

INQUIRY INTO THE INVESTIGATION AND  
PROSECUTION OF DEREK HARVEY-ZENK

The Honourable Roger Salhany, Q.C., Commissioner

\* \* \* \* \*

\* \* \* \* \*

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

\* \* \* \* \*

Tuesday, July 8, 2008

Volume 10

INQUIRY PROCEEDINGS

## COMMISSION STAFF:

Mr. David M. Paciocco Commission Counsel  
Mr. Vincent Clifford Associate Commission Counsel  
Mr. R.L. Giasson Chief Administrative Officer  
Ms. Melissa Braun Administrative Secretary  
Ms. Wendy Bergmann Administrative Assistant  
Ms. Sharleen Reid Commission Clerk  
Ms. Alnie LeBlanc Commission Clerk

-----  
APPEARANCES

Mr. G. Zazelenchuk and  
Mr. I. Restall For Robert Taman and Family  
Mr. M. Green and  
Ms. K. Dixon For Mr. Marty Minuk  
Mr. J. Prober and  
Mr. B. King For Derek Harvey-Zenk  
Mr. R. McDonald and  
Ms. B. Bowley For R.M. of East St. Paul  
Mr. H. Weinstein and  
Ms. L. Labossiere For Mr. Harry Bakema  
Ms. S. Hanlin and  
Mr. M. Jack For Winnipeg Police Service  
Mr. K. Labossiere, Ms. K. Clearwater,  
Mr. S. Hoepfner and Mr. S. Messner  
For Winnipeg Police Assoc.  
Mr. G. McFetridge and  
Mr. S. Boyd For the Province of Manitoba  
Mr. G. Stefanson For Mr. Ken Graham

## Court Reporters:

Debra Kot  
Cecelia Reid

## INDEX OF PROCEEDINGS

DESCRIPTION	PAGE
WITNESSES:	
Jason Woychuk (continued)	
Direct Examination by Mr. Paciocco	2374
Examination by Mr. Zazelenchuk	2415
Examination by Mr. Jack	2468
Examination by Mr. Weinstein	2473
Examination by Mr. Prober	2530
Examination by Ms. Dixon	2541
Examination by Mr. McFetridge	2544
Examination by Mr. McDonald	2551
Re-Examination by Mr. Paciocco	2566
Bryan Maloney	
Direct Examination by Mr. Clifford	2574
Motion to exclude Mr. Graham	2452

## INDEX OF EXHIBITS

EXHIBIT NO.		PAGE
103	P-3.85.13, Handwritten note of N. Carter dated April 27, 2006	2382
104	P-3.85.14, Handwritten note of N. Carter dated May 18, 2006	2383
105	B.10.c.i, Manitoba Driver Licence (copy) - HARVEYMORDENZENK	2422
106	E-1.23.i, East St. Paul Police Prisoner Log Sheet (HARVEY-ZENK, DEREK)	2423
107	Mr. Woychuk's interview by Commission Counsel t.4.b	2514
108	E-1.23.e Notice of Forfeiture to Alleged Offenders	2533
109	E-1.23.f, Notice of Intention to Seek Greater Punishment	2533
110	E-1.23.g, Suspension or Disqualification for 24 hours	2533
111	E-1.23.h, Notice of Seizure and Impoundment of Vehicle	2533
112	Bryan Maloney's handwritten statement of incident, July 8, 2008	2595
113	E-2.30, Constable Maloney's statement to RCMP, June 1, 2006	2595
MOTION		
1	Bryan Maloney's handwritten statement of incident dated July 8, 2008	2453

1 TUESDAY, JULY 8, 2008

2 UPON COMMENCING AT 9:30 A.M.

3 THE CLERK: All rise, please. This  
4 Commission of Inquiry is now opened. Please be  
5 seated.

6 MR. PACIOCCO: Mr. Commissioner.

7 JASON WOYCHUK: Previously sworn

8 BY MR. PACIOCCO:

9 Q Good morning, Mr. Woychuk.

10 A Good morning, sir.

11 Q At the end of yesterday, we had gone  
12 to the point in time when the Preliminary for June  
13 of 2006 was coming on, sir, and you had been  
14 subpoenaed to attend. And you will recall we had  
15 some discussion about February 24th, 2006, when  
16 Chief Carter was meeting with Mr. Minuk, and you  
17 were tasked with the function of picking him up  
18 apparently. Do you recall that, sir?

19 A Yes.

20 Q And you described some concerns you  
21 had to us with the Preliminary coming up, given  
22 the state of your notes; correct, sir?

23 A Yes.

24 Q You described concern of having to  
25 testify and you were worried that your notes were

1 not accurate and you did not want to testify  
2 falsely and potentially get exposed during  
3 cross-examination; is that fair, sir?

4 A Yes.

5 Q And you also, I suggested to you that  
6 your conscience was bothering you and you agreed  
7 with that?

8 A Yes.

9 Q And you had some conversation with  
10 Chief Carter, but you couldn't recall much of what  
11 you had said to him?

12 A Yes.

13 Q So we were going through the process  
14 of reviewing his notes to try to determine whether  
15 those notes would refresh your memory. We began  
16 with a notation of Carter's from that date,  
17 February 24, 2006. That has now become Exhibit  
18 100 in these proceedings. It's a notation found  
19 in book P-285.8?

20 THE COMMISSIONER: Excuse me. A  
21 little bit of help again?

22 MR. PACIOCCO: P, Peter, 2.

23 THE COMMISSIONER: Peter 2, page?

24 MR. PACIOCCO: Page 2668.

25 THE COMMISSIONER: Thank you.

1 BY MR. PACIOCCO:

2 Q And that was the initial disclosure to  
3 Carter apparently, sir?

4 A Yes.

5 Q And it says that you picked him up at  
6 Minuk, and you disclosed, he says, that the notes  
7 are not yours. It says:

8 "Disclosed notes not his. Wrote as  
9 instructed to match 47 and 43."

10 And we have determined that 47 and 43 would be  
11 Bakema and Graham.

12 "Said 47 told him Harveymordenzenk was  
13 pissed, or Harvey M. Zenk was pissed."

14 And my recollection of our interchange  
15 about that was this didn't really refresh your  
16 memory, but you couldn't confirm or deny whether  
17 what was contained in that note was accurate, sir?

18 A I don't recall the exact conversation.  
19 I remember speaking to him about those  
20 circumstances, though.

21 Q And you could not recall whether you  
22 used the term "pissed," sir?

23 A I don't recall if I used that word or  
24 not.

25 Q And you are aware, sir, that your

1 inability to give us more precision might look  
2 incredible to some?

3 A Yes.

4 Q You are aware of that. And you'd be  
5 aware of that because this is a pretty major event  
6 in your life?

7 A Yes, it is.

8 Q And your claim not to recall what was  
9 disclosed and what had took place during your  
10 conversations with Chief Bakema might cause some  
11 to be curious as to why you would not have a  
12 better memory of details than you have today. Are  
13 you aware of that, sir?

14 A Yes.

15 Q And it might look to some like you're  
16 actually holding back information?

17 A Yes.

18 Q You are aware of that as well, sir?

19 A Yes.

20 Q You saw that you spoke to him again on  
21 April 10th, 2006, a document that has become  
22 Exhibit 101 in these proceedings. And that  
23 document will be found at page 2669 of the same  
24 document.

25 "Requested 45 to my office. Again



1                   said 45 told him Mordenzenk pissed.  
2                   Again said 47 directed him how to make  
3                   notes. And 45 said he had cold and  
4                   could not smell properly, stuffed up.  
5                   Said knows it's wrong, shouldn't have  
6                   done it. Instructed by 47."

7   According to Carter's notes, it's the same basic  
8   conversation that he had had with you on  
9   February 24th, sir?

10                  A     Yes.

11                  Q     And this is being reaffirmed, he has  
12   brought you into his office and you are repeating  
13   exactly what you said to him at the time, sir?

14                  A     Yes.

15                  Q     Can you tell us whether you would have  
16   been consistent in describing the events to  
17   Sergeant Carter, sir?

18                  A     I believe I would have been.

19                  Q     And you couldn't help us out again as  
20   to exactly what you said to him. You had some  
21   general idea, but you couldn't confirm exactly  
22   whether the term "pissed" was used and whether  
23   this was, in fact, your words that the notes were  
24   not yours, sir?

25                  A     I don't recall specifically using that

1 term, no.

2 Q But you couldn't say it didn't happen,  
3 but your basic position is you don't remember,  
4 sir, but you do recall the stuffed up nose?

5 A Yes.

6 Q The sucking Halls?

7 A Yes.

8 Q You realize that for some that too may  
9 look like a convenient excuse for an inconsistency  
10 in your observations, sir?

11 A Yes.

12 Q You are aware that a defence lawyer  
13 might take that as an excuse on your part to  
14 explain why later, when Sergeant Carter notices  
15 signs of impairment, all of a sudden you are  
16 mentioning signs of impairment that you didn't  
17 observe earlier. And somebody else might look at  
18 that and say that this is a case where it looks  
19 like an excuse for not disclosing signs of  
20 impairment at the scene. Are you aware of that,  
21 sir?

22 A Yes.

23 Q We're going to come back to that in a  
24 few minutes.

25 Sergeant Carter spoke to you again

1 about things on April 21, 2006, this one, Exhibit  
2 102. It's found at page 2776 of book P-3 this  
3 time, Peter 3. And at this meeting, he tells you  
4 that he's disclosed things to the Crown, and you  
5 had indicated to him that you wanted to speak to  
6 him about information. You didn't feel that  
7 Bakema intentionally covered things up. You said  
8 that you thought he was being chicken shit and  
9 that he didn't want to deal with Harvey mordenzenk  
10 because he was a cop. And you were advised by  
11 Sergeant Carter to tell the truth when speaking to  
12 Mr. Minuk; correct, sir?

13 A Yes, yes.

14 Q And that one was fairly consistent  
15 with your impressions of what was going on. You  
16 confirmed that that was your read on what had  
17 happened to you, sir?

18 A Yes.

19 Q Now, by this point, sir, I put it to  
20 you that you are pretty panicked about what's  
21 taking place?

22 A I'm nervous being here, yes.

23 Q Yes. You are part of a coverup,  
24 correct, sir?

25 A I don't believe I'm part of a coverup.

1 Q Well --

2 A I believe that at some point I was  
3 given direction to do things that I didn't feel  
4 were right, but I listened to the direction.

5 Q Okay. The direction including not to  
6 really do anything at the scene of a fatal motor  
7 vehicle accident, the direction not to bother  
8 putting in observations of alcohol by a paramedic,  
9 and the inclusion of a false explanation for why  
10 this man was brought into the station; correct,  
11 sir?

12 A Yes.

13 Q You knew that you had made an  
14 acknowledgment to Carter that you had falsified  
15 your notes and that this was information that was  
16 now going to the Crown; correct, sir?

17 A Yes.

18 Q Now, on April 27th, sir, you had  
19 another conversation with Sergeant Carter. This  
20 document will be found at page 2777 of book P-3.  
21 Madam clerk, if this can be made the next exhibit.  
22 It's at P-3.85.13. P-3.85.13. And I believe that  
23 will become Exhibit 103?

24 THE CLERK: Yes. Exhibit 103.

25

1 (EXHIBIT 103: P-3.85.13, Handwritten  
2 note of N. Carter dated April 27,  
3 2006)

4 BY MR. PACIOCCO:

5 Q This document records a conversation  
6 with you on April 27th at 4:30 p.m. sir. Did you  
7 have ongoing conversations with Sergeant Carter  
8 about this?

9 A Yes.

10 Q And it says:

11 "Spoke to Jason Woychuk at his  
12 request."

13 Do you remember asking to speak to Sergeant  
14 Carter?

15 A Not on this particular day, but I know  
16 I approached him on a number of occasions.

17 Q "Spoke to Jason Woychuk at his  
18 request about Harveymordenzenk.  
19 Wanted to know if he should be  
20 worried. Writer explained that there  
21 is concern but he should tell the  
22 truth. He said he would. Again said  
23 he only did what he was told by Chief  
24 Bakema."

25 Do you see that, sir?

1           A     Yes.

2           Q     Is that an accurate, give an accurate  
3     recollection of what took place in that meeting,  
4     sir?

5           A     Not this particular one, but I spoke  
6     to him on numerous occasions and I think I had  
7     made that point.

8           Q     Okay. So you basically made the point  
9     that you were wondering whether you should be  
10    worried. And do you recall him telling you that  
11    there are concerns, but you should nonetheless  
12    tell the truth?

13          A     I recall a conversation similar to  
14    that, yes.

15          Q     And then, sir, on May 15th, 2006, you  
16    speak to him again. This one is at page 2778 of  
17    the same volume, P-3.85. This time at tab 14.  
18    Madam clerk, if this can be made Exhibit 104?

19                   THE CLERK: Exhibit 104.

20                           (EXHIBIT 104: P-3.85.14, Handwritten  
21                           note of N. Carter dated May 18, 2006)

22    BY MR. PACIOCCO:

23          Q     All right, sir, on this occasion I'm  
24    going to skip the first paragraph for now, we're  
25    going to come back to that.

1 "Asked if Minuk wanted to speak with  
2 him. Hadn't heard anything yet --  
3 writer asked it will happen and to  
4 tell everything."

5 Do you recall meeting with him on that occasion,  
6 sir?

7 A Not particularly on this occasion.  
8 Again, I do recall meeting with him several times.

9 Q And you met with him several times  
10 because this was weighing on your mind, sir?

11 A Yes.

12 Q You were worried now. The Crown has  
13 got this information. You know that you had  
14 furnished the Crown with inaccurate notes and now  
15 it was coming out?

16 A Yes.

17 Q And subsequently you learn that the  
18 RCMP is actually going to be investigating the  
19 investigation. Do you recall when you learned  
20 that, sir?

21 A I don't recall exactly. I was told at  
22 some point that I had an interview set up with the  
23 RCMP.

24 Q And how did you feel about that?

25 A Nervous.

1 Q Apprehensive, you were concerned about  
2 your own potential criminal liability; would that  
3 be fair, sir?

4 A Possibly, yes.

5 Q Indeed, when you spoke to the RCMP on  
6 May 24th, 2006, you go through the interview and  
7 then you bring that up, sir. You ask them, do you  
8 not --

9 A Yes.

10 Q -- about what your situation is and  
11 what possible actions are going to be --

12 A Yes.

13 Q -- as far as you are concerned?

14 A Yes, sir, I recall that.

15 Q Do you recall how they responded to  
16 that?

17 A I believe they said I was a witness at  
18 that point.

19 Q And even though you were concerned,  
20 sir, you continued to go forward with an  
21 acknowledgment on your part that you had falsified  
22 your notes?

23 A Yes.

24 Q And you took the view during your  
25 interview, although your descriptions of exactly



1 what was said were, I think you would admit,  
2 inconsistent at times, you continued to take the  
3 position that it was Harry Bakema who told you  
4 what to put in your notes?

5 A Yes.

6 Q And is that true, sir?

7 A Yes, it is.

8 Q Were any of the omissions or  
9 falsifications in your notes your own idea?

10 A No.

11 Q But you made the decision to go along  
12 with it, sir?

13 A Yes, I did.

14 Q Are you able to explain why?

15 A I guess my only explanation would be  
16 that I was a new member to the service, and I was  
17 under the leadership of someone who I thought that  
18 would give me good direction. And I guess I can't  
19 deny that I wasn't comfortable with it at the  
20 time, but I did go along with it.

21 Q Okay.

22 A Something that I shouldn't have done,  
23 but --

24 Q Okay. You saw the May 15th  
25 conversation with Mr. Carter. That's Exhibit 104

1 at page 2778, 2778 of volume P-3?

2 A Yes.

3 Q And I was curious about the notation  
4 at the top of the page where it indicates:

5 Woychuk advised he missed out on May  
6 15th..."

7 A Missed court.

8 Q "...missed court on May 15th, date  
9 mix up."

10 That's not related to this case then, sir?

11 A No, sir, that would be related to  
12 probably a different matter.

13 Q Did you ever meet with Mr. Minuk, sir?

14 A No, I did not.

15 Q Did you ever have a meeting set up  
16 with Mr. Minuk back in 2006, sir, at the time of  
17 the first Preliminary?

18 A Yes, I did. I believe, I'm not sure  
19 if it was the first Preliminary or the second  
20 trial.

21 Q And sir, I understand that you had a  
22 meeting that was meant to begin on July 16th,  
23 2007, sir. Is that possible? I could have the  
24 date wrong here?

25 A That sounds accurate. I'm not sure of

1 the date.

2 Q I'm going to take you to the document  
3 so that we're sure, sir. This is a document found  
4 at P-3.85.25 at page 2779. And the document  
5 that's just been put in front of you, I believe,  
6 is not the one I wanted to put in front of you.  
7 Do you have the document 2799? Is that what the  
8 clerk put in front of you?

9 A Yes.

10 Q I just misspoke everyone. The  
11 document is at tab P-3.85.25, and the page is  
12 2799, and I do apologize. And it says:

13 "Jason Woychuk advised at 1900 that he  
14 is to meet Marty Minuk at 360 Main  
15 Street, Winnipeg at 1:00 p.m."

16 Do you see that, sir?

17 A Yes, I do.

18 Q And are you able to tell us about a  
19 meeting that you had arranged in some way with  
20 Mr. Minuk? How was that meeting arranged, sir?

21 A It was arranged through Chief Carter.

22 Q And I may have that date, July 16th,  
23 2007 wrong, sir. Are you able to tell us what  
24 date that meeting was supposed to take place?

25 A No, I'm not.

1 Q Sir, did that meeting ever happen?

2 A No, it didn't. I went and Mr. Minuk  
3 never showed up.

4 Q Sir, where did you go?

5 A To the Commodity -- to where  
6 Mr. Minuk's office is, I believe the Commodity  
7 Exchange Building.

8 Q Sir, was the building open that day?

9 A Yes, it was.

10 Q And was his office open?

11 A No, it wasn't. I had to wait in the  
12 lobby. I believe it was a Sunday or a Saturday.

13 Q And so it was the lobby of the  
14 building as opposed to the lobby of his law  
15 offices?

16 A Yes, sir. It was on the main floor.

17 Q And how long did you wait?

18 A I believe it was an hour or maybe  
19 more.

20 Q And what happened after that period of  
21 time passed?

22 A I had conversations with the Chief,  
23 who had given me Mr. Minuk's phone number, and  
24 that at some point the Chief had told me that the  
25 meeting wasn't going to happen.

1           Q     Sir, did you -- after that, I take it  
2     from your earlier answer, you never met with him  
3     again?

4           A     No, I didn't.

5           Q     Did you try calling him after that?

6           A     No, I didn't.

7           Q     So you had no discussions at all with  
8     him, sir?

9           A     No, I did not.

10          Q     So at no time were you interviewed by  
11     him?

12          A     No, I was not.

13          Q     At no time did he approach you to ask  
14     you about whether Carter had issued a breath or a  
15     blood demand to Mr. Harveymordenzenk?

16          A     I had never met Mr. Minuk before, or  
17     spoke to him, or had any correspondence directly.

18          Q     All right. So, sir, through this  
19     whole voyage in which you tell Carter about your  
20     allegations of Bakema, and it ends up in the hands  
21     of the Crown, and it comes here today, sir, you  
22     find yourself testifying before a public inquiry  
23     about this matter. Certainly not something you  
24     would have originally expected, sir?

25          A     I guess I didn't know what I expected.

1           Q     Some are going to suggest that the  
2 omissions from your notes and the way you  
3 approached the investigation was your own idea.  
4 Are you aware that that's likely to happen, sir?

5           A     Yes.

6           Q     And if that happens, sir, you might be  
7 in a position where you are not only responsible  
8 for the charter violation that would have occurred  
9 at the time, but maybe also you may be  
10 responsible, the one who has effectively, to some  
11 degree, undermined the investigation. Are you  
12 aware of that, sir?

13          A     It could be perceived that way, yes.

14          Q     Are you aware that Constable Graham,  
15 former Constable Graham, Ken Graham testified  
16 before these proceedings suggesting that you had  
17 your own motive?

18          A     I'm aware of that, yes.

19          Q     And he says you spoke to him the next  
20 day probably, or later that day on February 25th  
21 or February 26th, and that you were worried about  
22 getting Mr. Harvey-Zenk in trouble because you  
23 knew him and you were worried about being known as  
24 someone who ruined a cop's career. You are aware  
25 of that testimony, sir?

1           A     I'm aware of that testimony, yes.

2           Q     How did you learn of that testimony,  
3     sir?

4           A     I believe it was in the papers.

5           Q     Sir, can you tell us about that  
6     conversation?

7           A     The conversation never happened. I  
8     never -- I never said anything to Constable Graham  
9     like that. To start with, I never did know Derek  
10    Harvey-Zenk. I knew of him. I don't believe that  
11    before this incident I had ever spoken a word to  
12    him. After some time when I realized who it was,  
13    I realized it was someone from Brandon that I knew  
14    of.

15          Q     Sir, that was basically the evidence  
16    that you gave, and I'm just going to have to  
17    explore that a little more closely. You testified  
18    that Brandon is a pretty small place at the time  
19    you were there, probably about 40,000 people?

20          A     Roughly, yes.

21          Q     And you and Harvey-Zenk basically were  
22    at the same high school?

23          A     The same high school, yes.

24          Q     And both of you ended up in the  
25    Winnipeg area, sir?

1 A Yes.

2 Q And both of you became police  
3 officers?

4 A Yes.

5 Q Surely, you were aware that Zenk from  
6 your high school was also a police officer in  
7 Winnipeg, sir?

8 A No, I was not aware of that.

9 Q You had no mutual friends or anybody  
10 who would have shared that coincidental  
11 information with you, sir?

12 A Absolutely, no.

13 Q When you see identification handed to  
14 you in the car with the name Harveymordenzenk on  
15 it, sir, are you telling us that that didn't twig  
16 any recollection --

17 A No.

18 Q -- of this guy?

19 A No, it didn't. I knew him as Derek  
20 Zenk in high school and I did not even recognize  
21 him.

22 Q How long had it been since you had  
23 seen him, sir?

24 A Probably since 1992. I don't know.  
25 It's been quite a while.



1 Q So at that point it could have been a  
2 dozen years maybe?

3 A Could have been, yes.

4 Q Sir, were you on a first-name basis  
5 with him?

6 A No, I wasn't.

7 Q Would you refer to him as Harvey as  
8 opposed to Mr. Zenk?

9 A No.

10 Q I'm just going to show you what  
11 happened during the course of the interview that  
12 you had with the RCMP. If you take a look,  
13 please, at Exhibit 90. This is at tab E.2.25.d.  
14 E.2.25.d. And I'm going to be referring to page  
15 638, if you have that first interview with the  
16 RCMP in front of you, sir?

17 A 638?

18 Q Yes. You will notice a quarter of the  
19 way down the page, page 638, Kennett asks you:

20 "Uh-huh, do you want to just check  
21 your notes there and see?

22 Sure, referring to his notes, yeah, it  
23 was Ted Rosser speaking with Derek."

24 Do you see that, sir?

25 A Yes.

1           Q     You'd agree with me you didn't use  
2 Mr. Zenk or Mr. Harveymordenzenk, correct?

3           A     I'd agree.

4           Q     And you referred to him by first name?

5           A     Yes.

6           Q     Are you able to help us out as to why  
7 you might have done that?

8           A     No, I'm not. Just the way I said it,  
9 I guess.

10          Q     And you are also aware that to some  
11 that may look like a lapse in which you refer to  
12 this person in a way that you might customarily  
13 refer to him?

14          A     It may look that way. That's not the  
15 way it is.

16          Q     Okay. Now, sir, I'm going to go  
17 suggest to you that the testimony leaves a fairly  
18 troubling environment in which you had some memory  
19 problems on some pretty key issues, sir?

20          A     Yes.

21          Q     Concern about what Harry told you  
22 about the notes not really being clear, and what  
23 you told Carter not really being clear. I'm going  
24 to wrap up now, I'm going to wrap up by trying to  
25 summarize what I understand your evidence to be,

1 and I'm going to make a few observations on what I  
2 want you to comment on, okay?

3 A Yes, sir.

4 Q I'm going to suggest that you were  
5 uncomfortable at the prospect of being the one who  
6 might be perceived to ruin a police officer's  
7 career? Would that be a fair statement, sir?

8 A No. I was -- I'd agree that I was  
9 uncomfortable with the way the matter was dealt  
10 with and the direction that I was given.

11 Q Now, it was not something you relish  
12 being put in the position where, if anybody was  
13 going to make any observations of impairment at  
14 the scene, it was going to be you?

15 A I don't think -- if I was given the  
16 direction to do a certain task, I would have done  
17 it.

18 Q Okay. You feel that you were, in  
19 effect, left holding the bag. Is that fair, sir?

20 A I guess I felt that it wasn't handled  
21 properly, and that neither Harry Bakema or Ken  
22 Graham wanted anything to do with it, so they put  
23 it on towards me to in turn put on Sergeant Carter  
24 at the time.

25 Q Okay. And basically dumped it on you,

1 I think it was an expression you had used from  
2 time to time?

3 A I probably used that, yes.

4 Q And isn't that consistent with you not  
5 wanting to be the one who ultimately has to expose  
6 any evidence of alcohol, if there's any evidence  
7 of alcohol to expose, sir?

8 A No.

9 Q What was being dumped on you?

10 A The fact that Harry made an  
11 observation and a comment to me, and advised me  
12 not to do anything and wait for Sergeant Carter.  
13 And then at a later point told me to deliver him  
14 to Sergeant Carter.

15 Q Okay. Now, at the scene you're not  
16 really sure how to react. You don't like the  
17 position you are being put in. You know that  
18 Harvey-Zenk is not being investigated properly; is  
19 that fair, sir?

20 A That would be fair.

21 Q There's no real effort being made to  
22 determine impairment. Would that be fair, sir?

23 A That would be fair.

24 Q He's being put in a car, and you are  
25 being directed by the Chief in a way that

1 undermines an investigation. Would that be fair,  
2 sir?

3 A That would be fair.

4 Q And this obviously bothers you, as you  
5 testified?

6 A Yes.

7 Q Troubles you?

8 A Yes.

9 Q And ultimately you are directed to  
10 take him to the station and you get to the  
11 station; correct?

12 A Yes.

13 Q And you are reasonably new to this  
14 police culture, and would it be fair to say you  
15 don't really know what to expect when you get him  
16 to the police station?

17 A That would be fair.

18 Q You had seen what happened on the  
19 scene with no one seriously investigating  
20 Harvey-Zenk?

21 A Yes.

22 Q You didn't know what Sergeant Carter  
23 was going to do at that point, did you, sir?

24 A I didn't have any idea of what he was  
25 informed of, or what he wasn't, or what kind of

1 communication they had.

2 Q Okay. So as far as you know, there  
3 may have been similar conversations with Carter to  
4 the ones that were had with you, by Bakema or  
5 whatever? You just don't know what took place?

6 A I don't know what took place.

7 Q You get there and you leave him in the  
8 car, you leave Harveymordenzenk in the car and you  
9 go inside the station?

10 A Yes.

11 Q Is that right, sir? And I suggested  
12 to you, and I'm going to continue to suggest to  
13 you that that's pretty unusual, sir, that you  
14 would leave somebody in a police car that you  
15 brought to the station and go in without them,  
16 sir?

17 A Depending on the circumstances.

18 Q Have you ever done it before?

19 A Maybe not the same situation, but I  
20 have left people in the car before if I had other  
21 tasks to do.

22 Q You brought somebody into the station  
23 and you left them in the car, and you went inside  
24 the station, sir. Has that ever happened before?

25 A I don't recall that happening. It's

1 probably not a normal practice.

2 Q No. And if he had been a suspect, you  
3 certainly wouldn't have done that, sir? You would  
4 have brought him into the station with you,  
5 correct?

6 A Correct.

7 Q You don't know at this point whether  
8 anybody is treating him as a suspect, or is going  
9 to treat him as a suspect; is that fair?

10 A I wasn't sure what was happening.

11 Q And by leaving him in the car, that  
12 indicates that you weren't sure that he was wanted  
13 inside. Is that fair, sir?

14 A I was told to take him to the station  
15 and Sergeant Carter would meet me there. I  
16 believe that when I got there, I went to the door  
17 to see if Sergeant Carter was there. I went in to  
18 find him.

19 Q Okay. But you are a police officer,  
20 you have taken people into custody when you are on  
21 duty before, sir?

22 A Yes, I have.

23 Q And you brought them into the station  
24 without checking to see whether anyone was there,  
25 sir?

1           A     Yes.

2           Q     You know, the fact that you left him  
3     in the car like that might be interpreted by some  
4     as a convenience, because at that point you don't  
5     know whether you're going to be bringing the guy  
6     in or driving him home.  You've got to get  
7     instructions.  Can you see how somebody might  
8     think that, sir?

9           A     Yes.

10          Q     Now, you go and have a conversation  
11     with Chief Carter, and you don't really recall  
12     very much of that conversation, sir?

13          A     No, I don't recall exact words that  
14     were said.

15          Q     And you said to us that you may have  
16     told him that you had a Winnipeg Police Officer in  
17     the car?

18          A     Yes.

19          Q     And I'm going to suggest to you, sir,  
20     that there's no maybes about it, that that's  
21     something you told him?

22          A     I don't necessarily recall that, but I  
23     probably would have told him, I guess.

24          Q     It was a big feature of what was  
25     happening that morning, sir, correct?



1           A     Yes.

2           Q     And you said you mentioned something  
3     about alcohol, but you weren't exactly sure  
4     whether you said "possibly impaired" or "faint  
5     smell of alcohol"; correct, sir?

6           A     Correct.

7           Q     You then see Carter go out and get the  
8     man and bring him into the station, he is arrested  
9     and you become a witness to the refusal. Correct,  
10    sir?

11          A     Correct.

12          Q     And you record all of the information  
13    with Carter there in a very detailed way as to  
14    what was said between the parties. Correct?

15          A     Correct.

16          Q     At this point in your investigation  
17    you've even got verbatim information in there?

18          A     Correct.

19          Q     And that's because you are with Carter  
20    and you see that this case is being processed, and  
21    that's your responsibility and you're doing it;  
22    correct, sir?

23          A     Yes, sir.

24          Q     And then after that's done, you leave  
25    for the day?

1 A Yes.

2 Q And I suspect, sir, that this was  
3 really bothering you, everything that had  
4 happened?

5 A Yes, it bothered me, yes.

6 Q And you came back for your shift that  
7 evening and you are not sure whether you came back  
8 early or not; correct, sir?

9 A I don't recall.

10 Q Okay. And had you come back early, it  
11 might have been consistent with wanting to get in  
12 there and find out what's going on because this is  
13 really on your mind. Would that be possible, sir?

14 A Could be. I don't recall if I came in  
15 earlier, when I came in.

16 Q And you fully realized by this point  
17 that the way you conducted yourself constitutes a  
18 charter breach, if, if you had reasonable and  
19 probably grounds to arrest Mr. Harvey-Zenk at the  
20 scene?

21 A Yes.

22 Q Correct, sir? And you have a  
23 discussion with Chief Bakema about this when you  
24 get into work, as you acknowledge, sir?

25 A Yes.

1 Q And this discussion occurs after  
2 Harveymordenzenk has already been arrested and  
3 things are set in motion; correct, sir?

4 A Yes.

5 Q And he's going to be charged at this  
6 point?

7 A Yes.

8 Q This point, it's too late to avoid  
9 charges, if that was your or anybody else's  
10 intention at the time he was being dealt with at  
11 the scene. Correct, sir?

12 A Yes.

13 Q Was it your intention to avoid having  
14 charges on Harvey-Zenk when you were at the scene?

15 A No, it wasn't.

16 Q But you go and you speak to Chief  
17 Bakema about the mess; correct?

18 A Yes.

19 Q And you feel that he's put you in an  
20 extremely difficult position, I think you  
21 testified?

22 A Yes.

23 Q And you testified that you tell him  
24 you are worried about the delay?

25 A Yes.

1 Q And your version is that he told you  
2 to leave out information about what the paramedics  
3 said; correct, sir?

4 A Correct.

5 Q And you agreed, after having your  
6 memory refreshed from the transcript, that your  
7 read on things was that you thought that your  
8 conversation with Bakema about your notes was to  
9 make sure that your notes jibed with his and  
10 Graham's, and to deal with the delay problem, sir?

11 A Correct.

12 Q And to deal with the delay problem,  
13 you really need to do two things, don't you, sir?  
14 Number one, you have to avoid having any grounds  
15 for arresting the man at the scene. Is that  
16 correct, sir?

17 A Correct.

18 Q And you have to have a reason why he  
19 might be brought into the station, other than  
20 having been put under arrest, because nobody has  
21 chartered him at the scene. Correct, sir?

22 A Correct.

23 Q And true to that, there is no  
24 reference in your initial notes or your initial  
25 incident report of any alcohol, sir. Correct?

1           A     That's correct.

2           Q     No reference in either the notes or  
3 the report. Then on February 27th, as we saw  
4 through Exhibit 97, February 27th at 11:27:45, we  
5 have a very significant transformation in the  
6 incident narrative, sir. You will remember that  
7 references to alcohol suddenly appear that weren't  
8 there before. Correct, sir?

9           A     Yes.

10          Q     Slight impairment en route is the way  
11 it's put. Correct, sir? Slight odour, I  
12 apologize, slight odour en route is recorded?

13          A     Yes.

14          Q     And you cannot really help us in  
15 explaining why and how that change occurred?

16          A     I don't recall why or how, no.

17          Q     Now, we haven't explored this with  
18 current Chief Carter yet, but circumstances open  
19 up the possibility that as the reader, Carter, who  
20 had made the arrest, sees your incident report,  
21 notes that you hadn't said anything about alcohol  
22 and directs you to put in the relevant  
23 information. Is that possible, sir?

24          A     That's possible.

25          Q     And me putting that possibility to you

1 doesn't jog your memory at all?

2 A No, it doesn't.

3 Q Now, it's interesting that when your  
4 notes are amended, your incident narrative,  
5 alcohol is cast in a way, or presented in a way  
6 that may charter-proof this investigation. Do you  
7 understand what I mean by that?

8 A Could you explain, please?

9 Q Well, the three alcohol related things  
10 that you disclose in your notes all occur after  
11 the scene when Woychuk is in your car. Correct,  
12 sir?

13 A Zenk. Yes, sir.

14 Q Zenk, and I apologize. You are en  
15 route at the time you say you smell the slight  
16 odour of alcohol. Correct, sir?

17 A That's correct.

18 Q And the odour being slight might help  
19 explain why you wouldn't have picked it up  
20 earlier. Correct, sir?

21 A Correct.

22 Q And on this record that has been  
23 created in the incident report, you have no reason  
24 to arrest him on scene; correct?

25 A Correct.

1 Q Or even on the face of that record, to  
2 investigate any further; correct, sir?

3 A Correct.

4 Q Now, the only thing you need to avoid  
5 problems with the delay is a reason for bringing  
6 him to the station. Correct, sir?

7 A Correct.

8 Q And the traffic accident report  
9 supplies it. Correct?

10 A Correct.

11 Q And you say it's Harry Bakema who gave  
12 that to you?

13 A Yes.

14 Q Sir, it doesn't appear that Harry  
15 Bakema gave that to you on February 25th, 2005, as  
16 your original recollection indicated, does it,  
17 sir?

18 A I don't recall exactly when.

19 Q And the reason I'm suggesting that is,  
20 you do your incident report on February 25th and  
21 into the morning of the 26th, and your first  
22 version doesn't have reference to TAR; correct?

23 A Correct.

24 Q And TAR doesn't appear until the  
25 February 27th version that we looked at, shortly

1 after 11:00 o'clock in the morning, correct?

2 A Correct.

3 Q Had he told you that during your  
4 conversation back at the station, it probably  
5 would have been in your first incident report and  
6 not shown up a couple of days later? Would you  
7 agree with that, sir?

8 A It's possible.

9 Q And you say you had some later  
10 conversations with him?

11 A I had some conversations, yes.

12 Q And you're not sure when this  
13 discussion took place?

14 A I don't recall exactly, no, sir.

15 Q But it does, according to you, take  
16 place and your incident report now looks like  
17 you've got an explanation that's going to avoid  
18 charter difficulties?

19 A Yes.

20 Q Correct, sir? The problem you have,  
21 of course, is that it's not a true account, your  
22 notes and incident report, sir. TAR is wrong,  
23 correct?

24 A Correct.

25 Q And you still haven't included



1 receiving information from the ambulance  
2 attendants about the odour of alcohol. Correct,  
3 sir?

4 A Correct.

5 Q Because if that finds its way into  
6 your notes or into the incident report, you no  
7 longer have a reasonable explanation for the  
8 delay. Is that correct, sir?

9 A Correct.

10 Q And so it's excluded, and it  
11 effectively helps, the exclusion effectively helps  
12 kind of charter-proof the way your incident report  
13 appears. Do you agree with that, sir?

14 A Yes.

15 Q And you understand that my job here,  
16 as Commission Counsel, is to try to help the  
17 Commissioner arrive at the truth?

18 A Yes.

19 Q I want to see how you react, or what  
20 your response is to the suggestion that alcohol  
21 was more evident at the scene than your report  
22 discloses?

23 A I recall making the observations that  
24 I made.

25 Q I'm going to suggest to you, sir, that

1 to bail yourself out of the charter breach, you  
2 had an interest in minimizing any observations of  
3 alcohol at the scene. Do you not agree with that,  
4 sir?

5 A Could you repeat that, please?

6 Q To bail yourself out of the charter  
7 breach, to get rid of the delay problem, you had  
8 to minimize any observations of alcohol at the  
9 scene?

10 A Agreed, that would be correct.

11 Q So in order to accomplish that, if you  
12 had taken the position in your notes that anyone  
13 told you, anybody credible told you that  
14 Mr. Harvey-Zenk was pissed at the scene, you would  
15 have had to react at the scene, and you've got a  
16 delay problem?

17 A Yes.

18 Q Casting a conversation as the mere  
19 possibility of impairment kind of gets you out of  
20 that. He says there's a possibility he may be  
21 impaired, but it's not going to give you R&PG, is  
22 it, sir?

23 A No.

24 Q So in the interest of saving the case  
25 and avoiding the embarrassment of a charter breach

1 and a breach hanging on your head, you have an  
2 interest in not acknowledging, if it happened, any  
3 evidence from the scene that this man was pissed  
4 or even had alcohol in his body, correct, sir?

5 A Correct.

6 Q What did you tell Sergeant Carter when  
7 you got back to the station, sir?

8 A I don't recall.

9 Q Bearing in mind, sir, that this is an  
10 event that was obviously of significance to you, I  
11 want you to do your best and tell us what you  
12 think you said to him?

13 A From what I've told you is that I  
14 believe I told him he's a Winnipeg Police member.

15 Q Yes, sir?

16 A And that I got an odour of liquor, and  
17 he was a driver of the truck.

18 Q What if somebody suggests to you that  
19 you told him that you believed Harvey-Zenk was  
20 impaired?

21 A I don't recall saying that.

22 Q Sir, are you saying you did not say  
23 it?

24 A I'm saying I don't recall saying that  
25 to him.

1           Q     Not just possibly impaired, but  
2     impaired, you don't recall that, sir?

3           A     I don't recall.

4           Q     How do you react to the suggestion  
5     that your notes get toned down to save the case?

6           A     I believe at some point there is  
7     direction there for me to omit certain things from  
8     my notes and to add certain things.

9           Q     To save the case?

10          A     Which would tone it down, yes.

11          Q     And one final point I want to make  
12     with you, sir. Your first incident report, which  
13     I believe the best reference would be Exhibit 96.  
14     I apologize for the delay, my frantic dash to get  
15     out of the office this morning.

16                 You will notice, sir, on Exhibit 96,  
17     in the second page, in the fourth paragraph:

18                 "At 808 hours writer transported  
19                 Harvey-Zenk to the East St. Paul  
20                 office to get him away from the  
21                 accident scene."

22     Do you see that, sir?

23          A     Yes, I do.

24          Q     And how do you react to the suggestion  
25     that that was included in your instructions from

1 Chief Bakema, to get him away from the accident  
2 scene?

3 A I recall my instructions at the scene  
4 from Chief Bakema was to take him to the office  
5 and Sergeant Carter was there -- would meet me  
6 there.

7 Q All right, sir. Do you recall  
8 everything about that conversation?

9 A Pardon me?

10 Q Do you recall everything about that  
11 conversation?

12 A No, I don't, sir.

13 MR. PACIOCCO: I have no further  
14 questions for you at this time, Mr. Woychuk, but  
15 there will be other lawyers who do.

16 THE COMMISSIONER: Mr. Woychuk, I have  
17 a question. You use the term "get him away from  
18 the accident scene." It's very unusual.

19 THE WITNESS: Yes, it is.

20 THE COMMISSIONER: Why wouldn't you  
21 just simply say "transported him to the station"?  
22 Why "get him away from the accident scene"? Do  
23 you not think that that suggests that there's some  
24 unusual activity or unusual instructions, the  
25 words "get him away"?

1 THE WITNESS: I don't know why I put  
2 those words in there, sir.

3 THE COMMISSIONER: Thank you.

4 BY MR. ZAZELENCHUK:

5 Q Mr. Woychuk, you told us twice during  
6 your evidence that you didn't know Mr. Harvey-Zenk  
7 but you knew of him. Why did you know of him?

8 A I knew of, I knew of who he was, I  
9 guess, but I didn't know him personally.

10 Q I didn't ask you if you knew who he  
11 was. I asked you why you knew of him?

12 A I guess probably because I was in the  
13 same high school as him.

14 Q Did you know of everybody that was in  
15 the high school with you?

16 A No.

17 Q I mean, I know of George W. Bush  
18 because he's president of the United States,  
19 right?

20 A Okay.

21 Q I don't know him personally. So why  
22 do you know of Harvey-Zenk? Was he the school  
23 football star?

24 A No, it was a name that was familiar to  
25 me.

1 Q Why?

2 A I don't know how to answer your  
3 question, sir. I knew of him because I knew the  
4 name, I recognized the name.

5 Q When did you recognize the name?

6 A I'm not sure, it was after the  
7 occurrence.

8 Q I'm sorry?

9 A It was after -- I'm not sure of the  
10 day, it was within a couple of days after.

11 Q Well, if the reason you knew of him  
12 was because of the name, why did it take you two  
13 days to recognize the name?

14 A I believe someone had mentioned to me  
15 at one point, or made a comment that he was from  
16 Brandon.

17 Q Who was that?

18 A I don't recall. I don't recall.  
19 Maybe it was in the papers or something. I  
20 don't --

21 Q Do you have a memory problem?

22 A No, I don't, sir.

23 Q No. Do you have a selective memory  
24 problem?

25 A I'm just drawing from incidents that

1 happened three and a half years ago, so I don't  
2 recall everything in great detail, sir.

3 Q But one of the things you can't recall  
4 is why you knew of Harvey-Zenk?

5 A That's the best I can tell you, that I  
6 knew of him because I went to the same high school  
7 and it was a name that was familiar to me.

8 Q So why didn't you recognize the name  
9 at 8:42 -- at 7:42 on February 25th, 2005?

10 A Because the name was different from  
11 what I recognized. His name -- when I knew of him  
12 his name was Derek Zenk, not Derek  
13 Harveymordenzenk.

14 Q I see. So the Harveymorden really  
15 threw you?

16 A I guess, and probably before that I  
17 wouldn't have been able to recognize him if I ever  
18 saw him, because I don't know if I ever knew what  
19 he looked like.

20 Q You and he did go to the same school?

21 A Yes, we did.

22 Q Yes. Constable Graham is also from  
23 Brandon, isn't he?

24 A He lived there, yes.

25 Q Yes. You and Constable Graham didn't



1 go to the same high school?

2 A No.

3 Q No. Were you friends with Constable  
4 Graham when you lived in Brandon?

5 A No. I worked briefly with him when I  
6 was an auxiliary with the Dakota Ojibway Police.  
7 That's where I met him.

8 Q Yesterday morning at approximately  
9 10:58, Constable Graham was seated in that chair.  
10 And I was very careful to take a careful note. He  
11 said, and I quote:

12 "I knew Woychuk from back in Brandon.  
13 We were good friends."

14 A He's mistaken.

15 Q Is that true?

16 A No, it's not.

17 Q Okay. So you are telling us that when  
18 constable -- or when Mr. Graham said that  
19 yesterday morning, he wasn't telling the truth?

20 THE COMMISSIONER: No, no, that's  
21 not -- that's an improper question.

22 MR. ZAZELENCHUK: Sorry, Your Honour.

23 THE COMMISSIONER: We don't suggest  
24 that people are not telling the truth. They might  
25 be mistaken. Go ahead.

1 MR. ZAZELENCHUK: Thank you. And I  
2 apologize to the tribunal.

3 BY MR. ZAZELENCHUK:

4 Q It's your evidence today that when you  
5 lived in Brandon, you were not good friends with  
6 Ken Graham?

7 A That's correct.

8 Q I have told you that that's what  
9 Mr. Graham told us yesterday at about 10:58. And  
10 obviously you disagree with that?

11 A I do disagree, yes.

12 Q Can you think of any reason why he  
13 might have said it?

14 A No, I can't.

15 Q No. Okay. In your notes, and in  
16 particular at page 607 of E-2 -- sorry, my  
17 mistake, 605, and that's Exhibit 88, E.2.25.a.  
18 Are you there, sir?

19 A Which page, sir?

20 Q 605, at the bottom of the page?

21 A Okay.

22 Q That's where the number is. I'm  
23 directing you to the top of the page?

24 A Yes.

25 Q And you have got:

1 "Harveymordenzenk indicates he doesn't  
2 want to talk due to his condition."

3 Correct?

4 A Correct.

5 Q Okay. And I believe you gave us  
6 evidence yesterday that you got the particulars of  
7 his name off his driver's licence?

8 A Yes.

9 Q And he didn't want to talk to you  
10 because of his condition?

11 A Yes.

12 Q So when you asked him for his name and  
13 date of birth and things like that, which is  
14 standard, correct?

15 A Correct.

16 Q He handed you his driver's licence?

17 A I believe I may have asked him for his  
18 driver's licence.

19 Q Yes. But he didn't give you any  
20 information?

21 A He really didn't speak to me much at  
22 all.

23 Q Okay. And I don't think this was  
24 entered as an exhibit, but if we go to volume  
25 B.10.c.i, we have a photocopy of Harvey-Zenk's --

1 Harveymordenzenk's driver's licence, correct?

2 A Correct.

3 Q And I don't see the names Derek Grant  
4 anywhere on there, do you?

5 A No, I don't.

6 Q However, at page 604 of your notes, we  
7 have Derek Grant?

8 A Correct.

9 Q So that didn't come off the driver's  
10 licence?

11 A No, it did not.

12 Q Did that come from your memory,  
13 because you knew of him?

14 A No, it did not, sir.

15 Q Where did it come from?

16 A I don't know for certain where it came  
17 from.

18 Q Another thing you can't remember?

19 A I don't know exactly where I got the  
20 name. If he had told it to me or -- I don't  
21 recall, sir.

22 MR. ZAZELENCHUK: Okay. Perhaps for  
23 the sake of completeness, that document should  
24 become the next exhibit?

25 THE CLERK: Exhibit 105.

1 (EXHIBIT 105: B.10.c.i, Manitoba  
2 Driver Licence (copy) -  
3 HARVEYMORDENZENK)

4 THE COMMISSIONER: May I see that,  
5 please?

6 MR. ZAZELENCHUK: Madam clerk, I  
7 wonder if you'd be good enough to hand the witness  
8 E.1.23.i, please. And that's at page 453 for  
9 those who are -- of volume E-1 for those who are  
10 following with the books.

11 THE COMMISSIONER: Excuse me, you took  
12 his name from his driver's licence, is that how  
13 you got it, and put it in your notebook?

14 THE WITNESS: I don't recall where I  
15 got the full name from, sir.

16 THE COMMISSIONER: This was at 7:42 in  
17 the morning. You have no recollection of where  
18 you could have gotten the name Derek Grant  
19 Harveymordenzenk?

20 THE WITNESS: No, I don't, sir.

21 THE COMMISSIONER: The licence does  
22 not refer to his first name, Derek?

23 THE WITNESS: Yes, sir, I see that.

24 THE COMMISSIONER: Nor does it refer  
25 to his second name, Grant. It simply says D.G.

1 THE WITNESS: Sir, I don't know if  
2 maybe he told me his name.

3 THE COMMISSIONER: I'm sorry?

4 THE WITNESS: I don't recall if he had  
5 told me his full name or not, if I had questioned  
6 on that.

7 THE COMMISSIONER: Thank you. The  
8 next exhibit is 105, did you say? 106?

9 (EXHIBIT 106: E-1.23.i, East St. Paul  
10 Police Prisoner Log Sheet

11 (HARVEY-ZENK, DEREK)

12 MR. ZAZELENCHUK: Yes. And it's  
13 E.11.3.i and it's found at page 2 of volume E-1.

14 BY MR. ZAZELENCHUK:

15 Q What's that document, sir?

16 A It's a prisoner log sheet.

17 Q And when is it generated?

18 A Normally when someone is brought in,  
19 arrested and brought into our station.

20 Q So when somebody is arrested, if they  
21 are arrested out in the field, so to speak, and  
22 brought into the station, one of the first things  
23 that happens at the station is this log sheet is  
24 filled out; correct?

25 A Normally, but not always. It could be

1 filled out a little bit later.

2 Q And if a person is arrested in the  
3 station, which sometimes happens, correct?

4 A Yes.

5 Q Then one of the things that happens  
6 shortly thereafter is the prisoner's log sheet is  
7 filled out?

8 A At some point, for anyone that's  
9 arrested and brought into the station, there would  
10 be a prisoner log sheet.

11 Q And it's a printed form, a  
12 fill-in-the-blanks form, correct?

13 A Correct.

14 Q Whose writing is that?

15 A It appears to be mine.

16 Q Did you fill it out?

17 A Yes, I did.

18 Q Do you have a memory of that?

19 A No, I don't.

20 Q You don't have a memory of that  
21 either?

22 A No, I don't, sir.

23 Q I see. What was your badge number?

24 A Forty-five.

25 Q Did you have to look down at the paper

1 to see that?

2 A No, sir, I just glanced down briefly.

3 Q I see. Because it does say number 45  
4 on your sheet?

5 A Yes, it does.

6 Q Yes. And is that your signature,  
7 signature of officer receiving?

8 A Yes, it is.

9 Q Yes. And did you take all the  
10 personal effects into custody?

11 A I don't recall if I did or if Sergeant  
12 Carter did.

13 Q The box where you have identified your  
14 signature says:

15 "I acknowledge the property recorded  
16 next to this signature accurately  
17 reflects the property surrendered for  
18 safekeeping."

19 A Yes.

20 Q And that has your signature in that  
21 box?

22 A Yes, it does.

23 Q But you don't remember filling out  
24 this form and you don't remember if you were the  
25 person who seized the personalty from



1 Mr. Harvey-Zenk or Sergeant Carter did?

2 A I don't know for certain. I believe  
3 we both would have been there.

4 Q The bottom right-hand corner there's a  
5 box and it's got the word "intoxicated" and then  
6 "yes or no" underneath it, correct?

7 A Yes, it does.

8 Q And there seems to be an X on yes?

9 A Yeah.

10 Q Who put that X there?

11 A I don't know, I don't recall filling  
12 this form out.

13 Q Okay. Now if we go back to Exhibit  
14 88, which is your notebook, and that's at page 604  
15 of volume E-2. There's an entry that looks like  
16 7:22?

17 A Yes.

18 Q Second time in the -- second time,  
19 there's an indication of time on the left-hand  
20 column; correct?

21 A Yes.

22 Q What does 10-7 mean?

23 A This would be on scene or booking down  
24 somewhere.

25 Q Okay. So 10-7 means that's when you

1 arrived or --

2 A I believe that's to the dispatcher  
3 meaning that I was at that location, or in the  
4 circumstance I'd say to him, 10-7, Highway 59,  
5 101.

6 Q So 10-7 means you're relaying it to  
7 dispatch?

8 A Yes.

9 Q Okay. So that means that you arrived  
10 at 59 and 101 at 7:22?

11 A Yes.

12 Q Okay. And at 7:42, Chief Bakema puts  
13 the driver of the Dodge truck into the rear of  
14 RM2. That's your next notation?

15 A Yes.

16 Q Correct?

17 A Yes.

18 Q And that's in fact what happened, you  
19 have told us that; correct?

20 A Correct.

21 Q Okay. What do you do between 7:22 and  
22 7:42?

23 A I don't know for certain. I guess I  
24 would be directing traffic. As I said before, it  
25 says in my notes that I set up cones when I first

1 got there, but I don't recall the order that it  
2 happened in.

3 Q How many cones did you set up?

4 A I'd have no idea, sir.

5 Q Well, how many cones did you have?

6 A I don't know how many cones are in  
7 that unit or were in that unit.

8 Q Well, did you set up 20?

9 A I don't know how many I set up. I  
10 don't believe there would be 20 in there.

11 Q Well, did you set up 10?

12 A I don't recall. Possibly.

13 Q Okay. Possibly 10. Did you set up  
14 five?

15 A I don't recall.

16 Q Did you set up 15?

17 A I have no recollection of how many  
18 cones I did set up.

19 Q Another thing that you can't remember?

20 A (Witness nodding)

21 Q Can you at least remember that you  
22 didn't set up 20?

23 A I can't say that for certain. I'm  
24 assuming there wouldn't be 20 cones in that unit,  
25 but I don't recall how many were in there.

1 Q What kind of cones are we talking  
2 about? Describe one to me?

3 A We have different types. There's  
4 pylons and there's also cones that have a flasher  
5 on them.

6 Q Well, were you setting up the ones  
7 that had the flasher on them?

8 A I'm not sure which ones were in that  
9 unit.

10 Q You're not sure what the cones looked  
11 like?

12 A I'm sure what they looked like, sir.

13 Q What did they look like?

14 A I'm not sure which cones were in that  
15 unit, I know what types we have, but I don't  
16 recall which ones were in that unit or how many  
17 there were.

18 Q Well, how many types do you have, and  
19 by you I guess you mean the East St. Paul Police  
20 Force?

21 A There's two different types that I'm  
22 aware of.

23 Q Two different types that you are aware  
24 of?

25 A Right.

1 Q What's one look like?

2 A It looks like an orange pylon.

3 Q How big is it?

4 A Maybe 18 inches.

5 Q Okay. And what's the other one look

6 like?

7 A I guess it's a fold-down cone that  
8 would -- it's got a bottom on it, and then the top  
9 would fold down, and it's got a flasher on it  
10 that's operated by battery.

11 Q I see. And how tall is that one?

12 A Maybe six or seven, eight inches, I  
13 don't recall for certain.

14 Q I see. And you don't know which ones  
15 were in RM2?

16 A No, I don't.

17 Q And you don't know how many you set  
18 up?

19 A No, I don't.

20 Q Okay. Where did you set them up?

21 A I would have set them up behind my  
22 vehicle and possibly in front of my vehicle to try  
23 and stop traffic from going through.

24 Q Okay. Now, your vehicle was on the  
25 northbound part of Highway 59; is that not

1 correct?

2 A That's correct.

3 Q Sorry?

4 A That is correct, yes.

5 Q Okay. And it is -- it was where in

6 relation to the intersection?

7 A In relation to that black line in the  
8 northbound lanes, I believe I would have been just  
9 a little bit ahead of that.

10 Q Okay.

11 A In that turning lane.

12 Q On the -- in the south half of the  
13 intersection proper, can I describe it that way?

14 A Yes.

15 Q You are comfortable with that?

16 A Would you repeat that, sir?

17 Q Well, I got the impression that you  
18 are telling me it's just north of that black line  
19 on the big board there; correct?

20 A Somewhere in that general area, yes.

21 Q So that would put you right into the T  
22 intersection, if we can call it that. It's not a  
23 cross intersection, but it's a T intersection;  
24 correct?

25 A Yes.

1           Q     Okay. Now, that intersection is, it  
2 looks to me in this picture, at least two lanes in  
3 one direction and two lanes in the other direction  
4 and a median in between, and I'm talking about  
5 101?

6           A     Yes.

7           Q     You're correct with that? You're  
8 comfortable with that?

9           A     Could you repeat that?

10          Q     Sure. It looks to me on that big  
11 blowup that we have in the hearing room here, it  
12 looks to me like Highway 101 is two lanes in one  
13 direction, a median in between, and two lanes in  
14 another direction at the point where it meets 59?

15          A     The eastbound lanes of 101, I don't --  
16 I believe they are blocked off. There's --

17          Q     Okay. They may be blocked off, but  
18 they are there?

19          A     They are there, yes.

20          Q     Okay. And that black line that you  
21 referred to is roughly parallel to the south end  
22 of the eastbound lane of 101; isn't that correct?

23          A     That's correct. I don't know if those  
24 lanes even existed.

25          Q     We know that. It doesn't matter

1 whether they are blocked off or not, okay. So you  
2 have told us that your vehicle would have been  
3 just north of that black line?

4 A Somewhere in that general area. I'm  
5 not sure exactly.

6 Q And what I'm trying to determine from  
7 you, which shouldn't be very difficult, is if you  
8 take that area from the north side of the  
9 westbound lane of 101, to the south side of the  
10 eastbound lane, whether it's closed off or not, of  
11 101, and I'm just trying to figure out if your  
12 vehicle was in the north half of that area or the  
13 south half?

14 A I don't recall. I could point to you  
15 where I believe my vehicle was.

16 Q Well, that might be helpful. Is that  
17 allowed, Mr. Commissioner?

18 THE COMMISSIONER: (Nodding)

19 THE WITNESS: I believe I would have  
20 been somewhere in this area here.

21 MR. ZAZELENCHUK: Thank you.

22 THE COMMISSIONER: You're indicating  
23 just above that black lane?

24 THE WITNESS: I believe it would have  
25 been just somewhere above that black line.



1 THE COMMISSIONER: In the northbound  
2 lane?

3 THE WITNESS: That's correct.

4 THE COMMISSIONER: You were in the  
5 lane, not in the intersection?

6 THE WITNESS: I may have been up into  
7 the intersection a little bit, but I was in the  
8 northbound lanes.

9 THE COMMISSIONER: Basically in the  
10 northbound lanes?

11 THE WITNESS: My vehicle came to rest  
12 facing northbound, yes.

13 THE COMMISSIONER: And which way were  
14 you facing?

15 THE WITNESS: I was facing north.

16 THE COMMISSIONER: Facing north, thank  
17 you.

18 BY MR. ZAZELENCHUK:

19 Q Sir, you have told us that you set up  
20 cones. What else did you do during that 20  
21 minutes?

22 A I don't know, sir, directed traffic.

23 Q Where were you directing traffic?

24 A Northbound vehicles on 59.

25 Q Well, we will pass over what you were

1 doing for that 20 minutes, and let's get to the  
2 part where you told us yesterday that you observed  
3 Chief Bakema and the driver of the vehicle  
4 approaching your vehicle in the rear view mirror?

5 A That's what I recall.

6 Q And you recall telling us that  
7 yesterday?

8 A Yes.

9 Q And so you would have been seated in  
10 the vehicle?

11 A That's correct.

12 Q Well, why did you stop directing  
13 traffic to go sit in your vehicle?

14 A I don't recall, sir. I believe that  
15 if I had set up cones that I wouldn't necessarily  
16 be standing on the road the entire time.

17 Q Well, why did you go back to your  
18 vehicle?

19 A I don't recall.

20 Q Did anybody order you to go back to  
21 your vehicle?

22 A No, sir.

23 Q So that's something you did of your  
24 own volition?

25 A I guess so.

1 Q We have heard evidence that this was a  
2 pretty serious accident; correct?

3 A Yes.

4 Q You would agree with me on that?

5 A Yes.

6 Q And anybody who lives in Winnipeg or  
7 in the surrounding area knows that on a weekday  
8 morning, during the rush-hour between 6:30 and  
9 9:00 o'clock, there's a lot of traffic there.  
10 Isn't that correct?

11 A Yes, there is.

12 Q And there's three police officers at  
13 the scene, yourself, the Chief and Constable  
14 Graham; correct?

15 A And I believe Constable Pedersen.

16 Q Yeah. And Constable Pedersen's  
17 several hundred yards north dealing with the  
18 southbound traffic, correct?

19 A Yes.

20 Q So I'm talking at the junction of 101  
21 and 59, there are three police officers, yourself,  
22 your Chief and Constable Graham?

23 A Yes.

24 Q And you take it upon yourself to go  
25 sit inside your vehicle?

1           A     I guess I did, sir.

2           Q     And you can't tell us why today?

3           A     No, I don't have an explanation.

4           Q     We know that Chief Bakema arrived at  
5 your vehicle with Mr. Harvey-Zenk at 7:42, because  
6 you wrote that in your notes; correct?

7           A     That's what I have in my notes, yes.

8           Q     Yes. And we know you were seated in  
9 your vehicle at 7:42?

10          A     Yes.

11          Q     Because you have told us that,  
12 correct?

13          A     Yes.

14          Q     How long had you been seated in your  
15 vehicle, sir, at 7:42?

16          A     I don't recall, sir, I believe that I  
17 was in and out of the vehicle several different  
18 times.

19          Q     Why would you be in and out of the  
20 vehicle several different times?

21          A     I don't know for certain. I guess I'd  
22 be directing traffic, because I said before I was  
23 watching traffic, and there was other vehicles  
24 that were coming northbound, almost causing other  
25 collisions.

1           Q     I can understand that. I can really,  
2 really understand why you would be directing  
3 traffic, you don't want another collision. It's a  
4 busy corner, or busy intersection more accurately,  
5 and I can really understand why you'd be directing  
6 traffic. And I think there's evidence that there  
7 were some lay people who were directing traffic  
8 before the police arrived there. So I've got no  
9 difficulty with any of that. What I have a lot of  
10 difficulty with is why would you go back into your  
11 police vehicle where you were at 7:42?

12           A     I don't have an answer for you. I  
13 don't have an explanation.

14           Q     Okay. Did you see the Taman girls  
15 arrive at the scene?

16           A     No, I did not.

17           Q     You didn't?

18           A     No, I didn't.

19           Q     Okay. Your then brother, Officer  
20 Graham, gave evidence before this tribunal. His  
21 notes are Exhibit E-3. For those following in the  
22 book, they are at E.1.24.a. And your brother,  
23 your then brother, Officer Graham, made a notation  
24 in his book, in his notebook at page 559, that at  
25 7:25 the Taman girls arrived. Will you accept

1 that? Do you want me to show it to you?

2 A No, that's fine, I take your word for  
3 it, yes.

4 Q Okay. And the evidence of the Taman  
5 girls, at least the evidence of Tara, who gave  
6 evidence earlier to this Commission, is that they  
7 were proceeding north on 59, and sort of turned  
8 and got out and started running to the yellow  
9 vehicle. So they would have had to run -- drive  
10 right past your vehicle, and right past where you  
11 were setting up cones?

12 A It's possible.

13 Q And then we heard evidence from Tara  
14 that there was interaction between her and  
15 Constable Graham, and Constable Graham put her and  
16 her sister in his vehicle. Did you see any of  
17 this?

18 A No, I didn't. I heard about it later  
19 but I didn't see any.

20 Q You were right -- you agree with me,  
21 though, that -- you'll agree with me that based on  
22 what you have said and based on what I have  
23 related to you that other witnesses said, you  
24 would have been within feet of this happening?

25 A I don't even recall where the police

1 unit driven by Constable Graham was. I don't  
2 recall seeing it at the scene.

3 Q But you've told us where your vehicle  
4 was?

5 A Yes.

6 Q And you never got too far from your  
7 vehicle, because you told us you were in and out  
8 for those 20 minutes; correct?

9 A Yes.

10 Q And I have just related to you that  
11 the Taman girls arrived, according to your brother  
12 officer, at 7:25, three minutes after you arrived.  
13 And you accepted that?

14 A Yes.

15 Q The evidence is before this tribunal.  
16 And I have just related to you that they would  
17 have had to have been within feet of your vehicle.  
18 And you have no observations, no memory of that?

19 A No, sir, I don't.

20 Q On February 25th of 2005, you hadn't  
21 been a police officer for very long; correct?

22 A That's correct.

23 Q About four months with East St. Paul?

24 A That's correct.

25 Q And you worked for some place else

1 before that?

2 A Very briefly, yes.

3 Q How long?

4 A Approximately two months, maybe just  
5 under.

6 Q Okay. Well, inexperience is something  
7 we've all been guilty of, myself included, and  
8 that's just one of the things that happens in  
9 life. Was this the first time you were involved  
10 in the investigation of a serious traffic  
11 fatality?

12 A Yes, it was.

13 Q Yeah. And you'll agree with me, it  
14 didn't take a lot of rocket science to figure out  
15 this was a serious one?

16 A Yes, I will agree.

17 Q It was ugly; correct?

18 A Yes.

19 Q So this is the first time you were  
20 involved in a serious traffic fatality, in the  
21 investigation of it. And you related at some  
22 length that you were uncomfortable with some of  
23 the directions that you were receiving from your  
24 Chief?

25 A Yes.



1           Q     And I guess that's pretty hard for  
2     somebody who's that junior; correct?

3           A     Correct.

4           Q     And you told us this morning, just  
5     about 52 minutes ago, I tried to make a good note  
6     of it, you told us this morning and I quote:

7                     "Neither Harry Bakema nor Ken Graham  
8                     wanted to have anything to do with it  
9                     so they dumped it on me."

10          A     That was my opinion, yes.

11          Q     Well, did you have an opinion of why  
12     they did that?

13          A     That was my opinion, I guess, that  
14     they didn't want to be involved in it.

15          Q     Well, why do you think they didn't  
16     want to be involved in it?

17          A     I don't know why. Probably because it  
18     was a Winnipeg Police member.

19          Q     So?

20          A     That was my impression and my opinion,  
21     sir.

22          Q     Well, how did you come by that  
23     opinion?

24          A     That's how I felt about it.

25          Q     But where did that feeling come from?

1           A     Because I didn't understand why, at a  
2 normal scene like that, it would be someone more  
3 senior that would take charge of the scene and  
4 investigate. And I felt that because I was a  
5 junior member, that wasn't -- wouldn't be a common  
6 practice to put someone in my care for such a  
7 serious accident.

8           Q     Okay. You then discussed, and I'm  
9 going to try not going over things -- no, I think  
10 I'll just leave it there.

11                   THE COMMISSIONER: Thank you.

12                   MR. ZAZELENCHUK: If I might have a  
13 moment, Mr. Commissioner?

14                   There is one more point, I'm sorry.  
15 Sometimes inexperience is helpful. My learned  
16 junior told me about a point I had missed.

17                   THE COMMISSIONER: Always helps. Go  
18 ahead.

19 BY MR. ZAZELENCHUK:

20           Q     You have told us where your vehicle  
21 was parked, correct?

22           A     Yes.

23           Q     And which way was it facing?

24           A     It was facing north.

25           Q     Okay. So it's just by that black line

1 and it's facing north, and there is two lanes that  
2 widen into four; correct?

3 A Correct.

4 Q Okay. Is it at the point where the  
5 lanes have already widened into four?

6 A I don't recall for certain if it was  
7 that far into the intersection or if it was closer  
8 to the black line.

9 Q Okay. Which lane would it have been  
10 in?

11 A Again, I don't recall for certain  
12 which lane. I believe that I probably would have  
13 pulled into the, I guess the inside turning lane  
14 to try and, as well as direct traffic, to block  
15 traffic from going through the intersection.

16 Q You were using your right hand. Does  
17 that tell us anything?

18 A I was just motioning that I'd be on  
19 the, if you're facing north it would be on the  
20 inside lane.

21 Q Meaning the left-hand lane?

22 A Meaning the east lane, I guess, the  
23 east turning lane.

24 Q The lane that turns that's on the east  
25 side. Okay. That's fair enough.

1           A     I believe that's where it would have  
2     been, sir.

3           Q     Okay. So there's four lanes, there is  
4     the west turning lane, the east turning lane, the  
5     west through lane and the east through lane;  
6     correct?

7           A     Yes, sir.

8           Q     Pardon me?

9           A     Yes.

10          Q     And I had described the lanes from  
11     east to west just there?

12          A     Yes.

13          Q     So you're telling us that you thought  
14     you would be in the east turning lane?

15          A     That's where I believe I would have  
16     been. I don't know.

17          Q     So of the four lanes, that would be  
18     the second lane from the left?

19          A     Yes.

20          Q     Okay. And you observed Harry Bakema  
21     and the driver of the Dodge truck coming to you in  
22     your rear view mirror?

23          A     Yes.

24          Q     And you observed them, I believe you  
25     have told us, for about 10 or 15 feet?

1           A     Somewhere in that vicinity, yes, five  
2     to 10, I believe I said.

3           Q     I'm sorry?

4           A     I believe I said five to 10.

5           Q     That's fine, I will accept that.  So  
6     five to 10 feet behind your vehicle?

7           A     Yes.

8           Q     Do you have any idea where they could  
9     have been coming from?

10          A     I didn't see where they came from.  I  
11     am assuming from the south.

12          Q     Do you have any idea how they could  
13     have gotten there?

14          A     I believe they walked up to the  
15     vehicle.

16          Q     No, no.  Not how they got to your  
17     vehicle, how they got to where they were coming  
18     from?

19          A     I believe they walked.

20          Q     If they were coming -- if they were  
21     approaching your vehicle so that you could see  
22     them in your rear view mirror, then they were  
23     coming from the south and walking in a northerly  
24     direction?

25          A     Yes.

1           Q     And you saw them at least five to  
2     10 feet back behind your vehicle in a southerly  
3     direction?

4           A     That's correct.

5           Q     And the intersection is in front of  
6     you in a northerly direction; correct?

7           A     Yes.

8           Q     And the accident occurred in the  
9     southbound lanes of 59?

10          A     Yes.

11          Q     And there's a median with a ditch  
12     between the southbound lanes and the northbound  
13     lanes?

14          A     Yes, there is.

15          Q     And it's winter time?

16          A     Yes.

17          Q     And Winnipeg and the surrounding area  
18     gets a fair bit of snow in the winter time?

19          A     Yes.

20          Q     And there's snow in that median ditch,  
21     isn't there?

22          A     Yes.

23          Q     Do you have any idea how Harry Bakema  
24     and Derek Harvey-Zenk got to the south side of  
25     your vehicle?

1           A     No, I don't, sir.

2           Q     You'll agree with me that they would  
3 have had to walk past your vehicle to get there?

4           A     Not if they are coming from behind my  
5 vehicle, no, sir.

6           Q     But how would they get to behind your  
7 vehicle?

8           A     I don't know. I can't answer that  
9 question.

10                   MR. ZAZELENCHUK: Thank you.

11                   THE COMMISSIONER: Mr. Zazelenchuk,  
12 I'm a little concerned about your suggestion.  
13 They are behind him. They are south of the  
14 intersection, are they not?

15                   MR. ZAZELENCHUK: Yes.

16                   THE COMMISSIONER: Where the truck is  
17 on the -- off the road in the median?

18                   MR. ZAZELENCHUK: Yes.

19                   THE COMMISSIONER: So they would be  
20 walking from behind him, presumably, up to his  
21 vehicle, which is in the left lane and facing  
22 north. So he would see them coming from behind.  
23 And as he says, he saw them five to 10 feet when  
24 they were behind him. Am I incorrect in that?  
25 Have I got that confused?

1                   Can you go down and point to us where  
2    you were and where you would see them coming,  
3    where you would be and where they would be?

4                   THE WITNESS:  Sir, I would have been  
5    somewhere in this area here.

6                   THE COMMISSIONER:  And you're  
7    indicating the passing lane of the northbound 59?

8                   THE WITNESS:  Yeah, that's correct,  
9    the eastbound.

10                  THE COMMISSIONER:  You're facing  
11   north?

12                  THE WITNESS:  That's right, facing  
13   north, I saw them coming up from behind me, also  
14   coming north.

15                  THE COMMISSIONER:  You saw them coming  
16   from where?

17                  THE WITNESS:  I noted them coming  
18   north from behind my vehicle.

19                  THE COMMISSIONER:  Now, where --  
20   assuming you are sitting in your vehicle, where  
21   would -- and you are looking in your rear view  
22   mirror, where would you see them, where would they  
23   be?  Can you point to it, where they would be?

24                  THE WITNESS:  As I said, it could be  
25   about five to 10 feet when I noted them coming



1 from behind my vehicle. So my vehicle was in  
2 here, they would have been somewhere in here.

3 THE COMMISSIONER: Wouldn't that be  
4 how it would happen? If the truck is some  
5 distance down the road, down in the southbound  
6 lane, in the median, they'd be walking up from the  
7 truck. At least that's what the other witnesses  
8 have said.

9 MR. ZAZELENCHUK: The problem with  
10 that, Mr. Commissioner, is that when I look at  
11 Exhibit 62, and that's in volume B, page 147.

12 THE COMMISSIONER: D?

13 MR. ZAZELENCHUK: B for Bob.

14 THE COMMISSIONER: Oh, here, yes.

15 Page?

16 MR. ZAZELENCHUK: 147.

17 THE COMMISSIONER: Thank you. Yes?

18 MR. ZAZELENCHUK: Now, if we look, and  
19 I realize that that's something for argument, but  
20 I want to explain to Your Honour where I'm going.

21 THE COMMISSIONER: Page 127?

22 MR. ZAZELENCHUK: 147.

23 THE COMMISSIONER: 147, I'm sorry,  
24 yes.

25 MR. ZAZELENCHUK: We have -- what we

1 have in that photo is we have the Dodge truck,  
2 it's taken from, and the view is going northwards,  
3 and we have the snow in the median ditch. And if  
4 Constable Woychuk is parked in the second lane  
5 from the right, at about the intersection, and  
6 Bakema and Harvey-Zenk are walking towards him  
7 from the south, they would have had to walk across  
8 the snow in the median ditch. That's the problem  
9 I'm having with the evidence, sir.

10 THE COMMISSIONER: Right. You mean  
11 they would have had to walk up, or across, up and  
12 around or across the snow. Ironically, that  
13 photograph indicates that the cruiser is facing  
14 south. At some point in time, it must have been  
15 facing north.

16 MR. ZAZELENCHUK: And we don't know  
17 when it was taken. It was taken afterwards. I  
18 wonder --

19 THE COMMISSIONER: Madam clerk, if you  
20 would show this -- do you have that photograph --  
21 show it to the witness. Let him look at it, and  
22 then you can ask him questions from there.

23 MR. ZAZELENCHUK: Your Honour, I note  
24 that it's 11:03. I wonder if this might -- I  
25 would probably be more efficient if I could

1 collect my thoughts for two or three minutes. I  
2 wonder --

3 THE COMMISSIONER: We all are. Let's  
4 take a break now for 15 minutes.

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

7 (Proceedings recessed at 11:03 a.m.  
8 and reconvened at 11:30 a.m.)

9 THE CLERK: All rise, please. This  
10 Commission of Inquiry is now re-opened. Please be  
11 seated.

12 MR. PACIOCCO: Thank you for that  
13 indulgence. Something materialized over the  
14 course of the morning and we were required to deal  
15 with and to make disclosure to the parties before  
16 dealing with it, which caused the delay. We are  
17 scheduled to hear from Constable Bryan Maloney  
18 today. Mr. Maloney has furnished the Commission  
19 with this statement relating to an event that  
20 occurred today.

21 You will notice that Mr. Ken Graham is  
22 in the body of the court room, and I'm bringing a  
23 motion to you, Mr. Commissioner, to require  
24 Mr. Ken Graham to leave the court room, and remain  
25 outside of the hearing room rather, for the

1 duration of the evidence.

2 We will be putting Mr. Maloney on the  
3 stand and seeking his testimony with respect to  
4 this, but I'm going to pass up a copy of the  
5 document that was prepared by Mr. Maloney as a  
6 result of an incident he claims occurred today.

7 THE COMMISSIONER: Have other counsel  
8 seen it? Anybody not seen it? Thank you. Give  
9 me a moment to read it, please.

10 Do you want to make this an exhibit?

11 MR. PACIOCCO: I would like to make it  
12 an exhibit, Mr. Commissioner, in connection with  
13 the motion, that will be a matter that will be  
14 canvassed when Mr. Maloney is testifying.

15 THE COMMISSIONER: Yes.

16 (EXHIBIT 1: Bryan Maloney's  
17 handwritten statement of incident  
18 dated July 8, 2008)

19 MR. PACIOCCO: In the meantime, given  
20 the nature of the information contained in the  
21 document, we felt it would be best to draw it to  
22 your attention immediately. And the allegation is  
23 one that suggests intimidation of a witness, and  
24 should be addressed by removing Mr. Graham. Even  
25 though this isn't a matter that has resulted in

1 testimony as to what he said/she said, there's  
2 significant enough concern here under the  
3 circumstances that to protect the integrity of the  
4 record of this proceeding, the prudent thing, in  
5 my respectful submission, is to ask that  
6 Mr. Graham be removed.

7 In order to be fair to Mr. Graham, as  
8 he sits here, I would like to put onto the record  
9 the statement that has been made by Mr. Maloney.

10 THE COMMISSIONER: Yes. And then I'll  
11 hear from counsel as to what they have to say.

12 MR. PACIOCCO: Mr. Maloney's statement  
13 produced today reads as follows:

14 "At approximately 10:30 hours on  
15 July 8, 2008, while sitting on a bench  
16 outside the court room, Ken Graham  
17 came walking down the hall from the  
18 south toward the court room. Upon  
19 coming up to me, I said, 'Mr. Graham.'  
20 And he said, 'Maloney, Maloney, you  
21 guys are nothing but a bunch of  
22 fucking traitors.' I said, 'Ken, I  
23 wasn't even there.' And he said, 'I  
24 know you weren't,' and he walked back  
25 into the court room. Mr. Graham was

1 slightly agitated when he said this.

2 There was a female photographer to the

3 north of the door on the other bench.

4 I continued to sit and then I was

5 taken to a sitting room to read a

6 previous statement, and I asked Bob

7 Giasson, 'Why is Ken Graham so upset?'

8 And he asked why, and I informed him

9 what Ken Graham had said. Mr. Vincent

10 Clifford attended the sitting room and

11 asked about what was said. I told him

12 what Graham had said, and he requested

13 that I write a statement of what

14 occurred. B.P. Maloney, Bryan

15 Maloney, 2008/07/08, 1115 hours."

16 THE COMMISSIONER: What do you say,

17 Mr. Paciocco?

18 MR. PACIOCCO: If we can file this as

19 an exhibit in connection of the motion to exclude,

20 that would be Exhibit 1 in that motion.

21 THE CLERK: Thank you.

22 MR. ZAZELENCHUK: I merely concur with

23 learned Commission Counsel.

24 THE COMMISSIONER: Yes, Mr. McDonald.

25 MR. McDONALD: I think what Commission

1 Counsel has requested is appropriate,

2 Mr. Commissioner.

3 THE COMMISSIONER: Yes.

4 Mr. Weinstein?

5 MR. WEINSTEIN: I have nothing to add.

6 THE COMMISSIONER: I'm sorry?

7 MR. WEINSTEIN: I have nothing to add.

8 THE COMMISSIONER: Mr. Jack?

9 MR. JACK: Nor do we,

10 Mr. Commissioner.

11 THE COMMISSIONER: Mr. Prober?

12 MR. PROBER: I have only one comment,  
13 and you may be doing this in any event.

14 Mr. Graham maybe should be given the opportunity  
15 to consult counsel if he wants to deal with this  
16 motion. Thank you.

17 THE COMMISSIONER: Yes.

18 MS. DIXON: Nothing to add, sir.

19 THE COMMISSIONER: I'm sorry?

20 MS. DIXON: I have nothing to add,  
21 sir.

22 THE COMMISSIONER: Yes.

23 MR. McFETRIDGE: I agree with  
24 Mr. Prober's comments.

25 THE COMMISSIONER: It seems to be the

1 consensus of counsel that Mr. Graham should be  
2 directed to leave the hearing, and I agree.

3 Before you go, Mr. Graham, I think you  
4 should, for your own protection, in case you wish  
5 to give evidence later in this hearing, consult  
6 with counsel and take counsel's instructions.

7 I'm sorry, I can't hear you, sir?

8 MR. GRAHAM: He's very wrong in what  
9 he said. He tried to have a conversation with me.  
10 I said, "Maloney," I said, "I don't speak to  
11 liars."

12 THE COMMISSIONER: Maybe if you could  
13 just come up, I can't hear you. Speak loudly so  
14 the reporter can get it.

15 MR. GRAHAM: Your Honour, what  
16 happened is, as I was walking out the hall coming  
17 into the room here, Maloney started to have a  
18 conversation with me. At that time, I said,  
19 "Maloney, I do not talk to liars." And then I  
20 came into the room.

21 THE COMMISSIONER: All right.

22 MR. GRAHAM: Whatever his statement  
23 is, he is not telling the truth.

24 THE COMMISSIONER: Mr. Maloney,  
25 Constable Maloney is going to testify.



1 MR. GRAHAM: Yeah.

2 THE COMMISSIONER: So in view of the  
3 testimony that he will probably give, I think you  
4 should consult with counsel and take instructions.

5 MR. GRAHAM: Okay.

6 THE COMMISSIONER: Thank you.

7 You have a silent but effective voice,  
8 and I can't hear you.

9 MR. WEINSTEIN: Thank you,  
10 Mr. Commissioner. Just based on this last --

11 THE COMMISSIONER: Can you --

12 MR. WEINSTEIN: I'm sorry.

13 THE COMMISSIONER: Mr. Zazelenchuk  
14 keeps pushing it back.

15 MR. WEINSTEIN: Just based on this  
16 last conversation, where the proper advice to  
17 Mr. Graham is to consult counsel, and I think  
18 everyone is in agreement that he should be doing  
19 that. And Mr. Maloney is going to be giving  
20 evidence, as we all know. I just wonder,  
21 Mr. Commissioner, if he is going to consult  
22 counsel, if counsel should at least not be here --  
23 should be here at least when Mr. Maloney gives  
24 evidence. What participation he might or might  
25 not take, that's a different story. And that's up

1 to him and naturally up to you.

2 THE COMMISSIONER: That would be very  
3 good advice to Mr. Graham.

4 Now, Mr. Zazelenchuk, you were in the  
5 midst of cross-examination. Just before you get  
6 into it, have you got that photograph in front of  
7 you?

8 THE WITNESS: Yes, I do, sir.

9 THE COMMISSIONER: There is a cruiser  
10 that is facing south. Do you see that in the  
11 photograph?

12 THE WITNESS: Yes, sir.

13 THE COMMISSIONER: Is that your  
14 cruiser?

15 THE WITNESS: No, it is not.

16 THE COMMISSIONER: Okay. Is that the  
17 position in which your cruiser was located at the  
18 time that you saw Mr. Bakema bring Mr. Harvey-Zenk  
19 towards your vehicle?

20 THE WITNESS: No, sir, my vehicle was  
21 where I pointed on the board, in that turning lane  
22 and I was facing north.

23 THE COMMISSIONER: Well, that vehicle  
24 is facing south.

25 THE WITNESS: That's correct. I

1 believe these photos were probably taken by the  
2 traffic analyst at a time when I would have  
3 already been gone from the scene.

4 THE COMMISSIONER: That's fine. What  
5 I want to know is, and maybe I misunderstood you,  
6 was your vehicle, when you saw Bakema bring  
7 Mr. Harvey-Zenk, located where that vehicle is  
8 only facing north, or further, maybe I  
9 misunderstood your evidence, further to, we'll  
10 make it simple, to the left in the intersection,  
11 or was it located where that is?

12 THE WITNESS: Sir, it would be located  
13 more to the right.

14 THE COMMISSIONER: More to the right?

15 THE WITNESS: Where you see the large  
16 pylon set up by the Highways Department, I would  
17 have been more in that area.

18 THE COMMISSIONER: All right. And  
19 then I'll let Mr. Zazelenchuk go from there.  
20 Because as you can see, his evidence, or at least  
21 his question to you was, that if you're facing  
22 north, you are further to the right, and  
23 Mr. Bakema and Mr. Harvey-Zenk are coming along,  
24 they would be in fact more to your left, wouldn't  
25 they?

1 THE WITNESS: Yes.

2 THE COMMISSIONER: And yet you said  
3 you saw them in your rear view mirror when they  
4 were five to 10 feet behind you?

5 THE WITNESS: I don't recall if I said  
6 rear view or side view.

7 THE COMMISSIONER: So it could have  
8 been your side view?

9 THE WITNESS: It could have been the  
10 side view.

11 BY MR. ZAZELENCHUK:

12 Q I'll try to get through this quickly.  
13 The problem that I had with your evidence, sir,  
14 was that if Chief Bakema and Harvey-Zenk were  
15 approaching your vehicle as you say they were,  
16 then they would have had to have gone from the  
17 Harvey-Zenk vehicle to the intersection, back  
18 south past your vehicle for some reason, turned  
19 around, and then be approaching your vehicle.  
20 That's one possibility, correct?

21 A Correct.

22 Q The other possibility is that they  
23 would have gone across the median ditch?

24 A Correct.

25 Q And when I look at, and I'm going to

1 direct you to five photos, when I look at the  
2 photos, that's where I have the problems. The  
3 photos are Exhibit 62, and they are at volume  
4 B.8.a. Do you have them in front of you, sir?

5 A I do. You'll just have to direct me  
6 to which --

7 Q Yeah. Well, we'll start at 145, page  
8 145. Now, that's a view from the north to the  
9 south, and we have the Harvey-Zenk vehicle in the  
10 median ditch, at least in part; correct?

11 A Correct.

12 Q And we see all kinds of footprints  
13 going to the southbound lane, but there might be  
14 footprints going to the northbound lane, but they  
15 seem to be angled towards the south, which would  
16 be opposite from your vehicle; correct?

17 A Correct.

18 Q So you look at that picture the way I  
19 do?

20 A I see the footprints on the, I guess  
21 the west of the truck, as well as I do see what  
22 appears could be footprints on the east side as  
23 well.

24 Q That's right. But the footprints on  
25 the east side would be in a south easterly

1 direction. They are angled, aren't they?

2 A Somewhat.

3 Q Yeah. And you are north of that  
4 vehicle?

5 A Yes.

6 Q Okay. So if we go two pages to 147,  
7 and we have looked at that picture before, but  
8 again, that's a view looking north. And if there  
9 are footprints crossing the median ditch, they  
10 seem to me to be angled in a southerly direction;  
11 correct?

12 A They look similar to the last photo --

13 Q Yeah.

14 A -- just at a different angle.

15 Q But they are slightly -- they are not  
16 due east, or they are not perpendicular, they are  
17 angled slightly southerly?

18 A Yes.

19 Q Okay. And if we go to the next  
20 page -- you are at 148?

21 A Yes, sir.

22 Q Okay. Again, there might be some  
23 footprints just at about halfway from the top to  
24 bottom at the -- on the left-hand side, but it  
25 looks like only one person. I mean, you can't

1 really tell too well, can we?

2 A No, sir, I can't tell from this photo.

3 Q Okay. Again, if we flip the page,  
4 this is a view to the west; correct?

5 A Correct.

6 Q And there is some footprints in the  
7 lower right-hand corner, but, again, they seem to  
8 be sort of angled in a southerly direction?

9 A Yes.

10 Q Correct?

11 A They appear to be, and they appear to  
12 scurry north at the end, but it's hard to tell.

13 Q Yeah. Lastly, if we go to 152?

14 THE COMMISSIONER: Why don't you go to  
15 149?

16 MR. ZAZELENCHUK: We were just there,  
17 sir.

18 THE COMMISSIONER: I'm sorry?

19 MR. ZAZELENCHUK: We were just there,  
20 sir.

21 THE COMMISSIONER: Oh, I am sorry,  
22 yes.

23 BY MR. ZAZELENCHUK:

24 Q If we go to 152, there seem to be some  
25 footprints crossing the ditch, but they look to me

1 like they are going from east to west and not from  
2 west to east. Would you agree with me?

3 A Yes, sir.

4 Q Yes. Okay. So do you understand the  
5 difficulty I had with your evidence when you told  
6 us that you saw Chief Bakema and Derek Harvey-Zenk  
7 approach your vehicle from the south, in either  
8 your rear view mirror or your side view mirror?

9 A I understand, but that's what I saw.

10 Q Okay. Are you able to help me out at  
11 all as to how I can resolve my difficulty?

12 A No, sir, I don't know how they got to  
13 that direction they were going.

14 Q Okay. One more thing you don't know,  
15 that's fair enough.

16 One last point, and probably be very  
17 quick. In your notes, and you can look at them if  
18 you wish but I don't think it's necessary, in your  
19 notes you indicate a time of 7:42 when Chief  
20 Bakema brought Harvey Zenk to your vehicle,  
21 correct?

22 A Yes, sir.

23 Q Okay. Do you have any idea where you  
24 got that time from?

25 A No, I don't.



1           Q     Okay. I wonder if Madam clerk would  
2     be good enough to give you Exhibit 64? And that,  
3     Your Honour, is located at volume D for David,  
4     page 347, tab 19.e.

5                     This is a letter from the Interlake  
6     Regional Health Authority with respect to the  
7     timing of the ambulance attendants. And you'll  
8     agree with me that the ambulance attendants, at  
9     one point, both of them entered your vehicle to  
10    see if Mr. Harvey-Zenk wanted medical attention;  
11    correct?

12           A     Correct.

13           Q     Okay. And this log says that they  
14    arrived at 7:38 at the scene. And Mr. Rosser, I  
15    believe, gave us evidence that it was in less than  
16    a minute he was inside the vehicle where  
17    Harvey-Zenk was located. You weren't here, but  
18    I'm telling you that's what he said. And if it's  
19    less than a minute, that tells me that he would  
20    have been in the vehicle as early as 7:39,  
21    correct?

22           A     Correct.

23           Q     If he's correct, then that time moves  
24    up to at least 7:39. So that's in direct  
25    contradiction to the fact that Chief Bakema put

1 Harvey-Zenk into your vehicle at 7:42. You'll  
2 agree with me on that?

3 A I agree with you, yes.

4 Q Is it possible that you are wrong  
5 about the time?

6 A It's possible. I'm not, as I said  
7 before, I'm not sure in which order, what happened  
8 in which order when I got to the scene, whether I  
9 put the cones over or he was brought to the  
10 vehicle first.

11 Q Is it possible you're wrong about the  
12 time of 7:42 by as much as four or five minutes?

13 A It could be possible.

14 MR. ZAZELENCHUK: Thank you. Those  
15 are all my questions.

16 MR. PACIOCCO: Mr. Commissioner.

17 MR. PROBER: There's somebody in  
18 distress back here. The sheriffs are looking  
19 after him.

20 MR. PACIOCCO: It's a medical  
21 emergency.

22 THE COMMISSIONER: We'll take a short  
23 break.

24 THE CLERK: All rise. This Commission  
25 of Inquiry is in recess.

1 (Proceedings recessed at 11:55 a.m and  
2 reconvened at 2:00 p.m.)

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

5 THE COMMISSIONER: Are you finished?

6 MR. ZAZELENCHUK: I have finished,  
7 yes, sir.

8 THE COMMISSIONER: Mr. McDonald.

9 MR. McDONALD: I will exercise my  
10 right to finish, thank you, Mr. Commissioner.

11 THE COMMISSIONER: All right.  
12 Mr. Jack.

13 BY MR. JACK:

14 Q Constable Woychuk, I just have a few  
15 questions for you, relating mainly to the time you  
16 spent in the company of Derek Harvey-Zenk and/or  
17 the time he was in your custody. And I want to  
18 deal specifically with any searches you may have  
19 performed in the course of your handling of  
20 Mr. Harvey-Zenk.

21 Now, there is nothing in the material  
22 to suggest this, so I just want to confirm with  
23 you, that at no time when Derek Harvey-Zenk was in  
24 your custody, including whether it be in the  
25 vehicle or at the East St. Paul Police station, at

1 no time did you perform a search of his person,  
2 that's correct?

3 A Not at the vehicle. I don't recall  
4 who performed a search once he was arrested at the  
5 station.

6 Q Okay. But just to confirm you did not  
7 perform that search, correct?

8 A I don't recall if it was myself or  
9 Sergeant Carter that performed the search.

10 Q When you say performed the search, are  
11 you telling me that you are recalling a search?

12 A It would be policy to search anyone  
13 that is arrested and detained.

14 Q But did you perform any such search?

15 A Sorry, I don't recall if it was me or  
16 Sergeant Carter. It would have been one of the  
17 two of us.

18 Q And I don't believe you have made any  
19 note of having personally performed a search of  
20 Derek Harvey-Zenk?

21 A I don't have any note.

22 Q Do you have any recollection of being  
23 directed by Sergeant Carter or any other officer  
24 to actually perform a search of his person?

25 A No, I don't, sir.

1 Q And am I also correct when I state  
2 that at no point did you actually perform a search  
3 of the vehicle that Derek Harvey-Zenk had been  
4 driving prior to the accident?

5 A That's correct, I did not.

6 Q Am I also correct in stating that at  
7 no time were you directed by any other officer  
8 within the East St. Paul Police department to  
9 conduct a search of that vehicle?

10 A That's correct.

11 (Brief recess)

12 THE COMMISSIONER: We are ready.

13 BY MR. JACK:

14 Q Thank you, Constable Woychuk. Just a  
15 few more. I don't know if you still have it in  
16 front of you, I'm going to be referring to exhibit  
17 106, that's found at the materials tab E-1.23.i.  
18 You have that in front of you?

19 A Yes, I do.

20 Q And this is the East St. Paul Police  
21 prisoner log sheet; that's correct?

22 A Yes, it is.

23 Q It has already been referred to  
24 before. This was completed by you, is that  
25 correct?

1           A     That's correct.

2           Q     And I note on the right, in the mid  
3 section of the page, we have a box for property  
4 surrendered to police. Do you see that?

5           A     Yes, I do.

6           Q     Were you the one dealing with  
7 Mr. Harvey-Zenk in the surrender of those items?  
8 Do you recall that?

9           A     I don't recall, sir.

10          Q     Do you recall having taken any of  
11 those items from him?

12          A     I don't recall who performed the  
13 search. It would have been either myself or  
14 Sergeant Carter.

15          Q     And I'm now not necessarily talking  
16 about a search, of course. The form speaks to  
17 property surrendered to police. Do you have any  
18 recollection of when that might have been  
19 surrendered to the police?

20          A     When?

21          Q     Do you have any recollection of those  
22 items being turned over, either to you or Sergeant  
23 Carter or to any other officer?

24          A     I don't recall them being turned over.

25          Q     And you will note that one of the

1 items that are listed within that box, that being  
2 wallet with contents; do you see that line?

3 A Yes, I do.

4 Q Do you have any recollection of a  
5 wallet with contents being turned over?

6 A No, I don't, sir.

7 Q So, therefore, I would take it, you  
8 have no recollection of whether or not you may  
9 have performed a search of the contents of that  
10 wallet?

11 A No, I don't recall if I did or not.

12 Q Absolutely no recollection?

13 A No, I don't.

14 Q No recollection of even seeing the  
15 wallet in question?

16 A I don't recall it. The normal  
17 practice would be, if you see something you would  
18 look in there to make sure, I guess to account for  
19 money or something that would be in there.

20 Q And it would be fair to say,  
21 particularly given a review of your notes, that  
22 despite your lack of recollection of whether or  
23 not you looked at any of these items, whether or  
24 not these items were turned over to you, it would  
25 be fair to suggest that at no time did you obtain

1 anything you considered evidence of anything,  
2 either in dealing with those items or in dealing  
3 with Mr. Harvey-Zenk?

4 A That's correct.

5 Q That's correct?

6 A Yes.

7 MR. JACK: Thank you, constable. I  
8 have no further questions.

9 THE WITNESS: Thank you.

10 BY MR. WEINSTEIN:

11 Q Constable, Woychuk, just to perhaps  
12 put you at ease I can advise you that I will not  
13 be cross-examining you on the number of cones that  
14 were there, or the colours of the cones, so you  
15 can put that out of your mind for now. Nor will I  
16 be cross-examining you on what people may think,  
17 because, as we know, you can't control what people  
18 think; correct?

19 A Correct.

20 Q Now, let me ask you about your  
21 experience again, and I think you referred to it  
22 yesterday, dealing with impaired drivers; correct?

23 A Correct.

24 Q And you've dealt with several in the  
25 past; correct?



1           A     Correct.

2           Q     And you've arrested several, some of  
3 those in the past?

4           A     Up to this point?

5           Q     Yes?

6           A     Yes, sir.

7           Q     Yeah. And you have observed symptoms  
8 of impairment in the past; is that correct?

9           A     Yes, sir.

10          Q     So would I be correct to say that some  
11 of the answers you gave today, as far as not  
12 observing symptoms of impairment, that's somewhat  
13 also based on your previous experience; is that  
14 correct?

15          A     That would be correct.

16          Q     All right. You attend to the scene,  
17 you are on an overlap, you have just come off  
18 shift; correct?

19          A     Yes.

20          Q     And you attend at the scene, and I'm  
21 not going to go through everything, or where you  
22 were and all of that. One of the functions you  
23 were doing is traffic control. Would that be a  
24 fair statement?

25          A     Yes, it would.

1 Q And you've had experience in traffic  
2 control; correct?

3 A Yes, I have.

4 Q All right. So no one had to give you  
5 instructions at the scene how to do traffic  
6 control, is that correct?

7 A That's correct.

8 Q All right. You based it on your  
9 experience, correct?

10 A That's correct.

11 Q Okay. In other words, Mr. Bakema did  
12 not have to give you directions on how to do  
13 traffic control, you knew how to do it, correct?

14 A I don't recall him giving me any  
15 directions on traffic, sir.

16 Q Right, because you didn't need it, did  
17 you?

18 A That's correct.

19 Q Now, as you are at the scene, and  
20 we've heard before it was somewhat chaotic; is  
21 that correct?

22 A That is correct.

23 Q Because you are dealing with a busy  
24 area of the city road-wise, you are dealing with a  
25 particular time where people are generally going

1 to work, traveling to work; correct?

2 A Yes, sir.

3 Q It was chaotic at the scene?

4 A Yes, it was.

5 Q And when you got there, and I've read  
6 your interviews, as you have, your three  
7 interviews, two with the RCMP and one with  
8 Commission Counsel, and we will get into those.  
9 But in your first interview with the RCMP, and  
10 you've read your interviews, no doubt, correct?

11 A Yes, I have.

12 Q Prior to yesterday, correct?

13 A Yes.

14 Q Did you reread them last evening?

15 A I did not, sir.

16 Q All right. In your first interview  
17 with RCMP, you were fairly positive at that time  
18 that the first thing that happened, and you  
19 mention it more than once in your first interview,  
20 that as soon as you pulled up and Mr. Bakema  
21 brought Woychuk -- excuse me, Mr. Zenk, over,  
22 correct?

23 A Yes.

24 Q And to this day --

25 THE COMMISSIONER: Just a second.

1 Yes?

2 MR. PACIOCCO: I was going to suggest  
3 that if counsel is going to refer to the  
4 transcript and what it contains, we should be  
5 given precise references so that we can verify and  
6 satisfy ourselves that it is being completely and  
7 accurately related to the witness.

8 THE COMMISSIONER: I think you were  
9 just generally doing a background?

10 MR. WEINSTEIN: Correct.

11 THE COMMISSIONER: All right. If you  
12 are going to be, it might be of assistance to  
13 counsel if you could at least point to the  
14 pages --

15 MR. WEINSTEIN: All right.

16 THE COMMISSIONER: -- when you get to  
17 more specifics.

18 BY MR. WEINSTEIN:

19 Q The points I asked you up to date, you  
20 recall those being in your first interview with  
21 the RCMP; correct?

22 A Yes.

23 Q Page 7 of the, I'm talking about the  
24 first interview, page 7 near the top, is your  
25 answer:

1 "I just pulled up, he was walking up,  
2 and then I got out and then he put him  
3 in the back of the vehicle. And then  
4 he shut the door."

5 Do you see that in your first interview?

6 A Yes, I do.

7 Q So you told the RCMP in your first  
8 interview, early on at page 7, that basically as  
9 soon as you pulled up, got out of the car,  
10 Mr. Zenk was being brought to your vehicle;  
11 correct?

12 A Yes.

13 Q And just again for the benefit of  
14 Mr. Commissioner and counsel, page 5:

15 "Well, I pulled up here. Just as I  
16 pull up, I wasn't even out of my  
17 vehicle yet, Chief Bakema was walking  
18 up to the vehicle with  
19 Harveymordenzenk."

20 All right. You saw that, page 5, sir, the top?

21 A Yes, I see that, sir.

22 Q Yeah. So, at least your recollection  
23 was that he was brought up basically as soon as  
24 you got there; correct?

25 A That's correct.

1 Q Okay. And to this day, can you  
2 positively state that that wasn't the case?

3 A I don't recall exactly, I can't  
4 positively recall that.

5 Q Okay. But that's what you recalled,  
6 at least when you gave your interview on May 24th,  
7 2006?

8 A Yes, sir.

9 Q And take my word for it, that is the  
10 time of your interview at 12:55 p.m. So are you  
11 sure you weren't standing outside of your vehicle  
12 when Mr. Zenk was brought up?

13 A I believe I was inside my vehicle.

14 Q I believe -- does that mean you are  
15 positive or that's what you think?

16 A I recall seeing him come up through  
17 the rear view or the side mirror, one of the  
18 mirrors.

19 Q Side mirror, rear view mirror, both,  
20 which one?

21 A I believe it is a side view, but I  
22 think I have referred it to as a rear view.

23 Q Yeah. That's why I'm raising it now.  
24 Is there any doubt in your mind that there was  
25 only person with Mr. Zenk?

1 A No, there is not.

2 Q Just Mr. Bakema?

3 A That is correct.

4 Q All right. And you certainly didn't  
5 go up to the truck where Mr. Zenk may have been,  
6 did you --

7 A No, I did not.

8 Q -- at any time?

9 A Not at any time, I did not.

10 Q Did you see Constable Graham go up to  
11 the truck at any time and help bring Mr. Zenk to  
12 your vehicle?

13 A No, I did not see him do that.

14 Q So your evidence is, and there is no  
15 doubt in your mind, that there was only, when you  
16 saw Mr. Zenk, there was only one policeman with  
17 him; correct?

18 A That is what I recall, yes.

19 Q Yeah. And as soon as he was brought  
20 up, he was put in your vehicle; correct?

21 A That's correct.

22 Q No doubt about that?

23 A That's what I recall, yes, sir.

24 Q Yes. And that's what you told us  
25 yesterday, and that's what you told the RCMP, that

1 he was put in your vehicle. He wasn't taken over  
2 to Mr. Graham, Constable Graham's vehicle and  
3 stood outside for 15 minutes. Did you ever see  
4 that happen?

5 A No, I did not, sir.

6 Q He brings him to your vehicle, he puts  
7 him in. And is it your evidence -- well, what did  
8 he first say?

9 A After he was in the vehicle?

10 Q Yeah. As soon as he puts him in the  
11 vehicle, I assume the door is closed, correct?

12 A Correct.

13 Q What is the first thing he says?

14 A I don't recall what the first thing he  
15 said or --

16 Q And I assume also, sir, and you  
17 correct me if I'm wrong, that you in fact don't  
18 remember the exact words; correct?

19 A I don't remember the exact words.

20 Q Okay. And my learned friend yesterday  
21 put to you a different version, something about  
22 "put him in, see if you can smell anything," do  
23 you recall something like that, sir?

24 A No, I don't. That wasn't said to me.  
25 I recall the general idea of the conversation but



1 I don't recall the exact words or which order they  
2 were in.

3 Q There was also mention that he appears  
4 to be distraught, correct?

5 A I don't necessarily recall hearing  
6 that word.

7 Q Well, it is in your notes. It is in  
8 your narrative that Chief Bakema said he appeared  
9 to be distraught; correct?

10 A Correct.

11 Q It is your narrative, correct?

12 A Yes.

13 Q And it is not -- your narrative isn't  
14 that you said the word distraught, it is that  
15 Harry Bakema said the word distraught; correct?

16 A Correct.

17 Q And I think you mentioned yesterday  
18 that your conversation at this point was  
19 approximately 20 to 30 seconds. We are talking  
20 about a brief conversation, correct?

21 A That's correct.

22 Q Okay. He told you he is a cop or WPS  
23 member, is that correct? Did he tell you that at  
24 the time?

25 A I believe he did, yes.

1 Q Okay. But no name was given, correct?

2 A Correct.

3 Q Now, he is in your vehicle, and Chief  
4 Bakema goes off to do other duties; correct?

5 A Correct.

6 Q And the instructions were that I've  
7 called or I'm calling Chief Carter out, or  
8 Sergeant Carter out, to come to the office to deal  
9 with that individual; correct?

10 A The original direction was that  
11 Sergeant Carter would be coming to the scene.

12 Q At the scene, okay. And that changed  
13 that he is going to the office, correct?

14 A At some point it changed to the  
15 office, yes.

16 Q And your instructions, and they  
17 weren't that complicated instructions, was wait  
18 until Sergeant Carter is at the office and take  
19 this person to the office; correct?

20 A I was told at one point that Sergeant  
21 Carter is at the office, or meeting me there, to  
22 go there.

23 Q Right. But my point is, the  
24 instructions weren't that difficult. When Carter  
25 gets to the office, take him in, basically turn

1 him over to Carter; isn't that what your  
2 instructions were?

3 A My instructions were to take him there  
4 and meet Sergeant Carter there, yes.

5 Q Well, what did you think you were  
6 going to do with him once you got to the office?  
7 Did you think you were going to turn him over to  
8 Carter?

9 A I guess that's what I would have  
10 thought, yeah.

11 Q Yeah. And Carter, and I'm not  
12 belittling your experience, Constable Woychuk, but  
13 Carter had more experience than you; correct?

14 A Yes, he did.

15 Q He has dealt with a lot more impaired  
16 drivers than you have, correct?

17 A Yes, sir.

18 Q So it made sense that you are turning  
19 him over to Carter, correct?

20 A Correct.

21 Q Did Harry Bakema tell you to -- that  
22 you are turning him over to Carter because Carter  
23 has more experience?

24 A I was only told to take him to  
25 Sergeant Carter.

1           Q     Why I'm putting that to you, in  
2     fairness, is in the material Sergeant Carter says  
3     that you told him, Harry said he should be turned  
4     over to you because you've got more experience.  
5     You don't recall that?

6           A     No, I don't, sir.

7           Q     All right. Now, you indicate at the  
8     scene you had a brief conversation with  
9     Mr. Rosser, correct?

10          A     Correct.

11          Q     And we are talking the paramedic who  
12     is in the car with Mr. Zenk, correct?

13          A     Correct.

14          Q     And are you in the car when the  
15     examination is taking place of Mr. Zenk by  
16     Mr. Rosser?

17          A     No, I was outside the vehicle.

18          Q     Okay. And any idea, not that a lot  
19     turns on it, but any idea how long Mr. Rosser was  
20     in the vehicle with Mr. Zenk?

21          A     I don't recall for certain. It was  
22     not a long duration, though.

23          Q     We are talking what, ten minutes, less  
24     than ten?

25          A     Probably maximum ten minutes.

1           Q     All right.  He comes out, and  
2     according to your evidence, he tells you that he  
3     refused medical attention, correct?  He signed a  
4     waiver, or words to that effect, correct?

5           A     Yes.

6           Q     And you said, according to your  
7     evidence, did he say I smelt liquor or did he say  
8     he could be impaired?  What did he say?

9           A     I don't recall if it was a comment or  
10    if it was a hand gesture.

11          Q     Okay.  And I will find it and I will  
12    come to it.  If I could just have a moment.

13                     Page 41, page 41, Mr. Commissioner,  
14    first interview with the RCMP.  I'm sorry, page  
15    42:

16                     "KENNETT:  All right.  And Ted Rosser  
17                     gave you the indication.  You are not  
18                     sure of the wording or something like  
19                     that?

20                     WOYCHUK:  Yeah, I don't recall.  I  
21                     think he just kind of said, he got  
22                     out, kind of shut the door."

23    It says I might have been, it should be I believe  
24    it might have been.

25                     "He is done?  He is like, yeah.

1 KENNETT: Um-huh.

2 WOYCHUK: He told me that he refused

3 and he said..."

4 this is in quotes,

5 "...he might be drunk, eh," or, "he

6 could be drinking." I don't recall the

7 wording."

8 So it appears from page 42 that there was some

9 verbal communication between Rosser and you?

10 A Yes.

11 Q You would agree with that. And in

12 fairness to you, we have heard from Mr. Rosser,

13 who is firm in his evidence that he never told any

14 police officer about any smell of liquor, or could

15 be drinking, nothing like that, in fairness to

16 you?

17 A Okay.

18 Q And you say otherwise?

19 A That's who I believe to be Ted Rosser.

20 Q Well, that was the guy that was in the

21 car, that's the guy who got the waiver signed;

22 correct?

23 A Correct.

24 Q And we have heard that was Mr. Rosser,

25 okay. So let's assume from your evidence then

1 that Mr. Rosser said it. And I assume you would  
2 have passed this on. Would you have passed it on  
3 to Mr. Bakema?

4 A I believe I would have. I don't  
5 recall if I did or not.

6 Q It makes sense you would have, does it  
7 not?

8 A It would.

9 Q Yeah. So let's assume, let's just  
10 assume for the moment that you passed this on to  
11 Mr. Bakema. Okay. And let's just assume for the  
12 moment that Mr. Bakema said he could be impaired,  
13 okay. Something like that, okay?

14 A Okay.

15 Q He didn't use the word "pissed";  
16 correct?

17 A I don't recall that word.

18 Q .No?

19 A I don't recall, no.

20 Q You recall more a word "impaired" than  
21 "pissed"; would that be fair?

22 A I recall it being impaired or possibly  
23 impaired or something.

24 Q Thank you. All right. So now you've  
25 got this conversation, you say from Rosser, that

1 you think you passed on to Mr. Bakema. And you've  
2 got the conversation from Mr. Bakema about,  
3 according to your evidence, he is impaired or  
4 possibly impaired. You were given instructions to  
5 take him to Carter; correct?

6 A Correct.

7 Q He didn't give you any other  
8 instructions, did he?

9 A No, he didn't.

10 Q That you are positive on, correct?

11 A I don't recall any other instructions,  
12 no, sir.

13 Q Well, is it your best evidence that  
14 that was the extent of the instructions you  
15 received from Mr. Bakema?

16 A That's what I recall, take him to the  
17 office and meet Sergeant Carter.

18 Q Harry Bakema didn't tell you, you  
19 know, you shouldn't make your own observations  
20 about whether he is impaired? He didn't say that  
21 to you, did he?

22 A No, he didn't.

23 Q He didn't say to you, don't tell  
24 Carter what Rosser said. He didn't tell that to  
25 you either?



1           A     No, he did not.

2           Q     He didn't tell you not to say that he  
3     could be possibly impaired, correct? He didn't  
4     say that, that you shouldn't tell Carter that,  
5     correct?

6           A     I don't recall him saying that, no.

7           Q     Because he didn't say that, correct?

8           A     I don't recall him saying that, sir.

9           Q     Is your best evidence he didn't say  
10    that?

11          A     I guess, I don't recall, so I guess I  
12    would.

13          Q     You see, later on, and we will get to  
14    your part of the evidence later about note-taking  
15    and all of that. What I'm getting at, in fairness  
16    to you, you have this conversation with Rosser,  
17    best of recollection, you tell it to Mr. Bakema.  
18    Mr. Bakema doesn't tell you not to tell it to  
19    Carter. Do you tell it to Carter?

20          A     I don't recall if I did. I believe I  
21    did.

22          Q     Well, "I believe I did." Surely, you  
23    would pass on something like that? Why won't you  
24    pass on something like that?

25          A     I don't know, sir.

1 Q Okay. Surely you passed on -- did you  
2 pass on the conversation about what Harry  
3 supposedly said to you, Harry Bakema said to you?

4 A Which conversation?

5 Q About possibly being impaired?

6 A I don't recall if I relayed that  
7 either.

8 Q If you didn't, shouldn't you have?

9 A I should have.

10 Q After all, Harry didn't tell you,  
11 don't tell that to Carter, so there was nothing to  
12 stop you from telling that to Carter; correct?

13 A That's correct.

14 Q And also, you know, you have this  
15 conversation with Rosser, et cetera, and later  
16 on -- and again, I'm sorry for jumping ahead  
17 because I'm going to come back to it -- you know,  
18 you are told not to put in your notes about what  
19 Rosser said, but yet you were absolutely free to  
20 tell Carter about your conversation with Rosser  
21 once you got to the station; correct?

22 A Correct.

23 Q Yeah. And are you aware that it was,  
24 in fact, Mr. Bakema that took the statement from  
25 Rosser later on, not that day, not next day, but

1 took a statement from Rosser that there is a  
2 statement about the smell of liquor; correct?

3 A Possibly.

4 Q Accept what I'm saying. Okay.

5 A Correct.

6 Q It was Mr. Bakema that said that,  
7 okay. So does it make any sense that Mr. Bakema,  
8 number one, would take that statement from Rosser  
9 that talks about alcohol, or liquor, excuse me,  
10 that Bakema didn't tell you, don't tell Carter  
11 that, okay. And yet you are saying later on  
12 Bakema says, well, don't put what Rosser said in  
13 your notes. Do you see why to me it doesn't make  
14 sense, sir?

15 A I see that.

16 Q Yeah. I'm sorry for jumping around a  
17 bit. But when you got to the station, sir, did  
18 you tell Carter that he hasn't been charged and  
19 cautioned?

20 A I don't recall if I did or not. I  
21 probably would have said that. I don't recall.

22 Q Let me ask you this: Do you recall  
23 Carter asking you if he had been chartered?

24 A No, I don't.

25 Q Is it your best evidence, and I

1 appreciate we all have trouble with recall, I'm  
2 just asking you to give your best evidence. Is it  
3 your best evidence that you didn't tell him that  
4 you hadn't chartered him, or he hadn't asked you  
5 about that?

6 A I don't recall either way.

7 Q Okay. Getting back -- I'm sorry for  
8 jumping back -- back at the scene you see them  
9 walking, albeit a short period of time, correct?  
10 Walking, Mr. Bakema walking Mr. Zenk, correct?

11 A Correct.

12 Q Ten feet, something like that, okay.  
13 Nothing in the walk that you came to the opinion,  
14 hey, this person could be impaired because of his  
15 manner of walking; correct? There was nothing  
16 there, correct?

17 A Correct.

18 Q You are in the car, albeit Mr. Zenk is  
19 not a chatter box, but he is answering some of  
20 your questions; correct?

21 A Correct.

22 Q Okay. No slurring of his words,  
23 correct?

24 A Correct.

25 Q Those two are some of the two classic

1 symptoms of an impaired driver, or possible  
2 impaired person, let's put it that way; correct?

3 A Correct.

4 Q You know that from your experience,  
5 you know that from reading that; correct?

6 A Correct.

7 Q And nothing -- another one is glassy  
8 bloodshot eyes. Nothing -- you didn't observe  
9 that either, correct?

10 A No, sir, not that I recall.

11 Q And you had occasion to see his face,  
12 correct?

13 A Correct.

14 Q That's another symptom of possible  
15 impaired driving, or an impaired person, correct?

16 A Correct.

17 Q And you might have been asked this.  
18 He produced his driver's licence?

19 A Yes, sir.

20 Q Okay. One of the symptoms of an  
21 impaired person is poor coordination or, you know,  
22 we've heard this, if you are defence or Crown for  
23 a number of years, fumbled for his wallet. Did he  
24 fumble for his wallet at any time that you saw?

25 A Not that I recall, sir.

1           Q     And surely, if you had observed any of  
2     those symptoms, it would have lead you to believe  
3     at that time you are dealing with an impaired  
4     person, correct?

5           A     Yes, sir.

6           Q     But at that time you did not think you  
7     were dealing with an impaired person, because you  
8     didn't have any signs of impairment, correct?

9           A     Correct.

10          Q     And I believe, I will just double  
11     check the page -- did you think he was perhaps in  
12     shock?

13          A     That was what I felt, yes, sir.

14          Q     Yeah. Because he had been in an  
15     accident?

16          A     Yes, sir.

17          Q     Correct?

18          A     Yes.

19          Q     And so it is not an opinion of  
20     impairment, it is an opinion of perhaps being in  
21     shock?

22          A     Yes, sir.

23          Q     And possibly injured?

24          A     Yes, sir.

25          Q     Because -- well, you did see some dry

1 blood or blood around his nose?

2 A Yes, sir.

3 Q At that stage, sir, did you have any  
4 grounds to make an arrest of Mr. Zenk?

5 A No, sir.

6 Q Okay. And I assume, since you didn't  
7 have the grounds to make an arrest, you wouldn't  
8 have told him you are under arrest for whatever;  
9 correct?

10 A That's correct.

11 Q And if you are not telling him that he  
12 is under arrest, you are not giving him a charge  
13 and caution, correct?

14 A Correct.

15 Q You are not giving him his charter  
16 rights because there is no grounds for his arrest,  
17 correct?

18 A Correct.

19 Q Then I will jump again. You told this  
20 inquiry that in your opinion Harry Bakema told you  
21 about the TAR, traffic accident report, so it  
22 would align with his notes. Do you remember  
23 saying that clearly, sir?

24 A I remember a conversation, I remember  
25 reading it in my interviews.

1           Q     Well, from your reading and from your  
2 evidence, did you not say one of the reasons you  
3 thought that Harry told you to put that in, to  
4 line with his notes?

5           A     Yes.

6           Q     Well, again, why that doesn't make  
7 sense, sir, is because there is nothing in Harry  
8 Bakema's notes about a TAR. So, do you see my  
9 problem with an alignment here?

10          A     I can see your problem, yes, sir.

11          Q     Still in the car with Mr. Zenk, I will  
12 use the term "right off the bat," right off the  
13 bat did you smell an odour of liquor, right off  
14 the bat?

15          A     Are you asking if I did?

16          Q     Yes, I'm sorry?

17          A     No, sir.

18          Q     It was later on, after Mr. Zenk had  
19 been in the car for a while, correct?

20          A     That's correct.

21          Q     You are on your way to the office, you  
22 may be close to the office; that's when you detect  
23 "a slight odour of liquor," correct?

24          A     Correct.

25          Q     So it wasn't something that was



1 overpowering, correct?

2 A Correct.

3 Q And you never smelled it, and I  
4 appreciate your evidence that you had a cold and  
5 Halls and all of that, but towards the end of your  
6 journey to the detachment, or to the office, then  
7 you smelled the odour of liquor; correct?

8 A Correct.

9 Q You get to the office. Does Carter  
10 ask you anything about, you know, what you  
11 observed at the scene about him?

12 A I don't recall.

13 Q If you had told Carter that Harry said  
14 he could be possibly impaired, did you -- did he  
15 ask you, do you know on what basis Harry said  
16 this? Did he ask you that? Do you recall that?

17 A No, I don't.

18 Q That day -- and I will just touch upon  
19 something. Did you tell Sergeant Carter that day  
20 that you were unhappy with the directions?

21 A I don't recall if I told him that day  
22 or not.

23 Q Okay. And unhappy because you didn't  
24 feel you were given enough direction, correct?

25 A That's correct.

1           Q     The direction of take him to the  
2 office, Carter is there, wasn't enough direction  
3 for you; is that what you are telling us, sir?

4           A     Yes, sir.

5           Q     And you saw, was it a bit of  
6 stumbling -- and Mr. Paciocco went over it, and  
7 I'm not going to go through that again --  
8 stumbling or unsteady on his feet, you saw that  
9 when? When he got out of the car?

10          A     I believe it was at the office. I  
11 don't necessarily recall that myself right now.

12          Q     Did it trigger in your mind also that,  
13 fine, he could be impaired, but it also could be  
14 as a result of being in the accident; correct?

15          A     Correct, it could be.

16          Q     Yeah. Because you have seen that in  
17 the past. You've attended an accident scene, a  
18 person is not impaired by alcohol or drug, but as  
19 a result of the accident, unsteady on their feet.  
20 You've seen that, correct?

21          A     Yes.

22          Q     Because you said, page 27 of your  
23 first interview:

24                     "But, I mean, at that time too I could  
25                     still have mistaken those same

1 symptoms for being in an accident."

2 And you answered it there and you answered it  
3 truthfully here, correct?

4 A Yes.

5 Q So that part of your evidence is  
6 certainly consistent.

7 Now, according to your evidence, Harry  
8 said, you know, don't put in about Rosser and put  
9 in about the TAR; correct?

10 A Correct.

11 Q And we know the TAR doesn't align with  
12 his notes. We've gone through that?

13 A Correct.

14 Q And we've gone through the Rosser  
15 situation, what we heard from Rosser in who took  
16 his statement later.

17 You knew at the time, and there is no  
18 question about it, I don't think there is any  
19 dispute, that Sergeant Carter, on February 25th,  
20 was the reader; correct?

21 A For most files, yes.

22 Q Yeah. For most files, yes. And we  
23 will hear evidence from Sergeant Carter, this file  
24 became his that day when they cleared the scene?

25 MR. McDONALD: Well, I have to rise on

1 that, because I think when counsel puts  
2 anticipated evidence to a witness, it must be  
3 fairly characterized. And I, sitting here, cannot  
4 agree that that's a fair characterization of  
5 Sergeant Carter's evidence.

6 MR. WEINSTEIN: Then we will do it  
7 another way.

8 BY MR. WEINSTEIN:

9 Q Whose file -- I'm talking now at the  
10 time that you got to the detachment that day, next  
11 day -- whose file was it? Who is the investigator  
12 now?

13 A I'm not sure if I know who it was at  
14 that time.

15 Q Who dealt with the accused?

16 A Sergeant Carter.

17 Q Is it a big leap of faith not to know  
18 that it is probably his file, with his experience?  
19 Does that sound strange to you?

20 A No, it doesn't sound strange.

21 Q It is probably logical that it would  
22 be his file, correct? With his experience, he  
23 dealt with him, he charged and cautioned him and  
24 did all of that, correct?

25 A Correct. I don't recall knowing whose

1 file it was, though, but that would be logical.

2 Q And a reader, assume for a moment that  
3 Carter was the reader. I am talking him -- a  
4 reader is a person who goes through files,  
5 correct?

6 A Correct.

7 Q To make sure things are proper,  
8 correct?

9 A Correct.

10 Q Anything that has to be redone is  
11 redone. And I'm not saying there is anything  
12 wrong, I'm not getting to there, but anything that  
13 has to be redone or clarification, that comes from  
14 the reader, correct?

15 A Correct.

16 Q That's who it comes from. And in the  
17 past, when Sergeant Carter has been the reader and  
18 you've been on a file, am I not correct, on  
19 occasion, not every file, I'm not suggesting that,  
20 Constable Woychuk, but on occasion Sergeant Carter  
21 would say to you, I'm not clear in your notes  
22 about this, or I'm not clear about that; correct?

23 A Correct.

24 Q And what you do -- and I'm not again  
25 suggesting anything is wrong in my question to

1 you -- and after that inquiry by the reader, and  
2 giving you his opinion, you would add things,  
3 correct?

4 A Correct.

5 Q To make it clearer, correct?

6 A Correct.

7 Q And that's the job of the reader, to  
8 make sure that things are correct, to make sure  
9 things make sense; correct?

10 A Correct.

11 Q Just talking about the alignment --  
12 and being fair to you, this is page 63, again,  
13 RCMP interview, Mr. Commissioner.

14 THE COMMISSIONER: 63?

15 MR. WEINSTEIN: Page 63.

16 BY MR. WEINSTEIN:

17 Q Mr. Doyle is asking you questions, and  
18 he is asking you your impression about being asked  
19 to add something or take something out.

20 "Well, I guess my impression would be  
21 that probably to align with what they  
22 wrote or what Harry wrote in his  
23 notes. And then probably also to make  
24 up for time, the time delay or for the  
25 reason why he never formed any grounds

1 and arrested him for impaired

2 driving."

3 You saw where I read?

4 A Pardon me, sir?

5 Q Were you following along as I was

6 reading?

7 A Yes, sir, I was.

8 Q Just there, the first impression is

9 the alignment, correct?

10 A Correct.

11 Q That's the first sort of answer you

12 give about your impression of why, you know, you

13 were asked, as you claimed, to put things in or

14 take things out, correct, or not put things in,

15 correct?

16 A Correct.

17 Q Still sticking to that first

18 transcript, turn to page 51, near the top, I will

19 read it, 51, and Woychuk, this is what you say:

20 "Then I went in there and I talked to

21 Norm. I told him there were some, I

22 told him the comment that Harry told

23 me.

24 KENNETT: Um-huh. Which one?

25 WOYCHUK: That he could be impaired.

1 KENNETT: Uh-huh.

2 WOYCHUK: I mean so I told Norm that  
3 there is a possibility that he's  
4 impaired and obviously he talked to  
5 Harry on the phone. So I don't know  
6 what was said between the two of  
7 them."

8 Does that refresh your memory, that you told him,  
9 according to this, that you told Carter apparently  
10 what Harry said to you?

11 A I still don't recall, sir.

12 Q Okay. Well, there is something about  
13 a phone call. Do you see that?

14 A I don't recall ever knowing of the  
15 phone call or any way of communication. That  
16 might have been something I --

17 Q I'm having trouble and, again, sir, I  
18 know people have problems with recall. When you  
19 were giving this, or having this interview, okay,  
20 and you had no recollection of the phone call,  
21 okay, are you following me?

22 A Yes, sir.

23 Q Why in God's name would you talk about  
24 a phone call if you didn't have any recollection  
25 of a phone call? Why out of the blue are you



1 telling the RCMP that Harry, or that he, being  
2 Carter, talks to Harry on the phone? Why would  
3 you bring that up?

4 A I don't know. Maybe that's what I  
5 thought at the time there. I don't recall it now.

6 Q Did you -- obviously he talked to  
7 Harry on the phone. So -- and you didn't know  
8 what was said between the two of them, but from me  
9 reading this, perhaps it is just me, it is pretty  
10 clear that you told them, the RCMP, that there is  
11 a phone call, Carter calls Harry or speaks to  
12 Harry on the phone. And this is after, if you  
13 followed along, it appears that that's after you  
14 tell Carter that he is possibly impaired.  
15 Correct?

16 A Correct.

17 Q At what stage did you come to the  
18 opinion that Zenk was impaired? Was it back at  
19 the station, or did you ever come to an opinion he  
20 was impaired?

21 A I don't recall the exact time.

22 Q Did you ever come to an opinion that  
23 he was impaired?

24 A Possibly, after getting an odour of  
25 liquor, and then that I had that he stumbled. I

1 don't recall at what point it came.

2 Q But in all likelihood, if you did come  
3 to the opinion of Derek Harvey-Zenk being  
4 impaired, it would have been at the station;  
5 correct?

6 A Correct.

7 Q Where you now, nearing the station,  
8 you have got the smell of liquor, he is unsteady,  
9 he is stumbling, whatever you want to call it;  
10 correct?

11 A Correct.

12 Q But at the scene, and you were asked  
13 this -- and in fairness to you, you were asked  
14 about whether you were trying to minimize, at the  
15 scene or being in the car with Derek Harvey-Zenk,  
16 minimizing your observations for symptoms of  
17 impairment. And I'm suggesting to you that you  
18 weren't trying to minimize them, you just didn't  
19 see the symptoms of impairment, because based on  
20 your observation, they were not there; correct?

21 A I don't recall getting signs and  
22 symptoms in the vehicle.

23 Q Right. So it is not as though anyone  
24 suggested to you that you, in your report or  
25 anything like that, is minimizing your symptoms --

1 observation of symptoms of impairment. Your  
2 answer is, I wasn't minimizing the symptoms of  
3 impairment, I didn't see them. I just smelled  
4 liquor as I was getting closer to the station,  
5 correct? Isn't that correct?

6 A That's correct.

7 Q You said, and I'm still sticking to  
8 the first interview, sir -- I'll probably move on  
9 soon to the second -- page 57?

10 THE COMMISSIONER: 57?

11 MR. WEINSTEIN: 57, Mr. Commissioner.

12 THE COMMISSIONER: Thank you.

13 BY MR. WEINSTEIN:

14 Q Top of the page 57:

15 "KENNETT: Do you think he was trying  
16 to get this Harvey..."

17 And you interrupted him,

18 "No."

19 Did you already assume what the question was going  
20 to be?

21 A I guess so, yes.

22 Q Because it goes on, Kennett, if we  
23 read the two comments of Kennett together, it  
24 would read:

25 "Do you think he was trying to get

1                   this Harveymordenzenk off of any  
2                   charges at all?

3                   WOYCHUK: No, I don't."

4    And you were quite emphatic, sir.

5                   "Absolutely not. You know what? I  
6                   thought about that before but I really  
7                   don't think that was the case. I  
8                   think it was just the case that he  
9                   didn't want to have his name attached  
10                  to it. He didn't want to have to  
11                  testify against Harveymordenzenk. He  
12                  didn't want to be the one to arrest  
13                  him."

14   Do you recall that?

15                  A     Yes.

16                  Q     And that's your opinion today?

17                  A     That was my opinion, and I still have  
18   that opinion, yes.

19                  Q     Exactly. And you are sticking to that  
20   opinion, correct?

21                  A     Correct.

22                  Q     And do you, I'm suggesting to you,  
23   Jason Woychuk, that you didn't do anything  
24   deliberately to try and get Derek Harvey-Zenk out  
25   of charges, did you?

1           A     No, I didn't.

2           Q     And in fairness to you -- now I'm  
3 going to go on, Mr. Commissioner, to the second  
4 interview, near the bottom of the page. In  
5 fairness to you -- page 5, Mr. Commissioner.

6           THE COMMISSIONER: I am sorry, five?

7           MR. WEINSTEIN: Yes, five, towards the  
8 bottom of the page.

9 BY MR. WEINSTEIN:

10          Q     I will let you read it so I don't have  
11 to read it all into the record. Just read the  
12 last paragraph.

13                 In fairness to you, there you are  
14 saying to the RCMP you can't be positive which  
15 happened first, whether you put the cones out  
16 first or whether Mr. Zenk was brought to your car  
17 by Mr. Bakema; correct?

18          A     That's correct.

19          Q     Now, you have been asked questions  
20 about times, I think you were asked whether -- do  
21 you recall being asked about the time of 7:42  
22 having Bakema bring the accused to your vehicle;  
23 correct?

24          A     I have been asked about that, yeah.

25          Q     Yeah. And I think you said, and you

1 will correct me if I'm wrong, that you didn't and  
2 couldn't get it from the call sheet; correct?

3 A That's correct.

4 Q And to this day, you don't know where  
5 you got that time?

6 A No, I don't, sir.

7 Q And you say -- as you said at page 10,  
8 sort of towards the middle, this is the second  
9 interview, you were asked:

10 "Are those times the times you would  
11 have gotten off the call sheet?"

12 Your answer:

13 "Not the time he would have brought  
14 him to me, no. I don't, I honestly, I  
15 don't know where he got that time  
16 from. Where he brought him to me at  
17 my vehicle."

18 And you fairly say that would not be on the call  
19 sheet, correct?

20 A That's correct.

21 Q There is other times in your notes,  
22 correct, there is other times?

23 A Correct.

24 Q Do you know where you got those times  
25 from?

1           A     No, I don't, sir.

2           Q     And did you, and I'm not -- you don't  
3 know where you got those times from that you put  
4 down, correct? Is that your answer?

5           A     That's correct, I don't recall right  
6 now.

7           Q     Where do you usually get times from,  
8 in your experience and talking about you, not  
9 someone else, where do you usually get times for,  
10 that you put in the notes?

11          A     As you put them in.

12          Q     As you put them in?

13          A     That's correct.

14          Q     But in this particular case, this  
15 particular case, again, not being critical, you  
16 don't recall whether you did it at the time or  
17 not, or where you got the times from?

18          A     That's correct.

19          Q     Correct? You were asked again,  
20 Mr. Commissioner, bottom of page 12. So you have  
21 got yourself arriving at the scene, I believe, at  
22 7:22, and then Mr. Zenk is brought to your car at  
23 7:42; correct?

24          A     That's correct.

25          Q     And we are talking about 22 minutes,

1 or 20 minutes, excuse me?

2 A 20 minutes, yes, sir.

3 Q And you were asked by Doyle, one of  
4 the RCMP officers:

5 "During that twenty minutes did you  
6 observe Constable Graham, Chief Bakema  
7 in conversation, ah, interactions with  
8 the accused at all?

9 WOYCHUK: No, I don't recall. No, I  
10 don't recall seeing that at all."

11 Okay. You never saw that. That's your best  
12 evidence, in that 20 minutes you never saw  
13 interaction between Bakema and the accused, or  
14 Graham and the accused; would that be fair?

15 A That would be fair.

16 Q And you were further asked just the  
17 next line:

18 "Were you directed at any time to put  
19 a particular, um, time in your notes?  
20 By anyone?

21 WOYCHUK: Not that I recall, but by  
22 the, I don't know where that one time  
23 came from, where he brought him to  
24 me."

25 Later on in the next sentence:



1 "I can't explain that one."

2 And you were clear in the next couple  
3 of lines that you were not directed to put that  
4 time in. Do you see that, sir?

5 A Yes, I do, sir.

6 Q Did you see members -- perhaps, you  
7 were asked -- of the Taman family arriving, sir?

8 A No, I did not see them arriving.

9 Q Then your last interview, sir, was  
10 with Commission Counsel; is that correct?

11 A That's correct.

12 Q Mr. Commissioner, I don't believe this  
13 has been filed, so I would ask that be filed as  
14 the next exhibit. I note the two transcripts  
15 were, I believe, but not the transcript of the  
16 interview with Commission Counsel. I am fairly  
17 confident that it hasn't been filed, fairly. I  
18 ask that be filed.

19 THE COMMISSIONER: Yes.

20 THE CLERK: Exhibit 107.

21 THE COMMISSIONER: Do you have that?

22 THE WITNESS: I do have that, yes.

23 (EXHIBIT 107: Mr. Woychuk's interview  
24 by Commission Counsel, T.4.b)

25

1 BY MR. WEINSTEIN:

2 Q There is nothing in your notes about  
3 what you say Chief Bakema said, correct?

4 A That's correct.

5 Q There is nothing in your notes about  
6 that?

7 A That's correct.

8 Q And you can't give an explanation for  
9 that, as you told Commission Counsel, correct?

10 A Can I ask what page you are looking  
11 on, sir?

12 Q Well, say 40, I believe it is page 40.  
13 You are asked -- let's go back to 34, page 34,  
14 question -- and you are being examined by  
15 Mr. Clifford. Do you see page 34, sir?

16 A Yes, I do.

17 Q "Do you have any explanation at  
18 all that you can provide for the  
19 absence of anything in your notes  
20 about what Chief Bakema said at the  
21 scene to you about Harvey-Zenk?"

22 And your answer:

23 "No, I don't."

24 Do you see that, sir?

25 A I'm just looking here.

1 Q Top of the page 34.

2 A Yes, I see that.

3 Q Yes. Now, Mr. Paciocco, in a very  
4 thorough examination about your narratives, and  
5 I'm not going to go through that, you know where  
6 he showed you, by the time when this was done, and  
7 the next day, the following day, and all of that.  
8 Do you remember that examination --

9 A Yes.

10 Q -- by Mr. Paciocco? Now, I will have  
11 you turn to page 48, again, in the Commission  
12 interview? You have it with me?

13 A Yes, I do.

14 Q Top of page 48:

15 Mr. Clifford: Also noticing that when  
16 he was walking into the office, he  
17 appeared to be unsteady on his feet?"

18 A That's correct.

19 Q You did not include these  
20 observations in your initial draft or  
21 drafts of your incident narrative  
22 report?

23 A That's correct.

24 Q And they are not included in your  
25 duty-book notes?

1           A     No.  The observations of odour of  
2                    liquor is not, and is not unsteady of  
3                    his feet."

4    That makes no sense.

5           "Q    Can you give an explanation for  
6                    how these pieces of information are in  
7                    the incident narrative report?"

8    And your answer:

9                    "I don't have an explanation on why  
10                   that was added.  I guess I really  
11                   don't have an explanation why I added  
12                   them, or if I were just told to add,  
13                   to work on my narrative.  Just looking  
14                   at this, I don't know where the sticky  
15                   note came from."

16   Let me just stop you there for a second.  In the  
17   past, when Carter is the reader, he has told you  
18   in the past that your narrative needs some work,  
19   correct?

20           A     Correct.

21           Q     So let's go back again.

22                    "I guess I really don't have an  
23                   explanation why I added them or if I  
24                   was told to add, to work on my  
25                   narrative.  Just looking at this, I

1 don't know where the sticky note came  
2 from."

3 Which is in quotes.

4 "Notes and narrative are different."

5 So if it was sent back to me from

6 whoever reviewed the file to..."

7 And then you are interrupted.

8 "Would this be a common occurrence,

9 somebody might review it, your

10 incident narrative?

11 A They review it and if there is

12 inconsistency, then we would get

13 something back and be told to correct

14 the errors, yes, that would be

15 common."

16 And it would be common being done by the reader,

17 correct?

18 A Correct.

19 Q And if Sergeant Carter was a reader on

20 this particular file, you are getting

21 instructions, and I'm not implying anything is

22 wrong, you are getting instructions from Carter.

23 And it is obvious from your answer, sir, about

24 your narratives, correct?

25 A Correct.

1           Q     I'm sorry again for jumping. He is  
2     at, he being Zenk, is at the scene for you thought  
3     too long a time; is that correct?

4           A     Correct.

5           Q     No question in your mind about that.  
6     You had the concerns, correct?

7           A     Correct, with the direction I was  
8     given.

9           Q     Yeah. Wait until Carter gets to the  
10    office, right?

11          A     Right.

12          Q     Okay. You were concerned about the  
13    lengthy period of time that you thought, correct?

14          A     Correct.

15          Q     Quite the opposite of someone being  
16    whisked away from the accident scene; correct?

17          A     Correct.

18          Q     I mean, he certainly was not rushed  
19    away from the accident scene, he was not whisked  
20    away from the accident scene, quite the opposite,  
21    in your opinion he stayed at the accident scene  
22    too long; correct?

23          A     For under the circumstances, correct.

24          Q     I'm talking the circumstances of this  
25    case. Were you not concerned that he stayed at

1 the accident scene too long? Correct?

2 A Correct.

3 Q The opposite of being rushed away.

4 If I may just have a moment to review?

5 You've already said, sir, in fairness,

6 there was nothing you deliberately did -- forget

7 about what people may think, I'm asking you --

8 there is nothing that you did to deliberately give

9 Harveymordenzenk a break, was there?

10 A That's correct.

11 Q And let me say to you, when you added

12 things, changed your narratives, it appears

13 perhaps on the instructions of Carter -- and I'm

14 not alleging that, I'm suggesting -- were you

15 trying to manipulate the case one way or the

16 other?

17 A No, sir.

18 Q Okay. You were a fairly young

19 policeman on the scene?

20 A Yes, I was.

21 Q Experience wise, correct?

22 A Yes.

23 Q You weren't probably the best person

24 there, would you be, to know if a charter breach

25 had happened or not?

1 A Probably not the best.

2 Q Pardon me?

3 A Probably not the best.

4 Q Yeah. You didn't know whether a  
5 charter breach had occurred or not, correct?

6 A At the time I felt that it was a  
7 length of time.

8 Q Yeah. But did you know what part of  
9 the charter had been breached?

10 A I guess I believed it was an unlawful  
11 detention, I thought.

12 Q This is the first time I'm hearing  
13 that. It is in none of your interviews.

14 A I believe that I have said that  
15 before, sir.

16 Q An unlawful detention, okay. Now, did  
17 someone after this day, next day, couple of days  
18 later, after the file is being put together,  
19 someone must have spoken to you about a possible  
20 charter breach? Surely, someone must have spoken  
21 to you about that; correct?

22 A I don't recall, sir.

23 Q Pardon me?

24 A I don't recall that.

25 Q Are you saying no one talked to you



1 about a possible charter breach?

2 A I don't recall if they did. There was  
3 a lot of conversations.

4 Q I'm not talking about lots of  
5 conversations about other things, I'm talking  
6 about conversations about charter breaches. You  
7 don't recall anyone talking to you about that?

8 A No.

9 Q Nothing specific? You don't recall  
10 Carter speaking to you about that, Sergeant  
11 Carter; correct?

12 A Correct.

13 Q You don't remember Maloney speaking to  
14 you about that; correct?

15 A Correct.

16 MR. WEINSTEIN: My assistant tells me  
17 I have no further questions. Thank you,  
18 Mr. Commissioner.

19 THE COMMISSIONER: Thank you.

20 MR. WEINSTEIN: Thank you,  
21 Mr. Woychuk -- Constable Woychuk I should say.

22 THE COMMISSIONER: Mr. Prober?

23 MR. PROBER: Would this be an  
24 appropriate time to take the afternoon recess?

25 THE COMMISSIONER: Yes, it is an

1 appropriate time. I take it you can read the  
2 other side, can you?

3 MR. PROBER: I do, yes, only too well.

4 THE COMMISSIONER: 15 minutes.

5 THE CLERK: All rise. This Commission  
6 of inquiry is in recess.

7 (Proceedings recessed at 3:19 p.m. and  
8 reconvened at 3:35 p.m.)

9 THE CLERK: All rise, please. This  
10 Commission of Inquiry is now reopened. Please be  
11 seated.

12 MR. CLIFFORD: Good afternoon,  
13 Mr. Commissioner. Sir, prior to the next counsel  
14 cross-examining, I thought this might be an  
15 opportune time to raise the issue of Ken Graham's  
16 exclusion with you.

17 THE COMMISSIONER: Yes.

18 MR. CLIFFORD: We have had an  
19 opportunity to speak with counsel on behalf of Ken  
20 Graham, and his name is Grant Stefanson, and he is  
21 present. What has been determined, subject to  
22 your approval and the input of other counsel is  
23 the following, sir. As you know, Ken Graham was  
24 called as a witness by the Commission and was,  
25 therefore, subject to the original exclusion

1 order. As with all witnesses, when they complete  
2 their testimony, they are still subject to that  
3 exclusion order, but have some discretion to  
4 remain in the hearing room. However, that  
5 discretion would allow them to be asked to remain  
6 outside pursuant to the order in certain  
7 circumstances.

8 In light of the statement provided by  
9 Mr. Maloney, or Constable Maloney, we are going to  
10 suggest that Ken Graham be subject to the ongoing  
11 witness exclusion order.

12 With respect to the allegation that is  
13 raised by Constable Maloney, his counsel will be  
14 present during Constable Maloney's testimony to  
15 hear what Constable Maloney has to say, and also  
16 to relay it to Ken Graham, so as to give him the  
17 opportunity to respond, either through a statement  
18 or perhaps even by testifying, to respond to what  
19 Constable Maloney is saying.

20 I understand, from speaking with Ken  
21 Graham's counsel, that he is content with this  
22 proposal. And perhaps I will give him an  
23 opportunity, with your permission, to address the  
24 Commission.

25 THE COMMISSIONER: He is here?

1 MR. CLIFFORD: He is, yes.

2 THE COMMISSIONER: Do other counsel  
3 have any objection to that procedure, which I  
4 think is a proper one?

5 MR. McDONALD: None, Mr. Commissioner.

6 MR. ZAZELENCHUK: None.

7 MR. McFETRIDGE: No objection.

8 MR. JACK: No.

9 MR. STEFANSON: Good afternoon,  
10 Mr. Commissioner, Stefanson, first initial G. for  
11 the record. I appear on behalf of Mr. Ken Graham.  
12 I did have an opportunity to consult him about the  
13 matters that arose earlier today, and I am in a  
14 position to act on his behalf at this inquiry.

15 I'm also in a position to relay any  
16 evidence that needs to be relayed to him in terms  
17 of the testimony of Constable Maloney, and I'm  
18 prepared to handle it along the lines that my  
19 friend has suggested.

20 So what we are proposing is just, as  
21 opposed to dealing with it as a separate exclusion  
22 motion or a separate exclusion order, we can just  
23 have it dealt with under the overall exclusion,  
24 which would allow this Commission to exclude  
25 evidence -- sorry -- exclude witnesses, not

1     exclude evidence, take as much evidence into  
2     account, I assume, as you wish. But in terms of  
3     witnesses, the standard exclusion would apply.  
4     And because of what had happened earlier today, we  
5     would assume that that would continue to apply to  
6     Mr. Graham, especially during the testimony of  
7     Constable Maloney.

8                     If it turns out that subsequent to the  
9     testimony of Constable Maloney, Constable Graham  
10    wishes to re-attend, we can agree that we would  
11    simply provide my friend with notice of his desire  
12    to re-attend at the hearing. And if he determined  
13    that there was any further relief necessary at  
14    that time, I suppose the issue could be dealt with  
15    at that point in time.

16                    THE COMMISSIONER: That's fine. Thank  
17    you.

18                    MR. STEFANSON: Subject to that, I  
19    just then, of course, reserve the right to make  
20    the appropriate submissions or engage in the  
21    examinations once Constable Maloney is called to  
22    the stand. In the meantime, I will be part of the  
23    hearing.

24                    THE COMMISSIONER: I take it you will  
25    want to cross-examine Constable Maloney if this

1 evidence is raised?

2 MR. STEFANSON: Yes.

3 THE COMMISSIONER: If this evidence is  
4 raised.

5 MR. STEFANSON: Absolutely, assuming  
6 that is not raised, there may be no need for that,  
7 or perhaps a statement by reply or perhaps  
8 rebuttal evidence, I guess I reserve the right to  
9 any those.

10 THE COMMISSIONER: Thank you.

11 MR. CLIFFORD: Mr. Commissioner, just  
12 to advise you, it was our intention at the  
13 completion of the cross-examination of Constable  
14 Woychuk to commence the evidence of Constable  
15 Maloney, if time permits today.

16 THE COMMISSIONER: Thank you.

17 Mr. Prober.

18 MR. PROBER: Thank you.

19 THE COMMISSIONER: I'm going to ask  
20 counsel, I won't need to ask Mr. Prober because  
21 his voice is loud enough, but if other counsel  
22 could speak into the microphone. There have been  
23 complaints that they haven't been able to hear at  
24 the back of the room.

25 MR. PACIOCCO: I think the issue has

1 to do with the microphone. There is a large  
2 button on the microphone. If you lay your binder  
3 on it, it cuts out the microphone. And I think  
4 what has been happening is some counsel have been  
5 putting their material on it. So if counsel are  
6 aware that that's what's occurring, I think we are  
7 likely to prevent it.

8 MR. PROBER: Does the button have a  
9 remote?

10 THE COMMISSIONER: Come on,  
11 Mr. Prober. You can start and we will get on with  
12 it. I think I would like to continue until 5:00  
13 o'clock today to make up for the half an hour we  
14 lost this morning, which I'm sure you, all counsel  
15 were very busy in that half hour doing the things  
16 that they would normally do at the end of the day.  
17 Let's go.

18 MR. PROBER: Could I have Madam clerk  
19 give the witness volume E-1, please?

20 THE CLERK: What tab number?

21 MR. PROBER: There is a number of tab  
22 numbers. E.1.23, it looks like .e. You don't  
23 have a volume with all of them in?

24 THE CLERK: I don't.

25 THE COMMISSIONER: She has them by

1 exhibits.

2 MR. PROBER: I don't even know if they  
3 have been marked as an exhibit yet. You know  
4 what, why don't I give -- have Madam clerk give  
5 the witness my volume, and then I will, I can deal  
6 with it from that point on.

7 THE COMMISSIONER: Which page is it?

8 MR. PROBER: It is 448 at the bottom  
9 right.

10 Mr. Paciocco says they should go into  
11 evidence, in any event, once they are referred to.  
12 So that's fine. It is called "Notice of  
13 Forfeiture to Alleged Offender." And the next  
14 one, there is about five documents in a row there,  
15 A.1.23.f is the next one, "Notice of Intention to  
16 Seek Greater Punishment." You have got that?

17 THE WITNESS: Yes.

18 MR. PROBER: Sorry. The next one is  
19 the E-1.23.g, which is a "Suspension  
20 Disqualification." Do you have that one too?  
21 Thank you.

22 And the next one is a "Notice of  
23 Seizure and Impoundment of the Motor Vehicle,"  
24 which would be E-1.23.h.

25 And the next one is -- well, we marked



1 the prisoner log sheet as exhibit 106.

2 And the next is the promise to appear,  
3 which is found at E-1.23.j.

4 So if those could be placed in front  
5 of the witness, that would be appreciated.

6 BY MR. PROBER:

7 Q Constable Woychuk, you should now have  
8 before you, and you will be happy to know, as I am  
9 sure everybody here will be, I do not intend to  
10 take you through those documents in detail. I  
11 just wanted to draw your attention to each of  
12 them.

13 First of all, you have the Notice of  
14 Forfeiture to Alleged Offender. Do you have that?

15 A Yes, I do.

16 Q All right. And that's dated  
17 February 25th, '05, correct?

18 A Correct.

19 Q And then you have the Notice to Seek  
20 Greater Punishment, which is also dated  
21 February 25, '05, correct?

22 A I don't believe I have that one. I  
23 have four documents here.

24 Q I think Madam clerk has it now. I  
25 think that's what you have in your hand now, Madam

1 clerk? Sorry? You have it now?

2 A Yes, I do.

3 Q All right. So we follow the Notice of  
4 Forfeiture to Alleged Offender, and then you have  
5 got the Notice of Intention to Seek Greater  
6 Punishment, dated February 25th, '05; correct?

7 A Correct.

8 Q And then you have got the Driver  
9 Suspension and Temporary Licence form; correct?

10 A Correct.

11 Q Then you've got the Notice of Seizure  
12 and Impoundment of Vehicle, all dated  
13 February 25th, '05; correct?

14 A Correct.

15 Q Then you've got the prisoner log  
16 sheet, I think they placed that in front of you,  
17 but that's dated the 25th. And then finally the  
18 Promise to Appear, which outlines the charges that  
19 are going to be laid, impaired driving cause death  
20 and so on. Do you see that?

21 A Yes, I do.

22 Q All right. Those are all given to  
23 Derek Harvey-Zenk the day of the accident,  
24 February 25th, '05; correct?

25 A Correct.

1           Q     Is there any doubt in your mind that  
2     he was going to be charged with those offences  
3     listed in the Promise to Appear?

4           A     At which time?

5           Q     Well, the charges come later, but is  
6     there any doubt in your mind that those charges  
7     were going to be eventually laid?

8           A     During which time, during the  
9     occurrence, I'm referring to at --

10          Q     What is that?

11          A     At which time are you speaking about,  
12     during the day or --

13          Q     No, no, no. At some point, not  
14     necessarily that day, but are you satisfied, when  
15     you see all of these documents, including the  
16     notice, the Promise to Appear, notice to a person  
17     not yet charged outlining the charges, are you  
18     satisfied that at some point, either later in the  
19     day or in the next few days, he is going to be  
20     charged with those offences?

21          A     Yes.

22          Q     Yes. Now, perhaps it would be easy  
23     for Madam clerk at this point to mark those  
24     documents as an exhibit. Now, do you want them  
25     marked separately, I take it, Mr. Paciocco? Fair

1 enough. So the Notice of Forfeiture to Alleged  
2 Offenders would be the next exhibit.

3 THE CLERK: Which is 108.

4 (EXHIBIT 108: E-1.23.e Notice of  
5 Forfeiture to Alleged Offenders)

6 MR. PROBER: The Notice of Intention  
7 to Seek Greater Punishment would be the next  
8 exhibit, please.

9 THE CLERK: 109.

10 (EXHIBIT 109: E-1.23.f, Notice of  
11 Intention to Seek Greater Punishment)

12 MR. PROBER: The Suspension or  
13 Disqualification document, and it contains the  
14 other, temporary licence and so on, next exhibit,  
15 please?

16 THE WITNESS: Number 110.

17 (EXHIBIT 110: E-1.23.g, Suspension or  
18 Disqualification for 24 hours)

19 MR. PROBER: Thank you. The Notice of  
20 Seizure and Impoundment of Vehicle, the next  
21 exhibit, please?

22 THE CLERK: Exhibit 111.

23 (EXHIBIT 111: E-1.23.h, Notice of  
24 Seizure and Impoundment of Vehicle)

25 MR. PROBER: Thank you. And finally

1 the Promise to Appear.

2 THE CLERK: That's already been  
3 marked.

4 MR. PROBER: That was marked earlier  
5 on?

6 THE CLERK: I believe that was Exhibit  
7 number 5.

8 MR. PROBER: Fair enough. Thank you.

9 BY MR. PROBER:

10 Q It is after February 25th that the  
11 changes are made to the incident report, and if  
12 there were changes to your notes, to bolster the  
13 impaired case, correct? The changes are made  
14 after February 25th?

15 A That's correct.

16 Q Right. And without the odour of  
17 alcohol, albeit slight, without the unsteadiness  
18 on his feet, in the absence of breathalyzer  
19 readings, what kind of impaired case do you have?  
20 Not a very good one, right?

21 A No.

22 Q No. Combined with a potential charter  
23 violation, you have really got a weak case; right?

24 A Yes.

25 Q Right. Now, when you were making the

1 changes to the narrative, subsequent to  
2 February 25th, whether you were making them on  
3 your own initiative or whether you were making  
4 them at the suggestion of Sergeant Carter, I don't  
5 care for the purpose of the question. Were you  
6 focusing on what I would call this professorial  
7 approach, with all due respect to my friend, that  
8 you were trying to include signs of impairment to  
9 bolster the case, but at the same time not make  
10 them too strong so as not to prejudice any charter  
11 issue? Was that in the forefront of your mind?

12 A No, I don't recall feeling that way.

13 Q No. Was that something that Sergeant  
14 Carter expressed to you, that you were going to  
15 take the sophisticated approach, put in some signs  
16 of impairment, but not such that they would impair  
17 any charter issue?

18 A No, sir, I don't recall that being  
19 said to me.

20 Q No. As you sit here today, today,  
21 right now, do you have an independent recollection  
22 of any signs of impairment exhibited by Derek  
23 Harvey-Zenk?

24 A I recall getting an odour, but I don't  
25 recall at what point.

1           Q     All right. So that would be the only  
2 independent, only recollection you have, an  
3 independent recollection, sitting here today, you  
4 recall a slight odour of alcohol, is that it?

5           A     That's correct.

6           Q     Okay. Fair enough. I would suggest  
7 to you, though, and this arises from  
8 Mr. Weinstein's questions, which seem to leave the  
9 impression that at some point you did form the  
10 opinion that Derek Harvey-Zenk was impaired. But  
11 let me suggest to you that you do not have any  
12 independent recollection, as you sit here today,  
13 of forming such an opinion. Correct?

14          A     Correct.

15          Q     And you could not disagree with my  
16 suggestion then that you never came to such an  
17 opinion, or at least you don't recall coming to  
18 such an opinion; right?

19          A     I don't recall.

20          Q     No. Now, you seem to readily agree,  
21 and I'm not so sure that you understood what was  
22 being put to you, you seemed this morning to  
23 readily agree to a suggestion by Commission  
24 Counsel that originally there was no reference to  
25 a slight odour of alcohol in your notes. And that

1 you -- and that somehow that came into your notes  
2 after. Did you agree to that suggestion?

3 A I don't recall when that went in, I  
4 don't --

5 Q So you are not admitting, are you, or  
6 maybe you are, that you added that to your notes  
7 after, at some point later when the notes had  
8 already been done, because there was that space  
9 there?

10 A I don't --

11 Q Are you admitting that?

12 A No, I'm not.

13 Q No. Because if you really wanted to  
14 make a good job on your notes, there is a lot of  
15 spaces in your notes; right?

16 A Yeah.

17 Q That was pointed out by Commission  
18 Count, correct?

19 A Correct.

20 Q You could have, you had lots of room  
21 to add that he was unsteady, but that's not in  
22 your notes, is it?

23 A No, it is not.

24 Q There was lots of room to add slurred  
25 speech, but that's not in your notes, is it?



1           A     No, it is not.

2           Q     And also you could have put in  
3 bloodshot eyes as well, but that's not in your  
4 notes, is it?

5           A     No, it is not.

6           Q     Was that left out on purpose, all of  
7 those things?

8           A     No, sir.

9           Q     No. They weren't there, were they?

10          A     Not that I recall, no.

11          Q     No. But you could have, if you really  
12 wanted to do a good job on your notes, you could  
13 have added that, there was lots of room, but you  
14 didn't; right?

15          A     Yes.

16          Q     Now, a minor point; you were  
17 questioned on whether you had, or considered  
18 administering a roadside breath test, if you had  
19 an ASD device with you. Do you remember that?

20          A     Yes.

21          Q     Yeah. But you know -- and then there  
22 was a suggestion by I think Commission Counsel,  
23 well, did you think about going to get one? Do  
24 you remember that suggestion?

25          A     Yes.

1 Q Right. And you were going to say  
2 something, and let me suggest to you what you were  
3 going to say, that is that you know that the ASD  
4 device has to be administered forthwith; right?

5 A That's the proper, yes.

6 Q Right. And if there is a time lapse,  
7 even of 15 minutes, you are going to have a  
8 problem; right?

9 A I believe so with case law, yes.

10 Q Let me give you a example of one of  
11 the signs of impairment that makes its way into  
12 the material at some later point in time, and that  
13 is the issue of his -- Derek Harvey-Zenk being  
14 unsteady on his feet. You know that's in the  
15 narrative. I don't need to take you there, do I?

16 A No, you don't.

17 Q It seems to me we have four choices,  
18 if we are looking at the issue of his gait or his  
19 walk. One is there is nothing unusual about his  
20 walk because there is nothing in your notes;  
21 right?

22 A That's correct.

23 Q A second one is, as we see in the  
24 narrative, that he is unsteady; correct?

25 A Correct.

1           Q     And the third one is, in your  
2     statement to the RCMP which is found at page 635,  
3     that he was stumbling a bit?

4           A     Yes.

5           Q     Right. And then finally, at page 26  
6     of the Commission interview, you use the words  
7     "staggering," the fourth choice. So we have got  
8     nothing unusual, then we have got unsteady, then  
9     we have got stumbling a bit, and then we have  
10    staggering. How do we know which one to choose?  
11    I take it we don't, do we?

12          A     No.

13          Q     You don't have an independent  
14    recollection of which one is applicable; correct?

15          A     No, I don't.

16          Q     And whichever one we choose, though,  
17    say it is unsteady, say it is stumbling, and I  
18    think Mr. Weinstein made this point, but I'm not  
19    sure, you would agree that this could be  
20    attributed to any injury he sustained as a result  
21    of the accident, if he is unsteady on his feet,  
22    right?

23          A     Yes.

24          Q     In fact, did you know at the time that  
25    he had complained to one of the ambulance, or one

1 of the paramedics, of an injury to his, I think  
2 left leg?

3 A No, I did not know that.

4 Q And then twice, I believe at least  
5 twice, both during the Commission interview at  
6 page 16, and during the RCMP statement at pages  
7 616 and 618, I don't know that you need to go  
8 there, but you referred to what you perceived as  
9 Derek Harvey-Zenk being in shock; correct?

10 A Correct.

11 MR. PROBER: Thank you. Those are my  
12 questions.

13 BY MS. DIXON:

14 Q Thank you. Constable, Chief Carter's  
15 notes and his incident narrative both record that  
16 a blood demand was made of Mr. Zenk on the morning  
17 of February 25th. Are you aware of that?

18 A Yes, I am.

19 THE COMMISSIONER: I'm having  
20 difficulty hearing you, so I'm sure that everybody  
21 in the back of the room is as well. Did you press  
22 the button?

23 MS. DIXON: I may have committed a  
24 button violation, but I don't think so.

25

1 BY MS. DIXON:

2 Q My question was, Chief Carter's notes  
3 and his incident narrative both record that a  
4 blood demand was made of Mr. Zenk on the morning  
5 of February 25th. And I believe the witness told  
6 me that he was aware of that. Correct?

7 A Yes.

8 Q When did you become aware of that?

9 A It wasn't long ago.

10 Q Was it something that was discussed  
11 with Chief Carter?

12 A It was something I heard in the  
13 office. I don't know, just talk I guess.

14 Q Are you saying you don't recall  
15 whether you discussed it with Chief Carter?

16 A I didn't discuss it with Chief Carter.

17 Q Do you know who you discussed it with?

18 A I don't know, I think it was just  
19 comments that were made.

20 Q So it was something that was discussed  
21 before you gave your testimony yesterday?

22 A Yes.

23 Q And you can't say who you discussed it  
24 with?

25 A I don't know. I might have heard it

1 from Norm, but it wasn't a discussion about it,  
2 but I know that that was one of things that had  
3 come up.

4 Q Okay. And when it came up, did you  
5 settle on the fact that that was an error?

6 A I believe that I indicated it is an  
7 error.

8 Q As a result of that discussion? As a  
9 result of the recent discussion?

10 A Yes.

11 Q Now, you will agree with me that  
12 ordinarily only one demand is made; correct?

13 A That's correct.

14 Q And in this case there were two.

15 A There was a breath demand and a  
16 refusal.

17 Q There was an initial demand, and then  
18 at some later point a subsequent demand, a second  
19 demand?

20 A Yes.

21 Q Correct?

22 A Correct.

23 Q If I were to suggest to you that  
24 that's because it was realized that the first  
25 demand had been for a blood sample, would you

1 agree with me?

2 A No, I don't recall that being the  
3 case.

4 Q But it is certainly possible?

5 A I recall him doing the breath demand  
6 and the refusal for breath.

7 MS. DIXON: Those are my questions.  
8 Thank you.

9 THE COMMISSIONER: Thank you.

10 BY MR. McFETRIDGE:

11 Q If I could take you, Constable  
12 Woychuk, to exhibit 88? Mr. Commissioner, this is  
13 involving E.2.25.a, it is his notes. And just at  
14 the first page of your notes, at page 604. I'm  
15 not sure if anybody asked you this question, but  
16 there has been reference, there appears to have  
17 been stickies attached to the front page of your  
18 notes?

19 A Yes, I believe that was a note that  
20 was attached to the file.

21 Q Is that just one sticky, or was it  
22 several stickies? I just have a photocopy so it  
23 is not clear to me.

24 A I believe it was just one. I'm not  
25 certain on that, sir.

1           Q     And I take it the sticky that was  
2 attached has the wording "no mention of," sorry,  
3 "of alcohol" was the writing on there; is that  
4 correct?

5           A     That's correct.

6           Q     And then "notes and narrative are  
7 different," that was all on one sticky?

8           A     I believe so.

9           Q     And is it your evidence that the  
10 writing on those stickies is not your writing?

11          A     That's correct.

12          Q     Is that the writing of Sergeant  
13 Carter, do you know?

14          A     I'm not sure whose writing. It could  
15 be.

16          Q     Would it be -- would that be a normal  
17 way that Sergeant Carter, as the reader, would be  
18 alerting you of possible deficiencies in your  
19 notes in the past?

20          A     Yes, it would.

21          Q     Had he used that method before?

22          A     The sticky notes?

23          Q     Yes?

24          A     Yes.

25          Q     Now, in respect to your training at



1 Brandon, with the Brandon Police Service, I take  
2 it part of your training would be how you are to  
3 deal with a person who is arrested or detained,  
4 and that person's rights under the charter; is  
5 that correct?

6 A Yes.

7 Q And you have made some mention in your  
8 evidence that you felt there may have been a  
9 charter violation because of the time that  
10 Mr. Harvey-Zenk was retained, or detained in your  
11 vehicle. Is that correct?

12 A That's correct.

13 Q And is the section in the charter that  
14 you are referencing or thinking about, is that  
15 section 10? Is that the section that you are  
16 dealing with or thinking about?

17 A That's correct, yes.

18 Q It deals with arrest and detention.

19 A Yes.

20 Q And under clause A of that section,  
21 everyone has the right on an arrest or a detention  
22 to be informed of the reason for that person's  
23 detention by a police officer; is that correct?

24 A That's correct.

25 Q And you were aware of that?

1 A Yes.

2 Q When -- in your mind, when  
3 Mr. Harvey-Zenk was in your police vehicle, was he  
4 being detained?

5 A No, sir.

6 Q He was not being detained?

7 A I don't -- the direction I had was to  
8 keep him there until Sergeant Carter got there, so  
9 I guess it would be a detention.

10 Q Do you know when -- and you indicated  
11 that he was brought up to the vehicle by Chief  
12 Bakema, and it was Chief Bakema who placed him  
13 into the vehicle; is that correct?

14 A Yes.

15 Q And you were standing beside Chief  
16 Bakema when he placed him into the vehicle?

17 A Yes.

18 Q Did Chief Bakema say anything to  
19 Mr. Harvey-Zenk as to why he was being placed in  
20 the vehicle, in your presence?

21 A Not that I -- not that I recall.

22 Q And at any time while he was in the  
23 vehicle, did you indicate to Mr. Harvey-Zenk as to  
24 why he was in the vehicle?

25 A I believe I had told him at one time

1 that ambulances were coming and that he would get  
2 medical attention, but other than that, no.

3 Q And after he had received medical  
4 attention from the paramedic, Mr. Rosser, did you  
5 advise Mr. Harvey-Zenk that he was free to go?

6 A No, I didn't.

7 Q In your opinion, was he free to go and  
8 leave the vehicle if he wanted?

9 A No, because I was told to take him to  
10 the station after that.

11 Q So, clearly, it was your understanding  
12 that as part of the investigation of this accident  
13 that it was necessary to take -- first of all, I  
14 think you were told, that you were told to keep  
15 him in the vehicle to wait because Sergeant Carter  
16 may be coming to the scene; is that correct?

17 A Yes.

18 Q So, in your belief, you were told to  
19 keep -- one of the reasons to keep him in the  
20 vehicle, one was because he may need medical  
21 attention, but the second reason was that you had  
22 been told by Chief Bakema that Sergeant Carter was  
23 going to attend; is that correct?

24 A That's correct.

25 Q And were you told to keep

1 Mr. Harvey-Zenk in the vehicle; is that correct?

2 A Correct.

3 Q Did you advise Mr. Harvey-Zenk of  
4 that, that you were told to keep him in the  
5 vehicle because you were waiting to have Sergeant  
6 Carter arrive?

7 A No, I didn't.

8 Q Now, you were eventually told by Chief  
9 Bakema that Sergeant Carter was not going to be  
10 coming, but you were to take Mr. Harvey-Zenk to  
11 the police station?

12 A Yes.

13 Q When did he tell you that? Was that  
14 outside the vehicle, or were you standing outside  
15 the vehicle, or did he telephone you, or how did  
16 that take place?

17 A I don't recall how that took place, to  
18 be honest. It was either at the vehicle or over  
19 the radio or a telephone.

20 Q Do you have any recollection of Chief  
21 Bakema telling Mr. Harvey-Zenk that he was going  
22 to be taken to the police station, and the reason  
23 why he was going to be taken to the police  
24 station?

25 A No, I don't.

1           Q     Did you ever tell Mr. Harvey-Zenk,  
2     when you started to take him to the police  
3     station, why he was being taken to the police  
4     station?

5           A     I don't believe I did.

6           Q     In your mind, was that a violation of  
7     your obligations under section 10(a) of the  
8     charter?

9           A     Looking back on it now, yeah.

10          Q     And at any time, did you tell  
11     Mr. Harvey-Zenk that he was entitled to retain and  
12     instruct counsel?

13          A     No, I didn't.

14                 MR. McFETRIDGE:  Those are all of the  
15     questions I have.

16                 THE COMMISSIONER:  Do you have any  
17     doubt in your mind that, had he try to leave, you  
18     would not let him go?

19                 THE WITNESS:  Pardon me, sir?

20                 THE COMMISSIONER:  If he had tried to  
21     leave?

22                 THE WITNESS:  I think that at that  
23     point I would have spoken to Chief Bakema, because  
24     of what I was given for direction.

25                 THE COMMISSIONER:  You would have

1 detained him. You wouldn't have let him go, would  
2 you?

3 THE WITNESS: Probably not.

4 THE COMMISSIONER: So he was under  
5 detention?

6 THE WITNESS: Right. Yes.

7 THE COMMISSIONER: All right.

8 MR. McDONALD: I think I'm the last  
9 one, am I not, Mr. Commissioner?

10 THE COMMISSIONER: You are.

11 MR. McDONALD: Thank you. Thanks to  
12 Mr. Prober and to Mr. Weinstein, hopefully I will  
13 be reasonably brief. I just have a few minor  
14 things I would like to clear up first.

15 BY MR. McDONALD:

16 Q You will recall, Constable Woychuk,  
17 Commission Counsel asking you this morning about  
18 your duties when you are investigating an impaired  
19 driving charge. You will recall that?

20 A Yes.

21 Q And he directed you to one of the  
22 documents that is part of the disclosure in this  
23 case, which is the policies and procedures manual  
24 of the East St. Paul Police Service?

25 A Yes.

1           Q     And he directed you, in particular, to  
2 page 2577. Do you recall that?

3           A     I do.

4           Q     And there he listed what he described  
5 as to be several duties imposed upon a police  
6 officer who is conducting an impaired driving  
7 investigation. Do you recall that?

8           A     Yes.

9           Q     Would you tell Mr. Commissioner  
10 whether, as far as you were concerned, you were  
11 conducting an impaired driving investigation at  
12 the time?

13          A     No, I was not, sir.

14          Q     So would you agree with me then, sir,  
15 if you were not conducting an impaired driving  
16 investigation and were not contemplating such an  
17 investigation, those duties do not exist?

18          A     That's correct.

19          Q     Thank you. Now, Mr. Weinstein asked  
20 you some questions along the following line, and  
21 I'm just going to ask you one question, and it is  
22 about what your intentions were when you made  
23 revisions to your MPICS narrative. Do you recall  
24 that?

25          A     I recall just to be thorough with it.

1           Q     All right. I will just take you back.  
2     You made your original MPICS report on  
3     February 25, the night, when you returned to night  
4     shift following the accident?

5           A     Yes.

6           Q     You made some revisions on the 26th  
7     and you made some revisions on the 27th. Do you  
8     recall that evidence?

9           A     Yes, I do, sir.

10          Q     And I want to ask you this: Did you  
11     understate, in the revision to the report made on  
12     February 27th, your observations about alcohol and  
13     Mr. Harveyordenzenk?

14          A     Did I understate?

15          Q     Did you understate your observations  
16     about alcohol, or did you put in there what you  
17     recall and what you felt to be complete?

18          A     I put in what I recalled.

19          Q     And what you felt to be complete?

20          A     Yes, sir.

21          Q     Thank you. Mr. Paciocco also asked  
22     you this morning what you felt were your duties as  
23     a police officer who was involved in the  
24     investigation of a fatal accident. Do you recall  
25     questions along those lines?



1           A     Yes, I do.

2           Q     Would you tell the Commissioner  
3 whether at the time you felt your role was as  
4 investigator of a fatal accident, and if not, what  
5 did you feel your role to be?

6           A     No, I did not feel that my role was to  
7 be the investigator.

8           Q     What was your role, from your  
9 perspective?

10          A     To do traffic, monitor traffic, and to  
11 wait for Sergeant Carter.

12          Q     Thank you. Now, you were also asked  
13 questions, and I didn't make a note of who it was,  
14 not that it matters much, but one of the lawyers  
15 who has already questioned you has asked you about  
16 whether you received direction from Sergeant  
17 Carter, on February 26th or 27th, to make changes  
18 to your MPICS report. Do you recall that, your  
19 MPICS narrative?

20          A     Yes, sir, I recall that question.

21          Q     Do you have any independent  
22 recollection of getting any instructions from  
23 Sergeant Carter, on either February 26th or  
24 February 27th, to change your narrative?

25          A     No, sir.

1           Q     Thank you.  Now, you have been asked  
2     numerous questions as well, Constable, about your  
3     notes.  You will recall that?

4           A     Yes.

5           Q     And in particular, there is a  
6     reference in volume E-2 at page 604 at 7:42 a.m.  
7     which relates to the entry with Mr. Mordenzenk's  
8     full name.  Do you recall that?

9           A     Yes.

10          Q     And if I understand it correctly,  
11     sir -- just tell me, when did you make your notes?

12          A     When I came back in for my next shift.

13          Q     So that would be how many hours after  
14     you were at the scene?

15          A     Roughly 14.

16          Q     So you made no notes prior to the  
17     commencement of your next shift following the  
18     accident, which would be the evening of the 25th  
19     of February?

20          A     That's correct.

21          Q     And what time did you come on shift in  
22     the evening?

23          A     I was scheduled for a 9:00 p.m. shift.

24          Q     So even though your note reads  
25     7:42 a.m. and contains the complete name of

1 Mr. Mordenzenk, that note was not made until some  
2 14 hours later; correct?

3 A Yes.

4 Q Did you find out by that time who the  
5 Winnipeg Police Officer was that was involved in  
6 the accident?

7 A I knew the name, yes.

8 Q Thank you. Now, Mr. Zazelenchuk asked  
9 you some questions and, frankly, expressed some  
10 incredulity about the fact that you could not  
11 recall why you were in and out of your vehicle so  
12 many times at the accident scene. Do you recall  
13 that?

14 A Yes, I do.

15 Q Do you remember what the weather  
16 conditions were, sir?

17 A I believe it was cold.

18 Q Do you have any recollection of what  
19 the temperature was?

20 A Not -- not -- I remember it was cold,  
21 I don't recall the exact temperature.

22 Q Well, one of the documents in evidence  
23 is an environment report, which appears at page  
24 109 of the disclosure, and it suggests that the  
25 temperature was roughly minus 20 degrees

1 centigrade. Can you live with that?

2 A Not for long.

3 Q But you can accept that?

4 A Yes.

5 Q I don't think any of us can live it  
6 for long if we are outside all the time, but does  
7 that in any way, sir, give you any reason for  
8 being in and out of your vehicle? Does that  
9 assist you in addressing that issue?

10 A Yes, that would be a good reason why I  
11 was in and out.

12 Q Thank you. Now, Commission Counsel  
13 has pointed out that some people may think that  
14 your conduct, be it actions or inaction, in this  
15 case, may expose you to censure or criticism. You  
16 are aware of that?

17 A Yes.

18 Q I want to outline to you certain areas  
19 that have been covered in detail by counsel to  
20 afford you the opportunity to make any comments  
21 you may wish to make to this Commission in respect  
22 to the various areas of criticism. Do you  
23 understand what I'm going to do now?

24 A Yes, sir.

25 Q All right. And I'm going to take you

1 through them point by point.

2 It has been suggested that you may be  
3 vulnerable to criticism because you received  
4 information that Mr. Harvey-Zenk had consumed  
5 alcohol, but did not relay it to your superior  
6 officer, Chief Bakema, who was on the site.

7 Firstly, do you remember whether you  
8 told Chief Bakema about the information that you  
9 received from Mr. Rosser?

10 A No, I don't.

11 Q All right. If you didn't, is there  
12 any reason why you wouldn't have, that you can  
13 think of?

14 A Either that I hadn't spoken to him, or  
15 because he had already relayed some more  
16 information to me.

17 Q That being Chief Bakema had already  
18 relayed information of impairment to you?

19 A That's correct.

20 Q So, Bakema already knew about the fact  
21 that Mr. Zenk may be impaired or was impaired?

22 A Yes, sir.

23 Q All right. It has been suggested that  
24 you may be subject to criticism in that you  
25 received information that Mr. Harvey-Zenk had

1 consumed alcohol or was impaired, but then failed  
2 to make either a demand for a roadside screening  
3 test or a breathalyzer test.

4 Now, we have already talked about the  
5 roadside screening test, the approved testing  
6 device; right?

7 A That's correct.

8 Q And your reason for not using that or  
9 following that route, sir, again, please?

10 A That I don't think that I can use an  
11 ASD for a collision. They need to be, you need to  
12 find them operating or in care and control of a  
13 vehicle.

14 Q Before you can administer a roadside  
15 screening test, the code requirements are such  
16 that you must find the person either driving an  
17 automobile, or in care and control of an  
18 automobile. Is that your understanding?

19 A Yes, it is.

20 Q And it must be made forthwith, as you  
21 have already said?

22 A That's correct.

23 Q And did those conditions exist upon  
24 your arrival at the scene, sir?

25 A No, they didn't.

1           Q     What about a breathalyzer test, why do  
2 you feel you ought not to be subject to criticism  
3 for not asking for a breathalyzer test at the  
4 scene?

5           A     I didn't form an opinion of  
6 impairment.

7           Q     As I understand the law again, sir,  
8 the code, and forgive me, I'm not a criminal  
9 lawyer, if I misspeak I will be corrected by many  
10 people in the room who are indeed experts on the  
11 subject. As I understand it, you cannot make a  
12 demand, you have no lawful right to make a demand  
13 for a breathalyzer test unless you have reasonable  
14 and probable grounds to believe that the subject  
15 in question has committed the offence of impaired  
16 driving. Is that correct?

17          A     That's correct, sir.

18          Q     Did you have that basis or  
19 justification, sir, at the scene, to make such a  
20 demand?

21          A     No, I did not.

22          Q     Thank you. There has been some  
23 suggestion that you may be open to criticism in  
24 that you held Mr. Harvey-Zenk in the back of the  
25 police vehicle without providing him with any

1 right to counsel warnings. Can you give this  
2 Commission an explanation as to why you did what  
3 you did?

4 A I was directed to do that by the Chief  
5 of Police at the time, who I believed would give  
6 me proper direction.

7 Q And were you following orders?

8 A I was following orders.

9 Q Even though you believed it not  
10 necessarily to be appropriate?

11 A That's correct.

12 Q It has been suggested, sir, that you  
13 may be subject to some criticism in that either at  
14 the scene or en route, you detected a smell of  
15 alcohol on Mr. Harvey-Zenk without making a demand  
16 for a roadside screening test or attempting to  
17 administer sobriety tests, or alternatively that  
18 you had reasonable grounds to believe that  
19 Mr. Zenk was impaired by alcohol, but failed to  
20 make a breathalyzer demand. Now, we have covered  
21 those, the failure to make the breathalyzer demand  
22 at the scene. Did you have any reasonable and  
23 probable grounds to make a demand en route?

24 A No, sir.

25 Q Had you formed an opinion that



1 Mr. Zenk had committed the offence of impaired  
2 driving?

3 A No, I had not.

4 Q And similarly, a roadside screening  
5 device demand would have been entirely  
6 inappropriate at that stage, isn't that correct?

7 A Yes, sir.

8 Q And what about not attempting to  
9 administer sobriety tests, sir? What is that all  
10 about from the perspective of a police officer?

11 A It would be something that you  
12 required special training for, to do that.

13 Q And what, if any, training did you  
14 have that would enable you to perform sobriety  
15 tests, sir?

16 A I didn't have any.

17 Q And it has been suggested that you may  
18 be open to criticism or censure in that you left  
19 Mr. Harvey-Zenk alone in a police cruiser when you  
20 arrived at the police station, while notifying  
21 Sergeant Carter that you had a Winnipeg Police  
22 Service officer in your vehicle. What, if any,  
23 explanation do you have for that, sir?

24 A That -- I believe I went up to see if  
25 Sergeant Carter was in the hallway waiting. I had

1 the doors locked on the vehicle.

2 Q Were you concerned at all about  
3 leaving Mr. Zenk unattended in the back of your  
4 cruiser car, your police SUV, with the doors  
5 locked, in the sense that he could not get out,  
6 while you went to get Sergeant Carter?

7 A No, sir, I was not concerned.

8 Q All right. Had you seen or observed  
9 any conduct, while you had been in the presence of  
10 Mr. Zenk, that should have or could have caused  
11 you to have concern about leaving him alone?

12 A No, sir.

13 Q Now, it has also been suggested that  
14 you may be subject to censure and criticism in  
15 that you omitted information from your notes at  
16 the direction or advice of Chief Bakema, and/or  
17 included inaccurate information in your notes at  
18 the direction or advice of Chief Bakema. We have  
19 covered that.

20 A Yes.

21 Q And you, sir, acknowledge that, as a  
22 police officer, that was inappropriate and wrong  
23 conduct on your part?

24 A Yes, I do.

25 Q You acknowledge, sir, openly and

1 freely that you ought not to have done what you  
2 did?

3 A Yes.

4 Q Do you feel, sir, any remorse as a  
5 result of what you did?

6 A Yes, I do.

7 Q Please describe your feelings, if you  
8 can, for the Commission on that note?

9 A I feel that what I did was wrong, by  
10 not putting stuff in my notes, and omitting stuff  
11 from my notes. And at the time I had minimal  
12 service, and I believed Chief Bakema was someone  
13 who I could -- who was a leader and would not give  
14 me bad direction. And I guess I could apologize  
15 for my actions now, but I do feel remorse for it.

16 Q And if faced with a similar situation  
17 today, even coming from a superior or indeed a  
18 Chief of Police, sir, would you act differently or  
19 the same?

20 A I would act differently, sir.

21 Q Thank you. It has also been suggested  
22 that you may be open to criticism or censure in  
23 that you unreasonably delayed reporting to Chief  
24 Carter that your notes were incomplete or  
25 inaccurate, and that Chief Bakema had exerted

1 influence over what would be contained in your  
2 notes. What, if anything, do you have to say  
3 about that today, sir?

4 A There was a delay.

5 Q And why didn't you report it sooner?

6 A I guess at the time it was just  
7 something that weighed on my mind, and I felt like  
8 I needed to bring stuff forward to --

9 Q But is it fair to say that you waited  
10 as long as you did because it was a difficult  
11 issue for you to address, and there was no  
12 emergency to address it until such time as the  
13 preliminary was coming up?

14 A Yes, sir.

15 Q And again, will you acknowledge openly  
16 and honestly to this Commission that you now  
17 acknowledge that you waited too long and, with  
18 hindsight, you should have reported it sooner?

19 A Yes.

20 Q Now, one further question,  
21 Mr. Woychuk. In respect to the additions that you  
22 made to your narrative, and this was covered by  
23 some degree to Mr. Prober, and if I'm redundant, I  
24 apologize, but I want to be sure that this is  
25 clear on the record.

1                   Were the additions to the narrative  
2   that you made intended to deceive anyone or  
3   manipulate the outcome of this case?

4           A     No.

5           Q     Did you do anything or omit to do  
6   anything, after the accident in question, with the  
7   intent of attempting either to repair, hide or  
8   conceal what you perceived to be a charter breach?

9           A     No, sir.

10          Q     Did you do anything or omit to do  
11   anything, after the accident, with the intent of  
12   attempting to perfect what you perceived to be in  
13   any way a flawed case for the prosecution?

14          A     No, sir.

15          Q     Did you do anything, or fail to do  
16   anything, in an attempt in any way to protect  
17   Mr. Mordenzenk from prosecution?

18          A     No, sir.

19                   MR. McDONALD: Thank you, Mr. Woychuk.  
20   Thank you, Mr. Commissioner.

21   RE-DIRECT EXAMINATION BY MR. PACIOCCO:

22          Q     Sir, I'm going to take you, please, to  
23   a document that has been made an exhibit, document  
24   E-1.23.i, which has been made exhibit 106 in this  
25   case.

1 MR. McDONALD: Sorry, sir, the volume  
2 number?

3 MR. PACIOCCO: Volume E-1, tab 23.i,  
4 page number is 453.

5 BY MR. PACIOCCO:

6 Q E-1.23.i, page 453. Sir, this is the  
7 prisoner's log sheet which was made an exhibit  
8 when Mr. Zazelenchuk was questioning you?

9 A Yes, sir.

10 Q And sir, you noted and he brought to  
11 your attention that in the lower right-hand corner  
12 there is a check beside "yes" under the heading  
13 "intoxicated," sir?

14 A Yes.

15 Q He also established through his  
16 questioning that you had signed this form, sir?

17 A Yes.

18 Q You could not recall who put that X  
19 there, sir?

20 A I don't know for certain. I don't  
21 recall filling the form out myself.

22 Q Is that your handwriting on the form,  
23 sir?

24 A Yes, it is.

25 Q And would you sign a document that

1 made a declaration that an individual was  
2 intoxicated without seeing it and without agreeing  
3 to that, sir?

4 A No.

5 Q Sir, did Harvey-Zenk have a cell phone  
6 that you are aware of?

7 A Not that I'm aware of, no.

8 Q You were asked by Mr. Weinstein  
9 whether you saw Harvey-Zenk being taken to the  
10 Graham vehicle and standing outside of his  
11 vehicle. He had asked you, "did you see that?"  
12 And you said, no, I did not.

13 Sir, did I understand your  
14 evidence-in-chief correctly, that the first time  
15 you saw Mr. Harvey-Zenk was five to ten feet from  
16 your vehicle through the side view mirror?

17 A That's correct.

18 Q And had you seen Chief Bakema prior to  
19 that at the scene, to your recollection?

20 A I don't recall if I did, I don't  
21 believe I did.

22 Q Did you see Mr. Graham at the scene  
23 prior to that, according to your recollection?

24 A No.

25 Q You were asked by Mr. McDonald, and

1 you were also asked earlier by other counsel  
2 whether, when you added and changed the narrative,  
3 this was being done to manipulate the case at all,  
4 sir?

5 A Yes.

6 Q And your answer was that it was not?

7 A Yes.

8 Q And the same question was put to you  
9 with respect to the omissions from the case, sir?

10 A Yes.

11 Q And if I understood you, your answer  
12 was that it was not to manipulate the case, sir?

13 A Yes.

14 Q You would agree with me that the  
15 initial omissions were made for the purpose of  
16 avoiding any problem with the delay, correct, sir?

17 A Correct.

18 Q And also creating the inaccurate  
19 impression that this was a traffic accident report  
20 delivery that occurred, sir?

21 A That's correct, I was following the  
22 direction.

23 Q Do you not agree with me, sir, that  
24 creating a false impression about why you bring  
25 someone in the station would manipulate the case,



1 sir?

2 A Yes.

3 Q Failing to record the observations of  
4 the ambulance attendant, sir, would also  
5 manipulate the case?

6 A Yes.

7 Q You were also asked questions by  
8 Mr. McDonald about whether you had a role as the  
9 investigator in this case. Do you recall those  
10 questions, sir?

11 A Yes.

12 Q And you said that you did not feel it  
13 was your role to be investigator, but rather to do  
14 traffic, sir?

15 A Yes.

16 Q You had a subject in your motor  
17 vehicle, who according to your testimony had been  
18 brought there, and you were told that he was  
19 either impaired or possibly impaired?

20 A Yes.

21 Q Did you not feel that, as a police  
22 officer, it was your duty to make observations of  
23 that individual and take whatever steps you could  
24 to determine whether he was indeed impaired?

25 A I was told by the Chief to wait for

1 Sergeant Carter.

2 Q All right. Let's put aside the  
3 direction that you were given by the Chief for the  
4 moment. You had an individual in your car who was  
5 impaired by, or who you were told was impaired or  
6 possibly impaired. And I think when I asked you  
7 the question earlier, your response was that had  
8 you not been given the direction by the Chief, you  
9 would have tried to determine whether he was  
10 impaired, sir?

11 A Yes.

12 Q And you would have done that, sir,  
13 because as a police officer that's one of the  
14 duties you have at an accident scene?

15 A Yes.

16 Q When Mr. McDonald was reading to you  
17 the specifics of what people might say about you  
18 and what might be considered to be a discreditable  
19 or embarrassing conduct on your behalf, he  
20 indicated to you -- he asked you why you did not  
21 relay the information about the ambulance  
22 attendants to Chief Bakema. And I believe your  
23 response was that you felt he already had  
24 information about Mr. Harvey-Zenk's alcohol  
25 consumption, because of the statements he made to

1 you. Did I understand your evidence, sir?

2 A Yes, I said yes.

3 Q Sir, if he told you that this man was  
4 possibly impaired, would that not make it  
5 important for you to communicate, confirming  
6 information about signs of impairment?

7 A Yes.

8 Q And do you not think it would be  
9 important to communicate additional information,  
10 even if the person in charge of the scene himself  
11 had information relating to the sobriety or  
12 potential sobriety of a suspect?

13 A Yes.

14 Q And you would agree with me that the  
15 observations of the ambulance attendant was  
16 additional information?

17 A Yes.

18 Q You should have relayed that, sir, do  
19 you agree?

20 A I should have.

21 Q Sir, I'm not going to get into the  
22 finer points of breathalyzers and roadside -- not  
23 breathalyzers, with you, sir. But as an officer,  
24 do you have any opinion on whether Mr. Harvey-Zenk  
25 had care and control of his motor vehicle when he

1 was standing beside the truck at the accident  
2 scene?

3 A I never saw him standing beside his  
4 truck, sir.

5 Q And, sir, did you have any information  
6 about that, sir, that he was the driver?

7 A I had information that he was the  
8 driver.

9 Q With respect to leaving him alone at  
10 the station, in the police car, you had testified  
11 earlier that you thought he might be in shock. Do  
12 you remember saying that, sir?

13 A Yes.

14 Q You saw some blood on his nose?

15 A Yes.

16 Q When you brought him to the station  
17 and you left him locked in the police car, did you  
18 not have any concerns about his health, sir?

19 A He had already been attended to by an  
20 ambulance.

21 Q Okay. And what about his  
22 psychological health, sir, his own personal  
23 safety? Would it not have been something  
24 appropriate and, in fact, required of a police  
25 officer having custody of someone to ensure his

1 personal safety?

2 A Yes.

3 Q Do you really think, with the benefit  
4 of hindsight, that you should have left him alone  
5 in that police vehicle?

6 A Probably not.

7 MR. PACIOCCO: Those are the questions  
8 that I have for you, sir.

9 THE COMMISSIONER: Thank you very  
10 much.

11 MR. CLIFFORD: Mr. Commissioner, the  
12 next witness is Constable Bryan Maloney.

13 Mr. Commissioner, for the benefit of  
14 the clerk and counsel, the one exhibit that I  
15 anticipate entering through this witness is tab  
16 E-2, tab 30, page 785, that's his statement to the  
17 RCMP dated June 1st, 2006. E-2, tab 30.

18 BRYAN PETER MALONEY, being first duly  
19 sworn, testified as follows:

20

21 BY MR. CLIFFORD:

22 Q Good afternoon, sir. I understand  
23 that you are employed with the East St. Paul  
24 Police Service?

25 A Yes, I am.

1           Q     I have been referring to you as  
2 constable all day. Is that your rank?

3           A     Correct.

4           Q     And if you could take some brief time  
5 and explain to the Commission your history in  
6 policing, when you started, and tell us a bit  
7 about your career path?

8           A     I was trained by Brandon City Police  
9 in 1994. I came to East St. Paul in 1995, and I  
10 have been there since.

11          Q     What can you tell us about your  
12 training?

13          A     I was trained by Brandon City Police,  
14 which is an accredited police training service.

15          Q     Now, with respect to the Taman case  
16 and the charges that followed, I understand that  
17 you, sir, were not involved in the investigation  
18 of what occurred on February 25th, 2005?

19          A     Correct.

20          Q     In fact, you weren't even at work on  
21 that day?

22          A     No.

23          Q     Commission has heard evidence you were  
24 on a fishing trip?

25          A     Correct.

1           Q     And when you got back to work, not  
2     surprisingly, this case was a topic of  
3     conversation in and amongst the officers at East  
4     St. Paul.

5           A     And in the media.

6           Q     Indeed, it was. And what can you tell  
7     me, sir, about the conversations that you  
8     participated in or you heard?

9           A     When I returned to work, I read the  
10    file through the computer system we have.

11          Q     And before you go any further, can you  
12    tell the Commission when it was that you returned  
13    to work?

14          A     I believe a day or two after the  
15    accident, I can't say 100 per cent sure without  
16    looking at the schedule.

17          Q     And could we put your evidence, your  
18    best evidence, that your return date would have  
19    been the 26th or 27th?

20          A     Correct.

21          Q     And you are confident that it was  
22    either one of those two days?

23          A     Yeah, it wasn't more than a couple of  
24    days after.

25          Q     Carry on.

1           A     I returned to work, I read the file  
2 electronically. And I went through it and I saw  
3 there was some issues with the file. After the  
4 fact of reading through it, I had spoken to people  
5 about the file, people who attended the scene.

6           Q     When you say you read the electronic  
7 version of the file and you thought there were  
8 some issues with it, what do you mean by that?

9           A     Well, there was a charter issue for  
10 sure.

11          Q     And were you able to come to that  
12 conclusion on your own?

13          A     Yes.

14          Q     Had you discussed the case with  
15 anybody?

16          A     No.

17          Q     So just on your own view of the  
18 electronic narratives that had been created up to  
19 that point, you came to that conclusion?

20          A     Yes.

21          Q     What did you think the problem was?

22          A     Well, the gentleman -- there was about  
23 a 40 minute gap from the time of the incident to  
24 the time he was transported to the office, where  
25 he was then later arrested by, at that time,



1 Sergeant Norm Carter. And he was technically  
2 being detained once he was placed in the back of  
3 that car and he wasn't read his rights.

4 Q And once you came to that conclusion,  
5 did you raise it with anyone?

6 A I spoke to people about it.

7 Q Okay. And who did you speak to about  
8 it?

9 A Well, I spoke to Norm Carter about it.  
10 I had a conversation with Jason Woychuk about it.

11 Q What can you tell me about your  
12 conversation with Norm Carter?

13 A Just that I said -- and he looked at  
14 it too and thought there was some issues with the  
15 charter there.

16 Q And can you elaborate on that  
17 conversation? Was it the same day that you came  
18 back?

19 A I can't really say what the date was.

20 Q Was it at some point in the immediate  
21 days following your review of the file?

22 A Yeah, it would have been within a few  
23 days after.

24 Q And given that evidence, sir, what was  
25 it that was discussed between you and Norm Carter?

1           A     Just that I thought there was some  
2     issues with the charter there.

3           Q     What was his response?

4           A     Since he did execute an arrest once  
5     the gentleman was taken to the office.

6           Q     Okay.  What was his response to your  
7     suggestion to him that you felt there was a  
8     charter problem?

9           A     He didn't disagree with me.

10           THE COMMISSIONER:  He didn't?

11           THE WITNESS:  He didn't disagree with  
12     me.

13     BY MR. CLIFFORD:

14           Q     Did he concur with your opinion?

15           A     He felt there was some issues with the  
16     length of time before the person was placed under  
17     arrest.

18           Q     Did you have further discussion with  
19     him on other issues related to the case on that  
20     occasion?

21           A     You know what?  I might have.  I can't  
22     really recall.

23           Q     What about the conversation that you  
24     indicated you had with Jason Woychuk, can you tell  
25     us about that, please?

1           A     He just stated that -- I believe he  
2     stated the call came in at seven something in the  
3     morning, and he had been working the previous  
4     night, and that he responded to the accident along  
5     with the Chief of Police at that time, Harry  
6     Bakema. Ken Graham also attended that accident  
7     scene. And the fact that Jason said that Harry  
8     Bakema brought a gentleman to him, which later  
9     turned out to be the gentleman who was arrested by  
10    Norm Carter, and placed him in the back of Jason's  
11    vehicle and said that the guy might be impaired.

12           Q     Okay. So what you are relaying is a  
13    conversation that you are having with Jason  
14    Woychuk, and he is repeating things to you that he  
15    says Harry Bakema said to him?

16           A     Correct.

17           Q     Okay. And did this conversation occur  
18    once you got back to work?

19           A     Shortly thereafter I returned to work.

20           Q     Within a day or two of you getting  
21    back?

22           A     Yeah, not long after. I can't specify  
23    because I have no handwritten notes or anything  
24    about it.

25           Q     And were you discussing with Jason

1 Woychuk the difficulties in the case that you  
2 spotted?

3 A Well, I told him there was going to be  
4 issues with the charter.

5 Q And you've indicated that he  
6 attributed a comment to Harry Bakema, and what was  
7 that again?

8 A He stated that Harry brought the  
9 gentleman to his vehicle and told Jason that this  
10 gentleman may be impaired, and then after the fact  
11 told him to transport the gentleman, or the body  
12 to the office where at that time Sergeant Carter  
13 would deal with him.

14 Q And on March 25th, 2008, when you were  
15 interviewed by Commission Counsel, you were asked  
16 about that conversation?

17 A Correct.

18 Q And you had indicated in your evidence  
19 at that time more or less the same thing, that  
20 that is what Jason Woychuk indicated to you that  
21 Harry Bakema said, and he repeated it to you?

22 A Correct.

23 Q Now, you also -- and you also had an  
24 opportunity to speak to the RCMP, because they  
25 were interested in what Jason Woychuk told you?

1           A     Correct.

2           Q     And do you recall being interviewed by  
3 the RCMP on June 1st, 2006?

4           A     Correct.

5           Q     And I want to ask you about that, sir,  
6 because you've indicated in your testimony thus  
7 far that Jason Woychuk said Harry Bakema mentioned  
8 to him that an individual may be impaired. And  
9 when you spoke with Commission Counsel during your  
10 interview, you indeed indicated the same thing,  
11 and the reference would be at pages 10 and 12 of  
12 your interview. But I want to determine, sir,  
13 whether I can refresh your memory on whether the  
14 indication was that the individual may be impaired  
15 or was likely impaired.

16                     Now, when you gave your interview with  
17 the RCMP, this was June 1st, 2006, were you  
18 attempting to be as accurate as you could with the  
19 officer investigating the matter?

20          A     Yes, I was.

21          Q     At page 2, sir, in the interview, if  
22 you look just beyond halfway down the page, you  
23 will see there is some questions and answers. You  
24 see Kennett, Maloney, Kennett, Maloney?

25          A     Yes.

1           Q     Okay. Now, just going up to the top  
2 of the page, I'm going to direct your attention to  
3 a passage here, and determine if it assists you in  
4 refreshing your memory on this point. You see  
5 just about four lines down from the top you stated  
6 to the RCMP, and I will read:

7                     "And Jason I guess said to me that he,  
8 Harry told him to put the gentleman in  
9 the car. The, um, I believe  
10 Mordenzenk is his name, put him in the  
11 car. And Harry stated to Jason that  
12 he was most likely impaired."

13 Do you recall giving that response to the RCMP at  
14 one of the first questions they asked you?

15           A     Yes, I do.

16           Q     And further, if you go down the page,  
17 you will see there is a question:

18                     "KENNETT: Okay. Is there more?

19                     MALONEY: Like, just that's what I  
20 pretty much know about it, like Jason  
21 said Harry told him that most likely  
22 the guy was impaired, to put him in  
23 his car and to drive him back to the  
24 office and give him to Norm."

25           A     Correct.

1           Q     All right. Now, I ask you to move  
2 further into the RCMP interview that you gave to  
3 page 14, please? At this point Constable Doyle  
4 from the RCMP is asking you questions.

5           "DOYLE: Um, was, was he the type of  
6 guy to give somebody else maybe the  
7 more important things to do at a given  
8 scene or investigation?"

9 Your response, and I will take you down to almost  
10 eight lines into your response, you say:

11           "There is, they, there was, he even  
12 told Jason that he thought the guy was  
13 drunk. It is not like he didn't."

14 And it carries on. Do you see that, sir?

15           A     Yes.

16           Q     Do you recall giving that response to  
17 the RCMP?

18           A     Yes, I do.

19           Q     And further at page 16, at page 16,  
20 sir, at the bottom, Officer Doyle asked you  
21 another question.

22           "No. Did he tell you how much contact  
23 he had with Zenk at the scene?"

24 Maloney -- you give a response to the question and  
25 then you go on three lines from the bottom:

1 "And, um, so Jason knew him, and like  
2 all he said was that he had him in the  
3 car and that Harry told him to put him  
4 in the car, and that Harry said he was  
5 probably drunk. And, ah, then Harry  
6 told him to drive to the office and  
7 give him to Norm."

8 Do you recall giving that response?

9 A Yes, I do.

10 Q Now, you have given evidence to this  
11 Commission that Jason Woychuk repeated that Harry  
12 Bakema said he may be impaired. You've given that  
13 evidence to Commission Counsel in your interview.  
14 But having the opportunity to refresh your memory  
15 with what you said to the RCMP, and telling them  
16 that the comments were that Derek Harvey-Zenk was  
17 most likely impaired, and further, most likely the  
18 guy was impaired, Harry Bakema thought he was  
19 impaired, he even told Jason that he thought the  
20 guy was drunk, et cetera. Does that refresh your  
21 memory on whether it was "he may be impaired" or  
22 "he actually thought he was impaired?"

23 A He thought he was impaired.

24 Q Now, before we move away from it, the  
25 last response that I put to you to refresh your



1 memory on that point, part of the response was  
2 that Jason Woychuk told you that he knew  
3 Harvey-Zenk?

4 A Correct.

5 Q Can you elaborate on that?

6 A They grew up in the same town,  
7 Brandon, Manitoba. I don't know what kind of  
8 relationship they had or anything like that. It  
9 is just they knew each other, I believe they went  
10 to the same school. But Brandon is only a small  
11 city of about 35,000, so anyone within about a  
12 five year age gap probably knows of each other.

13 Q Did he mention anything else about his  
14 relationship with him?

15 A No.

16 Q Now, you are using the words he knew  
17 him. Do you recall what Jason Woychuk's words  
18 were to you?

19 A No.

20 Q But there was no mistake whatsoever,  
21 no misapprehension in your mind that he was  
22 talking about a fellow that he knew?

23 A Knew of, or knew.

24 Q All right. Sir, I want to ask you  
25 about another comment you made to the RCMP in

1 order to determine what it was that you meant, or  
2 you understood it to mean. This is at page 4,  
3 page 788 in our Commission pagination. The last  
4 question on that page is:

5 "KENNETT: That very first  
6 conversation, um, did Jason bring up  
7 any concerns that he personally had  
8 with what had taken place?"

9 Your response is:

10 "I guess from what he was saying, like  
11 just the way he would, like Harry was  
12 telling him to do things and he would,  
13 ah, I guess the more concern I felt  
14 from him was that he didn't know how,  
15 what Harry was there, and supposedly  
16 he was leading the scene and he was  
17 telling Jason to put the guy in the  
18 car and not really giving him  
19 directions on what everyone was  
20 supposed to do there."

21 Sir, I want to ask you, what you mean when you  
22 were saying Harry was telling him to do things?  
23 Did he elaborate on that further?

24 A No. Just like he told Jason to put  
25 the guy in the car, and then he gave Jason the

1 instruction to take him back to the office for  
2 Sergeant Carter.

3 Q When Jason told you that Harry was  
4 telling him to do things, did he tell you anything  
5 else?

6 A No.

7 Q Did you give Jason Woychuk any advice  
8 on how to manage this situation or on how to deal  
9 with it?

10 A I just told him to tell the truth.

11 Q And this would have been within how  
12 many days of the accident taking place, or the car  
13 crash?

14 A Somewhere after. I can't really give  
15 a specific date.

16 Q Well, again, harkening back to our  
17 opening answers and questions, was this within a  
18 number of days?

19 A Yes, somewhere shortly thereafter.

20 Q Certainly within a week?

21 A Most likely, yeah.

22 Q Did he take that advice and follow up  
23 with anybody else in the East St. Paul Police?

24 A I'm not sure. Hopefully, he did.

25 Q Did he tell you that he was going to

1 talk to anybody about it?

2 A Well, I know he provided statements  
3 and that, and hopefully told the truth. I can't  
4 really say whether he did or not.

5 Q Did you raise it with anybody?

6 A I don't think so, not that I can  
7 remember anyway. I just more gave him the advice.

8 Q Were you confident that he would raise  
9 it with someone?

10 A I believe he would do the right thing.

11 Q What could you tell us, sir, about the  
12 practice of preparing police duty-book notes?

13 A They should be your own notes, written  
14 in your own hand, from your own observations of  
15 the scene.

16 Q And is that your practice?

17 A Yes, it is.

18 Q And do you understand that to be the  
19 accepted method?

20 A That's how I was trained to take  
21 notes, they are your own notes, and when you are  
22 in a court of law they are going to ask you  
23 whether you made them yourself.

24 Q I take it you have been asked on a  
25 number of occasions about your notes in court?

1           A     Yes, I have.

2           Q     And you have been asked whether they  
3 were made by yourself?

4           A     In your own hand, yes.

5           Q     At the time or as soon thereafter as  
6 you could?

7           A     Correct.

8           Q     Any additions, deletions, amendments?

9           A     Correct.

10          Q     And you want to be able to respond in  
11 the affirmative to all of those questions?

12          A     Correct.

13          Q     I take it you have some concern about  
14 the wrath that will come upon you if you said,  
15 well, these are my notes but I made them with  
16 another officer and we collaborated on them?

17          A     Well, I was trained not to do it that  
18 way, and some people are going to see things  
19 differently than other people at an accident  
20 scene, or at any type of call people will  
21 interpret things differently.

22          Q     Did other officers at East St. Paul  
23 Police follow that method?

24          A     No.

25          Q     And what can you tell us about that?

1           A     I seen other officers making notes  
2 together, contriving them together.

3           Q     Who did you see making notes together?

4           A     I seen Harry Bakema and Ken Graham  
5 making notes together.

6           Q     Did you see any such conduct in  
7 connection with this case?

8           A     No.

9           Q     When did you see it happening?

10          A     Just with previous incidents.

11          Q     How many previous incidents, can you  
12 say?

13          A     I'm guessing probably half a dozen.

14          Q     Did you know Derek Harvey-Zenk  
15 yourself?

16          A     No.

17          Q     Do you know whether Harry Bakema knew  
18 Derek Harvey-Zenk?

19          A     I believe he did know him.

20          Q     And what do you base that belief upon?

21          A     Because Harry Bakema was a Sergeant in  
22 the North End of Winnipeg on Hartford, district 3,  
23 and I believe Derek Harvey-Zenk worked out of the  
24 North End also, on the same side, B side. I don't  
25 believe they were on the same shift, but I believe

1 they were on the same side, so their shifts would  
2 overlap on occasion.

3 Q If that were the case, that they were  
4 on the same side, different shifts, and there  
5 would be an occasional overlap, given what you  
6 know about the police scheduling, is it your  
7 understanding that they would know one another?

8 A They would, yes.

9 Q Sir, are you able to comment on the  
10 appropriateness of having a junior officer like  
11 Jason Woychuk involved in a serious motor vehicle  
12 accident investigation?

13 A All my comment is that if I was the  
14 person at the scene, I wouldn't be handing the  
15 body off to the most junior guy at the scene and  
16 having him transport him.

17 Q Did you have any discussion with Jason  
18 Woychuk about things that you read in the file?

19 A Just more about the charter issue and  
20 stuff like that that I read.

21 Q Did you read in the file about the  
22 paramedics detecting an odour of alcohol?

23 A Yeah, I read that.

24 Q Did you talk to him about that?

25 A You know what, I can't recall if I did

1 or not. But I did discuss knowing the fact that  
2 there was a police uniform in the truck, so there  
3 was no secret that the gentleman who was involved  
4 in the accident was a Winnipeg City Policeman,  
5 because there was a uniform, there was a uniform  
6 removed out of the vehicle.

7 Q Sir, I want to conclude your  
8 examination by asking you, how long have you known  
9 Ken Graham?

10 A You know what, I can't even give a  
11 specific date. I don't know when he was hired.

12 Q You knew him professionally, I take  
13 it, through his employment tenure at the East St.  
14 Paul Police?

15 A Correct.

16 Q And, sir, I understand that you had  
17 occasion to have an encounter with him today?

18 A Yes, I did.

19 Q And you created a statement in  
20 connection with what occurred?

21 A Yes, I did.

22 Q Do you have a copy of your statement  
23 with you?

24 A No, I don't.

25 Q Could you indicate to the Commission,



1 please, what took place between you and Ken Graham  
2 earlier today?

3 A At approximately 10:30 this morning,  
4 on July 8th, 2008, I was sitting on the bench  
5 outside of this courtroom. And Ken Graham came  
6 walking down the hall from the south toward the  
7 courtroom. Upon coming up to me, I said,  
8 "Mr. Graham." And he said "Maloney, Maloney, you  
9 guys are nothing but a bunch of fucking traitors."  
10 And I said, "Ken, I wasn't even there." And he  
11 said, "I know you weren't there," and he walked  
12 back into the courtroom. Mr. Graham was slightly  
13 agitated when he said this. There was a female  
14 photographer to the north of the doors on the  
15 other bench. I continued to sit. And then I was  
16 taken to a sitting room to read a previous  
17 statement. And I asked Bob Giasson why Ken was  
18 upset, and he asked me why, and I informed him of  
19 what Graham had said. And then Mr. Clifford  
20 attended the sitting room and asked what was said.  
21 And I told him what Graham had said, and he  
22 requested that I write out a statement of what  
23 occurred.

24 MR. CLIFFORD: Mr. Commissioner, I'm  
25 going to ask that that statement be made an

1 exhibit in these hearings. I know it has been  
2 marked as an exhibit on the motion to exclude Ken  
3 Graham from the hearing room. That issue I think  
4 has been dealt with. So I would ask that it be  
5 made an exhibit to these proceedings.

6 THE COMMISSIONER: Yes. What number  
7 is that?

8 THE CLERK: Exhibit 112.

9 MR. PROBER: Did his RCMP statement  
10 get a number?

11 MR. CLIFFORD: Thank you, Mr. Prober,  
12 it didn't, and I will take care of that right now.  
13 Could we also, while we are entering exhibits,  
14 have the statement of the RCMP entered as the next  
15 one?

16 (EXHIBIT 112: Bryan Maloney's  
17 handwritten statement of incident,  
18 July 8, 2008)

19 (EXHIBIT 113: E-2.30, Constable  
20 Maloney's statement to RCMP, June 1,  
21 2006)

22 BY MR. CLIFFORD:

23 Q Now, Constable Maloney, I want to ask  
24 you about the written statement that's now been  
25 tendered as an exhibit. When you were sitting

1 outside in the courtroom, this is just, correct me  
2 if I'm wrong, but there are some benches located  
3 just outside the door?

4 A Correct.

5 Q And you saw Mr. Graham, you indicated  
6 in the statement, coming up to you, and you said  
7 Mr. Graham?

8 A Correct.

9 Q Did you initiate the communication?

10 A Well, he was staring at me when he was  
11 walking up to me. He was coming from the south,  
12 down the hallway corridor, and he was staring at  
13 me. And he came right towards me, and I  
14 acknowledged him.

15 Q And you indicated in your statement  
16 that you said "Mr. Graham?"

17 A Um-hum.

18 Q And --

19 A That's what I said, yes.

20 Q All right. Did you say anything else  
21 to him?

22 A No.

23 Q Those two words, "Mr. Graham?"

24 A And then he said "Maloney, Maloney."

25 Q In your statement it says, "Maloney,

1 Maloney, you guys are nothing but a bunch of  
2 fucking traitors."

3 Now, that's what is in your statement.  
4 What were his precise or exact words to you?

5 A Pretty much exactly what is in the  
6 statement, "you guys are a bunch of fucking  
7 traitors." And I said, "Ken, I wasn't even  
8 there." And he says, "yeah, I know you weren't  
9 there."

10 Q Sir, have you left any part of the  
11 exchange between you and Ken Graham out of the  
12 statement?

13 A No. Like I said, there was a  
14 photographer -- the conversation wasn't very long.  
15 There was a photographer sitting down on the other  
16 side of the doors.

17 Q When you indicated that he was  
18 slightly agitated when he said this, what did you  
19 mean by that?

20 A He just didn't seem happy when he  
21 said, "you guys are a bunch of fucking traitors,"  
22 it was like he was upset in a way.

23 Q Can you describe his tone of voice?

24 A Firm.

25 Q How close was he when he said it?

1           A     Well, I was sitting down and he was  
2 standing looking down at me.

3           Q     And how close was he when he was  
4 standing?

5           A     Probably a couple of feet.

6           Q     What was your tone and demeanor when  
7 you responded to him?

8           A     More just, you know what, I wasn't  
9 even there, like, if you want to say something,  
10 don't say it to me.

11          Q     Now, with respect to what he meant,  
12 I'm not going to ask you about that, that's  
13 perhaps something that you can't comment on. But  
14 is there any possibility that he didn't say the  
15 word "traitor"?

16          A     No.

17          Q     If it was suggested to you that he  
18 said that you were a "liar"?

19          A     No.

20          Q     Would you agree with that suggestion?

21          A     No.

22          Q     In your career with Ken Graham when he  
23 was an officer at East St. Paul Police, did you  
24 have any animosity? Were there any issues between  
25 you and he?

1           A     At the end there was, before he left.

2           Q     Had you ever had exchanges such as  
3 this previously?

4           A     Not like this, no. He worked the  
5 other side of the shift schedule from me.

6                   MR. CLIFFORD: Sir, those are the  
7 questions that I have for you. Other counsel will  
8 have questions.

9                   THE COMMISSIONER: It is 5:08, I said  
10 we would finish at 5:00 o'clock. I take it that  
11 counsel would like to do their cross-examination  
12 in the morning?

13                   MR. ZAZELENCHUK: That would be  
14 convenient.

15                   THE COMMISSIONER: We will now adjourn  
16 for the day. Thank you. We will see you in the  
17 morning at 9:30.

18                   THE CLERK: All rise. This Commission  
19 of Inquiry is adjourned until tomorrow at 9:30.

20                                 (Proceedings adjourned at 5:08 p.m.)

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 REPORTERS CERTIFICATE

Debra Kot and Cecelia Reid, court reporters 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

-----

Debra Kot

A				
<b>able</b> 2386:14 2388:18,23 2395:6 2417:17 2465:10 2527:23 2577:11 2590:10 2592:9	2596:14 <b>acknowledging</b> 2412:2 <b>acknowledgment</b> 2381:14 2385:21 <b>across</b> 2451:7,11,12 2461:23 <b>act</b> 2525:14 2564:18 2564:20 <b>actions</b> 2385:11 2557:14 2564:15 <b>activity</b> 2414:24 <b>actually</b> 2377:16 2384:18 2469:24 2470:2 2585:22 <b>add</b> 2413:8 2456:5 2456:7,18,20 2503:2,19 2517:12,24 2537:21,24 <b>added</b> 2517:10,11 2517:23 2520:11 2537:6 2538:13 2569:2 <b>additional</b> 2572:9 2572:16 <b>additions</b> 2565:21 2566:1 2590:8 <b>address</b> 2524:23 2565:11,12 <b>addressed</b> 2453:24 <b>addressing</b> 2557:9 <b>adjourn</b> 2599:15 <b>adjourned</b> 2599:19 2599:20 <b>administer</b> 2559:14 2561:17 2562:9 <b>administered</b> 2539:4 <b>administering</b> 2538:18 <b>Administrative</b> 2371:4,5,6 <b>admit</b> 2386:1 <b>admitting</b> 2537:5 2537:11 <b>advice</b> 2458:16 2459:3 2563:16 2563:18 2588:7 2588:22 2589:7 <b>advise</b> 2473:12 2527:12 2548:5 2549:3 <b>advised</b> 2380:10 2387:5 2388:13 2397:11 <b>affirmative</b> 2590:11 <b>afford</b> 2557:20 <b>after</b> 2389:20	2390:1,5 2392:12 2402:24 2404:1 2405:5 2407:10 2409:1 2416:6,9 2416:10 2440:12 2467:19 2481:9 2491:10 2497:18 2503:1 2506:12 2506:13,24 2521:17,18 2534:10,14 2537:2,7 2548:3 2548:10 2555:13 2566:6,11 2576:14,24 2577:3 2578:23 2580:22 2581:10 2588:14 <b>afternoon</b> 2522:24 2523:12 2525:9 2574:22 <b>afterwards</b> 2451:17 <b>again</b> 2375:21 2377:20,25 2378:2,19 2379:25 2382:22 2383:16 2384:8 2390:3 2444:11 2463:8,22 2464:3 2464:7 2473:21 2478:13 2491:16 2496:19 2497:6 2499:7 2502:24 2503:12 2505:17 2512:15,19 2516:11 2517:21 2519:1 2559:9 2560:7 2565:15 2581:7 2588:16 <b>against</b> 2509:11 <b>age</b> 2586:12 <b>agitated</b> 2455:1 2594:13 2597:18 <b>ago</b> 2417:1 2442:5 2542:9 <b>agree</b> 2395:1,3 2396:8 2409:7 2410:13 2411:3 2436:4 2439:20 2439:21 2441:13 2441:16 2448:2 2456:23 2457:2 2465:2 2466:8 2467:2,3 2487:11 2501:4 2526:10 2536:20,23 2537:2 2540:19 2543:11 2544:1 2552:14 2569:14	2569:23 2572:14 2572:19 2598:20 <b>agreed</b> 2375:6 2405:5 2411:10 <b>agreeing</b> 2568:2 <b>agreement</b> 2458:18 <b>ah</b> 2513:7 2585:5 2587:13 <b>ahead</b> 2418:25 2431:9 2443:18 2491:16 <b>albeit</b> 2493:9,18 2534:17 <b>alcohol</b> 2381:8 2397:6,7 2402:3,5 2405:25 2406:7 2406:21 2407:5,9 2407:16 2410:2 2410:20 2411:3,8 2412:4 2492:9 2499:18 2534:17 2536:4,25 2545:3 2553:12,16 2558:5 2559:1 2561:15,19 2571:24 2592:22 <b>alerting</b> 2545:18 <b>align</b> 2496:22 2500:11 2503:21 <b>alignment</b> 2497:9 2503:11 2504:9 <b>allegation</b> 2453:22 2524:12 <b>allegations</b> 2390:20 <b>Alleged</b> 2373:11 2529:13 2530:14 2531:4 2533:1,5 <b>alleging</b> 2520:14 <b>allow</b> 2524:5 2525:24 <b>allowed</b> 2433:17 <b>almost</b> 2437:24 2584:9 <b>Alnie</b> 2371:8 <b>alone</b> 2562:19 2563:11 2573:9 2574:4 <b>along</b> 2386:11,20 2460:23 2504:5 2506:13 2525:18 2552:20 2553:25 2580:4 <b>already</b> 2404:2 2444:5 2460:3 2470:23 2508:19 2520:5 2534:2 2537:8 2554:15 2558:15,17,20 2559:4,21	2571:23 2573:19 <b>alternatively</b> 2561:17 <b>although</b> 2385:25 <b>always</b> 2423:25 2443:17 <b>ambulance</b> 2410:1 2466:7,8 2540:25 2570:4 2571:21 2572:15 2573:20 <b>ambulances</b> 2548:1 <b>amended</b> 2407:4 <b>amendments</b> 2590:8 <b>amongst</b> 2576:3 <b>analyst</b> 2460:2 <b>and/or</b> 2468:16 2563:16 <b>angle</b> 2463:14 <b>angled</b> 2462:15 2463:1,10,17 2464:8 <b>animosity</b> 2598:24 <b>another</b> 2381:19 2421:18 2428:19 2432:14 2438:3 2494:7,14 2501:7 2584:21 2586:25 2590:16 2592:7 <b>answer</b> 2390:2 2416:2 2438:12 2448:8 2477:25 2504:11 2508:2 2511:12 2512:4 2515:22 2517:8 2518:23 2569:6 2569:11 <b>answered</b> 2500:2,2 <b>answering</b> 2493:19 <b>answers</b> 2474:11 2582:23 2588:17 <b>anticipate</b> 2574:15 <b>anticipated</b> 2501:2 <b>anybody</b> 2393:9 2396:12 2400:8 2404:9 2411:13 2435:20 2436:6 2453:8 2544:15 2577:15 2588:23 2589:1,5 <b>anyone</b> 2400:24 2411:12 2424:8 2469:12 2507:23 2513:20 2522:7 2566:2 2578:5 2586:11 <b>anything</b> 2381:6 2384:2 2392:8 2396:22 2397:12



2406:21 2442:8 2444:17 2473:1,1 2481:22 2498:10 2502:10,11,12,25 2507:25 2509:23 2515:19 2518:21 2547:18 2565:2 2566:5,6,10,11,15 2566:16 2580:23 2586:8,13 2588:4 2596:20 <b>anyway</b> 2589:7 <b>anywhere</b> 2421:4 <b>apologize</b> 2388:12 2406:12 2407:14 2413:14 2419:2 2564:14 2565:24 <b>apparently</b> 2374:18 2376:3 2505:9 <b>appear</b> 2406:7 2408:14,24 2464:11,11 2525:11 2530:2 2531:18 2532:3 2532:16 2534:1 <b>APPEARANCES</b> 2371:10 <b>appeared</b> 2482:8 2516:17 <b>appears</b> 2410:13 2424:15 2462:22 2482:3 2487:8 2506:13 2520:12 2544:16 2556:23 <b>applicable</b> 2540:14 <b>apply</b> 2526:3,5 <b>appreciate</b> 2493:1 2498:4 <b>appreciated</b> 2530:5 <b>Apprehensive</b> 2385:1 <b>approach</b> 2390:13 2465:7 2535:7,15 <b>approached</b> 2382:16 2391:3 <b>approaching</b> 2435:4 2446:21 2461:15,19 <b>appropriate</b> 2456:1 2522:24 2523:1 2526:20 2561:10 2573:24 <b>appropriateness</b> 2592:10 <b>approval</b> 2523:22 <b>approved</b> 2559:5 <b>approximately</b> 2418:8 2441:4 2454:14 2482:19	2594:3 <b>April</b> 2373:3 2377:21 2380:1 2381:18 2382:2,6 <b>area</b> 2392:25 2431:20 2433:4,8 2433:12,20 2436:7 2447:17 2449:5 2460:17 2475:24 <b>areas</b> 2557:18,22 <b>argument</b> 2450:19 <b>arises</b> 2536:7 <b>arose</b> 2525:13 <b>around</b> 2451:12 2461:19 2492:16 2496:1 <b>arranged</b> 2388:19 2388:20,21 <b>arrest</b> 2403:19 2405:20 2406:20 2407:24 2496:4,7 2496:8,12,16 2509:12 2546:18 2546:21 2579:4 2579:17 <b>arrested</b> 2402:8 2404:2 2423:19 2423:20,21 2424:2,9 2469:4 2469:13 2474:2 2504:1 2546:3 2577:25 2580:9 <b>arresting</b> 2405:15 <b>arrival</b> 2559:24 <b>arrive</b> 2410:17 2438:15 2549:6 <b>arrived</b> 2427:1,9 2437:4 2438:8,25 2440:11,12 2466:14 2562:20 <b>arriving</b> 2512:21 2514:7,8 <b>ASD</b> 2538:19 2539:3 2559:11 <b>aside</b> 2571:2 <b>asked</b> 2384:1,3 2415:11 2420:12 2420:17 2455:6,8 2455:11 2477:19 2493:4 2494:17 2503:18 2504:13 2507:12,13 2510:19,20,21,24 2511:9 2512:19 2513:3,16 2514:7 2515:13 2524:5 2544:15 2552:19 2553:21 2554:12	2554:15 2555:1 2556:8 2568:8,11 2568:25 2569:1 2570:7 2571:6,20 2581:15 2583:14 2584:20 2589:24 2590:2 2594:17 2594:18,20 <b>asking</b> 2382:13 2492:23 2493:2 2497:15 2503:17 2503:18 2520:7 2551:17 2560:3 2584:4 2593:8 <b>asks</b> 2394:19 <b>assist</b> 2557:9 <b>assistance</b> 2477:12 <b>assistant</b> 2371:6 2522:16 <b>assists</b> 2583:3 <b>Assoc</b> 2371:18 <b>Associate</b> 2371:3 <b>assume</b> 2481:11,16 2487:25 2488:1,9 2488:10,11 2496:6 2502:2 2508:19 2526:2,5 <b>assuming</b> 2428:24 2446:11 2449:20 2527:5 <b>attached</b> 2509:9 2544:17,20 2545:2 <b>attempt</b> 2566:16 <b>attempting</b> 2561:16 2562:8 2566:7,12 2582:18 <b>attend</b> 2374:14 2474:16,20 2548:23 <b>attendant</b> 2570:4 2572:15 <b>attendants</b> 2410:2 2466:7,8 2571:22 <b>attended</b> 2455:10 2499:17 2573:19 2577:5 2580:6 2594:20 <b>attention</b> 2453:22 2466:10 2486:3 2530:11 2548:2,4 2548:21 2567:11 2583:2 <b>attributed</b> 2540:20 2581:6 <b>Authority</b> 2466:6 <b>automobile</b> 2559:17 2559:18 <b>auxiliary</b> 2418:6	<b>avoid</b> 2404:8,13 2405:14 2408:4 2409:17 <b>avoiding</b> 2411:25 2569:16 <b>aware</b> 2376:25 2377:4,5,13,18 2379:12,20 2391:4,12,14,18 2391:24 2392:1 2393:5,8 2395:10 2429:22,23 2491:23 2528:6 2541:17 2542:6,8 2546:25 2557:16 2568:6,7 <b>away</b> 2413:20 2414:1,17,22,25 2519:16,19,20 2520:3 2585:24 <b>a.m</b> 2374:2 2452:7 2452:8 2468:1 2555:6,25 <b>A.1.23.f</b> 2529:15 <hr/> <b>B</b> <hr/> <b>B</b> 2371:13,14 2450:11,13 2591:24 <b>back</b> 2377:16 2379:23 2383:25 2387:16 2403:6,7 2403:10 2409:4 2412:7 2418:12 2426:13 2435:17 2435:20 2438:10 2447:2 2454:24 2458:14 2461:17 2467:18 2478:3 2491:17 2493:7,8 2493:8 2506:18 2515:13 2517:21 2518:5,13 2527:24 2541:21 2550:9 2553:1 2555:12 2560:24 2563:3 2576:1 2578:2,18 2580:10,18,21 2583:23 2588:1 2588:16 2594:12 <b>background</b> 2477:9 <b>bad</b> 2564:14 <b>badge</b> 2424:23 <b>bag</b> 2396:19 <b>bail</b> 2411:1,6 <b>Bakema's</b> 2497:8 <b>base</b> 2591:20 <b>based</b> 2439:21,22 2458:10,15	2474:13 2475:8 2507:19 <b>basic</b> 2378:7 2379:3 <b>basically</b> 2383:8 2392:15,21 2396:25 2434:9 2478:8,23 2483:25 <b>basis</b> 2394:4 2498:15 2560:18 <b>bat</b> 2497:12,13,14 <b>battery</b> 2430:10 <b>Bearing</b> 2412:9 <b>became</b> 2393:2 2500:24 <b>become</b> 2375:17 2377:21 2381:23 2402:9 2421:24 2542:8 <b>before</b> 2370:13 2390:16,22 2391:16 2392:11 2399:18,20,24 2400:21 2406:8 2417:16 2427:24 2437:22 2438:8 2438:20 2440:15 2441:1 2452:15 2457:3 2459:5 2463:7 2467:7 2470:24 2475:20 2509:6 2521:15 2530:8 2542:21 2545:21 2559:14 2576:11 2579:16 2585:24 2599:1 <b>began</b> 2375:15 <b>begin</b> 2387:22 <b>behalf</b> 2523:19 2525:11,14 2571:19 <b>behind</b> 2430:21 2446:6 2447:2 2448:4,6,13,20,22 2448:24 2449:13 2449:18 2450:1 2461:4 <b>belief</b> 2548:18 2591:20 <b>believed</b> 2412:19 2521:10 2561:5,9 2564:12 <b>belittling</b> 2484:12 <b>bench</b> 2454:15 2455:3 2594:4,15 <b>benches</b> 2596:2 <b>benefit</b> 2478:13 2574:3,13 <b>Bergmann</b> 2371:6
---	---	--	--	---

<b>beside</b> 2547:15 2567:12 2573:1,3	2393:2 2426:3 2466:9 2479:19 2541:5,15 2542:3	2438:23 2440:11	2594:5 2596:13	<b>cell</b> 2568:5
<b>best</b> 2412:11 2413:13 2417:5 2453:21 2489:13 2490:9,17 2492:25 2493:2,3 2513:11 2520:23 2521:1,3 2576:18	<b>bother</b> 2381:7 <b>bothered</b> 2403:5 <b>bothering</b> 2375:6 2403:3 <b>bothers</b> 2398:4 <b>bottom</b> 2419:20 2426:4 2430:8 2463:24 2510:4,8 2512:20 2529:8 2584:20,25	<b>brought</b> 2378:12 2381:10 2399:15 2399:22 2400:4 2400:23 2405:19 2423:18,19,22 2424:9 2465:20 2467:9 2476:21 2478:10,23 2479:12 2480:19 2510:16 2511:13 2511:16 2512:22 2513:23 2547:11 2567:10 2570:18 2573:16 2580:8 2581:8	<b>canvassed</b> 2453:14 <b>car</b> 2393:14 2397:24 2399:8,8 2399:14,20,23 2400:11 2401:3 2401:17 2407:11 2478:9 2485:12 2485:14 2487:21 2493:18 2497:11 2497:19 2499:9 2507:15 2510:16 2512:22 2563:4 2571:4 2573:10 2573:17 2578:3 2583:9,11,23 2585:3,4 2587:18 2587:25 2588:12	<b>censure</b> 2557:15 2562:18 2563:14 2564:22 <b>cent</b> 2576:15 <b>centigrade</b> 2557:1 <b>Centre</b> 2370:13 <b>certain</b> 2396:16 2413:7,8 2421:16 2426:2 2427:23 2428:23 2430:13 2437:21 2444:6 2444:11 2485:21 2524:6 2544:25 2557:18 2567:20
<b>better</b> 2377:12 <b>between</b> 2402:14 2427:21 2432:4 2432:13 2436:8 2439:14 2447:12 2487:9 2505:6 2506:8 2513:13 2578:25 2594:1 2597:11 2598:24	<b>Bowley</b> 2371:14 <b>box</b> 2425:13,21 2426:5 2471:3 2472:1 2493:19 <b>Boyd</b> 2371:19 <b>Brandon</b> 2392:13 2392:18 2416:16 2417:23 2418:4 2418:12 2419:5 2546:1,1 2575:8 2575:13 2586:7 2586:10	<b>Bryan</b> 2372:14 2373:18,23 2452:17 2453:16 2455:14 2574:12 2574:18 2595:16 <b>building</b> 2389:7,8 2389:14 <b>bunch</b> 2454:21 2594:9 2597:1,6 2597:21	<b>care</b> 2443:6 2535:5 2559:12,17 2572:25 2595:12 <b>career</b> 2391:24 2396:7 2575:7 2598:22 <b>careful</b> 2418:10,10 <b>carries</b> 2584:14 <b>Carry</b> 2576:25 <b>Carter's</b> 2375:16 2378:7 2501:5 2541:14 2542:2	<b>certainly</b> 2390:23 2400:3 2480:4 2500:6 2519:18 2544:4 2588:20 <b>CERTIFICATE</b> 2600:1 <b>certify</b> 2600:6 <b>cetera</b> 2491:15 2585:20 <b>chair</b> 2418:9 <b>change</b> 2406:15 2554:24 <b>changed</b> 2483:12,14 2520:12 2569:2 <b>changes</b> 2534:11,12 2534:13 2535:1 2554:17
<b>beyond</b> 2582:22 <b>big</b> 2401:24 2430:3 2431:19 2432:10 2501:17 <b>binder</b> 2528:2 <b>birth</b> 2420:13 <b>bit</b> 2375:21 2424:1 2431:9 2434:7 2447:18 2492:17 2499:5 2540:3,9 2575:6	<b>Braun</b> 2371:5 <b>breach</b> 2403:18 2411:1,7,25 2412:1 2520:24 2521:5,20 2522:1 2566:8 <b>breached</b> 2521:9 <b>breaches</b> 2522:6 <b>break</b> 2452:4 2467:23 2520:9 <b>breath</b> 2390:14 2538:18 2543:15 2544:5,6	<b>button</b> 2528:2,8 2541:22,24 <b>B.P</b> 2455:14 <b>B.10.c.i</b> 2373:6 2420:25 2422:1 <b>B.8.a</b> 2462:4	<b>care</b> 2443:6 2535:5 2559:12,17 2572:25 2595:12 <b>career</b> 2391:24 2396:7 2575:7 2598:22 <b>careful</b> 2418:10,10 <b>carries</b> 2584:14 <b>Carry</b> 2576:25 <b>Carter's</b> 2375:16 2378:7 2501:5 2541:14 2542:2	<b>case</b> 2379:18 2387:10 2402:20 2411:24 2413:5,9 2457:4 2479:2 2509:7,8 2512:14 2512:15 2519:25 2520:15 2534:13 2534:19,23 2535:9 2539:9 2543:14 2544:3 2551:23 2557:15 2566:3,13,25 2569:3,9,12,25 2570:5,9 2575:15 2576:2 2577:14 2579:19 2581:1 2591:7 2592:3
<b>black</b> 2431:7,18 2432:20 2433:3 2433:23,25 2443:25 2444:8 <b>block</b> 2444:14 <b>blocked</b> 2432:16,17 2433:1 <b>blood</b> 2390:15 2496:1,1 2541:16 2542:4 2543:25 2573:14 <b>bloodshot</b> 2494:8 2538:3 <b>blowup</b> 2432:11 <b>blue</b> 2505:25 <b>board</b> 2431:19 2459:21 <b>Bob</b> 2450:13 2455:6 2594:17 <b>body</b> 2412:4 2452:22 2581:11 2592:15 <b>bolster</b> 2534:12 2535:9 <b>book</b> 2375:19 2380:2 2381:20 2438:22,24 <b>booking</b> 2426:23 <b>books</b> 2422:10 <b>both</b> 2392:24	<b>breach</b> 2403:18 2411:1,7,25 2412:1 2520:24 2521:5,20 2522:1 2566:8 <b>breached</b> 2521:9 <b>breaches</b> 2522:6 <b>break</b> 2452:4 2467:23 2520:9 <b>breath</b> 2390:14 2538:18 2543:15 2544:5,6 <b>breathalyzer</b> 2534:18 2559:3 2560:1,3,13 2561:20,21 <b>breathalyzers</b> 2572:22,23 <b>brief</b> 2470:11 2482:20 2485:8 2551:13 2575:4 <b>briefly</b> 2418:5 2425:2 2441:2 <b>bring</b> 2385:7 2402:8 2459:18 2460:6 2480:11 2506:3 2510:22 2565:8 2569:24 2587:6 <b>bringing</b> 2401:5 2408:5 2452:22 <b>brings</b> 2481:6 <b>brother</b> 2438:19,22	<b>call</b> 2431:22 2505:13,15,20,24 2505:25 2506:11 2507:9 2511:2,11 2511:18 2535:6 2580:2 2590:20 <b>called</b> 2483:7 2523:24 2526:21 2529:12 <b>calling</b> 2390:5 2483:7 <b>calls</b> 2506:11 <b>came</b> 2403:6,7,14 2403:15 2421:16 2434:11 2446:10 2454:17 2457:20 2493:13 2507:1 2513:23 2517:15 2518:1 2536:16 2537:1 2543:4 2555:12 2575:9 2577:19 2578:4 2578:17 2580:2	<b>cast</b> 2407:5 <b>Casting</b> 2411:18 <b>cause</b> 2377:10 2531:19 <b>caused</b> 2452:16 2563:10 <b>causing</b> 2437:24 <b>caution</b> 2496:13 <b>cautioned</b> 2492:19 2501:23 <b>Cecelia</b> 2371:22 2600:5,14	<b>chaotic</b> 2475:20 2476:3 <b>characterization</b> 2501:4 <b>characterized</b> 2501:3 <b>charge</b> 2443:3 2496:12 2551:19 2572:10 <b>charged</b> 2404:5 2492:18 2501:23 2532:2,17,20 <b>charges</b> 2404:9,14 2509:2,25 2531:18 2532:5,6 2532:17 2575:16 <b>charter</b> 2391:8 2403:18 2409:18 2411:1,6,25 2496:15 2520:24 2521:5,9,20 2522:1,6 2534:22 2535:10,17 2546:4,9,13 2550:8 2566:8 2577:9 2578:15 2579:2,8 2581:4
		<b>C</b>		

<p>2592:19  <b>chartered</b> 2405:21  2492:23 2493:4  <b>charter-proof</b>  2407:6 2410:12  <b>chatter</b> 2493:19  <b>check</b> 2394:20  2495:11 2567:12  <b>checking</b> 2400:24  <b>chicken</b> 2380:8  <b>choice</b> 2540:7  <b>choices</b> 2539:17  <b>choose</b> 2540:10,16  <b>circumstance</b>  2427:4  <b>circumstances</b>  2376:20 2399:17  2406:18 2454:3  2519:23,24  2524:7  <b>city</b> 2475:24 2575:8  2575:13 2586:11  2593:4  <b>claim</b> 2377:8  <b>claimed</b> 2504:13  <b>claims</b> 2453:6  <b>clarification</b>  2502:13  <b>classic</b> 2493:25  <b>clause</b> 2546:20  <b>clear</b> 2395:22,23  2502:21,22  2506:10 2514:2  2544:23 2551:14  2565:25  <b>cleared</b> 2500:24  <b>clearer</b> 2503:5  <b>clearly</b> 2496:23  2548:11  <b>Clearwater</b>  2371:17  <b>clerk</b> 2371:7,8  2374:3 2381:21  2381:24 2383:18  2383:19 2388:8  2421:25 2422:6  2451:19 2452:5,9  2455:21 2466:1  2467:24 2468:3  2514:20 2523:5,9  2528:18,20,24  2529:4 2530:24  2531:1 2532:23  2533:3,9,22  2534:2,6 2574:14  2595:8 2599:18  <b>Clifford</b> 2371:3  2372:15 2455:10  2515:15 2516:15</p>	<p>2523:12,18  2525:1 2527:11  2574:11,21  2579:13 2594:19  2594:24 2595:11  2595:22 2599:6  <b>close</b> 2497:22  2597:25 2598:3  <b>closed</b> 2433:10  2481:11  <b>closely</b> 2392:17  <b>closer</b> 2444:7  2508:4  <b>code</b> 2559:15  2560:8  <b>coincidental</b>  2393:10  <b>cold</b> 2378:3 2498:4  2556:17,20  <b>collaborated</b>  2590:16  <b>collect</b> 2452:1  <b>collision</b> 2438:3  2559:11  <b>collisions</b> 2437:25  <b>colours</b> 2473:14  <b>column</b> 2426:20  <b>Combined</b> 2534:22  <b>come</b> 2379:23  2383:25 2403:10  2421:9,12,15  2442:22,25  2457:13 2474:17  2479:16 2483:8  2486:12 2491:17  2506:17,19,22  2507:2 2528:10  2532:5 2543:3  2555:21 2577:11  2590:14  <b>comes</b> 2390:21  2486:1 2502:13  2502:16  <b>comfortable</b>  2386:19 2431:15  2432:8  <b>coming</b> 2374:13,21  2384:15 2437:24  2445:21 2446:9  2446:17,20,23  2448:4,22 2449:2  2449:13,14,15,17  2449:25 2454:19  2457:16 2460:23  2483:11 2536:17  2548:1,16  2549:10 2564:17  2565:13 2594:7  2596:6,11</p>	<p><b>commence</b> 2527:14  <b>commencement</b>  2555:17  <b>COMMENCING</b>  2374:2  <b>comment</b> 2396:2  2397:11 2416:15  2456:12 2486:9  2504:22 2581:6  2586:25 2592:9  2592:13 2598:13  <b>comments</b> 2456:24  2508:23 2542:19  2557:20 2585:16  <b>commission</b>  2370:13 2371:1,2  2371:3,7,8  2373:10 2374:4  2410:16 2439:6  2452:5,10,18  2455:23,25  2467:24 2468:3  2476:8 2514:10  2514:16,24  2515:9 2516:11  2523:5,10,24  2524:24 2525:24  2536:23 2537:17  2538:22 2540:6  2541:5 2551:17  2557:12,21  2561:2 2564:8  2565:16 2575:5  2575:23 2576:12  2581:15 2582:9  2585:11,13  2587:3 2593:25  2599:18  <b>committed</b> 2541:23  2560:15 2562:1  <b>Commodity</b> 2389:5  2389:6  <b>common</b> 2443:5  2518:8,15,16  <b>communicate</b>  2572:5,9  <b>communication</b>  2399:1 2487:9  2505:15 2596:9  <b>company</b> 2468:16  <b>complained</b>  2540:25  <b>complaints</b> 2527:23  <b>complete</b> 2524:1  2553:17,19  2555:25  <b>completed</b> 2470:24  <b>completely</b> 2477:6  <b>completeness</b></p>	<p>2421:23  <b>completion</b> 2527:13  <b>complicated</b>  2483:17  <b>computer</b> 2576:10  <b>conceal</b> 2566:8  <b>concern</b> 2374:24  2382:21 2395:21  2454:2 2563:11  2587:13 2590:13  <b>concerned</b> 2385:1  2385:13,19  2448:12 2519:12  2519:25 2552:10  2563:2,7  <b>concerns</b> 2374:20  2383:11 2519:6  2573:18 2587:7  <b>conclude</b> 2593:7  <b>conclusion</b> 2577:12  2577:19 2578:4  <b>concur</b> 2455:22  2579:14  <b>condition</b> 2420:2,10  <b>conditions</b> 2556:16  2559:23  <b>conduct</b> 2470:9  2557:14 2563:9  2563:23 2571:19  2591:6  <b>conducted</b> 2403:17  <b>conducting</b> 2552:6  2552:11,15  <b>cone</b> 2430:7  <b>cones</b> 2427:25  2428:3,5,6,18,24  2429:1,4,10,14  2434:20 2435:15  2439:11 2467:9  2473:13,14  2510:15  <b>confident</b> 2514:17  2576:21 2589:8  <b>confirm</b> 2376:16  2378:21 2468:22  2469:6  <b>confirmed</b> 2380:16  <b>confirming</b> 2572:5  <b>confused</b> 2448:25  <b>connection</b> 2453:12  2455:19 2591:7  2593:20  <b>conscience</b> 2375:6  <b>consensus</b> 2457:1  <b>considered</b> 2473:1  2538:17 2571:18  <b>consistent</b> 2378:16  2380:14 2397:4  2403:11 2500:6</p>	<p><b>constitutes</b> 2403:17  <b>consult</b> 2456:15  2457:5 2458:4,17  2458:21 2525:12  <b>consumed</b> 2558:4  2559:1  <b>consumption</b>  2571:25  <b>contact</b> 2584:22  <b>contained</b> 2376:17  2453:20 2565:1  <b>contains</b> 2477:4  2533:13 2555:25  <b>contemplating</b>  2552:16  <b>content</b> 2524:21  <b>contents</b> 2472:2,5,9  <b>continue</b> 2399:12  2526:5 2528:12  <b>continued</b> 2372:4  2385:20 2386:2  2455:4 2594:15  <b>contradiction</b>  2466:25  <b>contriving</b> 2591:2  <b>control</b> 2473:17  2474:23 2475:2,6  2475:13 2559:12  2559:17 2572:25  <b>convenience</b> 2401:4  <b>convenient</b> 2379:9  2599:14  <b>Convention</b>  2370:13  <b>conversation</b>  2375:9 2376:18  2378:8 2381:19  2382:5 2383:13  2386:25 2392:6,7  2401:10,12  2405:8 2409:4  2411:18 2414:8  2414:11 2457:9  2457:18 2458:16  2481:25 2482:18  2482:20 2485:8  2488:25 2489:2  2490:16 2491:2,4  2491:15,20  2496:24 2513:7  2576:3 2578:10  2578:12,17  2579:23 2580:13  2580:17 2581:16  2587:6 2597:14  <b>conversations</b>  2377:10 2382:7  2389:22 2399:3  2409:10,11</p>
--	---	--	--	--

2522:3,5,6 2576:7 <b>coordination</b> 2494:21 <b>cop</b> 2380:10 2482:22 <b>copy</b> 2373:6 2422:2 2453:4 2593:22 <b>cop's</b> 2391:24 <b>corner</b> 2426:4 2438:4 2464:7 2567:11 <b>corrected</b> 2560:9 <b>correctly</b> 2555:10 2568:14 <b>correspondence</b> 2390:17 <b>corridor</b> 2596:12 <b>counsel</b> 2371:2,3 2373:10 2410:16 2453:7 2454:11 2455:23 2456:1 2456:15 2457:1,6 2458:4,17,22,22 2476:8 2477:3,13 2478:14 2501:1 2514:10,16,24 2515:9 2523:13 2523:19,22 2524:13,21 2525:2 2527:20 2527:21 2528:4,5 2528:14 2536:24 2538:22 2550:12 2551:17 2557:12 2557:19 2561:1 2569:1 2574:14 2581:15 2582:9 2585:13 2599:7 2599:11 <b>counsel's</b> 2457:6 <b>Count</b> 2537:18 <b>couple</b> 2409:6 2416:10 2514:2 2521:17 2576:23 2598:5 <b>course</b> 2394:11 2409:21 2452:14 2468:19 2471:16 2526:19 <b>court</b> 2371:21 2387:7,8 2452:22 2452:24 2454:16 2454:18,25 2589:22,25 2600:1,5 <b>courtroom</b> 2594:5,7 2594:12 2596:1 <b>covered</b> 2380:7 2557:19 2561:20	2563:19 2565:22 <b>coverup</b> 2380:23,25 <b>crash</b> 2588:13 <b>created</b> 2407:23 2577:18 2593:19 <b>creating</b> 2569:18,24 <b>credible</b> 2411:13 <b>criminal</b> 2385:2 2560:8 <b>critical</b> 2512:15 <b>criticism</b> 2557:15 2557:22 2558:3 2558:24 2560:2 2560:23 2561:13 2562:18 2563:14 2564:22 <b>cross</b> 2431:23 <b>crossing</b> 2463:9 2464:25 <b>cross-examination</b> 2375:3 2459:5 2527:13 2599:11 <b>cross-examine</b> 2526:25 <b>cross-examining</b> 2473:13,16 2523:14 <b>Crown</b> 2380:4 2381:16 2384:12 2384:14 2390:21 2494:22 <b>cruiser</b> 2451:13 2459:9,14,17 2562:19 2563:4 <b>culture</b> 2398:14 <b>curious</b> 2377:11 2387:3 <b>current</b> 2406:18 <b>custody</b> 2400:20 2425:10 2468:17 2468:24 2573:25 <b>customarily</b> 2395:12 <b>cuts</b> 2528:3  <hr/> <b>D</b> <b>D</b> 2450:12 2466:3 <b>Dakota</b> 2418:6 <b>dash</b> 2413:14 <b>date</b> 2375:16 2387:8,24 2388:1 2388:22,24 2420:13 2477:19 2576:18 2578:19 2588:15 2593:11 <b>dated</b> 2373:3,5,23 2382:2 2383:21 2453:18 2530:16 2530:20 2531:6 2531:12,17	2574:17 <b>David</b> 2371:2 2466:3 <b>day</b> 2382:15 2389:8 2391:20,20 2402:25 2416:10 2476:24 2479:1 2491:25,25 2498:18,19,21 2500:24 2501:10 2501:11 2511:4 2516:7,7 2521:17 2521:17 2528:16 2531:23 2532:12 2532:14,19 2575:2,21 2576:14 2578:17 2580:20 2599:16 <b>days</b> 2409:6 2416:10,13 2521:17 2532:19 2576:22,24 2578:21,23 2588:12,18 <b>deal</b> 2380:9 2405:10 2405:12 2452:14 2456:15 2468:18 2483:8 2529:5 2546:3 2581:13 2588:8 <b>dealing</b> 2436:17 2452:16 2471:6 2473:2,2,22 2475:23,24 2495:3,7 2525:21 2546:16 <b>deals</b> 2546:18 <b>dealt</b> 2396:9 2404:10 2473:24 2484:15 2501:15 2501:23 2525:23 2526:14 2595:4 <b>death</b> 2531:19 <b>Debra</b> 2371:21 2600:5,18 <b>deceive</b> 2566:2 <b>decision</b> 2386:11 <b>declaration</b> 2568:1 <b>defence</b> 2379:12 2494:22 <b>deficiencies</b> 2545:18 <b>degree</b> 2391:11 2565:23 <b>degrees</b> 2556:25 <b>delay</b> 2404:24 2405:10,12 2408:5 2410:8 2411:7,16	2413:14 2452:16 2503:24 2565:4 2569:16 <b>delayed</b> 2564:23 <b>deletions</b> 2590:8 <b>deliberately</b> 2509:24 2520:6,8 <b>deliver</b> 2397:13 <b>delivery</b> 2569:20 <b>demand</b> 2390:15 2541:16 2542:4 2543:12,15,17,18 2543:19,25 2544:5 2559:2 2560:12,12,20 2561:15,20,21,23 2562:5 <b>demeanor</b> 2598:6 <b>deny</b> 2376:16 2386:19 <b>department</b> 2460:16 2470:8 <b>Depending</b> 2399:17 <b>Derek</b> 2370:1 2371:13 2373:8 2392:9 2393:19 2394:23 2417:12 2417:12 2421:3,7 2422:18,22 2423:11 2447:24 2465:6 2468:16 2468:23 2469:20 2470:3 2507:3,15 2509:24 2531:23 2535:22 2536:10 2539:13 2541:9 2585:16 2591:14 2591:18,23 <b>describe</b> 2429:2 2431:13 2564:7 2597:23 <b>described</b> 2374:20 2374:24 2445:10 2552:4 <b>describing</b> 2378:16 <b>DESCRIPTION</b> 2372:2 <b>descriptions</b> 2385:25 <b>desire</b> 2526:11 <b>despite</b> 2472:22 <b>detachment</b> 2498:6 2501:10 <b>detail</b> 2417:2 2530:10 2557:19 <b>detailed</b> 2402:13 <b>details</b> 2377:12 <b>detained</b> 2469:13 2546:3,10 2547:4	2547:6 2551:1 2578:2 <b>detect</b> 2497:22 <b>detected</b> 2561:14 <b>detecting</b> 2592:22 <b>detention</b> 2521:11 2521:16 2546:18 2546:21,23 2547:9 2551:5 <b>determine</b> 2375:14 2397:22 2433:6 2570:24 2571:9 2582:12 2583:3 2587:1 <b>determined</b> 2376:10 2523:21 2526:12 <b>device</b> 2538:19 2539:4 2559:6 2562:5 <b>different</b> 2387:12 2417:10 2429:3 2429:21,23 2437:17,20 2458:25 2463:14 2481:21 2518:4 2545:7 2592:4 <b>differently</b> 2564:18 2564:20 2590:19 2590:21 <b>difficult</b> 2404:20 2433:7 2483:24 2565:10 <b>difficulties</b> 2409:18 2581:1 <b>difficulty</b> 2438:9,10 2465:5,11 2541:20 <b>direct</b> 2372:5,15 2444:14 2462:1,5 2466:24 2583:2 <b>directed</b> 2378:2 2397:25 2398:9 2434:22 2457:2 2469:23 2470:7 2513:18 2514:3 2551:21 2552:1 2561:4 <b>directing</b> 2419:23 2427:24 2434:23 2435:12 2437:22 2438:2,5,7 <b>direction</b> 2381:3,4,5 2381:7 2386:18 2396:10,16 2413:7 2432:3,3 2432:13,14 2446:24 2447:3,6 2463:1,10 2464:8
--	---	--	--	--

2465:13 2483:10 2498:24 2499:1,2 2519:7 2547:7 2550:24 2554:16 2561:6 2563:16 2563:18 2564:14 2569:22 2571:3,8 <b>directions</b> 2441:23 2475:12,15 2498:20 2587:19 <b>directly</b> 2390:17 <b>directs</b> 2406:22 <b>disagree</b> 2419:10,11 2536:15 2579:9 2579:11 <b>disclose</b> 2407:10 <b>disclosed</b> 2376:6,8 2377:9 2380:4 <b>discloses</b> 2410:22 <b>disclosing</b> 2379:19 <b>disclosure</b> 2376:2 2452:15 2551:22 2556:24 <b>discreditable</b> 2571:18 <b>discretion</b> 2524:3,5 <b>discuss</b> 2542:16 2593:1 <b>discussed</b> 2443:8 2542:10,15,17,20 2542:23 2577:14 2578:25 <b>discussing</b> 2580:25 <b>discussion</b> 2374:15 2403:23 2404:1 2409:13 2543:1,8 2543:9 2579:18 2592:17 <b>discussions</b> 2390:7 <b>dispatch</b> 2427:7 <b>dispatcher</b> 2427:2 <b>dispute</b> 2500:19 <b>Disqualification</b> 2373:15 2529:20 2533:13,18 <b>distance</b> 2450:5 <b>distraught</b> 2482:4,9 2482:14,15 <b>distress</b> 2467:18 <b>district</b> 2591:22 <b>ditch</b> 2447:11,20 2451:3,8 2461:23 2462:10 2463:9 2464:25 <b>Dixon</b> 2371:12 2372:10 2456:18 2456:20 2541:13 2541:23 2542:1 2544:7	<b>document</b> 2377:21 2377:23,24 2381:20 2382:5 2388:2,3,4,7,11 2421:23 2423:15 2453:5,21 2533:13 2566:23 2566:23 2567:25 <b>documents</b> 2529:14 2530:10,23 2532:15,24 2551:22 2556:22 <b>Dodge</b> 2427:13 2445:21 2451:1 <b>doing</b> 2402:21 2435:1 2456:13 2458:18 2474:23 2477:9 2528:15 2544:5 <b>done</b> 2378:6 2386:22 2395:7 2396:16 2399:18 2400:3 2402:24 2486:25 2516:6 2518:16 2537:8 2564:1 2569:3 2571:12 <b>door</b> 2400:16 2455:3 2478:4 2481:11 2486:22 2596:3 <b>doors</b> 2563:1,4 2594:14 2597:16 <b>double</b> 2495:10 <b>doubt</b> 2476:10 2479:24 2480:15 2480:22 2532:1,6 2550:17 <b>down</b> 2394:19 2413:5,10 2424:25 2425:2 2426:23 2430:9 2449:1 2450:5,5 2454:17 2512:4 2582:22 2583:5 2583:16 2584:9 2594:6 2596:12 2597:15 2598:1,2 <b>Doyle</b> 2503:17 2513:3 2584:3,5 2584:20 <b>dozen</b> 2394:2 2591:13 <b>draft</b> 2516:20 <b>drafts</b> 2516:21 <b>draw</b> 2453:21 2530:11 <b>drawing</b> 2416:25 <b>drinking</b> 2487:6,15	<b>drive</b> 2439:9 2583:23 2585:6 <b>driven</b> 2440:1 <b>driver</b> 2373:6 2412:17 2422:2 2427:13 2435:3 2445:21 2494:1 2531:8 2573:6,8 <b>drivers</b> 2473:22 2484:16 <b>driver's</b> 2420:7,16 2420:18 2421:1,9 2422:12 2494:18 <b>driving</b> 2401:6 2470:4 2494:15 2504:2 2531:19 2551:19 2552:6 2552:11,15 2559:16 2560:16 2562:2 <b>drug</b> 2499:18 <b>drunk</b> 2487:5 2584:13 2585:5 2585:20 <b>dry</b> 2495:25 <b>due</b> 2420:2 2463:16 2535:7 <b>duly</b> 2574:18 <b>dumped</b> 2396:25 2397:9 2442:9 <b>duration</b> 2453:1 2485:22 <b>during</b> 2375:2 2377:9 2385:24 2394:11 2409:3 2415:5 2434:20 2436:8 2513:5 2524:14 2526:6 2532:8,8,12 2541:5,6 2582:9 <b>duties</b> 2483:4 2551:18 2552:5 2552:17 2553:22 2571:14 <b>duty</b> 2400:21 2570:22 <b>duty-book</b> 2516:25 2589:12 <b>D.G</b> 2422:25 <hr/> <b>E</b> <hr/> <b>e</b> 2528:22 <b>each</b> 2530:11 2586:9,12 <b>earlier</b> 2379:17 2390:2 2403:15 2407:20 2439:6 2525:13 2526:4 2534:4 2569:1 2571:7 2573:11	2594:2 <b>early</b> 2403:8,10 2466:20 2478:8 <b>ease</b> 2473:12 <b>east</b> 2371:14 2373:7 2413:19 2423:9 2429:19 2440:23 2444:22,23,24 2445:4,5,11,14 2462:22,25 2463:16 2465:1,2 2468:25 2470:8 2470:20 2551:24 2574:23 2575:9 2576:3 2588:23 2590:22 2593:13 2598:23 <b>eastbound</b> 2432:15 2432:22 2433:10 2449:9 <b>easterly</b> 2462:25 <b>easy</b> 2532:22 <b>effect</b> 2396:19 2486:4 <b>effective</b> 2458:7 <b>effectively</b> 2391:10 2410:11,11 <b>effects</b> 2425:10 <b>efficient</b> 2451:25 <b>effort</b> 2397:21 <b>eh</b> 2487:5 <b>eight</b> 2430:12 2584:10 <b>either</b> 2406:2 2424:21 2465:7 2471:13,22 2473:2 2489:25 2491:7 2493:6 2494:9 2524:17 2532:18 2549:18 2554:23 2558:14 2559:2,16 2561:13 2566:7 2570:19 2576:22 <b>elaborate</b> 2578:16 2586:5 2587:23 <b>electronic</b> 2577:6 2577:18 <b>electronically</b> 2577:2 <b>else's</b> 2404:9 <b>embarrassing</b> 2571:19 <b>embarrassment</b> 2411:25 <b>emergency</b> 2467:21 2565:12 <b>emphatic</b> 2509:4 <b>employed</b> 2574:23	<b>employment</b> 2593:13 <b>en</b> 2406:10,12 2407:14 2561:14 2561:23 <b>enable</b> 2562:14 <b>encounter</b> 2593:17 <b>end</b> 2374:11 2432:21 2464:12 2498:5 2528:16 2591:22,24 2599:1 <b>ended</b> 2392:24 <b>ends</b> 2390:20 <b>engage</b> 2526:20 <b>enough</b> 2422:7 2444:25 2454:2 2465:15 2466:2 2498:24 2499:2 2527:21 2533:1 2534:8 2536:6 <b>ensure</b> 2573:25 <b>entered</b> 2420:24 2466:9 2595:14 <b>entering</b> 2574:15 2595:13 <b>entire</b> 2435:16 <b>entirely</b> 2562:5 <b>entitled</b> 2550:11 <b>entry</b> 2426:15 2555:7 <b>environment</b> 2395:18 2556:23 <b>error</b> 2543:5,7 <b>errors</b> 2518:14 <b>especially</b> 2526:6 <b>established</b> 2567:15 <b>et</b> 2491:15 2585:20 <b>even</b> 2385:19 2393:20 2402:17 2408:1 2412:4 2432:24 2439:25 2453:24 2454:23 2472:14 2478:16 2524:18 2529:2 2539:7 2555:24 2561:9 2564:17 2572:10 2575:20 2584:11 2585:19 2593:10 2594:10 2597:7 2598:9 <b>evening</b> 2403:7 2476:14 2555:18 2555:22 <b>event</b> 2377:5 2412:10 2452:19 2456:13 2529:11 <b>events</b> 2378:16 <b>eventually</b> 2532:7
--	--	---	---	---

2549:8 <b>ever</b> 2387:13,15 2389:1 2392:11 2399:18,24 2417:17,18 2481:3 2505:14 2506:19,22 2550:1 2599:2 <b>every</b> 2502:19 <b>everybody</b> 2415:14 2530:9 2541:20 <b>everyone</b> 2388:10 2458:18 2546:21 2587:19 <b>everything</b> 2384:4 2403:3 2414:8,10 2417:2 2474:21 <b>evidence-in-chief</b> 2568:14 <b>evident</b> 2410:21 <b>exact</b> 2376:18 2401:13 2481:18 2481:19 2482:1 2506:21 2556:21 2597:4 <b>exactly</b> 2378:13,20 2378:21 2384:21 2385:25 2402:3 2408:18 2409:14 2421:19 2433:5 2479:3 2509:19 2597:5 <b>examination</b> 2372:5 2372:6,7,8,9,10 2372:11,12,15 2485:15 2516:4,8 2566:21 2593:8 <b>examinations</b> 2526:21 <b>examined</b> 2515:14 <b>example</b> 2539:10 <b>exchange</b> 2389:7 2597:11 <b>exchanges</b> 2599:2 <b>exclude</b> 2372:17 2455:19 2525:24 2525:25 2526:1 2595:2 <b>excluded</b> 2410:10 <b>exclusion</b> 2410:11 2523:16,25 2524:3,11 2525:21,22,23 2526:3 <b>excuse</b> 2375:20 2379:9,13,19 2422:11 2476:21 2492:9 2513:1 <b>execute</b> 2579:4	<b>exercise</b> 2468:9 <b>exerted</b> 2564:25 <b>exhibited</b> 2535:22 <b>exhibits</b> 2373:1 2529:1 2595:13 <b>exist</b> 2552:17 2559:23 <b>existed</b> 2432:24 <b>expect</b> 2398:15 <b>expected</b> 2390:24 2390:25 <b>experience</b> 2473:21 2474:13 2475:1,9 2484:12,13,23 2485:4 2494:4 2501:18,22 2512:8 2520:21 <b>experts</b> 2560:10 <b>explain</b> 2379:14 2386:14 2407:8 2407:19 2450:20 2514:1 2575:5 <b>explained</b> 2382:20 <b>explaining</b> 2406:15 <b>explanation</b> 2381:9 2386:15 2409:17 2410:7 2437:3 2438:13 2515:8 2515:17 2517:5,9 2517:11,23 2561:2 2562:23 <b>explore</b> 2392:17 <b>explored</b> 2406:17 <b>expose</b> 2397:5,7 2557:15 <b>exposed</b> 2375:2 <b>expressed</b> 2535:14 2556:9 <b>expression</b> 2397:1 <b>extent</b> 2489:14 <b>extremely</b> 2404:20 <b>eyes</b> 2494:8 2538:3 <b>E-1</b> 2422:9 2423:13 2528:19 2567:3 <b>E-1.23.e</b> 2373:11 2533:4 <b>E-1.23.f</b> 2373:13 2533:10 <b>E-1.23.g</b> 2373:15 2529:19 2533:17 <b>E-1.23.h</b> 2373:17 2529:24 2533:23 <b>E-1.23.i</b> 2373:7 2423:9 2470:17 2566:24 2567:6 <b>E-1.23.j</b> 2530:3 <b>E-2</b> 2419:16 2426:15 2555:6 2574:16,17	<b>E-2.30</b> 2373:20 2595:19 <b>E-3</b> 2438:21 <b>E.1.23</b> 2528:22 <b>E.1.23.i</b> 2422:8 <b>E.1.24.a</b> 2438:22 <b>E.11.3.i</b> 2423:13 <b>E.2.25.a</b> 2419:17 2544:13 <b>E.2.25.d</b> 2394:13,14 <hr/> <b>F</b> <hr/> <b>face</b> 2408:1 2494:11 <b>faced</b> 2564:16 <b>facing</b> 2434:12,14 2434:15,16 2443:23,24 2444:1,19 2448:21 2449:10 2449:12 2451:13 2451:15 2459:10 2459:22,24 2460:8,21 <b>fact</b> 2378:23 2397:10 2401:2 2427:18 2460:24 2466:25 2481:17 2491:24 2540:24 2543:5 2556:10 2558:20 2573:24 2575:20 2577:4 2580:7 2581:10 2593:1 <b>fail</b> 2566:15 <b>failed</b> 2559:1 2561:19 <b>Failing</b> 2570:3 <b>failure</b> 2561:21 <b>faint</b> 2402:4 <b>fair</b> 2375:3 2385:3 2396:7,19 2397:19,20,22,23 2398:1,3,14,17 2400:9,13 2444:25 2447:18 2454:7 2465:15 2472:20,25 2474:24 2488:21 2501:4 2503:12 2513:14,15 2532:25 2534:8 2536:6 2565:9 <b>fairly</b> 2380:14 2395:17 2476:17 2501:3 2511:18 2514:16,17 2520:18 <b>fairness</b> 2485:2 2487:12,15 2490:15 2507:13	2510:2,5,13 2520:5 <b>faith</b> 2501:17 <b>false</b> 2381:9 2569:24 <b>falsely</b> 2375:2 <b>falsifications</b> 2386:9 <b>falsified</b> 2381:14 2385:21 <b>familiar</b> 2415:24 2417:7 <b>family</b> 2371:11 2514:7 <b>far</b> 2385:13 2399:2 2440:6 2444:7 2474:11 2552:10 2582:7 <b>fatal</b> 2381:6 2553:24 2554:4 <b>fatality</b> 2441:11,20 <b>feature</b> 2401:24 <b>February</b> 2374:15 2375:17 2378:9 2391:20,21 2406:3,4 2408:15 2408:20,25 2417:9 2440:20 2500:19 2530:17 2530:21 2531:6 2531:13,24 2534:10,14 2535:2 2541:17 2542:5 2553:3,12 2554:17,23,24 2555:19 2575:18 <b>feel</b> 2380:6 2381:3 2384:24 2396:18 2404:19 2498:24 2554:5,6 2560:2 2564:4,9,15 2570:12,21 <b>feeling</b> 2442:25 2535:12 <b>feelings</b> 2564:7 <b>feet</b> 2439:24 2440:17 2445:25 2446:6 2447:2 2448:23 2449:25 2461:4 2493:12 2499:8,19 2516:17 2517:3 2534:18 2539:14 2540:21 2568:15 2598:5 <b>fellow</b> 2586:22 <b>felt</b> 2396:20 2442:24 2443:4 2453:21 2495:13	2521:6 2546:8 2553:17,19,22 2554:3 2565:7 2571:23 2579:7 2579:15 2587:13 <b>female</b> 2455:2 2594:13 <b>few</b> 2379:24 2396:1 2468:14 2470:15 2532:19 2551:13 2578:22 <b>field</b> 2423:21 <b>figure</b> 2433:11 2441:14 <b>file</b> 2455:18 2500:23 2501:9 2501:11,18,22 2502:1,18,19 2518:6,20 2521:18 2544:20 2576:10 2577:1,3 2577:5,7 2578:21 2592:18,21 <b>filed</b> 2514:13,13,17 2514:18 <b>files</b> 2500:21,22 2502:4 <b>fill</b> 2424:16 <b>filled</b> 2423:24 2424:1,7 <b>filling</b> 2425:23 2426:11 2567:21 <b>fill-in-the-blanks</b> 2424:12 <b>final</b> 2413:11 <b>finally</b> 2531:17 2533:25 2540:5 <b>find</b> 2390:22 2400:18 2403:12 2486:11 2556:4 2559:12,16 <b>finds</b> 2410:5 <b>fine</b> 2439:2 2446:5 2460:4 2499:13 2526:16 2529:12 <b>finer</b> 2572:22 <b>finish</b> 2468:10 2599:10 <b>finished</b> 2468:5,6 <b>firm</b> 2487:13 2597:24 <b>first</b> 2383:24 2387:17,19 2394:15 2395:4 2408:21 2409:5 2413:12 2422:22 2423:22 2427:25 2441:9,19 2467:10 2476:9
--	--	--	--	--

2476:16,18,19 2477:20,24 2478:5,7 2481:8 2481:13,14 2486:14 2499:23 2504:8,11,17 2508:8 2510:15 2510:16 2521:12 2525:10 2530:13 2543:24 2544:14 2548:13 2551:14 2568:14 2574:18 2583:14 2587:5 <b>Firstly</b> 2558:7 <b>first-name</b> 2394:4 <b>fishing</b> 2575:24 <b>five</b> 2428:14 2446:1 2446:4,6 2447:1 2448:23 2449:25 2461:4 2462:1 2467:12 2510:6,7 2529:14 2568:15 2586:12 <b>flasher</b> 2429:4,7 2430:9 <b>flawed</b> 2566:13 <b>flip</b> 2464:3 <b>floor</b> 2389:16 <b>focusing</b> 2535:6 <b>fold</b> 2430:9 <b>fold-down</b> 2430:7 <b>follow</b> 2531:3 2588:22 2590:23 <b>followed</b> 2506:13 2575:16 <b>following</b> 2422:10 2438:21 2504:5 2505:21 2516:7 2523:23 2552:20 2553:4 2555:17 2559:9 2561:7,8 2569:21 2578:21 <b>follows</b> 2454:13 2574:19 <b>football</b> 2415:23 <b>footprints</b> 2462:12 2462:14,20,22,24 2463:9,23 2464:6 2464:25 <b>Force</b> 2429:20 <b>forefront</b> 2535:11 <b>foregoing</b> 2600:7 <b>Forfeiture</b> 2373:11 2529:13 2530:14 2531:4 2533:1,5 <b>forget</b> 2520:6 <b>forgive</b> 2560:8 <b>form</b> 2424:11,12 2425:24 2426:12	2471:16 2531:9 2536:9 2560:5 2567:16,21,22 <b>formed</b> 2503:25 2561:25 <b>former</b> 2391:15 <b>forming</b> 2536:13 <b>forthwith</b> 2539:4 2559:20 <b>Forty-five</b> 2424:24 <b>forward</b> 2385:20 2565:8 <b>found</b> 2375:18 2377:23 2380:2 2381:20 2388:3 2423:13 2470:17 2530:3 2540:2 <b>four</b> 2440:23 2444:2,5 2445:3 2445:17 2467:12 2530:23 2539:17 2583:5 <b>fourth</b> 2413:17 2540:7 <b>frankly</b> 2556:9 <b>frantic</b> 2413:14 <b>free</b> 2491:19 2548:5 2548:7 <b>freely</b> 2564:1 <b>friend</b> 2481:20 2525:19 2526:11 2535:7 <b>friends</b> 2393:9 2418:3,13 2419:5 <b>front</b> 2388:5,6,8 2394:16 2430:22 2447:5 2459:6 2462:4 2470:16 2470:18 2530:4 2531:16 2544:17 <b>fucking</b> 2454:22 2594:9 2597:2,6 2597:21 <b>full</b> 2422:15 2423:5 2555:8 <b>fully</b> 2403:16 <b>fumble</b> 2494:24 <b>fumbled</b> 2494:23 <b>function</b> 2374:17 <b>functions</b> 2474:22 <b>furnished</b> 2384:14 2452:18 <b>further</b> 2408:2 2414:13 2460:8,9 2460:22 2473:8 2513:16 2522:17 2526:13 2565:20 2576:11 2579:18 2583:16 2584:2	2584:19 2585:17 2587:23 <hr/> <b>G</b> <b>G</b> 2371:11,18,19 2525:10 <b>gait</b> 2539:18 <b>gap</b> 2577:23 2586:12 <b>gave</b> 2392:16 2408:11,15 2420:5 2438:20 2439:5 2466:15 2474:11 2479:6 2486:17 2542:21 2582:16 2584:2 2587:25 2589:7 <b>general</b> 2378:21 2431:20 2433:4 2481:25 <b>generally</b> 2475:25 2477:9 <b>generated</b> 2423:17 <b>gentleman</b> 2577:22 2579:5 2580:8,9 2581:9,10,11 2583:8 2593:3 <b>George</b> 2415:17 <b>gesture</b> 2486:10 <b>gets</b> 2411:19 2447:18 2483:25 2519:9 <b>getting</b> 2391:22 2490:15 2493:7 2502:12 2506:24 2507:21 2508:4 2518:20,22 2535:24 2554:22 2580:20 <b>Giasson</b> 2371:4 2455:7 2594:17 <b>girls</b> 2438:14,25 2439:5 2440:11 <b>give</b> 2377:1 2383:2 2386:18 2411:21 2420:19 2453:8 2457:5 2458:3 2466:2 2475:4,12 2489:7 2493:2 2504:12 2515:8 2517:5 2520:8 2524:16,22 2528:19 2529:4,4 2539:10 2557:7 2561:1,5 2564:13 2583:24 2584:6 2584:24 2585:7 2588:7,14 2593:10 <b>given</b> 2374:21	2381:3 2389:23 2396:10,15 2453:19 2456:14 2472:21 2477:5 2483:1 2489:4 2498:24 2519:8 2531:22 2550:24 2571:3,8 2578:24 2584:7 2585:10 2585:12 2592:5 <b>gives</b> 2458:23 <b>giving</b> 2458:19 2475:14 2496:12 2496:15 2503:2 2505:19 2583:13 2584:16 2585:8 2587:18 <b>glanced</b> 2425:2 <b>glassy</b> 2494:7 <b>go</b> 2385:6,20 2386:11,20 2389:4 2395:16 2399:9,15 2401:10 2402:7 2404:16 2417:20 2418:1,25 2420:24 2426:13 2435:13,17,20 2436:24 2438:10 2443:17 2449:1 2457:3 2460:19 2463:6,19 2464:13,14,24 2474:21 2480:5 2480:10 2483:22 2499:7 2510:3 2515:13 2516:5 2517:21 2528:17 2529:10 2541:7 2548:5,7 2550:18 2551:1 2576:11 2583:16 2584:25 <b>God's</b> 2505:23 <b>goes</b> 2483:4 2502:4 2508:22 <b>gone</b> 2374:11 2460:3 2461:16 2461:23 2500:12 2500:14 <b>good</b> 2374:9,10 2386:18 2418:13 2419:5 2422:7 2442:5 2459:3 2466:2 2523:12 2525:9 2534:20 2537:14 2538:12 2557:10 2574:22 <b>gotten</b> 2422:18 2446:13 2511:11	<b>Graham's</b> 2405:10 2481:2 2523:15 2524:21 <b>Grant</b> 2421:3,7 2422:18,25 2523:20 <b>great</b> 2417:2 <b>Greater</b> 2373:13 2529:16 2530:20 2531:5 2533:7,11 <b>Green</b> 2371:12 <b>grew</b> 2586:6 <b>grounds</b> 2403:19 2405:14 2496:4,7 2496:16 2503:25 2560:14 2561:18 2561:23 <b>guess</b> 2386:15,18 2390:25 2395:9 2396:20 2401:23 2415:9,12 2417:16 2427:23 2429:19 2430:7 2435:25 2437:1 2437:21 2442:1 2442:13 2444:13 2444:22 2462:20 2472:18 2484:9 2490:11,11 2503:20 2508:21 2517:10,22 2521:10 2527:8 2542:13 2547:9 2564:14 2565:6 2583:7 2587:10 2587:13 <b>guessing</b> 2591:13 <b>guilty</b> 2441:7 <b>guy</b> 2393:18 2401:5 2487:20,21 2580:11 2583:22 2584:6,12 2585:18,20 2587:17,25 2592:15 <b>guys</b> 2454:21 2594:9 2597:1,6 2597:21 <hr/> <b>H</b> <b>H</b> 2371:15 <b>half</b> 2417:1 2431:12 2433:12,13 2528:13,15 2591:13 <b>halfway</b> 2463:23 2582:22 <b>hall</b> 2454:17 2457:16 2594:6 <b>Halls</b> 2379:6 2498:5
---	--	---	--	--

<b>hallway</b> 2562:25 2596:12	2420:1 2422:3,19 2478:19 2509:1 2509:11 2520:9 2553:13	<b>Highway</b> 2427:4 2430:25 2432:12	2533:24	<b>indicated</b> 2380:5 2408:16 2543:6 2547:10 2571:20 2579:24 2581:5 2581:18,20 2582:6,10 2596:5 2596:15 2597:17
<b>hand</b> 2422:7 2444:16 2486:10 2530:25 2589:14 2590:4	<b>Harveymordenze...</b> 2421:1	<b>Highways</b> 2460:16 <b>himself</b> 2572:10 <b>hindsight</b> 2565:18 2574:4	<b>impression</b> 2431:17 2442:20 2503:18 2503:20 2504:8 2504:12 2536:9 2569:19,24	2408:16 2543:6 2547:10 2571:20 2579:24 2581:5 2581:18,20 2582:6,10 2596:5 2596:15 2597:17
<b>handed</b> 2393:13 2420:16	<b>Harvey-Zenk's</b> 2420:25 2571:24	<b>hired</b> 2593:11 <b>history</b> 2575:5	<b>impressions</b> 2380:15	<b>indicates</b> 2387:4 2400:12 2420:1 2451:13
<b>handing</b> 2592:14	<b>having</b> 2374:24	<b>Hoepfner</b> 2371:17	<b>improper</b> 2418:21	<b>indicating</b> 2433:22 2449:7
<b>handle</b> 2525:18	2404:13 2405:5 2405:14,20	<b>holding</b> 2377:16 2396:19	<b>inability</b> 2377:1	<b>indication</b> 2426:19 2486:17 2582:14
<b>handled</b> 2396:20	2451:9 2469:19	<b>home</b> 2401:6	<b>inaccurate</b> 2384:14 2563:17 2564:25 2569:18	<b>individual</b> 2483:9 2568:1 2570:23 2571:4 2582:8,14
<b>handling</b> 2468:19	2471:10 2505:17	<b>honest</b> 2549:18	<b>inaction</b> 2557:14	<b>indulgence</b> 2452:13
<b>hands</b> 2390:20	2505:19 2510:22 2541:19 2573:25 2580:13 2585:14 2592:10,16	<b>honestly</b> 2511:14 2565:16	<b>inappropriate</b> 2562:6 2563:22	<b>inexperience</b> 2441:6 2443:15
<b>handwriting</b> 2567:22	<b>head</b> 2412:1	<b>Honour</b> 2418:22 2450:20 2451:23 2457:15 2466:3	<b>inches</b> 2430:4,12	<b>influence</b> 2565:1
<b>handwritten</b> 2373:2 2373:4,18,23 2382:1 2383:20 2453:17 2580:23 2595:17	<b>heading</b> 2567:12	<b>Honourable</b> 2370:2	<b>incident</b> 2373:19,23 2392:11 2405:25 2406:6,20 2407:4 2407:23 2408:20 2409:5,16,22 2410:6,12 2413:12 2453:6 2453:17 2516:21 2517:7 2518:10 2534:11 2541:15 2542:3 2577:23 2595:17	<b>information</b> 2377:16 2380:6 2381:15 2384:13 2393:11 2402:12 2402:17 2405:2 2406:23 2410:1 2420:20 2453:20 2517:6 2558:4,8 2558:16,18,25 2563:15,17 2571:21,24 2572:6,9,11,16 2573:5,7
<b>hanging</b> 2412:1	<b>health</b> 2466:6 2573:18,22	<b>hopefully</b> 2551:12 2588:24 2589:3	2409:5,16,22 2410:6,12 2413:12 2453:6 2453:17 2516:21 2517:7 2518:10 2534:11 2541:15 2542:3 2577:23 2595:17	<b>informed</b> 2398:25 2455:8 2546:22 2594:18
<b>Hanlin</b> 2371:16	<b>hear</b> 2452:17 2454:11 2457:7 2457:13 2458:8 2500:23 2524:15 2527:23	<b>hour</b> 2389:18 2528:13,15	2409:5,16,22 2410:6,12 2413:12 2453:6 2453:17 2516:21 2517:7 2518:10 2534:11 2541:15 2542:3 2577:23 2595:17	<b>initial</b> 2376:2 2405:24,24 2516:20 2525:10 2543:17 2569:15
<b>happen</b> 2379:2 2384:3 2389:1,25 2391:4 2450:4 2481:4	<b>heard</b> 2384:2 2436:1 2439:13 2439:18 2475:20 2487:12,24 2494:22 2500:15 2542:12,25 2575:23 2576:8	<b>hours</b> 2373:15 2413:18 2454:14 2455:15 2533:18 2555:13 2556:2	<b>incidents</b> 2416:25 2591:10,11	<b>initiate</b> 2596:9
<b>happened</b> 2380:17 2389:20 2392:7 2394:11 2398:18 2399:24 2403:4 2412:2 2417:1 2427:18 2428:2 2457:16 2467:7 2476:18 2510:15 2520:25 2526:4	<b>hearing</b> 2432:11 2452:25 2457:2,5 2482:5 2521:12 2524:4 2526:12 2526:23 2541:20 2595:3	<b>hundred</b> 2436:17	<b>include</b> 2516:19 2535:8	<b>initiative</b> 2535:3
<b>happening</b> 2399:25 2400:10 2401:25 2439:24 2528:4 2591:9	<b>hearings</b> 2595:1	<b>idea</b> 2378:21 2386:9 2391:3 2398:24 2428:4 2446:8,12 2447:23 2465:23 2481:25 2485:18 2485:19	<b>included</b> 2409:25 2413:25 2441:7 2516:24 2563:17	<b>injured</b> 2495:23
<b>happens</b> 2391:6 2423:23 2424:3,5 2441:8	<b>held</b> 2560:24	<b>identification</b> 2393:13	<b>including</b> 2381:5 2468:24 2532:15	<b>injury</b> 2540:20 2541:1
<b>happy</b> 2530:8 2597:20	<b>help</b> 2375:21 2378:19 2395:6 2406:14 2407:18 2410:16 2465:10 2480:11	<b>identified</b> 2425:13	<b>inclusion</b> 2381:9	<b>input</b> 2523:22
<b>hard</b> 2442:1 2464:12	<b>helpful</b> 2433:16 2443:15	<b>immediate</b> 2578:20	<b>incomplete</b> 2564:24	<b>inquiry</b> 2370:1,19 2374:4 2390:22 2452:6,10 2467:25 2468:4 2496:20 2503:1 2523:6,10 2525:14 2599:19
<b>harkening</b> 2588:16	<b>helps</b> 2410:11,11 2443:17	<b>immediately</b> 2453:22	<b>inconsistency</b> 2379:9 2518:12	<b>inside</b> 2399:9,23 2400:13 2436:25 2444:13,20 2466:16 2479:13
<b>Hartford</b> 2591:22	<b>her</b> 2439:14,15,16	<b>impair</b> 2535:16	<b>inconsistent</b> 2386:2	<b>instruct</b> 2550:12
<b>Harvey</b> 2376:13 2394:7 2465:20 2508:16	<b>hereinbefore</b> 2600:9	<b>impairment</b> 2379:15,16,20 2396:13 2397:22 2406:10 2411:19 2474:8,12 2495:8 2495:20 2507:17 2507:19 2508:1,3 2535:8,16,22 2539:11 2558:18 2560:6 2572:6	<b>incorrect</b> 2448:24	
<b>Harveymorden</b> 2417:14	<b>hey</b> 2493:14	<b>implying</b> 2518:21	<b>incredible</b> 2377:2	
<b>Harveymordenze...</b> 2373:6 2376:12 2380:9 2382:18 2390:15 2393:14 2395:2 2399:8 2404:2 2417:13	<b>hide</b> 2566:7	<b>important</b> 2572:5,9 2584:7	<b>incredulity</b> 2556:10	
	<b>high</b> 2392:22,23 2393:6,20 2415:13,15 2417:6 2418:1	<b>imposed</b> 2552:5	<b>indeed</b> 2385:5 2560:10 2564:17 2570:24 2576:6 2582:10	
		<b>Impoundment</b> 2373:17 2529:23 2531:12 2533:20	<b>INDEX</b> 2372:1 2373:1	
			<b>indicate</b> 2465:19 2485:7 2547:23 2593:25	



<b>instructed</b> 2376:9 2378:6	2584:2 2585:13	<b>Jason</b> 2372:4	<b>Kennett</b> 2394:19	<b>large</b> 2460:15
<b>instruction</b> 2588:1	<b>interviewed</b>	2374:7 2382:11	2486:16 2487:1	2528:1
<b>instructions</b> 2401:7	2390:10 2581:15	2382:17 2388:13	2504:24 2505:1	<b>last</b> 2458:10,16
2413:25 2414:3	2582:2	2509:23 2578:10	2508:15,22,23	2463:12 2465:16
2414:24 2457:6	<b>interviews</b> 2476:6,7	2579:24 2580:7	2582:24,24	2476:14 2510:12
2458:4 2475:5	2476:10 2496:25	2580:13,25	2583:18 2587:5	2514:9 2551:8
2483:6,16,17,24	2521:13	2581:9,20,25	<b>key</b> 2395:19	2585:25 2587:3
2484:2,3 2489:4,8	<b>intimidation</b>	2582:7 2583:7,11	<b>kind</b> 2398:25	<b>Lastly</b> 2464:13
2489:11,14	2453:23	2583:20 2584:12	2410:12 2411:19	<b>late</b> 2404:8
2518:21,22	<b>intoxicated</b> 2426:5	2585:1,11,19	2429:1 2486:21	<b>later</b> 2379:14
2520:13 2554:22	2567:13 2568:2	2586:2,17 2587:6	2486:22 2534:19	2391:20 2397:13
<b>integrity</b> 2454:3	<b>investigate</b> 2408:2	2587:17,24,25	2586:7	2409:6,9 2424:1
<b>intend</b> 2530:9	2443:4	2588:3,7 2592:11	<b>kinds</b> 2462:12	2439:18 2457:5
<b>intended</b> 2566:2	<b>investigated</b>	2592:17	<b>King</b> 2371:13	2490:13,14
<b>intent</b> 2566:7,11	2397:18	<b>Jason's</b> 2580:10	<b>knew</b> 2381:13	2491:15,25
<b>intention</b> 2373:13	<b>investigating</b>	<b>jibed</b> 2405:9	2391:23 2392:10	2492:11 2497:18
2404:10,13	2384:18 2398:19	<b>job</b> 2410:15 2503:7	2392:13 2393:19	2500:16 2513:25
2527:12 2529:15	2551:18 2582:19	2537:14 2538:12	2415:7,8,8,10,11	2521:18 2532:5
2531:5 2533:6,11	<b>investigation</b>	<b>jog</b> 2407:1	2416:3,3,11	2532:18 2537:7
<b>intentionally</b>	2370:1 2384:19	<b>journey</b> 2498:6	2417:4,6,11,18	2539:12 2543:18
2380:7	2391:3,11 2398:1	<b>July</b> 2370:16	2418:12 2421:13	2556:2 2577:25
<b>intentions</b> 2552:22	2402:16 2407:6	2373:19,23	2475:13 2500:17	2580:8
<b>interaction</b> 2439:14	2441:10,21	2374:1 2387:22	2556:7 2558:20	<b>law</b> 2389:14 2539:9
2513:13	2548:12 2552:7	2388:22 2453:18	2585:1 2586:2,9	2560:7 2589:22
<b>interactions</b> 2513:7	2552:11,16,17	2454:15 2594:4	2586:16,22,23,23	<b>lawful</b> 2560:12
<b>interchange</b>	2553:24 2575:17	2595:18	2591:17 2593:12	<b>lawyer</b> 2379:12
2376:14	2584:8 2592:12	<b>jump</b> 2496:19	<b>knowing</b> 2501:25	2560:9
<b>interest</b> 2411:2,24	<b>investigator</b>	<b>jumping</b> 2491:16	2505:14 2593:1	<b>lawyers</b> 2414:15
2412:2	2501:11 2554:4,7	2492:16 2493:8	<b>known</b> 2391:23	2554:14
<b>interested</b> 2581:25	2570:9,13	2519:1	2593:8	<b>lay</b> 2438:7 2528:2
<b>interesting</b> 2407:3	<b>involved</b> 2441:9,20	<b>junction</b> 2436:20	<b>knows</b> 2378:5	<b>lead</b> 2495:2
<b>Interlake</b> 2466:5	2442:14,16	<b>June</b> 2373:21	2436:7 2586:12	<b>leader</b> 2564:13
<b>interpret</b> 2590:21	2553:23 2556:5	2374:12 2574:17	<b>Kot</b> 2371:21 2600:5	<b>leadership</b> 2386:17
<b>interpreted</b> 2401:3	2575:17 2592:11	2582:3,17	2600:18	<b>leading</b> 2587:16
<b>interrupted</b>	2593:3	2595:20	<hr/>	<b>leap</b> 2501:17
2508:17 2518:7	<b>involving</b> 2544:13	<b>junior</b> 2442:2	<b>L</b>	<b>learn</b> 2384:17
<b>intersection</b> 2431:6	<b>Ironically</b> 2451:12	2443:5,16	<b>L</b> 2371:15	2392:2
2431:13,22,23,23	<b>issue</b> 2523:15	2592:10,15	<b>Labossiere</b> 2371:15	<b>learned</b> 2384:19
2432:1 2434:5,7	2526:14 2527:25	<b>justification</b>	2371:17	2443:15 2455:23
2438:4 2444:7,15	2535:11,17	2560:19	<b>lack</b> 2472:22	2481:20
2447:5 2448:14	2539:13,18	<hr/>	<b>laid</b> 2531:19 2532:7	<b>least</b> 2428:21
2451:5 2460:10	2557:9 2565:11	<b>K</b>	<b>lane</b> 2431:11	2432:2 2439:5
2461:17	2577:9 2592:19	<b>K</b> 2371:12,17,17	2432:22 2433:9	2447:1 2450:7
<b>interview</b> 2373:9	2595:3	<b>keep</b> 2547:8	2433:10,23	2458:22,23
2384:22 2385:6	<b>issued</b> 2390:14	2548:14,19,19,25	2434:2,5 2444:9	2460:20 2462:10
2385:25 2394:11	<b>issues</b> 2395:19	2549:4	2444:12,13,20,21	2466:24 2477:13
2394:15 2476:9	2577:3,8 2578:14	<b>keeps</b> 2458:14	2444:22,23,24	2478:22 2479:6
2476:16,19	2579:2,15,19	<b>Ken</b> 2371:19	2445:4,4,5,5,14	2536:17 2541:4
2477:20,24	2581:4 2598:24	2391:15 2396:21	2445:18 2448:21	<b>leave</b> 2399:7,8,14
2478:5,8 2479:6	<b>items</b> 2471:7,11,22	2419:6 2442:7	2449:7 2450:6	2402:24 2405:2
2479:10 2486:14	2472:1,23,24	2452:21,24	2451:4 2459:21	2443:10 2452:24
2499:23 2503:13	2473:2	2454:16,22	2462:13,14	2457:2 2536:8
2505:19 2508:8	<hr/>	2455:7,9 2523:15	<b>lanes</b> 2431:8 2432:2	2548:8 2550:17
2510:4 2511:9	<b>J</b>	2523:19,23	2432:3,12,13,15	2550:21
2514:9,16,23	<b>J</b> 2371:13	2524:10,16,20	2432:24 2434:8	<b>leaves</b> 2395:17
2516:12 2540:6	<b>Jack</b> 2371:16	2525:11 2580:6	2434:10 2444:1,5	<b>leaving</b> 2400:11
2541:5 2582:10	2372:7 2456:8,9	2591:4 2593:9	2445:3,10,17	2563:3,11 2573:9
2582:12,16,21	2468:12,13	2594:1,5,10,17	2447:9,12,13	<b>LeBlanc</b> 2371:8
	2470:13 2473:7	2595:2 2597:7,11	<b>lapse</b> 2395:11	<b>left</b> 2396:19
	2525:8	2598:22	2539:6	

2399:20,23 2401:2 2445:18 2448:21 2460:10 2460:24 2538:6 2541:2 2562:18 2573:17 2574:4 2597:10 2599:1 <b>left-hand</b> 2426:19 2444:21 2463:24 <b>leg</b> 2541:2 <b>length</b> 2441:22 2521:7 2579:16 <b>lengthy</b> 2519:13 <b>less</b> 2466:15,19 2485:23 2581:19 <b>let</b> 2451:21 2460:19 2473:20 2492:22 2510:10 2517:16 2520:11 2536:11 2539:2,10 2550:18 2551:1 <b>letter</b> 2466:5 <b>let's</b> 2435:1 2452:3 2487:25 2488:9,9 2488:11 2494:2 2515:13 2517:21 2528:17 2571:2 <b>liability</b> 2385:2 <b>liar</b> 2598:18 <b>liars</b> 2457:11,19 <b>licence</b> 2373:6 2420:7,16,18 2421:1,10 2422:2 2422:12,21 2494:18 2531:9 2533:14 <b>life</b> 2377:6 2441:9 <b>light</b> 2524:8 <b>likelihood</b> 2507:2 <b>likely</b> 2391:4 2528:7 2582:15 2583:12,21 2585:17,17 2588:21 <b>line</b> 2431:7,18 2432:20 2433:3 2433:25 2443:25 2444:8 2472:2 2497:4 2513:17 2552:20 <b>lines</b> 2514:3 2525:18 2553:25 2583:5 2584:10 2584:25 <b>liquor</b> 2412:16 2486:7 2487:14 2492:2,9 2497:13 2497:23 2498:7 2506:25 2507:8	2508:4 2517:2 <b>listed</b> 2472:1 2532:3 2552:4 <b>listened</b> 2381:4 <b>little</b> 2375:21 2392:17 2424:1 2431:9 2434:7 2448:12 <b>live</b> 2557:1,5 <b>lived</b> 2417:24 2418:4 2419:5 <b>lives</b> 2436:6 <b>lobby</b> 2389:12,13 2389:14 <b>located</b> 2459:17 2460:7,11,12 2466:3,17 2596:2 <b>location</b> 2427:3 <b>locked</b> 2563:1,5 2573:17 <b>log</b> 2373:8 2423:10 2423:16,23 2424:6,10 2466:13 2470:21 2530:1 2531:15 2567:7 <b>logical</b> 2501:21 2502:1 <b>long</b> 2389:17 2393:22 2437:14 2440:21 2441:3 2485:19,22 2519:3,22 2520:1 2542:9 2557:2,6 2565:10,17 2580:22 2593:8 2597:14 <b>longer</b> 2410:7 <b>look</b> 2377:1,15 2379:9,17 2394:12 2395:11 2395:14 2424:25 2429:13 2430:1,5 2450:10,18 2451:21 2461:25 2462:1,18 2463:12 2464:25 2465:17 2472:18 2582:22 <b>looked</b> 2408:25 2417:19 2429:10 2429:12 2463:7 2472:23 2578:13 <b>looking</b> 2449:21 2463:8 2467:18 2515:10,25 2517:13,25 2539:18 2550:9 2576:16 2598:2	<b>looks</b> 2379:18 2409:16 2426:15 2430:2 2432:2,10 2432:12 2463:25 2528:22 <b>lost</b> 2528:14 <b>lot</b> 2436:9 2438:9 2441:14 2484:15 2485:18 2522:3 2537:14 <b>lots</b> 2522:4 2537:20 2537:24 2538:13 <b>loud</b> 2527:21 <b>loudly</b> 2457:13 <b>lower</b> 2464:7 2567:11 <hr/> <b>M</b> <hr/> <b>M</b> 2371:2,12,16 2376:13 <b>Madam</b> 2381:21 2383:18 2422:6 2451:19 2466:1 2528:18 2529:4 2530:24,25 2532:23 <b>made</b> 2381:13,21 2383:7,8,18 2386:11 2397:10 2397:21 2406:20 2410:24 2416:15 2438:23 2454:9 2469:18 2484:18 2534:11,13 2540:18 2541:16 2542:4,19 2543:12 2546:7 2552:22 2553:2,6 2553:7,11 2555:16 2556:1 2559:20 2565:22 2566:2,23,24 2567:7 2568:1 2569:15 2571:25 2586:25 2589:23 2590:3,15 2594:25 2595:5 <b>main</b> 2388:14 2389:16 <b>mainly</b> 2468:15 <b>major</b> 2377:5 <b>make</b> 2378:2 2396:1 2396:13 2405:9 2413:11 2442:5 2452:15 2453:10 2453:11 2460:10 2472:18 2489:19 2492:7,13 2496:4 2496:7 2497:6 2502:7 2503:5,8,8	2503:9,23 2526:19 2528:13 2535:9 2537:14 2554:13,17 2555:11 2557:20 2557:21 2559:2 2560:11,12,19 2561:20,21,23 2570:22 2572:4 <b>makes</b> 2488:6 2517:4 2539:11 <b>making</b> 2410:23 2534:25 2535:2,3 2561:15 2591:1,3 2591:5 <b>Maloney</b> 2372:14 2452:17,18 2453:2,5,14 2454:9,20,20 2455:14,15 2457:10,17,19,24 2457:25 2458:19 2458:23 2522:13 2524:9,9,13,15,19 2525:17 2526:7,9 2526:21,25 2527:15 2574:12 2574:18 2582:24 2582:24 2583:19 2584:24 2594:8,8 2595:23 2596:24 2596:24,25 2597:1 <b>Maloney's</b> 2373:18 2373:20,23 2453:16 2454:12 2524:14 2595:16 2595:20 <b>man</b> 2381:10 2402:8 2405:15 2412:3 2572:3 <b>manage</b> 2588:8 <b>manipulate</b> 2520:15 2566:3 2569:3,12 2569:25 2570:5 <b>Manitoba</b> 2370:14 2371:19 2373:6 2422:1 2586:7 2600:6 <b>manner</b> 2493:15 <b>manual</b> 2551:23 <b>many</b> 2428:3,5,6,9 2428:17,25 2429:16,18 2430:17 2555:13 2556:12 2560:9 2588:12 2591:11 <b>March</b> 2581:14 <b>mark</b> 2532:23	<b>marked</b> 2529:3,25 2532:25 2534:3,4 2595:2 <b>Marty</b> 2371:12 2388:14 <b>match</b> 2376:9 <b>material</b> 2468:21 2485:2 2528:5 2539:12 <b>materialized</b> 2452:13 <b>materials</b> 2470:17 <b>matter</b> 2387:12 2390:23 2396:9 2432:25 2453:13 2453:25 2582:19 <b>matters</b> 2525:13 2554:14 <b>maximum</b> 2485:25 <b>may</b> 2373:5 2379:8 2383:15,21 2385:6 2386:24 2387:5,8 2388:22 2391:9 2395:11 2395:14 2399:3 2401:15 2407:6 2411:20 2420:17 2422:4 2432:17 2434:6 2456:13 2468:18 2472:8 2473:16 2479:6 2480:5 2497:22 2520:4,7 2527:6 2541:23 2546:8 2548:16,20 2557:13,15,21 2558:2,21,24 2560:23 2561:13 2562:17 2563:14 2564:22 2581:10 2582:8,14 2585:12,21 <b>maybe</b> 2389:18 2391:9 2394:2 2399:19 2416:19 2423:2 2430:4,12 2441:4 2456:14 2457:12 2460:5,8 2506:4 2537:6 2584:6 <b>maybes</b> 2401:20 <b>McDonald</b> 2371:14 2372:12 2455:24 2455:25 2468:8,9 2500:25 2525:5 2551:8,11,15 2566:19 2567:1 2568:25 2570:8 2571:16
--	---	--	---	--

<b>McFetridge</b> 2371:18 2372:11 2456:23 2525:7 2544:10 2550:14 <b>mean</b> 2407:7 2415:17 2426:22 2429:19 2451:10 2463:25 2479:14 2499:24 2505:2 2519:18 2577:8 2587:2,21 2597:19 <b>meaning</b> 2427:3 2444:21,22 <b>means</b> 2426:25 2427:6,9 <b>meant</b> 2387:22 2587:1 2598:11 <b>media</b> 2576:5 <b>median</b> 2432:4,13 2447:11,20 2448:17 2450:6 2451:3,8 2461:23 2462:10 2463:9 <b>medical</b> 2466:10 2467:20 2486:3 2548:2,3,20 <b>meet</b> 2387:13 2388:14 2400:15 2414:5 2484:4 2489:17 <b>meeting</b> 2374:16 2380:3 2383:3 2384:5,8 2387:15 2387:22 2388:19 2388:20,24 2389:1,25 2483:21 <b>meets</b> 2432:14 <b>Melissa</b> 2371:5 <b>member</b> 2386:16 2412:14 2442:18 2443:5 2482:23 <b>members</b> 2514:6 <b>memory</b> 2375:15 2376:16 2377:12 2395:18 2405:6 2407:1 2416:21 2416:23 2421:12 2424:18,20 2440:18 2505:8 2582:13 2583:4 2585:14,21 2586:1 <b>mention</b> 2476:19 2482:3 2545:2 2546:7 2586:13 <b>mentioned</b> 2402:2 2416:14 2482:17	2582:7 <b>mentioning</b> 2379:16 <b>mere</b> 2411:18 <b>merely</b> 2455:22 <b>mess</b> 2404:17 <b>Messner</b> 2371:17 <b>met</b> 2384:9 2390:2 2390:16 2418:7 <b>method</b> 2545:21 2589:19 2590:23 <b>microphone</b> 2527:22 2528:1,2 2528:3 <b>mid</b> 2471:2 <b>middle</b> 2511:8 <b>midst</b> 2459:5 <b>might</b> 2377:1,10,15 2379:13,17 2391:6 2395:7,12 2396:6 2401:3,7 2403:11 2405:19 2407:18 2418:24 2419:13 2433:16 2443:12 2451:24 2458:24,24 2462:13 2463:22 2471:18 2477:12 2486:23,24 2487:5 2494:17 2505:16 2518:9 2523:14 2542:25 2571:17,18 2573:11 2579:21 2580:11 <b>mind</b> 2384:10 2403:13 2412:9 2473:15 2479:24 2480:15 2499:12 2519:5 2532:1,6 2535:11 2547:2 2550:6,17 2565:7 2586:21 <b>mine</b> 2424:15 <b>minimal</b> 2564:11 <b>minimize</b> 2411:8 2507:14,18 <b>minimizing</b> 2411:2 2507:16,25 2508:2 <b>minor</b> 2538:16 2551:13 <b>Minuk</b> 2371:12 2374:16 2376:6 2380:12 2384:1 2387:13,16 2388:14,20 2389:2 2390:16 <b>Minuk's</b> 2389:6,23 <b>minus</b> 2556:25	<b>minute</b> 2466:16,19 2577:23 <b>minutes</b> 2379:24 2434:21 2435:1 2440:8,12 2442:5 2452:1,4 2467:12 2481:3 2485:23 2485:25 2512:25 2513:1,2,5,12 2523:4 2539:7 <b>mirror</b> 2435:4 2445:22 2446:22 2449:22 2461:3 2465:8,8 2479:17 2479:19,19 2568:16 <b>mirrors</b> 2479:18 <b>misapprehension</b> 2586:21 <b>missed</b> 2387:5,7,8 2443:16 <b>misspeak</b> 2560:9 <b>misspoke</b> 2388:10 <b>mistake</b> 2419:17 2586:20 <b>mistaken</b> 2418:14 2418:25 2499:25 <b>misunderstood</b> 2460:5,9 <b>mix</b> 2387:9 <b>moment</b> 2443:13 2453:9 2486:12 2488:10,12 2502:2 2520:4 2571:4 <b>money</b> 2472:19 <b>monitor</b> 2554:10 <b>months</b> 2440:23 2441:4 <b>Mordenzenk</b> 2378:1 2556:1 2566:17 2583:10 <b>Mordenzenk's</b> 2555:7 <b>more</b> 2377:1 2389:19 2392:17 2410:21 2438:4 2443:2,14 2451:25 2460:13 2460:14,17,24 2465:14 2470:15 2476:19 2477:17 2484:13,15,23 2485:4 2488:20 2558:15 2576:23 2581:19 2583:18 2584:7 2587:13 2589:7 2592:19 2598:8	<b>morning</b> 2374:9,10 2401:25 2408:21 2409:1 2413:15 2418:8,19 2422:17 2436:8 2442:4,6 2452:14 2528:14 2536:22 2541:16 2542:4 2551:17 2553:22 2580:3 2594:3 2599:12,17 <b>most</b> 2500:21,22 2583:12,21 2585:17,17 2588:21 2592:15 <b>motion</b> 2372:17 2373:22 2404:3 2452:23 2453:13 2455:19,20 2456:16 2525:22 2595:2 <b>motioning</b> 2444:18 <b>motive</b> 2391:17 <b>motor</b> 2381:6 2529:23 2570:16 2572:25 2592:11 <b>move</b> 2508:8 2584:1 2585:24 <b>moves</b> 2466:23 <b>MPICS</b> 2552:23 2553:2 2554:18 2554:19 <b>much</b> 2375:10 2401:12 2420:21 2467:12 2526:1 2554:14 2574:10 2583:20 2584:22 2597:5 <b>must</b> 2451:14 2501:2 2521:19 2521:20 2559:16 2559:20 <b>mutual</b> 2393:9 <b>myself</b> 2441:7 2469:8 2471:13 2499:11 2567:21	2555:25 2556:7 2583:10 <b>names</b> 2421:3 <b>narrative</b> 2406:6 2407:4 2482:8,11 2482:13 2516:21 2517:7,13,18,25 2518:4,10 2535:1 2539:15,24 2541:15 2542:3 2545:6 2552:23 2554:19,24 2565:22 2566:1 2569:2 <b>narratives</b> 2516:4 2518:24 2520:12 2577:18 <b>naturally</b> 2459:1 <b>nature</b> 2453:20 <b>near</b> 2477:24 2504:18 2510:4 <b>nearing</b> 2507:7 <b>necessarily</b> 2401:22 2435:15 2471:15 2482:5 2499:11 2532:14 2561:10 <b>necessary</b> 2465:18 2526:13 2548:13 <b>need</b> 2405:13 2408:4 2475:16 2527:6,20 2539:15 2541:7 2548:20 2559:11 2559:11 <b>needed</b> 2565:8 <b>needs</b> 2517:18 2525:16 <b>neither</b> 2396:21 2442:7 <b>nervous</b> 2380:22 2384:25 <b>never</b> 2389:3 2390:2,16 2392:7 2392:8,8,9 2440:6 2487:13 2498:3 2503:25 2513:11 2513:12 2536:16 2573:3 <b>new</b> 2386:16 2398:13 <b>next</b> 2381:21 2391:19 2421:24 2423:8 2425:16 2427:14 2463:19 2491:25 2501:10 2513:17,25 2514:2,14 2516:7 2521:17 2523:13 2529:13,15,18,22
<b>N</b>				
<b>N</b> 2373:2,4 2382:2 2383:21 <b>name</b> 2393:14 2395:4 2415:24 2416:4,4,5,12,13 2417:7,8,10,11,12 2420:7,12 2421:20 2422:12 2422:15,18,22,25 2423:2,5 2483:1 2505:23 2509:9 2523:20 2555:8				

2529:25 2530:2 2532:19 2533:2,7 2533:14,20 2555:12,17 2574:12 2595:14 <b>night</b> 2553:3,3 2580:4 <b>nobody</b> 2405:20 <b>nodding</b> 2428:20 2433:18 <b>none</b> 2521:13 2525:5,6 <b>nonetheless</b> 2383:11 <b>Norm</b> 2504:21 2505:2 2543:1 2578:1,9,12,25 2580:10 2583:24 2585:7 <b>normal</b> 2400:1 2443:2 2472:16 2545:16 <b>normally</b> 2423:18 2423:25 2528:16 <b>north</b> 2431:18 2433:3,8,12 2434:15,16 2436:17 2439:7 2443:24 2444:1 2444:19 2448:22 2449:11,13,14,18 2451:15 2455:3 2459:22 2460:8 2460:22 2462:8 2463:3,8 2464:12 2591:22,24 2594:14 <b>northbound</b> 2430:25 2431:8 2434:1,8,10,12,24 2437:24 2447:12 2449:7 2462:14 <b>northerly</b> 2446:23 2447:6 <b>northwards</b> 2451:2 <b>nose</b> 2379:4 2496:1 2573:14 <b>notation</b> 2375:16,18 2387:3 2427:14 2438:23 <b>note</b> 2373:2,4 2376:17 2382:2 2383:21 2418:10 2442:5 2451:23 2469:19,21 2471:2,25 2514:14 2517:15 2518:1 2544:19 2554:13 2555:24	2556:1 2564:8 <b>notebook</b> 2422:13 2426:14 2438:24 <b>noted</b> 2449:17,25 2567:10 <b>note-taking</b> 2490:14 <b>nothing</b> 2454:21 2456:5,7,18,20 2468:21 2487:15 2491:11 2493:13 2493:15 2494:7,8 2497:7 2515:2,5 2520:6,8 2522:9 2539:19,20 2540:8 2594:9 2597:1 <b>notice</b> 2373:11,13 2373:17 2394:18 2413:16 2452:21 2526:11 2529:12 2529:15,22 2530:13,19 2531:3,5,11 2532:16,16 2533:1,4,6,10,19 2533:23 <b>notices</b> 2379:14 <b>noticing</b> 2516:15 <b>notifying</b> 2562:20 <b>number</b> 2382:16 2389:23 2405:14 2419:22 2424:23 2425:3 2473:13 2492:8 2494:23 2528:20,21 2533:16 2534:7 2567:2,4 2588:18 2589:25 2595:6 2595:10 <b>numbers</b> 2528:22 <b>numerous</b> 2383:6 2555:2 <hr/> <b>O</b> <hr/> <b>objection</b> 2525:3,7 <b>obligations</b> 2550:7 <b>observation</b> 2397:11 2507:20 2508:1 <b>observations</b> 2379:10 2381:8 2396:1,13 2410:23 2411:2,8 2440:18 2489:19 2507:16 2516:20 2517:1 2553:12 2553:15 2570:3 2570:22 2572:15 2589:14	<b>observe</b> 2379:17 2494:8 2513:6 <b>observed</b> 2435:2 2445:20,24 2474:7 2495:1 2498:11 2563:8 <b>observing</b> 2474:12 <b>obtain</b> 2472:25 <b>obvious</b> 2518:23 <b>obviously</b> 2398:4 2412:10 2419:10 2505:4 2506:6 <b>occasion</b> 2383:23 2384:5,7 2494:11 2502:19,20 2579:20 2592:2 2593:17 <b>occasional</b> 2592:5 <b>occasions</b> 2382:16 2383:6 2589:25 <b>occur</b> 2407:10 2580:17 <b>occurred</b> 2391:8 2406:15 2447:8 2452:20 2453:6 2455:14 2521:5 2569:20 2575:18 2593:20 2594:23 <b>occurrence</b> 2416:7 2518:8 2532:9 <b>occurring</b> 2528:6 <b>occurs</b> 2404:1 <b>odour</b> 2406:11,12 2407:16,18 2410:2 2412:16 2497:13,23 2498:7 2506:24 2517:1 2534:16 2535:24 2536:4 2536:25 2592:22 <b>off</b> 2420:7 2421:9 2432:16,17 2433:1,10 2448:17 2474:17 2483:4 2497:12 2497:12,13 2509:1 2511:11 2592:15 <b>offence</b> 2560:15 2562:1 <b>offences</b> 2532:2,20 <b>Offender</b> 2529:13 2530:14 2531:4 <b>Offenders</b> 2373:11 2533:2,5 <b>office</b> 2377:25 2378:12 2389:6 2389:10 2413:15 2413:20 2414:4	2483:8,13,15,18 2483:19,21,25 2484:6 2489:17 2497:21,22 2498:6,9 2499:2 2499:10 2516:16 2519:10 2542:13 2577:24 2579:5 2581:12 2583:24 2585:6 2588:1 <b>officer</b> 2371:4 2393:6 2400:19 2401:16 2425:7 2438:19,23 2440:12,21 2469:23 2470:7 2471:23 2487:14 2546:23 2552:6 2553:23 2556:5 2558:6 2562:10 2562:22 2563:22 2570:22 2571:13 2572:23 2573:25 2582:19 2584:20 2590:16 2592:10 2598:23 <b>officers</b> 2393:3 2436:12,21 2513:4 2576:3 2590:22 2591:1 <b>officer's</b> 2396:6 <b>offices</b> 2389:15 <b>Oh</b> 2450:14 2464:21 <b>Ojibway</b> 2418:6 <b>omissions</b> 2386:8 2391:2 2569:9,15 <b>omit</b> 2413:7 2566:5 2566:10 <b>omitted</b> 2563:15 <b>omitting</b> 2564:10 <b>once</b> 2469:4 2476:19 2484:6 2491:21 2526:21 2529:11 2578:2,4 2579:4 2580:18 <b>ones</b> 2399:4 2429:6 2429:8,16 2430:14 <b>ongoing</b> 2382:7 2524:10 <b>only</b> 2382:23 2386:15 2391:7 2408:4 2456:12 2460:8 2463:25 2479:25 2480:15 2480:16 2484:24 2523:3 2536:1,2 2543:12 2586:10	<b>onto</b> 2454:8 <b>open</b> 2389:8,10 2406:18 2560:23 2562:18 2564:22 <b>opened</b> 2374:4 <b>opening</b> 2588:17 <b>openly</b> 2563:25 2565:15 <b>operated</b> 2430:10 <b>operating</b> 2559:12 <b>opinion</b> 2442:10,11 2442:13,20,23 2493:13 2495:19 2495:20 2496:20 2503:2 2506:18 2506:19,22 2507:3 2509:16 2509:17,18,20 2519:21 2536:10 2536:13,17,18 2548:7 2560:5 2561:25 2572:24 2579:14 <b>opportune</b> 2523:15 <b>opportunity</b> 2456:14 2523:19 2524:17,23 2525:12 2557:20 2581:24 2585:14 <b>opposed</b> 2389:14 2394:8 2525:21 <b>opposite</b> 2462:16 2519:15,20 2520:3 <b>orange</b> 2430:2 <b>order</b> 2411:11 2428:1 2435:20 2454:7 2467:7,8 2482:1 2524:1,3,6 2524:11 2525:22 2587:1 <b>orders</b> 2561:7,8 <b>ordinarily</b> 2543:12 <b>original</b> 2408:16 2483:10 2523:25 2553:2 <b>originally</b> 2390:24 2536:24 <b>other</b> 2399:20 2405:19 2414:15 2430:5 2432:3 2437:23,24 2439:23 2450:7 2453:7 2455:3 2461:22 2469:23 2470:7 2471:23 2475:11 2483:4 2489:7,11 2511:21,22
---	---	--	---	---

2520:16 2522:5 2523:2,22 2525:2 2527:21 2533:14 2548:2 2569:1 2579:19 2586:9 2586:12 2590:19 2590:22 2591:1 2594:15 2597:15 2599:5,7 <b>otherwise</b> 2487:18 <b>ought</b> 2560:2 2564:1 <b>ourselves</b> 2477:6 <b>outcome</b> 2566:3 <b>outline</b> 2557:18 <b>outlines</b> 2531:18 <b>outlining</b> 2532:17 <b>outside</b> 2452:25 2454:16 2479:11 2481:3 2485:17 2524:6 2549:14 2549:14 2557:6 2568:10 2594:5 2596:1,3 <b>over</b> 2434:25 2443:9 2452:13 2467:9 2471:22 2471:24 2472:5 2472:24 2476:21 2481:1 2484:1,7 2484:19,22 2485:4 2499:6 2549:18 2565:1 <b>overall</b> 2525:23 <b>overlap</b> 2474:17 2592:2,5 <b>overpowering</b> 2498:1 <b>own</b> 2385:2 2386:9 2391:3,17 2435:24 2457:4 2489:19 2535:3 2573:22 2577:12 2577:17 2589:13 2589:14,14,21 2590:4 <b>o'clock</b> 2409:1 2436:9 2528:13 2599:10	2455:18 2467:16 2467:20 2477:2 2499:6 2516:3,10 2527:25 2529:10 2532:25 2553:21 2566:21 2567:3,5 2574:7 <b>pages</b> 2463:6 2477:14 2541:6 2582:11 2600:7 <b>pagination</b> 2587:3 <b>panicked</b> 2380:20 <b>paper</b> 2424:25 <b>papers</b> 2392:4 2416:19 <b>paragraph</b> 2383:24 2413:17 2510:12 <b>parallel</b> 2432:21 <b>paramedic</b> 2381:8 2485:11 2548:4 <b>paramedics</b> 2405:2 2541:1 2592:22 <b>Pardon</b> 2414:9 2445:8 2504:4 2521:2,23 2550:19 <b>parked</b> 2443:21 2451:4 <b>part</b> 2379:13 2380:23,25 2385:21 2430:25 2435:2 2462:10 2490:14 2500:5 2521:8 2526:22 2546:2 2548:12 2551:22 2563:23 2586:1 2597:10 <b>participated</b> 2576:8 <b>participation</b> 2458:24 <b>particular</b> 2382:15 2383:5 2419:16 2475:25 2512:14 2512:15 2513:19 2518:20 2552:1 2555:5 <b>particularly</b> 2384:7 2472:21 <b>particulars</b> 2420:6 <b>parties</b> 2402:14 2452:15 <b>pass</b> 2434:25 2453:4 2490:23 2490:24 2491:2 <b>passage</b> 2583:3 <b>passed</b> 2389:21 2488:2,2,10 2489:1 2491:1 <b>passing</b> 2449:7	<b>past</b> 2439:10,10 2448:3 2461:18 2473:25 2474:3,8 2499:17 2502:17 2517:17,18 2545:19 <b>path</b> 2575:7 <b>Paul</b> 2371:14 2373:7 2413:19 2423:9 2429:19 2440:23 2468:25 2470:8,20 2551:24 2574:23 2575:9 2576:4 2588:23 2590:22 2593:14 2598:23 <b>Pedersen</b> 2436:15 <b>Pedersen's</b> 2436:16 <b>people</b> 2392:19 2399:20 2400:20 2418:24 2438:7 2473:16,17 2475:25 2505:18 2520:7 2557:13 2560:10 2571:17 2577:4,5 2578:6 2590:18,19,20 <b>per</b> 2576:15 <b>perceived</b> 2391:13 2396:6 2541:8 2566:8,12 <b>perfect</b> 2566:12 <b>perform</b> 2469:1,7 2469:14,24 2470:2 2562:14 <b>performed</b> 2468:19 2469:4,9,10,19 2471:12 2472:9 <b>perhaps</b> 2421:22 2473:11 2495:11 2495:20 2506:9 2514:6 2520:13 2524:18,22 2527:7,7 2532:22 2598:13 <b>period</b> 2389:20 2493:9 2519:13 <b>permission</b> 2524:23 <b>permits</b> 2527:15 <b>perpendicular</b> 2463:16 <b>person</b> 2395:12 2424:2 2425:25 2463:25 2469:1 2469:24 2479:25 2483:19 2493:14 2494:2,15,21 2495:4,7 2499:18 2502:4 2520:23	2532:16 2546:3 2559:16 2572:10 2579:16 2592:14 <b>personal</b> 2425:10 2573:22 2574:1 <b>personally</b> 2415:9 2415:21 2469:19 2587:7 <b>personalty</b> 2425:25 <b>person's</b> 2546:4,22 <b>perspective</b> 2554:9 2562:10 <b>Peter</b> 2375:22,23 2380:3 2574:18 <b>phone</b> 2389:23 2505:5,13,15,20 2505:24,25 2506:2,7,11,12 2568:5 <b>photo</b> 2451:1 2463:12 2464:2 <b>photocopy</b> 2420:25 2544:22 <b>photograph</b> 2451:13,20 2459:6,11 <b>photographer</b> 2455:2 2594:14 2597:14,15 <b>photos</b> 2460:1 2462:1,2,3 <b>picked</b> 2376:5 2407:19 <b>picking</b> 2374:17 <b>picture</b> 2432:2 2462:18 2463:7 <b>pieces</b> 2517:6 <b>pissed</b> 2376:13,13 2376:22 2378:1 2378:22 2411:14 2412:3 2488:15 2488:21 <b>place</b> 2377:9 2380:21 2383:3 2388:24 2392:18 2399:5,6 2409:13 2409:16 2440:25 2485:15 2549:16 2549:17 2587:8 2588:12 2594:1 2600:9 <b>placed</b> 2530:4 2531:16 2547:12 2547:16,19 2578:2 2579:16 2580:10 <b>please</b> 2374:3,4 2394:13 2407:8 2411:5 2422:5,8	2452:9,10 2453:9 2468:4 2523:9,10 2528:19 2533:8 2533:15,21 2559:9 2564:7 2566:22 2579:25 2584:3 2594:1 <b>pointed</b> 2459:21 2537:17 2557:13 <b>points</b> 2477:19 2572:22 <b>policeman</b> 2480:16 2520:19 2593:4 <b>policies</b> 2551:23 <b>policing</b> 2575:6 <b>policy</b> 2469:12 <b>poor</b> 2494:21 <b>position</b> 2379:3 2386:3 2391:7 2396:12 2397:17 2404:20 2411:12 2459:17 2525:14 2525:15 <b>positive</b> 2476:17 2479:15 2489:10 2510:14 <b>positively</b> 2479:2,4 <b>possibility</b> 2406:19 2406:25 2411:19 2411:20 2461:20 2461:22 2505:3 2598:14 <b>possible</b> 2385:11 2387:23 2403:13 2406:23,24 2409:8 2439:12 2467:4,6,11,13 2494:1,14 2521:19 2522:1 2544:4 2545:18 <b>possibly</b> 2385:4 2402:4 2413:1 2428:12,13 2430:22 2488:22 2489:4 2490:3 2491:5 2492:3 2495:23 2498:14 2506:14,24 2570:19 2571:6 2572:4 <b>potential</b> 2385:2 2534:22 2572:12 <b>potentially</b> 2375:2 <b>practice</b> 2400:1 2443:6 2472:17 2589:12,16 <b>precise</b> 2477:5 2597:4 <b>precision</b> 2377:1
<b>P</b>				
<b>P</b> 2375:22 <b>Paciocco</b> 2371:2 2372:5,13 2374:6 2374:8 2375:22 2375:24 2376:1 2382:4 2383:22 2414:13 2452:12 2453:11,19 2454:12 2455:17				

<b>prejudice</b> 2535:10	2598:5	<b>prosecution</b> 2370:1	2515:14 2519:5	2583:13 2584:2,4
<b>preliminary</b>	<b>Prober</b> 2371:13	2566:13,17	2535:5 2542:2	2584:17 2585:15
2374:12,21	2372:9 2456:11	<b>prospect</b> 2396:5	2544:15 2552:21	2586:25 2595:9
2387:17,19	2456:12 2467:17	<b>protect</b> 2454:3	2554:20 2560:15	2595:14,20
2565:13	2522:22,23	2566:16	2565:20 2566:6	<b>react</b> 2397:16
<b>prepared</b> 2453:5	2523:3 2527:17	<b>protection</b> 2457:4	2569:8 2571:7	2410:19 2411:15
2525:18	2527:18,20	<b>provide</b> 2515:18	2583:17 2584:21	2413:4,24
<b>preparing</b> 2589:12	2528:8,11,18,21	2526:11	2584:24 2587:4	<b>read</b> 2380:16
<b>presence</b> 2547:20	2529:2,8,18	<b>provided</b> 2524:8	<b>questioned</b> 2423:5	2405:7 2453:9
2563:9	2530:6 2533:6,12	2589:2	2538:17 2554:15	2455:5 2476:5,10
<b>present</b> 2523:21	2533:19,25	<b>providing</b> 2560:25	<b>questioning</b> 2567:8	2504:3,19
2524:14	2534:4,8,9	<b>Province</b> 2371:19	2567:16	2508:23,24
<b>presented</b> 2407:5	2541:11 2551:12	2600:6	<b>questions</b> 2414:14	2510:10,11,11
<b>president</b> 2415:18	2565:23 2595:9	<b>prudent</b> 2454:4	2451:22 2467:15	2523:1 2576:9
<b>press</b> 2541:21	2595:11	<b>psychological</b>	2468:15 2473:8	2577:1,6 2578:3
<b>presumably</b>	<b>Prober's</b> 2456:24	2573:22	2493:20 2503:17	2583:6 2592:18
2448:20	<b>problem</b> 2405:10,12	<b>public</b> 2390:22	2510:19 2522:17	2592:20,21,23
<b>pretty</b> 2377:5	2409:20 2411:7	<b>pull</b> 2478:16	2536:8 2541:12	2594:16
2380:20 2392:18	2411:16 2416:21	<b>pulled</b> 2444:13	2544:7 2550:15	<b>reader</b> 2406:19
2395:19 2399:13	2416:24 2450:9	2476:20 2478:1,9	2552:20 2553:25	2500:20 2502:2,3
2436:2 2442:1	2451:8 2461:13	2478:15	2554:13 2555:2	2502:4,14,17
2506:9 2583:20	2497:9,10 2539:8	<b>Punishment</b>	2556:9 2570:7,10	2503:1,7 2517:17
2597:5	2569:16 2577:21	2373:13 2529:16	2574:7 2582:23	2518:16,19
<b>prevent</b> 2528:7	2579:8	2530:20 2531:6	2583:14 2584:4	2545:17
<b>previous</b> 2455:6	<b>problems</b> 2395:19	2533:7,11	2588:17 2590:11	<b>readily</b> 2536:20,23
2474:13 2580:3	2408:5 2462:2	<b>purpose</b> 2535:5	2599:7,8	<b>reading</b> 2494:5
2591:10,11	2505:18	2538:6 2569:15	<b>quick</b> 2465:17	2496:25 2497:1
2594:16	<b>procedure</b> 2525:3	<b>pursuant</b> 2524:6	<b>quickly</b> 2461:12	2504:6 2506:9
<b>previously</b> 2374:7	<b>procedures</b> 2551:23	<b>pushing</b> 2458:14	<b>quite</b> 2393:25	2571:16 2577:4
2599:3	<b>proceeding</b> 2439:7	<b>puts</b> 2427:12	2509:4 2519:15	<b>readings</b> 2534:19
<b>printed</b> 2424:11	2454:4	<b>putting</b> 2381:8	2519:20	<b>reads</b> 2454:13
<b>prior</b> 2470:4	<b>proceedings</b>	2481:6,10 2501:1	<b>quote</b> 2418:11	2555:24
2476:12 2523:13	2370:12,19	2406:25 2453:2	2442:6	<b>ready</b> 2470:12
2555:16 2568:18	2372:1 2375:18	2485:1 2528:5	<b>quotes</b> 2487:4	<b>reaffirmed</b> 2378:11
2568:23	2377:22 2391:16	2564:10	2518:3	<b>real</b> 2397:21
<b>prisoner</b> 2373:8	2452:7 2468:1	<b>pylon</b> 2430:2	<b>Q.C</b> 2370:2	<b>realize</b> 2379:8
2423:10,16	2523:7 2595:5	2460:16		2450:19
2424:10 2470:21	2599:20	<b>pylons</b> 2429:4	<b>R</b>	<b>realized</b> 2392:12,13
2530:1 2531:15	<b>process</b> 2375:13	<b>P-285.8</b> 2375:19	<b>R</b> 2371:14	2403:16 2543:24
<b>prisoner's</b> 2424:6	<b>processed</b> 2402:20	<b>P-3</b> 2380:2 2381:20	<b>radio</b> 2549:19	<b>really</b> 2376:15
2567:7	<b>produced</b> 2454:13	2387:1	<b>raise</b> 2523:15	2381:6 2395:22
<b>probable</b> 2560:14	2494:18	<b>P-3.85</b> 2383:17	2578:5 2589:5,8	2395:23 2397:16
2561:23	<b>professionally</b>	<b>P-3.85.13</b> 2373:2	<b>raised</b> 2524:13	2398:15 2401:11
<b>probably</b> 2387:12	2593:12	2381:22,22	2527:1,4,6	2403:3,13
2391:20 2392:19	<b>professorial</b> 2535:6	2382:1	<b>raising</b> 2479:23	2405:13 2406:14
2393:24 2397:3	<b>promise</b> 2530:2	<b>P-3.85.14</b> 2373:4	<b>rank</b> 2575:2	2417:14 2420:21
2400:1 2401:23	2531:18 2532:3	2383:20	<b>rather</b> 2452:25	2438:1,2,5 2464:1
2403:19 2409:4	2532:16 2534:1	<b>P-3.85.25</b> 2388:4,11	2570:13	2509:6 2517:10
2415:12 2417:16	<b>proper</b> 2431:13	<b>p.m</b> 2382:6 2388:15	<b>RCMP</b> 2373:21	2517:22 2534:23
2442:17 2444:12	2458:16 2502:7	2468:2 2479:10	2384:18,23	2537:13 2538:11
2451:25 2458:3	2525:4 2539:5	2523:7,8 2555:23	2385:5 2394:12	2574:3 2578:19
2460:1 2465:16	2561:6	2599:20	2394:16 2476:7,9	2579:22 2587:18
2485:25 2492:21	<b>properly</b> 2378:4		2476:17 2477:21	2588:14 2589:4
2501:18,21	2396:21 2397:18	<b>Q</b>	2478:7 2480:25	<b>rear</b> 2427:13
2503:21,23	<b>property</b> 2425:15	<b>quarter</b> 2394:18	2486:14 2503:13	2435:4 2445:22
2508:8 2520:23	2425:17 2471:3	<b>question</b> 2414:17	2506:1,10	2446:22 2449:21
2521:1,3 2551:3	2471:17	2416:3 2418:21	2510:14 2513:4	2461:3,6 2465:8
2574:6 2585:5	<b>proposal</b> 2524:22	2448:9 2460:21	2540:2 2541:6	2479:17,19,22
2586:12 2591:13	<b>proposing</b> 2525:20	2472:15 2500:18	2574:17 2581:24	<b>reason</b> 2405:18
		2502:25 2508:19	2582:3,17 2583:6	

2407:23 2408:5 2408:19 2416:11 2419:12 2461:18 2503:25 2546:22 2548:21 2549:22 2557:7,10 2558:12 2559:8 <b>reasonable</b> 2403:18 2410:7 2560:13 2561:18,22 <b>reasonably</b> 2398:13 2551:13 <b>reasons</b> 2497:2 2548:19 <b>rebuttal</b> 2527:8 <b>recalled</b> 2479:5 2553:18 <b>recalling</b> 2469:11 <b>received</b> 2489:15 2548:3 2554:16 2558:3,9,25 <b>receiving</b> 2410:1 2425:7 2441:23 <b>recent</b> 2543:9 <b>recess</b> 2452:6 2467:25 2470:11 2522:24 2523:6 <b>recessed</b> 2452:7 2468:1 2523:7 <b>recognize</b> 2393:20 2416:5,13 2417:8 2417:17 <b>recognized</b> 2416:4 2417:11 <b>recollection</b> 2376:14 2383:3 2393:16 2408:16 2422:17 2428:17 2469:22 2471:18 2471:21 2472:4,8 2472:12,14,22 2478:22 2490:17 2505:20,24 2535:21 2536:2,3 2536:12 2540:14 2549:20 2554:22 2556:18 2568:19 2568:23 <b>reconvened</b> 2452:8 2468:2 2523:8 <b>record</b> 2402:12 2407:22 2408:1 2454:4,8 2510:11 2525:11 2541:15 2542:3 2565:25 2570:3 <b>recorded</b> 2406:12 2425:15 <b>records</b> 2382:5	<b>redone</b> 2502:10,11 2502:13 <b>redundant</b> 2565:23 <b>refer</b> 2394:7 2395:11,13 2422:22,24 2477:3 <b>reference</b> 2405:24 2406:2 2408:22 2413:13 2536:24 2544:16 2555:6 2582:11 <b>references</b> 2406:7 2477:5 <b>referencing</b> 2546:14 <b>referred</b> 2395:4 2432:21 2470:23 2473:21 2479:22 2529:11 2541:8 <b>referring</b> 2394:14 2394:22 2470:16 2532:9 2575:1 <b>reflects</b> 2425:17 <b>refresh</b> 2375:15 2376:15 2505:8 2582:13 2585:14 2585:20,25 <b>refreshed</b> 2405:6 <b>refreshing</b> 2583:4 <b>refusal</b> 2402:9 2543:16 2544:6 <b>refused</b> 2486:3 2487:2 <b>Regional</b> 2466:6 <b>Reid</b> 2371:7,22 2600:5,14 <b>related</b> 2387:10,11 2407:9 2439:23 2440:10,16 2441:21 2477:7 2579:19 <b>relates</b> 2555:7 <b>relating</b> 2452:19 2468:15 2572:11 <b>relation</b> 2431:6,7 <b>relationship</b> 2586:8 2586:14 <b>relay</b> 2524:16 2525:15 2558:5 2571:21 <b>relayed</b> 2491:6 2525:16 2558:15 2558:18 2572:18 <b>relaying</b> 2427:6 2580:12 <b>relevant</b> 2406:22 <b>relief</b> 2526:13 <b>relish</b> 2396:11	<b>remain</b> 2452:24 2524:4,5 <b>remember</b> 2376:19 2379:3 2382:13 2406:6 2421:18 2425:23,24 2428:19,21 2481:18,19 2496:22,24,24 2516:8 2522:13 2538:19,24 2556:15,20 2558:7 2573:12 2589:7 <b>remorse</b> 2564:4,15 <b>remote</b> 2528:9 <b>removed</b> 2454:6 2593:6 <b>removing</b> 2453:24 <b>reopened</b> 2468:4 2523:10 <b>repair</b> 2566:7 <b>repeat</b> 2411:5 2431:16 2432:9 <b>repeated</b> 2581:21 2585:11 <b>repeating</b> 2378:12 2580:14 <b>reply</b> 2527:7 <b>report</b> 2405:25 2406:3,20 2407:23 2408:8 2408:20 2409:5 2409:16,22 2410:6,12,21 2413:12 2496:21 2507:24 2516:22 2517:7 2534:11 2553:2,11 2554:18 2556:23 2565:5 2569:19 <b>reported</b> 2565:18 <b>reporter</b> 2457:14 <b>reporters</b> 2371:21 2600:1,5 <b>reporting</b> 2564:23 <b>request</b> 2382:12,18 <b>requested</b> 2377:25 2455:12 2456:1 2594:22 <b>require</b> 2452:23 <b>required</b> 2452:14 2562:12 2573:24 <b>requirements</b> 2559:15 <b>reread</b> 2476:14 <b>reserve</b> 2526:19 2527:8 <b>resolve</b> 2465:11	<b>respect</b> 2453:3 2466:6 2524:12 2535:7 2545:25 2557:21 2565:21 2569:9 2573:9 2575:15 2598:11 <b>respectful</b> 2454:5 <b>respond</b> 2524:17,18 2590:10 <b>responded</b> 2385:15 2580:4 2598:7 <b>response</b> 2410:20 2571:7,23 2579:3 2579:6 2583:13 2584:9,10,16,24 2585:8,25 2586:1 2587:9 <b>responsibility</b> 2402:21 <b>responsible</b> 2391:7 2391:10 <b>rest</b> 2434:11 <b>Restall</b> 2371:11 <b>result</b> 2453:6 2499:14,19 2540:20 2543:8,9 2564:5 <b>resulted</b> 2453:25 <b>retain</b> 2550:11 <b>retained</b> 2546:10 <b>return</b> 2576:18 <b>returned</b> 2553:3 2576:9,12 2577:1 2580:19 <b>review</b> 2472:21 2518:9,11 2520:4 2578:21 <b>reviewed</b> 2518:6 <b>reviewing</b> 2375:14 <b>revision</b> 2553:11 <b>revisions</b> 2552:23 2553:6,7 <b>re-attend</b> 2526:10 2526:12 <b>RE-DIRECT</b> 2566:21 <b>Re-Examination</b> 2372:13 <b>re-opened</b> 2452:10 <b>rid</b> 2411:7 <b>rights</b> 2496:16 2546:4 2578:3 <b>right-hand</b> 2426:4 2464:7 2567:11 <b>rise</b> 2374:3 2452:5 2452:9 2467:24 2468:3 2500:25 2523:5,9 2599:18 <b>RM2</b> 2427:14	2430:15 <b>road</b> 2435:16 2448:17 2450:5 <b>roadside</b> 2538:18 2559:2,5,14 2561:16 2562:4 2572:22 <b>road-wise</b> 2475:24 <b>Robert</b> 2371:11 <b>rocket</b> 2441:14 <b>Roger</b> 2370:2 <b>role</b> 2554:3,5,6,8 2570:8,13 <b>room</b> 2432:11 2452:22,24,25 2454:16,18,25 2455:5,10 2457:17,20 2524:4 2527:24 2537:20,24 2538:13 2541:21 2560:10 2594:16 2594:20 2595:3 <b>Rosser</b> 2394:23 2466:14 2485:9 2485:16,19 2486:16 2487:9 2487:12,19,24 2488:1,25 2489:24 2490:16 2491:15,19,20,25 2492:1,8,12 2500:8,14,15 2548:4 2558:9 <b>roughly</b> 2392:20 2432:21 2555:15 2556:25 <b>route</b> 2406:10,12 2407:15 2559:9 2561:14,23 <b>row</b> 2529:14 <b>ruin</b> 2396:6 <b>ruined</b> 2391:24 <b>run</b> 2439:9 <b>running</b> 2439:8 <b>rushed</b> 2519:18 2520:3 <b>rush-hour</b> 2436:8 <b>R&amp;PG</b> 2411:21 <b>R.L</b> 2371:4 <b>R.M</b> 2371:14
<b>S</b>				
<b>S</b> 2371:16,17,17,19 <b>safekeeping</b> 2425:18 <b>safety</b> 2573:23 2574:1 <b>said/she</b> 2454:1 <b>sake</b> 2421:23				

<p><b>Salhany</b> 2370:2  <b>same</b> 2377:23  2378:7 2383:17  2392:22,23  2399:19 2415:13  2417:6,20 2418:1  2499:25 2535:9  2564:19 2569:8  2578:17 2581:19  2582:10 2586:6  2586:10 2591:24  2591:25 2592:1,4  <b>sample</b> 2543:25  <b>satisfied</b> 2532:14,18  <b>satisfy</b> 2477:6  <b>Saturday</b> 2389:12  <b>save</b> 2413:5,9  <b>saving</b> 2411:24  <b>saw</b> 2377:20  2386:24 2406:3  2417:18 2447:1  2448:23 2449:13  2449:15 2459:18  2460:6 2461:3  2465:6,9 2478:20  2480:16 2494:24  2499:5,8 2504:3  2513:11,12  2568:9,15 2573:3  2573:14 2577:2  2596:5  <b>saying</b> 2412:21,22  2412:24,24  2490:6,8 2492:4  2492:11 2496:23  2502:11 2510:14  2521:25 2524:19  2542:14 2573:12  2587:10,22  <b>says</b> 2376:5,6,7  2382:10 2388:12  2391:19 2411:20  2422:25 2425:14  2427:25 2448:23  2466:13 2481:13  2485:2 2486:23  2492:12 2529:10  2580:15 2596:25  2597:8  <b>schedule</b> 2576:16  2599:5  <b>scheduled</b> 2452:17  2555:23  <b>scheduling</b> 2592:6  <b>school</b> 2392:22,23  2393:6,20  2415:13,15,22  2417:6,20 2418:1  2586:10</p>	<p><b>science</b> 2441:14  <b>screening</b> 2559:2,5  2559:15 2561:16  2562:4  <b>scurry</b> 2464:12  <b>search</b> 2469:1,4,7,9  2469:10,11,12,14  2469:19,24  2470:2,9 2471:13  2471:16 2472:9  <b>searches</b> 2468:18  <b>seated</b> 2374:5  2418:9 2435:9  2437:8,14  2452:11 2468:4  2523:11  <b>second</b> 2387:19  2413:17 2422:25  2426:18,18  2445:18 2451:4  2476:25 2508:9  2510:3 2511:8  2517:16 2539:23  2543:18 2548:21  <b>seconds</b> 2482:19  <b>secret</b> 2593:3  <b>Secretary</b> 2371:5  <b>section</b> 2471:3  2546:13,15,15,20  2550:7  <b>seeing</b> 2440:2  2472:14 2479:16  2513:10 2568:2  <b>Seek</b> 2373:13  2529:16 2530:19  2531:5 2533:7,11  <b>seeking</b> 2453:3  <b>seem</b> 2462:15  2463:10 2464:7  2464:24 2536:8  2536:20 2597:20  <b>seemed</b> 2536:22  <b>seems</b> 2426:8  2456:25 2539:17  <b>seen</b> 2393:23  2398:18 2453:8,8  2499:16,20  2563:8 2568:18  2591:1,4  <b>sees</b> 2406:20  <b>seized</b> 2425:25  <b>Seizure</b> 2373:17  2529:23 2531:11  2533:20,24  <b>selective</b> 2416:23  <b>senior</b> 2443:3  <b>sense</b> 2484:18  2488:6 2492:7,14  2497:7 2503:9</p>	<p>2517:4 2563:5  <b>sent</b> 2518:5  <b>sentence</b> 2513:25  <b>separate</b> 2525:21  2525:22  <b>separately</b> 2532:25  <b>serious</b> 2436:2  2441:10,15,20  2443:7 2592:11  <b>seriously</b> 2398:19  <b>service</b> 2371:16  2386:16 2546:1  2551:24 2562:22  2564:12 2574:24  2575:14  <b>set</b> 2384:22 2387:15  2404:3 2427:25  2428:3,8,9,11,13  2428:16,18,22  2430:17,20,21  2434:19 2435:15  2460:16  <b>setting</b> 2429:6  2439:11  <b>settle</b> 2543:5  <b>seven</b> 2430:12  2580:2  <b>several</b> 2384:8,9  2436:17 2437:17  2437:20 2473:24  2474:2 2544:22  2552:5  <b>shared</b> 2393:10  <b>Sharleen</b> 2371:7  <b>sheet</b> 2373:8  2423:10,16,23  2424:6,10 2425:4  2470:21 2511:2  2511:11,19  2530:1 2531:16  2567:7  <b>sheriffs</b> 2467:18  <b>shift</b> 2403:6  2474:18 2553:4  2555:12,17,21,23  2591:25 2599:5  <b>shifts</b> 2592:1,4  <b>shit</b> 2380:8  <b>shock</b> 2495:12,21  2541:9 2573:11  <b>short</b> 2467:22  2493:9  <b>shortly</b> 2408:25  2424:6 2580:19  2588:19  <b>show</b> 2394:10  2439:1 2451:20  2451:21  <b>showed</b> 2389:3</p>	<p>2516:6  <b>shown</b> 2409:6  <b>shut</b> 2478:4  2486:22  <b>side</b> 2433:8,9  2444:25 2447:24  2461:6,8,10  2462:22,25  2463:24 2465:8  2479:17,19,21  2523:2 2568:16  2591:24,24  2592:1,4 2597:16  2599:5  <b>sign</b> 2567:25  <b>signature</b> 2425:6,7  2425:14,16,20  <b>signed</b> 2486:3  2487:21 2567:16  <b>significance</b>  2412:10  <b>significant</b> 2406:5  2454:2  <b>signs</b> 2379:15,16,19  2495:8 2507:21  2535:8,15,22  2539:11 2572:6  <b>silent</b> 2458:7  <b>similar</b> 2383:13  2399:3 2463:12  2564:16  <b>similarly</b> 2562:4  <b>simple</b> 2460:10  <b>simply</b> 2414:21  2422:25 2526:11  <b>since</b> 2393:22,24  2496:6 2575:10  2579:4  <b>sister</b> 2439:16  <b>sit</b> 2435:13 2436:25  2455:4 2535:20  2536:12 2594:15  <b>site</b> 2558:6  <b>sits</b> 2454:8  <b>sitting</b> 2370:13  2449:20 2454:15  2455:5,10 2501:3  2536:3 2594:4,16  2594:20 2595:25  2597:15 2598:1  <b>situation</b> 2385:10  2399:19 2500:15  2564:16 2588:8  <b>six</b> 2430:12  <b>skip</b> 2383:24  <b>slight</b> 2406:10,11  2406:12 2407:15  2407:18 2497:23  2534:17 2536:4</p>	<p>2536:25  <b>slightly</b> 2455:1  2463:15,17  2594:12 2597:18  <b>slurred</b> 2537:24  <b>slurring</b> 2493:22  <b>small</b> 2392:18  2586:10  <b>smell</b> 2378:4 2402:5  2407:15 2481:22  2487:14 2492:2  2497:13 2507:8  2561:14  <b>smelled</b> 2498:3,7  2508:3  <b>smelt</b> 2486:7  <b>snow</b> 2447:18,20  2451:3,8,12  <b>sobriety</b> 2561:17  2562:9,14  2572:11,12  <b>somebody</b> 2379:17  2399:14,22  2401:7 2412:18  2423:20 2442:2  2467:17 2518:9  2584:6  <b>somehow</b> 2537:1  <b>someone</b> 2386:17  2391:24 2392:13  2416:14 2423:18  2443:2,6 2512:9  2519:15 2521:17  2521:19,20  2564:12 2569:25  2573:25 2589:9  <b>something</b> 2386:22  2390:23 2396:11  2401:21 2402:2  2416:19 2435:23  2441:6 2450:19  2452:13 2472:17  2472:19 2481:21  2481:23 2486:18  2488:13,23  2490:23,24  2493:12 2497:25  2498:19 2503:19  2503:19 2505:12  2505:16 2518:13  2535:13 2539:2  2542:10,12,20  2562:11 2565:7  2573:23 2580:2  2598:9,13  <b>sometimes</b> 2424:3  2443:15  <b>somewhat</b> 2463:2  2474:12 2475:20</p>
---	---	---	---	---



<b>somewhere</b> 2426:24 2431:20 2433:4 2433:20,25 2446:1 2449:5 2450:2 2588:14 2588:19	2380:11 2394:23 2522:10,13 2524:20 2532:11 <b>speaks</b> 2471:16 2506:11 <b>special</b> 2562:12 <b>specific</b> 2522:9 2588:15 2593:11 <b>specifically</b> 2378:25 2468:18 <b>specifics</b> 2477:17 2571:17 <b>specify</b> 2580:22 <b>speech</b> 2537:25 <b>spent</b> 2468:16 <b>spoke</b> 2377:20 2379:25 2382:11 2382:17 2383:5 2385:5 2390:17 2391:19 2578:6,9 2582:9 <b>spoken</b> 2392:11 2521:19,20 2550:23 2558:14 2577:4 <b>spotted</b> 2581:2 <b>St</b> 2371:14 2373:7 2413:19 2423:9 2429:19 2440:23 2468:25 2470:8 2470:20 2551:24 2574:23 2575:9 2576:4 2588:23 2590:22 2593:13 2598:23 <b>STAFF</b> 2371:1 <b>stage</b> 2496:3 2506:17 2562:6 <b>staggering</b> 2540:7 2540:10 <b>stand</b> 2453:3 2526:22 <b>standard</b> 2420:14 2526:3 <b>standing</b> 2435:16 2479:11 2547:15 2549:14 2568:10 2573:1,3 2598:2,4 <b>star</b> 2415:23 <b>staring</b> 2596:10,12 <b>start</b> 2392:9 2462:7 2528:11 <b>started</b> 2439:8 2457:17 2550:2 2575:6 <b>state</b> 2374:22 2470:1 2479:2 <b>stated</b> 2580:1,2 2581:8 2583:5,11	2600:9 <b>statement</b> 2373:19 2373:21,23 2396:7 2452:19 2453:17 2454:9 2454:12 2455:6 2455:13 2457:22 2474:24 2491:24 2492:1,2,8 2500:16 2524:8 2524:17 2527:7 2540:2 2541:6 2574:16 2593:19 2593:22 2594:17 2594:22,25 2595:9,14,17,20 2595:24 2596:6 2596:15,25 2597:3,6,12 <b>statements</b> 2571:25 2589:2 <b>States</b> 2415:18 <b>stating</b> 2470:6 <b>station</b> 2381:10 2398:10,11,16 2399:9,15,22,24 2400:4,14,23 2402:8 2405:19 2408:6 2409:4 2412:7 2414:21 2423:19,22,23 2424:3,9 2468:25 2469:5 2491:21 2492:17 2506:19 2507:4,7 2508:4 2548:10 2549:11 2549:22,24 2550:3,4 2562:20 2569:25 2573:10 2573:16 <b>stayed</b> 2519:21,25 <b>Stefanson</b> 2371:19 2523:20 2525:9 2525:10 2526:18 2527:2,5 <b>Stenotype</b> 2600:8 <b>steps</b> 2570:23 <b>stickies</b> 2544:17,22 2545:10 <b>sticking</b> 2504:17 2508:7 2509:19 <b>sticky</b> 2517:14 2518:1 2544:21 2545:1,7,22 <b>still</b> 2409:25 2470:15 2497:11 2499:25 2504:17 2505:11 2508:7 2509:17 2524:2	<b>stood</b> 2481:3 <b>stop</b> 2430:23 2435:12 2491:12 2517:16 <b>story</b> 2458:25 <b>strange</b> 2501:19,20 <b>Street</b> 2388:15 <b>strong</b> 2535:10 <b>stuff</b> 2564:10,10 2565:8 2592:20 <b>stuffed</b> 2378:4 2379:4 <b>stumbled</b> 2506:25 <b>stumbling</b> 2499:6,8 2507:9 2540:3,9 2540:17 <b>subject</b> 2523:21,25 2524:2,10 2526:18 2558:24 2560:2,11,14 2561:13 2563:14 2570:16 <b>submission</b> 2454:5 <b>submissions</b> 2526:20 <b>subpoenaed</b> 2374:14 <b>subsequent</b> 2526:8 2535:1 2543:18 <b>subsequently</b> 2384:17 <b>sucking</b> 2379:6 <b>sudden</b> 2379:15 <b>suddenly</b> 2406:7 <b>suggest</b> 2391:1 2395:17 2396:4 2399:12 2401:19 2410:25 2418:23 2468:22 2472:25 2477:2 2524:10 2536:6,11 2539:2 2543:23 <b>suggested</b> 2375:5 2399:11 2507:24 2525:19 2558:2 2558:23 2561:12 2562:17 2563:13 2564:21 2598:17 <b>suggesting</b> 2391:16 2408:19 2502:19 2502:25 2507:17 2509:22 2520:14 <b>suggestion</b> 2410:20 2413:4,24 2448:12 2535:4 2536:16,23 2537:2 2538:22 2538:24 2560:23 2579:7 2598:20	<b>suggests</b> 2412:18 2414:23 2453:23 2556:24 <b>summarize</b> 2395:25 <b>Sunday</b> 2389:12 <b>superior</b> 2558:5 2564:17 <b>supplies</b> 2408:9 <b>suppose</b> 2526:14 <b>supposed</b> 2388:24 2587:20 <b>supposedly</b> 2491:3 2587:15 <b>sure</b> 2387:18,25 2388:3 2394:22 2397:16 2400:10 2400:12 2402:3 2403:7 2405:9 2409:12 2416:6,9 2429:8,10,12,14 2432:10 2433:5 2467:7 2472:18 2479:11 2486:18 2501:13 2502:7 2503:8,8 2528:14 2530:9 2536:21 2540:19 2541:20 2544:15 2545:14 2565:24 2576:15 2577:10 2588:24 <b>surely</b> 2393:5 2490:22 2491:1 2495:1 2521:20 <b>surprisingly</b> 2576:2 <b>surrender</b> 2471:7 <b>surrendered</b> 2425:17 2471:4 2471:17,19 <b>surrounding</b> 2436:7 2447:17 <b>suspect</b> 2400:2,8,9 2403:2 2572:12 <b>Suspension</b> 2373:15 2529:19 2531:9 2533:12,17 <b>sustained</b> 2540:20 <b>SUV</b> 2563:4 <b>sworn</b> 2374:7 2574:19 <b>symptom</b> 2494:14 <b>symptoms</b> 2474:7 2474:12 2494:1 2494:20 2495:2 2500:1 2507:16 2507:19,22,25 2508:1,2 <b>system</b> 2576:10
<b>T</b>				
<b>T</b> 2431:21,23				

<b>tab</b> 2383:17 2388:11 2394:13 2466:4 2470:17 2528:20,21 2567:3 2574:15 2574:16,17	2549:21 2585:15 2587:12,17,22 2588:4 <b>tells</b> 2380:3 2466:19 2486:2 2522:16 <b>temperature</b> 2556:19,21,25 <b>temporary</b> 2531:9 2533:14 <b>ten</b> 2485:23,24,25 2493:12 2568:15 <b>tendered</b> 2595:25 <b>tenure</b> 2593:13 <b>term</b> 2376:22 2378:22 2379:1 2414:17 2497:12	2503:2,8,9 2504:13,14,14 2520:12 2522:5 2528:15 2538:7 2543:2 2551:14 2580:14 2584:7 2587:12,22 2588:4 2590:18 2590:21 2592:18 <b>thinking</b> 2546:14 2546:16 <b>third</b> 2540:1 <b>thorough</b> 2516:4 2552:25 <b>though</b> 2376:20 2385:19 2439:21 2453:25 2485:22 2502:1 2507:23 2536:7 2540:16 2555:24 2561:9 <b>thought</b> 2380:8 2386:17 2405:7 2445:13 2484:10 2497:3 2506:5 2509:6 2519:2,13 2521:11 2523:14 2573:11 2577:7 2578:14 2579:1 2584:12 2585:18 2585:19,22,23 <b>thoughts</b> 2452:1 <b>three</b> 2407:9 2417:1 2436:12,21 2440:12 2452:1 2476:6 2584:25 <b>threw</b> 2417:15 <b>through</b> 2375:13 2385:6 2388:21 2390:18 2406:4 2430:23 2444:15 2445:5,5 2461:12 2474:21 2479:16 2499:7 2500:12 2500:14 2502:4 2516:5 2524:17 2530:10 2558:1 2567:15 2568:16 2574:15 2576:10 2577:2,4 2593:13	2437:2 2452:18 2452:20 2453:6 2454:13 2474:11 2509:16 2525:13 2526:4 2527:15 2528:13 2535:20 2535:20 2536:3 2536:12 2564:17 2565:3 2593:17 2594:2 <b>together</b> 2508:23 2521:18 2591:2,2 2591:3,5 <b>tomorrow</b> 2599:19 <b>tone</b> 2413:10 2597:23 2598:6 <b>toned</b> 2413:5 <b>top</b> 2387:4 2419:23 2430:8 2463:23 2477:24 2478:20 2504:18 2508:14 2516:1,14 2583:1 2583:5 <b>topic</b> 2576:2 <b>touch</b> 2498:18 <b>toward</b> 2454:18 2594:6 <b>towards</b> 2396:23 2451:6 2459:19 2462:15 2498:5 2510:7 2511:8 2596:13 <b>town</b> 2586:6 <b>traffic</b> 2408:8 2427:24 2430:23 2434:22,23 2435:13 2436:9 2436:18 2437:22 2437:23 2438:3,6 2438:7 2441:10 2441:20 2444:14 2444:15 2460:2 2474:23 2475:1,5 2475:13,15 2496:21 2554:10 2554:10 2569:19 2570:14 <b>trained</b> 2575:8,13 2589:20 2590:17 <b>training</b> 2545:25 2546:2 2562:12 2562:13 2575:12 2575:14 <b>traitor</b> 2598:15 <b>traitors</b> 2454:22 2594:9 2597:2,7 2597:21 <b>transcript</b> 2370:12 2405:6 2477:4	2504:18 2514:15 2600:7 <b>transcripts</b> 2514:14 <b>transformation</b> 2406:5 <b>transport</b> 2581:11 2592:16 <b>transported</b> 2413:18 2414:21 2577:24 <b>traveling</b> 2476:1 <b>treat</b> 2400:9 <b>treating</b> 2400:8 <b>trial</b> 2387:20 <b>tribunal</b> 2419:2 2438:20 2440:15 <b>tried</b> 2442:5 2457:9 2550:20 2571:9 <b>trigger</b> 2499:12 <b>trip</b> 2575:24 <b>trouble</b> 2391:22 2493:1 2505:17 <b>Troubles</b> 2398:7 <b>troubling</b> 2395:18 <b>truck</b> 2412:17 2427:13 2445:21 2448:16 2450:4,7 2451:1 2462:21 2480:5,11 2573:1 2573:4 2593:2 <b>true</b> 2386:6 2405:23 2409:21 2418:15 2600:7 <b>truth</b> 2380:11 2382:22 2383:12 2410:17 2418:19 2418:24 2457:23 2588:10 2589:3 <b>truthfully</b> 2500:3 <b>try</b> 2375:14 2390:5 2410:16 2430:22 2443:9 2444:14 2461:12 2509:24 2550:17 <b>trying</b> 2395:24 2433:6,11 2507:14,18 2508:15,25 2520:15 2535:8 <b>Tuesday</b> 2370:16 2374:1 <b>turn</b> 2396:23 2483:25 2484:7 2504:18 2516:11 <b>turned</b> 2439:7 2461:18 2471:22 2471:24 2472:5 2472:24 2485:3 2580:9
<b>taken</b> 2400:20 2411:12 2451:2 2451:17,17 2455:5 2460:1 2471:10 2481:1 2549:22,23 2550:3 2568:9 2579:5 2587:8 2594:16 2600:8	<b>terms</b> 2525:16 2526:2 <b>test</b> 2538:18 2559:3 2559:3,5,15 2560:1,3,13 2561:16 <b>testified</b> 2391:15 2392:17 2398:5 2404:21,23 2573:10 2574:19 <b>testify</b> 2374:25 2375:1 2457:25 2509:11 <b>testifying</b> 2390:22 2453:14 2524:18 <b>testimony</b> 2391:25 2392:1,2 2395:17 2453:3 2454:1 2458:3 2524:2,14 2525:17 2526:6,9 2542:21 2570:17 2582:6 <b>testing</b> 2559:5 <b>tests</b> 2561:17 2562:9,15 <b>Thanks</b> 2551:11 <b>their</b> 2499:19 2524:2 2528:5 2592:1 2599:11 <b>they'd</b> 2450:6 <b>thing</b> 2408:4 2421:18 2428:19 2454:4 2465:14 2476:18 2481:13 2481:14 2581:19 2582:10 2589:10 <b>things</b> 2380:1,4,7 2381:3 2404:3 2405:7,13 2407:9 2413:7,8 2417:3 2420:13 2423:22 2424:5 2441:8 2443:9 2502:7	<b>thought</b> 2376:20 2385:19 2439:21 2453:25 2485:22 2502:1 2507:23 2536:7 2540:16 2555:24 2561:9 <b>thought</b> 2380:8 2386:17 2405:7 2445:13 2484:10 2497:3 2506:5 2509:6 2519:2,13 2521:11 2523:14 2573:11 2577:7 2578:14 2579:1 2584:12 2585:18 2585:19,22,23 <b>thoughts</b> 2452:1 <b>three</b> 2407:9 2417:1 2436:12,21 2440:12 2452:1 2476:6 2584:25 <b>threw</b> 2417:15 <b>through</b> 2375:13 2385:6 2388:21 2390:18 2406:4 2430:23 2444:15 2445:5,5 2461:12 2474:21 2479:16 2499:7 2500:12 2500:14 2502:4 2516:5 2524:17 2530:10 2558:1 2567:15 2568:16 2574:15 2576:10 2577:2,4 2593:13 <b>times</b> 2384:8,9 2386:2 2437:18 2437:20 2510:20 2511:10,10,21,22 2511:24 2512:3,7 2512:9,17 2556:12 <b>timing</b> 2466:7 <b>today</b> 2377:12 2390:21 2419:4	<b>tone</b> 2413:10 2597:23 2598:6 <b>toned</b> 2413:5 <b>top</b> 2387:4 2419:23 2430:8 2463:23 2477:24 2478:20 2504:18 2508:14 2516:1,14 2583:1 2583:5 <b>topic</b> 2576:2 <b>touch</b> 2498:18 <b>toward</b> 2454:18 2594:6 <b>towards</b> 2396:23 2451:6 2459:19 2462:15 2498:5 2510:7 2511:8 2596:13 <b>town</b> 2586:6 <b>traffic</b> 2408:8 2427:24 2430:23 2434:22,23 2435:13 2436:9 2436:18 2437:22 2437:23 2438:3,6 2438:7 2441:10 2441:20 2444:14 2444:15 2460:2 2474:23 2475:1,5 2475:13,15 2496:21 2554:10 2554:10 2569:19 2570:14 <b>trained</b> 2575:8,13 2589:20 2590:17 <b>training</b> 2545:25 2546:2 2562:12 2562:13 2575:12 2575:14 <b>traitor</b> 2598:15 <b>traitors</b> 2454:22 2594:9 2597:2,7 2597:21 <b>transcript</b> 2370:12 2405:6 2477:4	2504:18 2514:15 2600:7 <b>transcripts</b> 2514:14 <b>transformation</b> 2406:5 <b>transport</b> 2581:11 2592:16 <b>transported</b> 2413:18 2414:21 2577:24 <b>traveling</b> 2476:1 <b>treat</b> 2400:9 <b>treating</b> 2400:8 <b>trial</b> 2387:20 <b>tribunal</b> 2419:2 2438:20 2440:15 <b>tried</b> 2442:5 2457:9 2550:20 2571:9 <b>trigger</b> 2499:12 <b>trip</b> 2575:24 <b>trouble</b> 2391:22 2493:1 2505:17 <b>Troubles</b> 2398:7 <b>troubling</b> 2395:18 <b>truck</b> 2412:17 2427:13 2445:21 2448:16 2450:4,7 2451:1 2462:21 2480:5,11 2573:1 2573:4 2593:2 <b>true</b> 2386:6 2405:23 2409:21 2418:15 2600:7 <b>truth</b> 2380:11 2382:22 2383:12 2410:17 2418:19 2418:24 2457:23 2588:10 2589:3 <b>truthfully</b> 2500:3 <b>try</b> 2375:14 2390:5 2410:16 2430:22 2443:9 2444:14 2461:12 2509:24 2550:17 <b>trying</b> 2395:24 2433:6,11 2507:14,18 2508:15,25 2520:15 2535:8 <b>Tuesday</b> 2370:16 2374:1 <b>turn</b> 2396:23 2483:25 2484:7 2504:18 2516:11 <b>turned</b> 2439:7 2461:18 2471:22 2471:24 2472:5 2472:24 2485:3 2580:9
<b>taking</b> 2380:21 2485:15 2588:12 <b>talk</b> 2420:2,9 2457:19 2505:23 2542:13 2589:1 2592:24 <b>talked</b> 2504:20 2505:4 2506:6 2521:25 2559:4 <b>talking</b> 2429:1 2432:4 2436:20 2471:15 2477:23 2482:19 2485:11 2485:23 2501:9 2502:3 2503:11 2512:8,25 2519:24 2522:4,5 2522:7 2586:22 <b>talks</b> 2492:9 2506:2 <b>tall</b> 2430:11 <b>Taman</b> 2371:11 2438:14,25 2439:4 2440:11 2514:7 2575:15 <b>TAR</b> 2408:22,24 2409:22 2496:21 2497:8 2500:9,11 <b>Tara</b> 2439:5,13 <b>task</b> 2396:16 <b>tasked</b> 2374:17 <b>tasks</b> 2399:21 <b>technically</b> 2578:1 <b>Ted</b> 2394:23 2486:16 2487:19 <b>telephone</b> 2549:15 2549:19 <b>telling</b> 2383:10 2393:15 2418:17 2418:19,24 2431:18 2435:6 2445:13 2457:23 2466:18 2469:11 2491:12 2496:11 2499:3 2506:1	<b>testified</b> 2391:15 2392:17 2398:5 2404:21,23 2573:10 2574:19 <b>testify</b> 2374:25 2375:1 2457:25 2509:11 <b>testifying</b> 2390:22 2453:14 2524:18 <b>testimony</b> 2391:25 2392:1,2 2395:17 2453:3 2454:1 2458:3 2524:2,14 2525:17 2526:6,9 2542:21 2570:17 2582:6 <b>testing</b> 2559:5 <b>tests</b> 2561:17 2562:9,15 <b>Thanks</b> 2551:11 <b>their</b> 2499:19 2524:2 2528:5 2592:1 2599:11 <b>they'd</b> 2450:6 <b>thing</b> 2408:4 2421:18 2428:19 2454:4 2465:14 2476:18 2481:13 2481:14 2581:19 2582:10 2589:10 <b>things</b> 2380:1,4,7 2381:3 2404:3 2405:7,13 2407:9 2413:7,8 2417:3 2420:13 2423:22 2424:5 2441:8 2443:9 2502:7	<b>thought</b> 2376:20 2385:19 2439:21 2453:25 2485:22 2502:1 2507:23 2536:7 2540:16 2555:24 2561:9 <b>thought</b> 2380:8 2386:17 2405:7 2445:13 2484:10 2497:3 2506:5 2509:6 2519:2,13 2521:11 2523:14 2573:11 2577:7 2578:14 2579:1 2584:12 2585:18 2585:19,22,23 <b>thoughts</b> 2452:1 <b>three</b> 2407:9 2417:1 2436:12,21 2440:12 2452:1 2476:6 2584:25 <b>threw</b> 2417:15 <b>through</b> 2375:13 2385:6 2388:21 2390:18 2406:4 2430:23 2444:15 2445:5,5 2461:12 2474:21 2479:16 2499:7 2500:12 2500:14 2502:4 2516:5 2524:17 2530:10 2558:1 2567:15 2568:16 2574:15 2576:10 2577:2,4 2593:13 <b>times</b> 2384:8,9 2386:2 2437:18 2437:20 2510:20 2511:10,10,21,22 2511:24 2512:3,7 2512:9,17 2556:12 <b>timing</b> 2466:7 <b>today</b> 2377:12 2390:21 2419:4	<b>tone</b> 2413:10 2597:23 2598:6 <b>toned</b> 2413:5 <b>top</b> 2387:4 2419:23 2430:8 2463:23 2477:24 2478:20 2504:18 2508:14 2516:1,14 2583:1 2583:5 <b>topic</b> 2576:2 <b>touch</b> 2498:18 <b>toward</b> 2454:18 2594:6 <b>towards</b> 2396:23 2451:6 2459:19 2462:15 2498:5 2510:7 2511:8 2596:13 <b>town</b> 2586:6 <b>traffic</b> 2408:8 2427:24 2430:23 2434:22,23 2435:13 2436:9 2436:18 2437:22 2437:23 2438:3,6 2438:7 2441:10 2441:20 2444:14 2444:15 2460:2 2474:23 2475:1,5 2475:13,15 2496:21 2554:10 2554:10 2569:19 2570:14 <b>trained</b> 2575:8,13 2589:20 2590:17 <b>training</b> 2545:25 2546:2 2562:12 2562:13 2575:12 2575:14 <b>traitor</b> 2598:15 <b>traitors</b> 2454:22 2594:9 2597:2,7 2597:21 <b>transcript</b> 2370:12 2405:6 2477:4	2504:18 2514:15 2600:7 <b>transcripts</b> 2514:14 <b>transformation</b> 2406:5 <b>transport</b> 2581:11 2592:16 <b>transported</b> 2413:18 2414:21 2577:24 <b>traveling</b> 2476:1 <b>treat</b> 2400:9 <b>treating</b> 2400:8 <b>trial</b> 2387:20 <b>tribunal</b> 2419:2 2438:20 2440:15 <b>tried</b> 2442:5 2457:9 2550:20 2571:9 <b>trigger</b> 2499:12 <b>trip</b> 2575:24 <b>trouble</b> 2391:22 2493:1 2505:17 <b>Troubles</b> 2398:7 <b>troubling</b> 2395:18 <b>truck</b> 2412:17 2427:13 2445:21 2448:16 2450:4,7 2451:1 2462:21 2480:5,11 2573:1 2573:4 2593:2 <b>true</b> 2386:6 2405:23 2409:21 2418:15 2600:7 <b>truth</b> 2380:11 2382:22 2383:12 2410:17 2418:19 2418:24 2457:23 2588:10 2589:3 <b>truthfully</b> 2500:3 <b>try</b> 2375:14 2390:5 2410:16 2430:22 2443:9 2444:14 2461:12 2509:24 2550:17 <b>trying</b> 2395:24 2433:6,11 2507:14,18 2508:15,25 2520:15 2535:8 <b>Tuesday</b> 2370:16 2374:1 <b>turn</b> 2396:23 2483:25 2484:7 2504:18 2516:11 <b>turned</b> 2439:7 2461:18 2471:22 2471:24 2472:5 2472:24 2485:3 2580:9

<b>turning</b> 2431:11 2444:13,23 2445:4,4,14 2459:21 2484:18 2484:22	2438:1,2,5 2443:1 2465:4,9 2524:20 2555:10 2557:23 2560:7,11 2568:13 2572:1 2574:22 2575:16 2589:18 2593:16	<b>verify</b> 2477:5 <b>version</b> 2405:1 2408:22,25 2481:21 2577:7 <b>very</b> 2401:12 2402:13 2406:5 2414:18 2418:10 2433:7 2440:21 2441:2 2457:8 2459:2 2465:16 2516:3 2528:15 2534:20 2574:9 2587:5 2597:14 <b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	2451:6 2454:17 2457:16 2478:1 2478:17 2493:9 2493:10,10,15 2516:16 2594:6 2596:11 <b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	2443:23 2462:18 2493:6 2494:2 2497:21 2501:7 2505:15 2520:15 2535:12 2539:11 2545:17 2557:7 2566:13,16 2587:11 2590:18 2597:22 <b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>turns</b> 2444:24 2485:19 2526:8	<b>understanding</b> 2548:11 2559:18 2592:7	<b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>twice</b> 2415:5 2541:4 2541:5	<b>understate</b> 2553:11 2553:14,15	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>twig</b> 2393:15	<b>understood</b> 2536:21 2569:11 2587:2	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>two</b> 2405:13 2416:12 2429:21 2429:23 2432:2,3 2432:12,13 2441:4 2444:1 2452:1 2463:6 2469:17 2476:7 2493:25,25 2505:6 2506:8 2508:23 2514:14 2543:14 2576:14 2576:22 2580:20 2596:23	<b>unhappy</b> 2498:20 2498:23	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>type</b> 2584:5 2590:20	<b>unlawful</b> 2521:10 2521:16	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>types</b> 2429:3,15,18 2429:21,23	<b>unless</b> 2560:13	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>t.4.b</b> 2373:10 2514:24	<b>unreasonably</b> 2564:23	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b> 2389:2 2399:23 2400:16 2400:17 2417:6 2499:6 2504:20 2537:3 2562:24 2563:6 2577:2 2586:9 <b>weren't</b> 2400:12 2402:3 2406:7 2454:24 2466:17 2479:11 2483:17 2483:24 2507:18 2520:23 2538:9 2575:20 2594:11 2597:8 <b>west</b> 2445:4,5,11 2462:21 2464:4 2465:1,2 <b>westbound</b> 2433:9 <b>we'll</b> 2460:9 2462:7 2467:22 <b>we're</b> 2379:23 2383:24 2388:3 <b>we've</b> 2441:7 2475:20 2494:22 2500:12,14 <b>whatsoever</b> 2586:20 <b>whichever</b> 2540:16 <b>while</b> 2393:25
<b>U</b>	<b>unsteadiness</b> 2534:17	<b>vicinity</b> 2446:1 <b>view</b> 2385:24 2435:4 2445:22 2446:22 2449:21 2451:2 2458:2 2461:3,6,6,8,10 2462:8 2463:8 2464:4 2465:8,8 2479:17,19,21,22 2568:16 2577:17	<b>wallet</b> 2472:2,5,10 2472:15 2494:23 2494:24 <b>want</b> 2375:1 2380:9 2394:20 2396:2 2410:19 2412:11 2413:11 2420:2,9 2438:3 2439:1 2442:14,16 2450:20 2453:10 2460:5 2468:17 2468:22 2507:9 2509:9,10,12 2526:25 2532:24 2553:10 2557:18 2565:24 2582:5 2582:12 2586:24 2587:21 2590:10 2593:7 2595:23 2598:9	<b>weak</b> 2534:23 <b>weather</b> 2556:15 <b>week</b> 2588:20 <b>weekday</b> 2436:7 <b>weighed</b> 2565:7 <b>weighing</b> 2384:10 <b>Weinstein</b> 2371:15 2372:8 2456:4,5,7 2458:9,12,15 2473:10 2477:10 2477:15,18 2501:6,8 2503:15 2503:16 2508:11 2508:13 2510:7,9 2515:1 2522:16 2522:20 2540:18 2551:12 2552:19 2568:8 <b>Weinstein's</b> 2536:8 <b>Wendy</b> 2371:6 <b>went</b>

2454:15 2497:19 2547:22 2562:20 2563:6,9 2595:13 <b>whisked</b> 2519:16,19 <b>whole</b> 2390:19 <b>widen</b> 2444:2 <b>widened</b> 2444:5 <b>Winnipeg</b> 2370:13 2370:14 2371:16 2371:18 2388:15 2392:25 2393:7 2401:16 2412:14 2436:6 2442:18 2447:17 2556:5 2562:21 2591:22 2593:4 <b>winter</b> 2447:15,18 <b>wise</b> 2520:21 <b>wish</b> 2457:4 2465:18 2526:2 2557:21 <b>wishes</b> 2526:10 <b>witnesses</b> 2372:3 2439:23 2450:7 2524:1 2525:25 2526:3 <b>wonder</b> 2422:7 2451:18,24 2452:2 2458:20 2466:1 <b>wondering</b> 2383:9 <b>word</b> 2376:23 2392:11 2426:5 2439:2 2479:9 2482:6,14,15 2488:15,17,20 2598:15 <b>wording</b> 2486:18 2487:7 2545:2 <b>words</b> 2378:23 2401:13 2414:25 2415:2 2475:11 2481:18,19 2482:1 2486:4 2493:22 2540:6 2586:16,17 2596:23 2597:4 <b>work</b> 2403:24 2476:1,1 2517:13 2517:18,24 2575:20 2576:1,9 2576:13 2577:1 2580:18,19 <b>worked</b> 2418:5 2440:25 2591:23 2599:4 <b>working</b> 2580:3 <b>worried</b> 2374:25 2382:20 2383:10	2384:12 2391:21 2391:23 2404:24 <b>wouldn't</b> 2400:3 2407:19 2414:20 2417:17 2428:24 2435:15 2443:5 2450:3 2460:24 2496:7 2551:1 2558:12 2592:14 <b>Woychuk</b> 2372:4 2374:7,9 2382:11 2382:17 2387:5 2388:13 2407:11 2414:14,16 2415:5 2418:12 2451:4 2468:14 2470:14 2473:11 2476:21 2484:12 2486:20 2487:2 2502:20 2504:19 2504:25 2505:2 2509:3,23 2513:9 2513:21 2522:21 2522:21 2527:14 2530:7 2544:12 2551:16 2565:21 2566:19 2578:10 2579:24 2580:14 2581:1,20,25 2582:7 2585:11 2586:2 2588:7 2592:11,18 <b>Woychuk's</b> 2373:9 2514:23 2586:17 <b>WPS</b> 2482:22 <b>wrap</b> 2395:24,24 <b>wrath</b> 2590:14 <b>write</b> 2455:13 2594:22 <b>writer</b> 2382:20 2384:3 2413:18 <b>writing</b> 2424:14 2545:3,10,10,12 2545:14 <b>written</b> 2589:13 2595:24 <b>wrong</b> 2378:5 2387:24 2388:23 2409:22 2457:8 2467:4,11 2481:17 2502:12 2502:25 2511:1 2518:22 2563:22 2564:9 2596:2 <b>wrote</b> 2376:8 2437:6 2503:22 2503:22	2567:18 <hr/> <b>Y</b> <b>yards</b> 2436:17 <b>yeah</b> 2394:22 2426:9 2436:16 2441:13 2449:8 2458:1 2462:7 2463:3,13 2464:13 2474:7 2478:22 2479:23 2480:19 2481:10 2484:10,11 2486:20,25 2488:9 2491:23 2492:16 2495:14 2499:16 2500:22 2510:24,25 2519:9 2521:4,8 2537:16 2538:21 2550:9 2576:23 2578:22 2580:22 2588:21 2592:23 2597:8 <b>year</b> 2586:12 <b>years</b> 2394:2 2417:1 2494:23 <b>yellow</b> 2439:8 <b>yesterday</b> 2374:11 2418:8,19 2419:9 2420:6 2435:2,7 2473:22 2476:12 2480:25 2481:20 2482:17 2542:21 <b>young</b> 2520:18 <hr/> <b>Z</b> <b>Zazelenchuk</b> 2371:11 2372:6 2415:4 2418:22 2419:1,3 2421:22 2422:6 2423:12 2423:14 2433:21 2434:18 2443:12 2443:19 2448:10 2448:11,15,18 2450:9,13,16,18 2450:22,25 2451:16,23 2455:22 2458:13 2459:4 2460:19 2461:11 2464:16 2464:19,23 2467:14 2468:6 2525:6 2556:8 2567:8 2599:13 <b>Zenk</b> 2376:13 2393:5,20 2394:8 2395:2 2407:13 2407:14 2417:12	2465:20 2476:21 2478:10 2479:12 2479:25 2480:5 2480:11,16 2485:12,15,20 2493:10,18 2496:4 2497:11 2497:18 2506:18 2510:16 2512:22 2519:2 2541:16 2542:4 2558:21 2561:19 2562:1 2563:3,10 2584:23 <hr/> <b>0</b> <b>05</b> 2530:17,21 2531:6,13,24 <hr/> <b>1</b> <b>1</b> 2373:21,23 2453:16 2455:20 2595:20 <b>1st</b> 2574:17 2582:3 2582:17 <b>1:00</b> 2388:15 <b>10</b> 2370:17 2428:11 2428:13 2445:25 2446:2,4,6 2447:2 2448:23 2449:25 2461:4 2511:7 2546:15 2582:11 <b>10th</b> 2377:21 <b>10(a)</b> 2550:7 <b>10-7</b> 2426:22,25 2427:4,6 <b>10:30</b> 2454:14 2594:3 <b>10:58</b> 2418:9 2419:9 <b>100</b> 2375:18 2576:15 <b>101</b> 2377:22 2427:5 2427:10 2432:5 2432:12,15,22 2433:9,11 2436:20 <b>102</b> 2380:2 <b>103</b> 2373:2 2381:23 2381:24 2382:1 <b>104</b> 2373:4 2383:18 2383:19,20 2386:25 <b>105</b> 2373:6 2421:25 2422:1 2423:8 <b>106</b> 2373:7 2423:8,9 2470:17 2530:1 2566:24 <b>107</b> 2373:9 2514:20 2514:23	<b>108</b> 2373:11 2533:3 2533:4 <b>109</b> 2373:13 2533:9 2533:10 2556:24 <b>11:00</b> 2409:1 <b>11:03</b> 2451:24 2452:7 <b>11:27:45</b> 2406:4 <b>11:30</b> 2452:8 <b>11:55</b> 2468:1 <b>110</b> 2373:15 2533:16,17 <b>111</b> 2373:17 2533:22,23 <b>1115</b> 2455:15 <b>112</b> 2373:18 2595:8 2595:16 <b>113</b> 2373:20 2595:19 <b>12</b> 2512:20 2582:11 <b>12:55</b> 2479:10 <b>127</b> 2450:21 <b>14</b> 2383:17 2555:15 2556:2 2584:3 <b>145</b> 2462:7,8 <b>147</b> 2450:11,16,22 2450:23 2463:6 <b>148</b> 2463:20 <b>149</b> 2464:15 <b>15</b> 2428:16 2445:25 2452:4 2481:3 2523:4 2539:7 <b>15th</b> 2383:15 2386:24 2387:6,8 <b>152</b> 2464:13,24 <b>16</b> 2541:6 2584:19 2584:19 <b>16th</b> 2387:22 2388:22 <b>18</b> 2373:5 2383:21 2430:4 <b>19.e</b> 2466:4 <b>1900</b> 2388:13 <b>1992</b> 2393:24 <b>1994</b> 2575:9 <b>1995</b> 2575:9 <hr/> <b>2</b> <b>2</b> 2375:22,23 2423:13 2582:21 <b>2:00</b> 2468:2 <b>20</b> 2428:8,10,22,24 2434:20 2435:1 2440:8 2482:19 2513:1,2,12 2556:25 <b>2005</b> 2408:15 2417:9 2440:20 2575:18 <b>2006</b> 2373:3,5,21
--	--	--	--	--

<p>2374:13,15                  2375:17 2377:21                  2380:1 2382:3                  2383:15,21                  2385:6 2387:16                  2479:7 2574:17                  2582:3,17                  2595:21  <b>2007</b> 2387:23                  2388:23  <b>2008</b> 2370:16                  2373:19,24                  2374:1 2453:18                  2454:15 2581:14                  2594:4 2595:18  <b>2008/07/08</b> 2455:15  <b>21</b> 2380:1  <b>22</b> 2512:25  <b>23.i</b> 2567:3  <b>2374</b> 2372:5  <b>2382</b> 2373:2  <b>2383</b> 2373:4  <b>24</b> 2373:15 2375:17                  2533:18  <b>24th</b> 2374:15                  2378:9 2385:6                  2479:6  <b>2415</b> 2372:6  <b>2422</b> 2373:6  <b>2423</b> 2373:7  <b>2452</b> 2372:17  <b>2453</b> 2373:23  <b>2468</b> 2372:7  <b>2473</b> 2372:8  <b>25</b> 2530:21 2553:3  <b>25th</b> 2391:20                  2408:15,20                  2417:9 2440:20                  2500:19 2530:17                  2531:6,13,17,24                  2534:10,14                  2535:2 2541:17                  2542:5 2555:18                  2575:18 2581:14  <b>2514</b> 2373:9  <b>2530</b> 2372:9  <b>2533</b> 2373:11,13,15                  2373:17  <b>2541</b> 2372:10  <b>2544</b> 2372:11  <b>2551</b> 2372:12  <b>2566</b> 2372:13  <b>2574</b> 2372:15  <b>2577</b> 2552:2  <b>2595</b> 2373:18,20  <b>26</b> 2540:5  <b>26th</b> 2391:21                  2408:21 2553:6                  2554:17,23</p>	<p>2576:19  <b>2668</b> 2375:24  <b>2669</b> 2377:23  <b>27</b> 2373:3 2382:2                  2499:22  <b>27th</b> 2381:18                  2382:6 2406:3,4                  2408:25 2553:7                  2553:12 2554:17                  2554:24 2576:19  <b>2776</b> 2380:2  <b>2777</b> 2381:20  <b>2778</b> 2383:16                  2387:1,1  <b>2779</b> 2388:4  <b>2799</b> 2388:7,12</p> <hr/> <p style="text-align: center;"><b>3</b></p> <p><b>3</b> 2380:3 2591:22  <b>3:19</b> 2523:7  <b>3:35</b> 2523:8  <b>30</b> 2482:19 2574:16                  2574:17  <b>34</b> 2515:13,13,15                  2516:1  <b>347</b> 2466:4  <b>35,000</b> 2586:11  <b>360</b> 2388:14</p> <hr/> <p style="text-align: center;"><b>4</b></p> <p><b>4</b> 2587:2  <b>4:30</b> 2382:6  <b>40</b> 2515:12,12                  2577:23  <b>40,000</b> 2392:19  <b>41</b> 2486:13,13  <b>42</b> 2486:15 2487:8  <b>43</b> 2376:9,10  <b>448</b> 2529:8  <b>45</b> 2377:25 2378:1,3                  2425:3  <b>453</b> 2422:8 2567:4,6  <b>47</b> 2376:9,10,12                  2378:2,6  <b>48</b> 2516:11,14</p> <hr/> <p style="text-align: center;"><b>5</b></p> <p><b>5</b> 2478:14,20 2510:5                  2534:7  <b>5:00</b> 2528:12                  2599:10  <b>5:08</b> 2599:9,20  <b>51</b> 2504:18,19  <b>52</b> 2442:5  <b>559</b> 2438:24  <b>57</b> 2508:9,10,11,14  <b>59</b> 2427:4,10                  2430:25 2432:14                  2434:24 2436:21                  2439:7 2447:9</p>	<p>2449:7</p> <hr/> <p style="text-align: center;"><b>6</b></p> <p><b>6:30</b> 2436:8  <b>604</b> 2421:6 2426:14                  2544:14 2555:6  <b>605</b> 2419:17,20  <b>607</b> 2419:16  <b>616</b> 2541:7  <b>618</b> 2541:7  <b>62</b> 2450:11 2462:3  <b>63</b> 2503:12,14,15  <b>635</b> 2540:2  <b>638</b> 2394:15,17,19  <b>64</b> 2466:2</p> <hr/> <p style="text-align: center;"><b>7</b></p> <p><b>7</b> 2477:23,24 2478:8  <b>7:22</b> 2426:16                  2427:10,21                  2512:22  <b>7:25</b> 2438:25                  2440:12  <b>7:38</b> 2466:14  <b>7:39</b> 2466:20,24  <b>7:42</b> 2417:9                  2422:16 2427:12                  2427:22 2437:5,9                  2437:15 2438:11                  2465:19 2467:1                  2467:12 2510:21                  2512:23 2555:6                  2555:25  <b>785</b> 2574:16  <b>788</b> 2587:3</p> <hr/> <p style="text-align: center;"><b>8</b></p> <p><b>8</b> 2370:16 2373:19                  2373:23 2374:1                  2453:18 2454:15                  2595:18  <b>8th</b> 2594:4  <b>8:42</b> 2417:9  <b>808</b> 2413:18  <b>88</b> 2419:17 2426:14                  2544:12</p> <hr/> <p style="text-align: center;"><b>9</b></p> <p><b>9:00</b> 2436:9                  2555:23  <b>9:30</b> 2374:2                  2599:17,19  <b>90</b> 2394:13  <b>96</b> 2413:13,16  <b>97</b> 2406:4</p>		
---	--	--	--	--