 585:11,15 588:14 591:10 592:3 658:19 688:4,10 707:7 <b>provincial</b> 657:23 <b>pro-charge</b> 603:21 <b>pro-prosecution</b> 603:20 <b>prudent</b> 504:25 675:23</p>	<p><b>public</b> 617:13,15 699:11 700:1 <b>pull</b> 541:5 <b>pulling</b> 580:5 <b>purchase</b> 667:1,6 <b>purely</b> 570:7 <b>purported</b> 505:15 527:17 <b>purpose</b> 597:7 615:15 622:1,4,5 638:5 649:18 <b>purposes</b> 539:14 <b>pursuant</b> 651:20 <b>pursue</b> 481:5 569:14,17 578:24 648:2,8 651:7 <b>pursued</b> 569:3 <b>pursuing</b> 651:8 672:7 <b>pursuit</b> 485:8 578:19 580:8 <b>push</b> 658:3,11 <b>put</b> 481:8 515:4 516:15 534:19 538:24 543:1 545:11 551:20 556:3 568:13 570:6 571:15 576:10 586:2 597:14 601:9 602:5 615:12 616:19 625:15 627:4 628:21 630:17 642:21 656:10,21 659:12 661:2 687:4 689:13 696:7 701:7 <b>putting</b> 555:21 584:15 649:3 696:14 <b>p.m</b> 614:3 679:5,6 706:9</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>qualified</b> 669:25 <b>qualify</b> 488:18 555:4 669:20 <b>quality</b> 570:3 <b>quarters</b> 614:19 <b>Queen's</b> 617:11 618:8 <b>question</b> 501:19 513:8 516:3 556:14 568:9 572:13 573:23 579:5 582:25</p>	<p>584:8 596:6 598:7 612:7 688:25 690:21 692:4,5 <b>questioning</b> 495:7 503:22 525:24 526:12 527:9 553:17 <b>questions</b> 482:2 514:23 515:21 516:20 539:24 544:2 557:18 575:21 582:12 613:21 614:12,13 614:21 622:23 623:3,8 630:7,15 632:6 678:24 681:3 690:8 702:16 <b>quick</b> 515:1 <b>quickly</b> 539:12 550:20 557:10 578:14 582:11 591:22 594:10 600:12 628:10 631:3 644:2 <b>Quinney</b> 613:10 655:15 671:24 672:9 675:13 676:3,7,18,23 677:5,8 678:8,15 685:1,5,21 <b>quite</b> 507:25 538:15 568:23 569:6 580:24 582:7 583:7 589:6,15 590:17 611:21 612:4 633:20 645:2 648:10,15 649:1 655:18 703:19 <b>quote</b> 504:1 520:11 520:17 529:7 552:19 618:13 646:20 <b>quoted</b> 491:22 520:20 524:8 529:8 554:12 <b>quotes</b> 491:22 581:18 <b>quoting</b> 520:18 586:16 633:3 <b>Q.C</b> 475:5 476:12 476:14,15,16,19 476:21</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 476:15,19</p>	<p><b>raise</b> 479:22,24 600:17 661:19 <b>raised</b> 661:19 <b>raising</b> 542:24 <b>ramifications</b> 650:18 <b>rank</b> 670:13 <b>ranking</b> 492:14 498:1 644:12 648:18 <b>rantings</b> 648:19 <b>rapport</b> 704:24 <b>Ray</b> 495:11 496:23 508:8 525:23 527:8,8 571:25 577:9 578:19,25 579:15 591:7 695:6 <b>RCM</b> 529:22 <b>RCMP</b> 476:16 492:13,17 493:3 501:16 502:23 505:20 506:19 507:2 514:3 517:5 520:24 522:24 529:3 530:4,6 540:5,15 542:8 555:17 560:23 562:5,17 567:23 574:23 578:22,23 579:13 584:23 588:16 589:13 590:17 611:4 615:24 616:18 631:19,23,24,25 632:6 640:5 642:16 643:19 654:10 668:3,10 668:14 672:4 673:8 678:2 691:12 701:21 704:25 <b>reached</b> 481:3 <b>reaches</b> 584:16 <b>read</b> 480:19,22 487:12 504:10 506:16 507:1 513:20 514:9,10 514:20,22 515:1 515:20 516:16,17 516:20 531:20 534:2,12 535:11 539:8,11 557:4 576:11,12 577:5 579:8 582:10 587:25 592:24 599:4 601:19</p>	<p>610:10 611:15 613:7 620:17 621:7 625:1 633:20 643:3,4,5 652:24 653:1 667:21 668:2 677:10 688:8,12 689:10 <b>reader</b> 670:16,22 <b>readily</b> 578:18 <b>reading</b> 486:13 501:12 504:18 520:15 589:11 591:18,21 596:6 614:23 628:11 639:25 644:2,22 644:24 647:11 648:14 673:5 687:25 694:16 702:8 <b>reads</b> 618:13 643:6 <b>ready</b> 558:5 <b>real</b> 565:5 572:21 <b>reality</b> 605:17 611:18 612:14 <b>realize</b> 480:15 705:24 <b>really</b> 501:7,11 537:24 538:8,14 538:14 554:25 572:12 595:13 604:18,21 616:7 619:23 626:11 628:2 648:4 654:1 674:4 676:3 682:2 689:17 698:17 704:17 <b>reason</b> 568:8 602:24 636:21 652:11 660:18 691:18 <b>reasonable</b> 487:21 487:23 488:1,5,9 489:1 623:7 <b>reasons</b> 535:8 541:16 648:9 665:3,9 <b>Reath</b> 569:11,16 570:10 572:8 573:11 580:25 594:7 596:3 597:16 604:16 694:2 <b>recall</b> 480:25 484:12 485:14,20 485:25 486:2,4 487:14 499:4,24</p>
---	---	---	--	---

<p>503:8,22 509:8 511:14,15,17 527:21 530:25 532:19 542:10 543:25 544:10 546:9 553:17 554:16 564:13 602:15 620:17 635:8 636:10 637:7,9,14 638:4 639:2 667:2 685:18 690:5,14 690:15 691:2,4 692:22 693:6,7,14 694:15,16 695:1,3 695:8 700:10 703:2,19,19 <b>recalled</b> 477:8 623:4,17 635:17 646:5 <b>recalls</b> 593:21 <b>receive</b> 559:14 579:5 598:19 603:5 653:12 685:16 700:24 <b>received</b> 503:2 511:13 520:12,21 559:13,15 570:8 573:5 591:24 608:6 614:17 616:16 618:23 630:19 643:1,2,7 644:17 692:2 702:20 <b>receives</b> 587:20 <b>receiving</b> 631:11 694:15 695:20 <b>recess</b> 519:17 557:10 558:7 610:5 679:2,4 <b>recessed</b> 519:18 558:8 614:2 679:5 <b>recitation</b> 615:18 <b>reclassifying</b> 698:24 <b>recognize</b> 688:23 <b>recollection</b> 483:17 483:19 484:4 511:10 512:13 516:24 527:13 534:5 556:1 560:11 637:9 685:25 695:5 <b>recommended</b> 558:11 614:5 <b>recommend</b> 521:16 <b>recommendation</b> 481:8 584:11,19</p>	<p>584:24 585:8 598:24 <b>recommended</b> 565:15 <b>recommending</b> 571:22 603:1 <b>reconstruction</b> 497:8,10 <b>reconvened</b> 519:19 558:8 614:3 679:6 <b>record</b> 483:22 486:25 488:12 489:9 500:4 503:9 509:8 513:3 519:1 527:12,21 532:6,8 540:5 556:2 575:8 604:19 617:13,15 627:15 680:23 <b>recorded</b> 483:9,13 495:25 496:14 502:12 512:20,22 512:23 513:7 514:15 517:22 625:16 627:11 <b>recorder</b> 634:3,14 <b>recording</b> 512:16 550:8 <b>records</b> 483:20 484:1,1,5 486:4,8 499:12,16 512:7 518:1,3 550:7,7 587:19 615:13 629:13 632:2,3,8 <b>recount</b> 516:18 518:23 <b>recounts</b> 515:15 <b>recycling</b> 680:10,13 <b>redacted</b> 672:22 <b>redacting</b> 539:13 557:1 <b>reduce</b> 631:6 697:25 <b>reduced</b> 571:17 626:24 <b>reducing</b> 627:9 <b>reevaluate</b> 593:3 <b>refer</b> 482:12 483:10 483:15,21 490:9 491:11 493:20 512:5 514:13 518:22 532:20 552:23 556:2 593:14 628:24 666:12 677:12 <b>reference</b> 487:16 488:15 500:23,25 501:1 515:4</p>	<p>532:22 534:1 538:11,13 543:18 581:21 601:7 616:16 617:24 621:6,9 623:25 627:22 628:19 642:13 651:6 676:2 680:5 684:25 <b>referenced</b> 627:22 <b>referred</b> 489:20 492:2 493:15 498:18,19 499:1 537:14,15 552:14 552:17 561:13 588:7 626:18 637:18 651:22 662:15 681:8 682:11,15 700:13 701:18 <b>referring</b> 482:22 490:5,7,10,13,18 494:2 501:6 512:2 512:7 520:20 525:1 552:20,24 569:1 592:21 628:1,3 642:20 680:1 <b>refers</b> 490:4 505:9 513:18 521:6 522:9 537:9 576:8 577:1 618:5 680:7 <b>reflect</b> 634:9 676:19 680:24 <b>reflective</b> 651:1,3,4 676:4 <b>refresh</b> 483:12 582:11 <b>refusal</b> 629:3 <b>regard</b> 522:12 623:13 639:1 666:9 674:5 <b>regarded</b> 552:6 568:18 640:11 <b>regarding</b> 485:5 525:14 542:8 631:24 <b>regards</b> 552:15 <b>Regina</b> 497:22,23 497:25 509:14 514:4 517:5,17 520:25 543:10 552:7 559:15,16 585:22 598:9 599:4 603:14 607:1 608:13 611:4,20 612:8,16</p>	<p>612:23 613:4 615:23 643:19 670:17 671:1,2 <b>regular</b> 558:1 <b>regularly</b> 493:3,7,8 <b>regulations</b> 659:11 <b>regulatory</b> 659:11 <b>Reid</b> 707:6,6,16,20 <b>relate</b> 662:1 <b>related</b> 622:14 <b>relates</b> 595:18 <b>relation</b> 552:9,12 568:5 572:2 583:1 593:7 596:11 615:3 633:16 693:17 696:19,21 697:22 698:14 699:18 702:19 <b>relationship</b> 560:21 581:4 <b>relative</b> 541:18 542:9 <b>release</b> 618:2 621:13 634:24 635:2 638:18 <b>released</b> 618:9 621:14 <b>relevance</b> 701:6 <b>relevant</b> 534:12,13 546:1 575:15 583:2 584:6 632:3 <b>reliable</b> 615:18 629:12 <b>relies</b> 590:6 <b>relocate</b> 591:12 592:5,13 <b>relocated</b> 592:13 <b>relocation</b> 688:11 688:13 <b>rely</b> 560:1 574:4 575:7 <b>relying</b> 483:20 484:1,5 499:12 518:1 662:18 <b>remain</b> 591:10 690:16 <b>remained</b> 589:14 <b>remark</b> 637:23 638:8 642:1 645:23,25 704:19 <b>remember</b> 479:16 498:23 499:13 513:13 517:24 545:9,23 549:22 550:4 595:1 612:8 616:22 619:20,23 620:3,5,15,19</p>	<p>621:2 622:19 626:22 636:4 638:8,25 640:18 644:14,18 653:14 655:12 691:6 <b>reminded</b> 487:4 <b>reminding</b> 678:11 <b>rep</b> 672:14 <b>repeat</b> 600:10 <b>repeated</b> 547:12 549:5 615:5 <b>rephrase</b> 696:8 <b>replied</b> 511:4 518:13 <b>replies</b> 686:4 <b>reply</b> 518:11 686:2 <b>replying</b> 518:15 <b>report</b> 484:11 490:12,14 491:1 504:11 512:5 529:21 540:15,19 551:18 567:1,6 568:7 578:8 579:6 581:15,18 586:9 587:12,25 589:11 590:4 594:12,15 595:23 597:5,7 599:12,14 602:12 603:9 606:22 607:19 608:6,22 608:24 609:1,3,7 617:2,12,14 618:3 632:17 634:4,8 642:7,7 649:14,14 649:18 650:2,7 654:18 656:20 660:11,24 661:1,4 665:13 668:7 670:15 671:13 676:22 680:2 681:12 692:6 694:3,12,15 695:4 697:25 698:4,10 700:16 701:9,13 701:14,25 703:5 <b>reported</b> 580:14 581:8 582:23 649:4 <b>reporter</b> 557:24 643:25 705:23 707:17,21 <b>REPORTER'S</b> 707:2 <b>reporting</b> 594:17 608:15,21 609:10 657:15 <b>reports</b> 480:20</p>
--	--	---	---	---

<p>483:10 526:16 560:1 567:4,9,10 587:14 607:15 608:2,23 633:24 666:12 674:7 682:25 684:1 703:21,23 <b>represent</b> 636:5 683:14 <b>representation</b> 521:15 <b>representative</b> 509:15 <b>representing</b> 636:6 672:2 <b>request</b> 481:16 483:2 543:2,6 569:8 571:1 573:10 574:9,15 574:25 575:1 597:19 598:2 665:25 706:1 <b>requested</b> 603:5 <b>requesting</b> 602:19 <b>requests</b> 573:9 574:19 575:2,4 652:6 693:21 <b>require</b> 557:15 <b>required</b> 531:16 601:15 <b>requirement</b> 584:25 <b>requires</b> 531:14 676:13 <b>rereading</b> 689:7 <b>resent</b> 566:7 <b>resented</b> 566:21 <b>resentment</b> 613:18 <b>reserved</b> 618:10 <b>resolved</b> 575:9 <b>respect</b> 579:12 583:24 613:8 681:6 683:21 686:18 694:25 <b>respective</b> 523:5 <b>respects</b> 509:5 <b>respond</b> 485:17 519:24 <b>responded</b> 484:23 485:15 510:25 638:8,11 <b>responding</b> 511:6 520:1 543:2 <b>response</b> 480:21 487:12 511:5 512:8 519:6 520:5 521:5 523:16 528:6,6 530:23</p>	<p>542:11,13 549:25 554:9 573:14 642:15 <b>responsibility</b> 588:16 649:22 681:24 696:16,17 696:23 <b>responsible</b> 525:16 569:7 577:11 <b>rest</b> 513:25 514:8 522:2 524:19 531:20 662:24 680:13 <b>rested</b> 583:4 <b>restrict</b> 555:19 <b>restricted</b> 541:8 <b>result</b> 480:15 554:8 572:5 582:20 611:21 612:4 631:10,25 665:18 671:23 <b>resulted</b> 620:23 627:9 <b>results</b> 482:10,16 <b>retention</b> 632:1 <b>retired</b> 567:23 687:10,11 <b>retirement</b> 558:24 <b>retrieval</b> 541:6 701:19 <b>revenge</b> 494:12 501:25 536:17 601:3 <b>review</b> 504:14 511:16 519:9 559:8,21 560:15 568:11 578:14 594:11,13 614:22 616:23 617:3 623:14 625:12 630:8 662:11 703:8 <b>reviewed</b> 555:12 556:23 614:20 685:1 703:16 <b>reviewer</b> 618:18 <b>Re-exam</b> 477:7,12 <b>re-examination</b> 533:9 544:7 <b>re-examine</b> 553:24 632:14 <b>Richard</b> 671:23 <b>ride</b> 561:7 <b>ridiculous</b> 523:9 611:13 644:11 648:17 <b>right</b> 480:8 481:19</p>	<p>482:14,21 485:24 489:9 490:4,14 491:16 493:25 496:2,11 497:22 498:12 501:9 504:7 507:19 508:10,13,20,22 510:3 511:5,11,18 513:24 516:15,23 517:22 518:9 519:15 523:15 524:20 529:10,14 530:8,14 534:25 535:1,9,11,17,25 537:14 539:15 555:16,23 560:18 562:23 565:3 566:9,19 568:10 568:23 571:19 573:7 578:6,13 581:2 582:7 586:6 586:15 588:20 589:24 590:24 591:5 592:20,25 593:12 594:8 596:20 599:6 602:18 603:8 610:9 611:17 612:10,12 617:6 617:23 619:15 620:19 621:3,9,24 622:8,13,15,16,20 625:1 629:25 633:21 635:23 636:9,10 637:20 641:5,24 643:3 646:9 647:9 649:16 650:4,6 651:14 655:14 656:13 659:2 660:23 661:13 662:5,8 663:5,7 663:19,23 667:20 668:1,3,23 669:14 670:17,19 675:4 675:24 677:17 678:23 682:10 683:24 684:21 690:7 694:17,22 695:22 696:2 697:5,24 698:1,9 698:25 699:14 700:23 701:10 702:1 703:3 704:14 705:2 <b>right-hand</b> 545:6 545:10 546:2,20</p>	<p>547:20 548:10,21 548:22 549:14 616:13 631:2 670:20 <b>rigid</b> 589:7 <b>rise</b> 479:3 519:16 519:20 558:6,10 613:25 614:4 679:3,7 706:7 <b>role</b> 542:14 <b>Ronald</b> 477:14 558:17 635:17 <b>room</b> 637:14,23 638:19 639:16 659:18 690:16 695:25 <b>Ross</b> 477:4 502:22 505:15,19 506:18 618:23 619:4,7 <b>routine</b> 540:16 563:24 <b>ruin</b> 583:13 <b>rules</b> 651:21 698:23 <b>ruling</b> 706:5 <b>runaround</b> 665:23 667:19 <b>running</b> 634:4 <b>run-around</b> 529:9 <b>R.L.</b> 476:4</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>S</b> 476:21 664:8 <b>safeguards</b> 659:8 <b>safer</b> 638:12 <b>safety</b> 582:21 669:23 670:9 688:5 <b>sake</b> 495:6 637:25 642:3 646:15 650:23 <b>sanction</b> 596:3 <b>sanctioned</b> 688:16 688:17 <b>Sask</b> 611:24 613:10 681:25 <b>Saskatchewan</b> 481:21 522:21 559:2 561:8 585:12 590:18 598:20 619:11 631:23 653:7,19 654:5,10,11,12 657:16,25 658:3 668:14 671:24,25 672:4 675:12 678:2,3 684:2,6 688:17 689:25</p>	<p><b>sat</b> 639:17 <b>satisfied</b> 559:23 632:2 <b>satisfy</b> 559:21 <b>Savage</b> 493:2,7,14 493:16,23 494:6 496:4 571:3 600:25 691:12,18 <b>save</b> 705:17 <b>saw</b> 527:14,16 543:12 553:20 620:17 623:23 641:17 689:3 <b>saying</b> 485:20 491:9 501:20 507:18 509:19 512:19,22 512:23 513:2,9,16 513:17 514:7 529:14 537:11 556:17 573:14 579:22 591:19 592:12 609:20 619:18 620:22 632:18,21 633:4 640:18 642:6,25 643:3 645:13 646:18 647:7 649:5 650:6 654:5 663:5,20 679:21 681:13 688:9 698:7 705:12 <b>says</b> 481:10 484:7 484:20,22,23 485:5 486:18 487:7 490:21 492:4 498:20 499:1 502:18 505:23 508:23 509:18 511:13 513:5 520:8 524:8 524:21 526:18,21 530:8,9 535:17,22 556:7 577:18 584:18 590:12,24 591:6 610:2 633:23 640:1 662:23 667:23 671:4,22 672:14 674:9 676:10 677:13 679:14 <b>scene</b> 564:16 566:15 566:17 <b>scour</b> 705:17 <b>Scowby</b> 497:25 <b>Scurfield</b> 618:7,10 <b>se</b> 642:19 <b>seasoned</b> 605:16</p>
--	--	---	---	--

<p><b>seated</b> 479:4 519:21 558:11 614:5 <b>second</b> 486:18 489:7 493:20 497:5 498:16,18 500:7,25 504:3,5 504:9 505:16 506:20 507:1,12 514:22 518:20 520:11,17 525:12 531:19 532:21 558:13 563:6 576:7,17,21 578:6 584:8 596:20 600:3,3,16 631:13 647:18 656:3,5,6 670:11 673:5 <b>secondly</b> 579:12 644:17 <b>secreted</b> 592:7 <b>section</b> 530:2 561:11 664:23,23 664:24 667:4 704:11 <b>secure</b> 541:9 <b>security</b> 541:14 699:3 <b>see</b> 486:22 487:7,15 488:14,24 489:13 489:23 491:7,9,24 494:2 500:2,16,22 501:1 503:24 505:9,23,24 507:4 508:4 510:18 512:5 514:14,24 514:25 517:8 525:7 526:15 528:13 529:1 530:10 531:8,17 533:23 535:9 536:8 539:5 548:7 548:23 551:24 555:3 560:22 565:9 569:25 571:20 573:8 574:25 575:1 576:7,17 578:11 579:3 581:20 586:8,10 587:3,16 590:12 594:25 596:17 600:5 605:10 610:13 615:4 620:1,4,14 623:3 640:1 646:17,17 648:3,4 654:22 659:17,21 660:4,17,20</p>	<p>661:11 664:8 667:21 670:18,19 675:19,24 676:9 677:3,11,20 680:4 682:18 685:8,10 685:12,23 686:3,4 689:8 700:7,8 703:14 <b>seeing</b> 620:15 685:18 703:2,19 <b>seek</b> 597:9 598:14 598:16,17,18 600:4 660:8 <b>seeking</b> 683:3 692:8 692:10 <b>seen</b> 539:17 543:7 581:13 613:19 644:23 645:5,9 659:18 663:10 677:7 684:25 702:24 703:21,23 <b>seize</b> 574:3 <b>self-protection</b> 622:5 <b>seminal</b> 635:16 <b>send</b> 598:9 687:18 <b>sending</b> 598:2 <b>senior</b> 522:16,17 540:20 613:17 615:16 637:1,2 648:15 654:9 655:20 673:21 678:10 701:21 <b>sense</b> 584:16 682:9 <b>sensible</b> 658:15 <b>sensitive</b> 589:1 <b>sent</b> 482:18 489:4 507:16,24 530:22 542:21 551:21 598:7 685:1,6,15 686:2 695:4 <b>sentence</b> 492:25 502:6 503:3 514:10 535:12,12 610:13 <b>sentiment</b> 647:9 <b>sentiments</b> 650:7 <b>separate</b> 562:4 573:24 <b>September</b> 530:13 530:14,18 531:3,5 545:17 546:14 <b>sequence</b> 545:2,5 547:11 548:14,15 <b>sequences</b> 548:6 <b>sequencing</b> 545:21 545:22</p>	<p><b>sergeant</b> 480:6,9,12 480:16 482:19 483:7 484:7,16 488:21 492:3 493:11 495:3 498:13 504:11 505:14 511:10 515:15 516:23 517:13 520:2,10 520:18 521:10,12 521:17,21,25 522:9,25 523:6,20 524:16 525:13,17 526:18 528:7 529:16 531:6 532:13 533:10,18 534:5 537:17 538:24 541:10 542:11,13,25 543:15,16 551:24 552:25 553:15 558:4,12,20 561:21 562:5 563:7,16 568:11 575:13 576:1 577:6 584:4 587:6 599:8,22 606:16 607:11,13 608:17 618:23 619:7,17 635:14 642:6,14 643:10 647:16 665:17,20 666:1 667:14,16,21 668:15 670:15,22 674:7 694:9,23,25 695:4 702:18 703:14 <b>series</b> 616:7 690:8 <b>serious</b> 487:24 488:3,6 492:21 506:3 563:10 565:24 569:22,24 602:9 640:22,24 641:11 642:4 659:3 678:18 <b>seriousness</b> 586:4 654:25 <b>served</b> 626:3 <b>serves</b> 568:3 <b>service</b> 479:24 480:6 522:16 529:13 530:20,21 537:17 542:9,25 543:5,12 561:7 562:25 617:5 622:16 636:24 639:10 642:16</p>	<p>650:4 651:19 652:9 668:7 687:14 690:2 692:19,23 693:2 693:13,17 695:12 702:20 704:16 <b>Services</b> 476:18,20 650:21 660:15 <b>Service's</b> 640:7 641:2 <b>session</b> 479:4 <b>set</b> 494:7 549:18 581:3 584:10 585:23 596:21 599:21 601:6 612:6 642:9 657:7 684:16 <b>sets</b> 550:15 553:5 575:12 705:10 <b>setting</b> 585:18 690:25 <b>set-up</b> 553:17 <b>seven</b> 537:7 568:2 640:2 650:2 <b>severely</b> 555:19 <b>shared</b> 482:19 648:24 684:19 <b>sharing</b> 540:21 <b>sheet</b> 700:3 <b>shifting</b> 563:25 <b>short</b> 502:5 537:7 637:10 689:25 <b>shortage</b> 537:6 <b>shortly</b> 559:14 561:22 667:2 685:9 <b>shot</b> 665:25 <b>show</b> 502:3 526:25 575:8 626:12 <b>showed</b> 687:7 <b>shown</b> 534:7 605:1 <b>shy</b> 705:10 <b>sign</b> 703:13 <b>signed</b> 670:18 703:11 <b>significance</b> 480:3 496:16 701:5 <b>significant</b> 495:16 608:12 651:10 657:4 686:10,21 <b>signs</b> 551:25 <b>similar</b> 534:24 <b>simple</b> 651:21 <b>simply</b> 550:3 554:13 555:1 573:22 574:3 575:20 576:12 597:22</p>	<p>606:5 615:6 631:7 631:10 641:3 678:4 680:10 <b>sir</b> 479:11 485:1 486:14 518:5 532:3 539:22 544:3,23 557:21 561:5 591:17 592:23 609:21 616:4,6,19 617:1 619:20 620:21 622:1 625:2 631:13,14 632:2 632:12 635:11 637:4,17 638:9 639:13,20,24 640:19 641:19 642:5,10,24 645:5 645:12,21,24 647:14,18 648:5 649:2,12,13 650:2 650:6 651:5,14 652:3,15 653:14 653:16 655:4 656:1,6,22 657:21 658:5,11 660:22 660:24 663:16,24 664:7 666:9 668:13,18,23 670:10 671:20 673:5,11 675:7,9 675:11,19 676:2,9 676:12,16,21 677:7,21,24 678:1 678:23 680:22 681:3,7,10,20 682:8,17 683:5,8 683:11,19,25 684:11,17,21,23 685:3,14,19,22,25 685:25 686:6,7,9 688:23 690:8 691:9,17 692:1,13 692:19,21 703:23 705:2,22 706:2 <b>sister</b> 485:12,13 501:20 502:1,4 533:21 535:24 569:10 571:25 672:7 <b>sister's</b> 501:25 525:16 <b>sit</b> 562:9,16,21 617:22 638:5 <b>site</b> 674:23 <b>sitting</b> 475:12 571:9 588:11 615:19</p>
--	--	---	--	---

<p><b>situated</b> 574:1  <b>situation</b> 482:25  525:13 591:16  592:19 593:3  653:24 656:9,21  657:8 674:15  699:17  <b>six</b> 593:17 676:19  <b>slightest</b> 668:17  <b>slightly</b> 590:1  <b>slip</b> 478:3 590:8  593:15 662:20  663:3  <b>slow</b> 643:24  <b>small</b> 592:1 640:11  640:14 641:19  647:22 688:2,9  <b>snapshot</b> 568:12  <b>Society</b> 659:6,22  <b>softer</b> 604:11  <b>somebody</b> 545:11  555:17 567:15  583:16 588:17  625:18 694:12  <b>somebody's</b> 640:23  <b>somewhat</b> 629:5  630:19 676:4  <b>son</b> 562:17  <b>soon</b> 620:6 683:2  <b>sorry</b> 500:19 512:9  524:2 526:1  540:24 572:12  576:14,16 582:6  586:7,12 592:23  598:4 604:20  607:21 608:25  610:17,20 621:24  632:24 642:11  660:21 662:23  664:7,23 669:5  674:19 682:14  690:21 696:8  697:4  <b>sort</b> 491:20 497:8  502:7 505:22  518:3 618:11  620:12,15 649:21  655:17 661:24  676:1 698:17  <b>sounded</b> 481:4,23  <b>source</b> 554:13 555:1  555:4,9 606:19  664:20  <b>sources</b> 632:7  <b>so-called</b> 542:8  <b>spared</b> 544:19  <b>sparse</b> 633:25</p>	<p><b>speak</b> 483:18  484:21 487:8  493:7 498:6  507:21 526:24  539:22 618:13  644:1,19 654:2  656:4,11 658:1  661:5 674:21  682:20 690:23  693:1  <b>speaking</b> 499:4  503:8 509:9  527:22 543:25  571:10 616:10  687:18  <b>specific</b> 513:9 515:4  <b>specifically</b> 514:21  564:7 658:22  664:17  <b>specify</b> 560:3  <b>speculate</b> 501:8  <b>spell</b> 593:1  <b>spent</b> 561:7,9,16  637:10  <b>Spirit</b> 588:13  <b>spoke</b> 493:11,13,14  498:13,14 499:7  499:10,11,15,19  499:20,23 509:7  521:9 525:12  526:18 531:6  594:20 639:19  646:5 647:15  690:9 692:23  <b>spoken</b> 543:24  590:25 691:12  693:12  <b>spots</b> 481:2  <b>spurred</b> 543:13  <b>squared</b> 532:18  533:20 534:23  536:5,21  <b>squaring</b> 534:1  535:1,1  <b>stack</b> 614:17  <b>staff</b> 476:1,7,8  480:12,16 482:18  493:11 511:20  533:10 534:5  541:4,10 551:24  558:4,12,20  561:21 562:5  568:11 587:6  599:8 619:6  635:14 643:10  670:22 701:17  <b>stage</b> 566:25 588:25</p>	<p>612:19  <b>staging</b> 655:23,24  <b>stamp</b> 547:8,16  548:1,5  <b>stamped</b> 546:15  547:4 548:20  <b>stamping</b> 545:6,9  545:22 546:19  <b>stamps</b> 549:12  <b>stance</b> 555:10  568:21 572:2  <b>stand</b> 503:1 523:13  558:22  <b>standard</b> 540:15  <b>start</b> 513:25 527:14  541:18 587:9  619:4 635:19  649:25 656:4  <b>started</b> 533:10  550:24  <b>starting</b> 515:24  551:16 553:16  575:16 578:16  610:11,13 614:24  <b>starts</b> 517:19  <b>state</b> 504:10  <b>stated</b> 504:13  521:25 524:16  533:18 665:17  703:18 707:11  <b>statement</b> 482:7  485:23 493:18  520:2,6,10,19  521:16 522:25  526:23 527:17  528:1 537:13,13  537:16,24 538:5  559:9 564:20  570:9,16,18,19  571:6 579:12  595:1,6 596:22  601:23 605:14  626:1 629:3,10  633:22 634:2  637:17 638:6  639:19,21 640:19  643:14 645:6  646:13 648:20,25  651:4 654:18  668:23 690:20  691:20 692:4  695:20 703:8,15  <b>statements</b> 480:20  481:2 686:18  <b>states</b> 513:13 523:1  <b>stating</b> 533:21  <b>station</b> 637:20</p>	<p>645:19 647:21  <b>stationed</b> 479:13  670:17  <b>status</b> 542:2 577:23  661:22 686:19  <b>stay</b> 562:13  <b>stayed</b> 567:18  <b>stenographer</b> 634:6  695:15  <b>Stenotype</b> 707:9  <b>step</b> 568:16 606:12  <b>steps</b> 586:9  <b>Stinchcombe</b>  601:16 651:21  676:13 677:13  684:16,17 698:12  <b>Stony</b> 635:22 636:1  636:20 693:9  695:10,11  <b>stopped</b> 495:18  598:25  <b>story</b> 622:16  <b>straight</b> 591:1  <b>straighten</b> 687:4  <b>strange</b> 611:10  644:8  <b>stranger</b> 638:20  <b>strategy</b> 603:24  <b>strength</b> 570:2  <b>strengths</b> 568:19  <b>stressed</b> 521:12  <b>strict</b> 698:23  <b>strictly</b> 573:4 586:5  <b>string</b> 628:11  <b>strong</b> 571:17  <b>strongly</b> 573:3  641:15  <b>structure</b> 563:2  687:25  <b>Stuart</b> 476:15  <b>stuff</b> 680:12  <b>subject</b> 606:10  630:1 634:18  663:22  <b>submission</b> 623:18  628:20  <b>submissions</b> 539:1  <b>submit</b> 538:10  <b>submitted</b> 653:4  <b>subsequent</b> 697:22  <b>subsequently</b>  545:12 651:8  701:24  <b>substance</b> 554:24  556:4,15,16  557:12 580:6  593:24 634:13</p>	<p><b>substantial</b> 498:1  581:6 630:24  678:1  <b>substantially</b> 624:1  626:6  <b>successful</b> 606:2,2  672:6  <b>succumb</b> 623:6  <b>sufficient</b> 519:13  559:20 596:4  597:8 599:24  620:21 624:15  <b>suggest</b> 480:16  498:12 499:7  523:10 531:2  544:25 546:18  592:6 623:16  671:6 696:18  698:3  <b>suggested</b> 545:19  553:13 571:22  611:12 619:6  644:10 666:21  674:20 679:20  <b>suggesting</b> 485:19  554:7 582:22  696:18  <b>suggestion</b> 533:5  567:16 568:5  578:17 579:18,19  580:7,19 595:17  611:18 612:15  658:15  <b>suggestions</b> 623:7  <b>suggests</b> 704:14  <b>suit</b> 565:20  <b>summarize</b> 652:8  <b>summarized</b> 604:2  607:12  <b>summary</b> 480:13  511:16 518:4,6,6  518:8 559:9  625:13 651:12  <b>summer</b> 560:24  573:12  <b>superfluous</b> 648:15  <b>Superintendent</b>  624:22 687:11  <b>superior</b> 514:3  515:25 517:5  520:24 551:22  553:10 568:7  611:4 643:18  648:23 666:22,24  681:22  <b>superiors</b> 481:6  486:21 611:8,11</p>
---	---	---	--	--

<p>643:22 644:6 645:15 <b>superior's</b> 644:9 <b>supervising</b> 565:12 682:12 <b>supervision</b> 566:8 <b>supervisor</b> 682:16 <b>supervisors</b> 654:8,9 <b>supplement</b> 661:10 <b>supplied</b> 502:2 <b>support</b> 476:8 569:20 573:3 660:9 692:11 <b>supported</b> 573:5 <b>supporting</b> 597:12 <b>suppose</b> 572:5 579:23 604:17 652:5 655:1 688:7 <b>supposed</b> 543:11 580:19 <b>supposedly</b> 580:1 <b>supposition</b> 652:21 <b>sure</b> 495:8 504:3 505:8 513:18 518:20 519:7 527:16 538:24 539:4 550:21 595:18 599:14 603:1 626:15,17 646:24 657:20 659:1 660:23 680:11 681:11 696:25 699:1 <b>surfacing</b> 521:24 524:6 <b>Surgeons</b> 659:10 <b>surmise</b> 541:21 542:1 <b>surrounding</b> 528:9 528:22 575:22 <b>survived</b> 546:17 <b>suspect</b> 659:17 <b>suspected</b> 609:8 <b>suspects</b> 700:17 <b>suspicious</b> 480:5,9 553:14 702:6 <b>swear</b> 558:14,16 <b>Swift</b> 479:13,14 480:3 494:7 496:7 501:16 502:22 503:6 509:13 510:7 514:4 517:6 520:25 525:10,22 526:10 527:7 531:14 535:15,19 555:10 560:20 561:25 562:3</p>	<p>568:17 569:23 571:5 577:2 580:21 600:21 611:5,18 615:4,22 628:12 633:5,10 640:13 641:11 643:19 648:7 664:5,7,10 666:3 668:25 679:15 698:15 <b>sworn</b> 558:18 574:11 <b>system</b> 541:6,11 613:18 657:7,11 701:19 <b>S/WP</b> 509:13</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>tab</b> 480:20 482:8,17 482:22 484:23 485:15 488:14,16 489:11,20,24 490:10,13,22 492:5 493:21 494:18 499:9,25 500:8 502:9 504:4 504:5 505:14,16 506:16,21,22,25 507:6,12 508:6,15 509:5,11,21 510:5 510:25 511:4,9 512:8,8,9 513:18 514:17,18 515:8 515:10,19 517:1 520:6 524:20,22 524:24,25 525:3 528:3,4,4 529:20 534:17 542:10 546:21,23 552:16 552:19 554:5,18 555:24 559:9 565:9 575:24 576:4,5,14,17,19 577:16 578:7 581:12,14,15,24 581:25 582:2 586:13 590:4 593:14,18 594:11 595:4,6 599:6,6 599:12,17,19 603:8,8 606:22,24 607:12,13,14,22 607:23,24 610:2,8 633:17 639:23 642:10 646:20 649:13 670:10 675:8 677:8 680:8</p>	<p>681:8 685:5,20 702:2,16,17 703:3 <b>tabs</b> 642:9 <b>tact</b> 674:14 <b>tactic</b> 528:11,24 <b>tainted</b> 601:25 650:18 <b>take</b> 479:19 480:19 481:1,5,24 493:9 495:1,5 498:25 499:25 503:14 504:3 506:13 510:10,20 511:8 512:9 513:6,20 514:19,20,21 516:23 519:8,14 523:15,18 525:3 526:13 527:20 528:1,3 529:20 531:19 533:1 534:9 536:18 538:6 544:22 557:25 561:24 565:16 568:14 575:24,25 581:9 586:1 603:6 623:4 623:12 624:20 626:6,9,22 628:8 630:6 633:2,10 636:19,22 658:19 663:16 664:9 674:14 679:1 680:25 684:11 688:12 690:19 697:20 <b>taken</b> 541:17 544:21 569:25 642:22 695:14 700:15 707:10 <b>takes</b> 509:19 564:20 603:20 <b>talk</b> 619:6 666:11 666:20 690:13 <b>talked</b> 500:24 525:20 530:24 581:7,8 668:21 670:2 674:9 686:8 702:14 <b>talking</b> 479:23 488:5,20 489:22 490:25 497:19 505:7 509:3 517:4 531:22 535:19,24 559:17 689:1 690:15 696:9 704:17 <b>tangential</b> 656:25</p>	<p>657:2 <b>tangentially</b> 657:4 <b>tape</b> 634:3,5,14,19 667:12 <b>taped</b> 533:19 <b>tapes</b> 666:20 <b>Tapper</b> 476:15 <b>task</b> 660:3 <b>technical</b> 630:22 631:11 <b>telephone</b> 522:23 550:9,15 553:14 565:5 690:24 <b>telephoned</b> 486:19 <b>television</b> 621:22 <b>telex</b> 573:13 <b>tell</b> 480:12 483:8 487:22 510:10 513:21,24 518:1 541:1 545:3 562:20 568:21 622:3 678:3 <b>telling</b> 493:17,23 657:19 695:24 <b>tells</b> 526:9 <b>ten</b> 489:17 491:7 616:21 617:8 700:10 <b>tended</b> 546:5 <b>tendency</b> 644:1 702:5 <b>tensions</b> 566:19 <b>term</b> 592:11 687:19 700:19 <b>terms</b> 492:12 520:1 538:11,13,15 540:12 549:8 555:6 564:2 566:5 567:1 568:18,19 568:20 570:2 572:24 574:18 581:7 586:9 604:12 623:25 649:21 682:3 <b>terrible</b> 667:25 <b>terribly</b> 705:14 <b>Terry</b> 670:15 <b>terse</b> 705:19 <b>test</b> 546:11 547:24 <b>testified</b> 487:6 578:20 601:2 615:2 <b>testifies</b> 558:18 <b>testify</b> 558:24 649:11 652:14 <b>testimonial</b> 668:6 <b>testimony</b> 488:7</p>	<p>493:2 501:24 521:13 571:23 600:21 641:12 646:14 664:14 <b>thank</b> 479:6,11 486:18 492:1 511:8 519:12 539:2,7,18,20,23 543:15 544:1,2,4 556:19,20 557:21 558:20 562:23 613:21 616:1,2 621:1,24 623:19 623:20 630:3,4,8 630:11,13 632:12 632:13 634:21,22 635:6,11,12 636:8 673:3 678:23,25 683:11 684:21 690:7 692:13,13 692:15 695:9 702:1 705:2,4,5 705:22 706:2 <b>thanks</b> 622:20 683:10,12 <b>theory</b> 535:7 573:1 <b>thick</b> 614:19 <b>thing</b> 488:18 564:1 565:6 566:15,24 579:10 585:5 607:1 609:13 621:25 647:18 671:10 678:13 <b>things</b> 492:6 494:5 513:3,5 517:24 622:8,13 625:16 626:14 627:1 649:20 651:24 652:25 655:5,7,22 656:19 <b>think</b> 481:9,16 482:13 485:17 489:10,19 490:15 497:9 499:23 511:16 516:4,9 518:10 519:24 530:8 533:8 536:25 538:14 539:19 550:10 553:20 554:2,12 556:25 557:25 562:15 563:21 565:23 566:15,17 572:15 575:7 588:6 589:9 599:9 610:3 614:8 615:11 616:17</p>
---	---	---	---	---



<p>622:18 632:8,22 635:13 641:7,9 643:2,25 644:3 646:10,12 647:13 652:11 655:24 656:8 657:5,16 659:4 660:6,13,18 661:16 662:7,17 663:22 665:5 667:13,20 669:22 670:11 672:14 677:1 678:12 689:6 694:18 700:18 702:10 <b>thinking</b> 658:13 671:10,11 673:22 <b>thinks</b> 493:1 603:24 667:6 <b>third</b> 484:25 492:24 501:12 502:20 504:4 509:12 515:10,11,12,13 517:1 <b>thirdly</b> 600:15 <b>thought</b> 481:23 485:7 496:5 529:8 535:4 608:12 609:23 614:12 636:19,21 639:13 651:16,23 664:8 680:6 682:2 687:21,24 689:4 695:10 <b>thoughts</b> 649:6,6 <b>threats</b> 582:20,24 <b>three</b> 497:11,23 504:22 505:9 515:14 549:9 550:15 553:4 569:15,18 570:21 575:12,14 582:10 599:25 603:10 604:2 614:18 619:20 642:25 663:19 675:21 694:4,13,18 <b>Thursday</b> 618:6 <b>time</b> 479:20,20 483:20 486:6,14 493:4 498:2,8,10 505:1 510:20,21 511:23 521:20 523:19 524:3 525:11 527:14,16 533:1,2 541:8 545:11 556:22 560:8,23 565:12</p>	<p>568:4 569:5,14 572:5 573:17 577:24 580:11 590:17 592:18 597:7 605:21 613:11 617:13 619:5 621:4 622:17 623:18,24 624:15 625:5,10 626:15 627:5 628:2,6,8 632:12 635:24 637:10 641:3 660:21 661:15 670:14,24 671:2 677:12 681:8 683:20 684:14 685:8,15 686:21 687:17,24 689:4,6,12,16,25 693:11 695:19 696:19 705:7,17 707:10 <b>timely</b> 567:5 <b>times</b> 503:12 560:4 615:5 674:25 694:4,13 <b>today</b> 479:23 484:6 484:13,15 488:1 489:7 498:19 499:14 500:25 506:14 517:24 558:21 623:24 <b>told</b> 480:8 482:2,15 489:16 495:16 508:19 511:20 512:3,6 513:12 517:18 532:16 564:15 578:24 580:9 598:1 626:21 627:12,17 628:1 633:8 643:9 643:15 644:18 <b>toll</b> 502:2 <b>tolls</b> 565:5 <b>Tom</b> 480:21 484:7 491:20 495:10 503:8 510:24 511:3,15 512:17 530:23 531:6 538:18 543:16 672:18 673:7 703:9 <b>tomorrow</b> 509:16 705:15,18,20 706:3 <b>top</b> 499:25 504:6 524:8 546:2</p>	<p>547:19 548:10,22 549:13 552:19 577:14,16 578:9 578:11 586:10,11 586:15,24 589:12 594:25 595:22 600:16 615:10 649:21 677:20 <b>topic</b> 593:13 <b>Toronto</b> 539:10 565:10 615:21 <b>total</b> 667:1,7 <b>totally</b> 644:25 660:10 <b>touch</b> 560:18 <b>tougher</b> 604:11 <b>town</b> 594:22 640:12 641:20 647:23 <b>track</b> 516:15 <b>tradition</b> 574:18 <b>transcript</b> 475:11 495:24 496:13 501:16 502:11 528:10,23 531:11 531:15 533:19 534:6 633:9 634:25 635:1 664:13,18 665:2 665:11 667:1 707:9 <b>transcripts</b> 667:8 667:12 <b>transit</b> 478:3 590:8 593:15 662:20 663:3 <b>translation</b> 646:23 <b>transpired</b> 615:17 <b>transpiring</b> 664:4 <b>trial</b> 475:2 482:24 485:10 493:2,14 494:15 495:25 496:14 502:12,25 531:12 538:7 543:19 555:4 578:20 580:9 588:23 591:11,15 592:14,18 593:18 596:17 599:2 640:2,4 651:11 659:25 660:16 664:15 683:21 688:6 690:12 691:5 700:22 <b>tried</b> 560:7 624:8 637:7 659:21 <b>trip</b> 635:20 636:12 636:22 647:21</p>	<p>650:9 <b>trivial</b> 623:17 <b>trouble</b> 501:21 <b>true</b> 480:10,11 502:16,17 510:8 511:22,22 518:5 528:11,24 538:20 659:13 707:8 <b>trust</b> 677:14 <b>try</b> 529:4 532:24 559:4 583:12 605:22,23 649:2 656:10 687:3 <b>trying</b> 491:2,5 501:23 515:16 516:9 571:21 572:14 629:16,17 649:23 653:1 665:1 688:8 700:14 <b>Tuesday</b> 618:4 <b>turn</b> 494:18,19 575:10 576:4 577:3 578:6 585:13 593:20 594:11 614:14 624:19 633:17 698:6 <b>turned</b> 617:1 <b>turning</b> 568:10 <b>TV</b> 620:18 <b>twice</b> 547:13 <b>two</b> 479:18 491:11 491:13,17 498:5 499:18 506:11 508:9 526:4 527:1 540:7 545:20 546:12 552:9 561:6 564:3,10,17 565:22 569:20 570:20 572:3,10 572:15 575:25 581:23 586:10 602:21,25 603:1 614:13,24 617:6,9 619:21 620:11 632:14 635:7 643:12 644:15 645:18 649:8 650:16 654:16,20 660:1 671:6 677:11 690:9 694:3 698:16 <b>type</b> 530:2 563:12 564:1 565:6 602:4 609:13 634:7 698:16 701:5</p>	<p><b>types</b> 608:22 <b>T.W.H</b> 670:22</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>ultimate</b> 598:21 612:4 660:7 <b>ultimately</b> 655:5 659:20 676:14 <b>Um-hum</b> 617:7 <b>unable</b> 585:7 <b>unaware</b> 695:23 <b>unclear</b> 692:1 <b>uncomfortable</b> 538:8 <b>undermine</b> 651:10 <b>understand</b> 490:11 516:8 538:2 540:18 556:21 559:2 572:13 626:4 644:21 645:4,22 648:4 649:15 654:4 657:20 670:21 674:2 693:15 694:22 701:4 <b>understanding</b> 487:18,20 541:15 542:2 577:23 585:16 587:20,24 588:2 589:14 594:3 599:15 602:8 605:2 668:12 676:12 694:6 <b>understands</b> 550:21 634:25 <b>understood</b> 654:25 697:1 <b>undertaking</b> 705:24 <b>unedited</b> 590:10,11 <b>unexpected</b> 625:19 625:25 <b>unfortunate</b> 704:18 <b>unfortunately</b> 621:12 704:20 <b>undirected</b> 569:18 <b>unit</b> 561:14 <b>Unites</b> 513:13 <b>units</b> 590:16 <b>unknown</b> 649:7 <b>unprofessional</b> 659:7 <b>unprovable</b> 700:7 <b>unquestionable</b> 613:14 <b>unrealistic</b> 660:11 <b>unredacted</b> 672:22</p>
---	---	--	--	--

<p><b>unusual</b> 487:17 620:11 <b>unwarned</b> 570:9 571:6 <b>un-redacted</b> 554:20 <b>updated</b> 677:18 <b>upfront</b> 652:10 <b>uphold</b> 574:12 <b>upper</b> 631:1 <b>upset</b> 536:3,16 572:7 <b>Upton</b> 521:21,25 523:20 524:4,11 524:16,22 525:13 525:17,20 526:1,2 526:18 563:17,19 <b>Upton's</b> 521:17 <b>upwards</b> 585:3 <b>use</b> 547:16,19 548:9 557:10 592:8,11 648:21 670:5 699:12 700:14 <b>uses</b> 584:12 <b>usual</b> 705:25</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>vague</b> 513:8 622:2 <b>valid</b> 697:7 <b>valuable</b> 700:20 <b>value</b> 700:8 <b>various</b> 561:7 573:9 574:8,22 575:4 588:6,19 589:17 674:17 693:22 701:5 704:11,24 <b>vehicle</b> 608:15 609:14,20 <b>vein</b> 507:14,22 508:16 <b>ventured</b> 605:25 <b>verbal</b> 700:21 <b>verbally</b> 692:7 <b>verbatim</b> 517:23 518:5 633:3 <b>verse</b> 619:5 627:5 <b>versed</b> 571:9 <b>version</b> 554:20 590:10,11 607:14 672:22,23 673:1 691:15,22 <b>vetted</b> 700:1 <b>view</b> 522:12 568:17 568:21 572:14 624:1 668:14 686:10 701:1 702:5 <b>viewed</b> 647:22</p>	<p><b>views</b> 604:11 <b>vigorous</b> 603:20 <b>visiting</b> 564:16 <b>visualize</b> 657:21 <b>Volume</b> 475:18</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>W</b> 591:9 <b>wait</b> 488:15 504:5 539:5 666:25 <b>waiting</b> 555:3 637:12 <b>walk</b> 507:17,25 509:1 637:24,25 642:2 646:11,13 646:15,18,24 <b>walking</b> 572:9 650:23 <b>walk-through</b> 566:17 <b>wall</b> 569:1 <b>want</b> 479:6 498:17 507:20 510:24 512:6 515:20 516:23 519:9 525:3 526:6 531:19 534:19 536:24 539:7 543:1 550:20 553:24 556:3 558:1 560:18 568:16 575:10 582:12 589:25 594:10 597:14 598:13 599:14 600:4 602:5 603:21 607:9 611:19 612:6,15 616:11 623:13,15 630:15 635:19 651:14 652:25 654:22 662:12 665:6,10 673:11 675:7 702:4 <b>wanted</b> 519:24 525:23 526:11 527:9 535:4,9 553:19 566:25 576:10 580:5 582:15 584:8,22 593:13 604:16 611:17 614:21 615:6 617:22 648:7 653:20,23 654:22,24 659:1 667:11 <b>wants</b> 603:23</p>	<p><b>warned</b> 571:14 <b>wasn't</b> 482:3 483:25 538:7 542:16,19 545:4,11 554:10 589:4 622:13 624:5 642:19 647:23 678:4,21 686:24 696:3,19 696:25 700:2 <b>Wass</b> 497:25 498:4 542:21 661:2 662:22,23 663:7 663:10 666:8,19 669:15 670:23 671:5,12,14,14,15 671:17,20 674:9 679:25 689:20,21 689:23 <b>watch</b> 617:22 619:25 <b>watching</b> 589:10 <b>way</b> 482:14 484:2 484:14 489:5 494:23 499:13 507:6,18 537:5,20 540:21 541:2 550:1 553:7 555:20 571:15 579:16 589:25 590:2 597:15 601:10 602:5 605:3 606:4,4 608:20 609:10 611:16 616:11 620:5 633:2 649:3 651:9,20,24 652:8 654:5 659:12 660:1 664:9 677:25 678:4 682:23 684:1 687:5,9 689:20 691:13 696:7,14 698:14 699:23 700:12,13 705:12 <b>ways</b> 538:15 <b>wearing</b> 496:1 501:18 502:13 <b>Wednesday</b> 475:17 479:1 618:2,5 <b>week</b> 486:19 606:18 618:11 650:3,9 651:2 <b>weeks</b> 593:17 643:13 644:15 645:18 649:8 <b>welcome</b> 705:3 <b>Wendy</b> 476:5</p>	<p><b>went</b> 497:3 508:12 513:25 514:3 515:25 517:3,20 520:24 569:14 572:5 603:17 611:2 637:1 643:18 694:2,18 <b>weren't</b> 517:25 575:17 649:20 651:25 652:1,9 695:22 <b>we're</b> 479:22 488:5 538:14 <b>we've</b> 488:10 530:24 540:1 560:5 <b>whatsoever</b> 631:16 653:18 673:14 683:6,9 701:6 <b>whereabouts</b> 573:17 <b>white</b> 565:10 <b>Whitley</b> 476:15 <b>willing</b> 605:22 <b>Winnipeg</b> 475:13 475:14 476:17,19 479:24 480:5 522:16 529:4,12 529:22 530:1,21 532:8 537:17 542:9,24,25 543:5 543:9,12 573:11 575:5 590:16 594:20,20,21 595:2,11 615:23 617:5 619:2,18 622:7,12,16 635:20,24 636:2 636:24 637:20 639:10 640:7,11 641:2,16,21 642:16 644:20 645:17,25 647:21 650:3,9,21 651:2 651:18 652:9 658:21 660:15 664:12,21 665:1,2 667:4 668:6,10 674:24 677:9 690:11,23 692:19 692:23 693:1,11 693:13,16 695:12 702:20 704:7,8,15 704:25,25 <b>wire</b> 501:18 <b>wise</b> 697:17 <b>wish</b> 493:18 558:14</p>	<p>628:10 647:10 661:9 <b>wished</b> 569:14 <b>wishes</b> 661:15 <b>wishful</b> 658:13 <b>withdraw</b> 485:8 <b>withhold</b> 631:17 <b>withholding</b> 538:18 538:20 602:6 <b>witness</b> 488:20 489:3 495:11,21 500:14,21 508:2 515:17,24 516:8 520:5,8,18 521:23 522:4,19 523:21 524:5 528:17 532:25 538:20 542:20 544:20 554:14 555:2,5,9 555:18 556:9,11 557:21 558:13,16 559:8 562:23 582:18 583:5,7,9 583:13,24 584:18 585:17 587:21 588:3,7,9 589:2,3 589:5,8 590:19 591:4,7,19,24 592:2,6,9,16 593:5 595:1,6 596:17 600:8 606:19 607:4 608:19 609:1 612:21 623:16 624:18 632:25 633:21 635:11,15 641:13,15 646:16 647:1 650:19 651:11 666:5 669:6,12,21,23,24 669:25 670:4,5,6 672:18,21 673:3,8 673:16,22 674:10 674:17,18 675:1 679:17,18,22 683:11 686:15,22 687:19,21 688:3,5 688:14,19 689:5 689:14 690:17 700:19,20 701:16 705:16 <b>witnesses</b> 565:2 588:22 609:19 <b>witness's</b> 641:4 <b>Wolson</b> 476:19 477:5 479:9,10 486:17 488:23</p>
--	--	--	--	---

<p>490:2 500:18 506:24 515:3,6,10 515:12,14 516:2,7 516:11,14 519:8 519:12,14,22 520:14 524:1 528:16,19 530:17 531:21 533:12 538:14,16 539:2,6 539:18,20 546:25 553:13 554:5 557:7 595:4,7,16 606:8 623:8,20 624:8 705:6,21 706:2 <b>Wolson's</b> 544:8 546:11 <b>wonder</b> 519:8 540:9 634:25 <b>wondering</b> 627:25 656:1 <b>word</b> 495:5 510:11 592:8 623:13 642:21 646:16 665:5 670:5 704:16 <b>wording</b> 674:16 702:13 <b>words</b> 491:20 507:21 518:3 523:24 532:15,18 533:22,25 534:24 534:24 536:17,20 538:21 547:25 579:24 588:4 605:11 617:19 618:1 619:10,14 634:12 641:23 642:3 646:3,5 647:8 648:21 665:9 668:16 670:4 675:9,10 699:12 701:14 702:9 <b>wore</b> 496:8 <b>work</b> 560:6 561:17 561:19 563:16 568:5 586:21 616:18 631:21 670:23 <b>worked</b> 625:15 626:13 <b>working</b> 572:25 <b>workings</b> 583:25 589:6 <b>World</b> 617:19 619:25 620:10</p>	<p><b>worried</b> 651:7,22 651:25 652:1,16 652:18 656:13,14 656:15,18 660:14 662:9 <b>worry</b> 553:16 652:3 <b>worth</b> 646:19 <b>worthy</b> 661:12 <b>wouldn't</b> 506:1 512:4 537:25 555:14 579:20 623:5 625:23 626:9 638:11,18 657:12 668:8 680:13 682:2,6 698:9 <b>wraps</b> 592:12 688:6 <b>write</b> 502:6 567:8 567:15 599:12 626:25 642:11 656:20 678:10,14 <b>Writer</b> 531:6 <b>writes</b> 531:5 578:8 618:22 677:10 <b>writing</b> 567:2,6,10 568:7 576:12 577:5 607:22 615:21 618:14 626:25 627:10 653:14 671:15 675:15 <b>written</b> 487:9 497:9 500:10 522:20 567:5 611:16 616:9 663:25 670:12 671:20 676:5,19 685:9 <b>wrong</b> 503:20 510:16 576:16 610:18 657:20 662:3 695:15 <b>Wrongly</b> 476:22 <b>wrote</b> 510:5 602:14 642:7,12 653:16 670:3 671:11 676:23</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <p><b>ya</b> 536:5 <b>yeah</b> 490:15 495:5 496:17 497:23 501:3 503:24 506:15 514:24 517:2 525:3 537:4 537:4,6 <b>year</b> 553:19 578:8 602:13 665:23</p>	<p>667:19 676:6 <b>years</b> 486:1 558:23 560:25 561:6,9,9 561:16 567:17 568:2 574:20 590:23 614:24 615:9 616:21 617:8 619:21,21 678:16 687:13 689:1,7 700:11 703:20,23 704:10 704:24 <b>yesterday</b> 480:8 481:1 489:11,16 489:19 492:2 493:15,23 495:17 498:18 499:2 500:24 503:13,15 537:21 630:20 658:6 665:16</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <p><b>Zanidean</b> 481:5,13 485:8,12 487:5 494:8 495:12 496:24 497:2 500:12,20 501:18 501:20 502:3,25 503:21 505:8,11 507:15,23 508:1,8 508:12,17 514:6 517:7,14 521:2,20 521:22 522:4,7,12 522:13,18 523:1 523:21 524:4 525:14,15,23 526:11 527:8,8 533:20,21 535:6 535:17,21 536:6 537:6 554:8 555:8 556:8,12 569:7,11 569:16 570:11 571:16,25 572:8 573:12 575:1,3 577:10 578:19 579:1,15 580:8,25 583:2 587:21 591:7 593:25 594:7 596:1,3,11 597:16 598:25 600:7 603:23 604:16 605:5 606:18 611:6,19 611:23 612:1,16 612:17 615:2 629:8 637:6 641:13 643:15,20</p>	<p>648:2,11 651:7 657:2 663:22 664:1 666:5 669:7 669:11 672:3 673:16 674:25 679:18,21 681:6 686:15 687:21 689:4 692:12 694:2 695:6 <b>Zanideans</b> 572:15 <b>Zanidean's</b> 493:2 501:23 521:13 525:16 531:11 578:21 582:17 600:17 601:23 640:4 641:4 664:14 665:21 667:17 672:7 694:13</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <p><b>\$800</b> 537:8</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>1</b> 520:9 601:24 650:14 <b>10</b> 490:8 492:24 519:14,15 547:16 558:1 705:11 <b>10th</b> 526:17,21 <b>10-minute</b> 557:24 <b>10:00</b> 519:18 <b>10:11</b> 519:19 <b>10:55</b> 525:9 <b>11th</b> 586:25 587:11 624:24 <b>11:04</b> 558:8 <b>11:07</b> 525:21 <b>11:21</b> 558:9 <b>113</b> 624:19 <b>12</b> 497:19 509:22 558:23 700:10 <b>12th</b> 526:8 <b>12:33</b> 614:2 <b>13th</b> 551:1,4 <b>14</b> 534:16 547:1 561:8 <b>142</b> 545:17 547:5,7 <b>143</b> 545:14 548:2 549:3,4,6 <b>144</b> 548:6 <b>145</b> 548:7 <b>146</b> 548:14 549:5 <b>15</b> 558:2 561:9 664:17 689:1,7 <b>15th</b> 552:14 586:25 671:21</p>	<p><b>15-minute</b> 558:3 <b>16</b> 485:25 499:10 500:1,10 511:11 547:21 548:9,11 615:9 689:1 703:20 <b>16th</b> 483:14 494:23 498:15 499:8 506:7 507:6 509:19 515:6 519:23 520:1,12 520:21 551:8,10 587:1,16 593:16 603:15 606:24 610:19 623 612:7 612:14 613:1,1 642:8 643:2,7 675:12 <b>1624</b> 540:14 549:19 549:20 550:2,23 553:3 609:3 634:7 634:17 701:3,11 <b>1624s</b> 540:7 634:12 <b>17th</b> 497:7 509:23 509:25 560:13 603:14 612:11 <b>170</b> 617:2 <b>18th</b> 483:14 518:20 518:24 551:15,16 603:16 <b>183</b> 547:20 <b>19</b> 475:17 479:1 491:15 581:22 582:1,5 642:6,12 642:13 643:12 646:1 647:7 670:11 <b>19th</b> 489:21 497:9 512:14 514:14 551:19 552:24 <b>1960</b> 560:23 561:5 <b>1988</b> 517:14 522:10 561:22 572:10 648:11 <b>1989</b> 602:13 <b>199</b> 547:20 <b>1990</b> 479:12 517:15 521:14,20 545:13 545:17 547:2 552:10 560:24 565:13 572:11 573:12 575:13,16 576:2 612:1 648:8 689:17 <b>1991</b> 478:3 494:16 498:16 499:10 500:1 510:6</p>
---	---	--	--	---

<p>511:11,25 520:12 520:21 548:25 552:11 575:14,14 635:21 642:8 649:14 651:17 653:17 662:21 663:3 664:17 676:20 680:6 684:14 689:18 691:13 693:12 695:13 <b>1992</b> 480:21 511:4 518:15 685:16 703:17 <b>1993</b> 616:21 617:4</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>2</b> 478:3 484:23,25 488:15,17 489:11 491:6 492:5 494:2 494:19 502:9 528:4 551:3 552:19 578:9,12 581:19,20,25 582:3 586:6 593:20 602:19 610:8 639:23 646:20 653:2 654:2 663:2,3 673:6 675:11,20 679:24 680:1 <b>2IC</b> 563:16 <b>2(a)</b> 600:5 <b>2:00</b> 557:18 613:23 614:1,3 <b>2000</b> 628:4 <b>2001</b> 628:4 <b>2002</b> 628:5 <b>2003</b> 614:24 616:19 617:9 618:25 624:11,24 628:14 628:18 <b>2004</b> 614:24 <b>2006</b> 475:17 479:1 <b>21</b> 675:8 <b>218</b> 548:15 549:9 <b>22nd</b> 552:4 <b>221</b> 548:22 549:9 <b>23</b> 576:4,15,17,19 577:16 <b>237</b> 491:23 517:11 608:2 <b>24</b> 480:20 488:14,16 489:11 490:10,22 511:4 512:9 520:6 528:4,4 581:12,14 581:15,24,25</p>	<p>582:2 586:12,13 616:18 617:9 627:14 677:8 <b>24-A</b> 703:4 <b>25</b> 484:23 511:10 513:18 515:9,10 607:13 610:2,8 642:10 <b>25th</b> 545:17 546:14 <b>26</b> 616:19 618:25 <b>26th</b> 618:1 628:14 <b>27</b> 647:4 <b>27th</b> 480:10 553:15 576:2,9 577:1 618:1 636:9 647:15 693:12 695:13 704:7 <b>28</b> 618:9 <b>28th</b> 493:15</p> <hr/> <p style="text-align: center;"><b>3</b></p> <p><b>3</b> 475:18 490:5,9 494:20 498:15 499:9 500:5 502:9 504:9 507:8 508:7 509:5 511:9 515:12,13 517:12 520:6,8,16 551:12 565:9 586:7,10,11 586:15,24 594:25 595:23 610:18,23 642:14,24 <b>3:29</b> 679:5 <b>3:42</b> 679:6 <b>30</b> 560:25 703:23 <b>30th</b> 492:4 498:19 527:18 576:3,8,18 576:23 593:17 594:15,16 <b>31</b> 548:25 <b>32</b> 489:20 494:18 499:9 507:7 508:6 509:6 512:9 514:18 515:20 607:12,14 <b>32-A</b> 489:24 <b>33</b> 524:20,22,25 525:3 548:20 <b>35</b> 482:17,22 490:12 554:18 590:4 678:16 680:8 <b>36</b> 703:25 <b>37</b> 548:5 <b>39</b> 492:5 593:14,18</p> <hr/> <p style="text-align: center;"><b>4</b></p> <p><b>4</b> 491:12 497:6,19</p>	<p>512:14,21 516:20 521:4 526:16 528:17 589:12 597:5 <b>4th</b> 525:11 545:13 599:13 649:14 653:17 656:12 676:20 <b>4:20</b> 706:9 <b>4:30</b> 705:7,10 <b>40</b> 545:5,13 548:1 <b>41</b> 545:5,15 546:15 547:8,17 <b>42</b> 595:6 <b>43</b> 599:6,12,17,19 649:13 <b>44</b> 504:4 505:16 506:16,16,21,22 603:8 <b>46</b> 616:6,12 626:19 <b>479</b> 477:5 <b>48</b> 499:25 500:8 505:14 506:23,25 507:12 508:15 509:11</p> <hr/> <p style="text-align: center;"><b>5</b></p> <p><b>5</b> 489:23 512:14,21 528:5,18,20 529:8 533:13,16 <b>5th</b> 481:3 483:16,23 484:8,19 487:19 488:14 489:10,23 552:25 582:8 <b>51</b> 546:18 547:4,17 <b>540</b> 477:6 <b>544</b> 477:7 <b>558</b> 477:15</p> <hr/> <p style="text-align: center;"><b>6</b></p> <p><b>6</b> 512:14,21 523:18 <b>614</b> 477:9 <b>616</b> 477:10 <b>624</b> 477:11 <b>632</b> 477:12 <b>635</b> 477:16 <b>663</b> 478:3 <b>680</b> 477:17 <b>683</b> 477:18 <b>684</b> 477:19 <b>692</b> 477:20</p> <hr/> <p style="text-align: center;"><b>7</b></p> <p><b>7</b> 491:14 504:7 512:14,21 517:11 525:14 646:19 665:13</p>	<p><b>7th</b> 503:23 505:13 505:25 506:9 603:11 680:3 <b>72</b> 537:22</p> <hr/> <p style="text-align: center;"><b>8</b></p> <p><b>8</b> 478:3 512:15,21 516:21 528:4,5,14 528:16,20 551:12 663:3 671:11 <b>8th</b> 662:21 663:17 <b>8:15</b> 616:17 <b>88</b> 496:24 508:10,20 567:25</p> <hr/> <p style="text-align: center;"><b>9</b></p> <p><b>9</b> 518:23 551:16 639:23,24 677:19 <b>9th</b> 532:1 545:17 <b>9:00</b> 479:2 557:3 706:3 <b>90</b> 496:25 508:10,20 628:7 698:15 <b>91</b> 491:12,14,15 499:8 504:7 524:23 530:13 581:22 582:1,5 591:11 594:16 628:7 636:10 641:22 643:2,7 656:12 663:17 665:13 669:9 683:17 698:16 <b>91/04/05</b> 490:8,24 <b>91/04/07</b> 490:4,7 <b>91/04/10</b> 521:18 525:2 <b>91/04/12</b> 524:22 525:7 <b>91/04/16</b> 522:5 <b>91/04/19</b> 489:13 490:20,23 491:1,6 522:9 <b>91/05/28</b> 493:22 <b>91/05/30</b> 500:11 <b>91/07/16</b> 494:23 495:10 500:1 <b>91/07/18</b> 521:9 <b>91/07/19</b> 521:6 <b>91/09</b> 530:16 <b>91/09/03</b> 530:9,18 <b>91/10/09</b> 532:1 <b>92</b> 628:7 671:21 675:12 677:19 <b>95</b> 567:21,22 <b>96</b> 567:24</p>
--	--	--	---