1		Vancouver, BC
2		January 31, 2012
3		(PROCEEDINGS RECONVENED AT 9:33 A.M.)
4	THE REGISTRA	R: Order. This hearing is now resumed.
5		LORI SHENHER, resumed:
6	CCONTINUED E	XAMINATION IN CHIEF BY MS. BROOKS:
7	Q	Detective Constable Shenher, my questions this
8		morning are going to relate to Project Amelia.
9		So, if you could have before you binder 2 and if
10		you could go to tab 3. And these next set of
11		questions relate to how Project Amelia came into
12		being. Are you there?
13	A	Yes.
14	Q	This is a memo that you wrote on May 13th, 1999 to
15		Sergeant Field and it made recommendations about
16		where the investigation should go next.
17	A	Yes.
18	Q	Okay. Was this the first strategic action plan
19		that was prepared with respect to the missing
20		women investigation by, by you?
21	A	I suppose, I suppose so. Uhm, I don't know if I
22		ever called them that per se. Uhm, you know, I
23		think my memo back in August '98, when I started
24		to, to suggest that the files were related, I
25		think I was thinking strategically at that point

1		but, but I probably hadn't laid out a real, uhm,
2		what I considered a bit of a road map or, or an
3		itemized list of things we needed to do. So, I
4		think probably this was the most comprehensive,
5		for sure.
6	Q	And the memo that you are referring to is that
7		August 27th memo to Acting Inspector Dureau?
8	A	That's correct.
9	Q	That memo laid out a number of different working
10		theories that could explain the cause of the
11		women's disappearance?
12	A	Yes.
13	Q	This memo sets out some specific action items that
14		you think should be taken in terms of moving the,
15		the investigation forward?
16	A	Yes.
17	Q	Had any supervisor suggested to you, at any time
18		before you wrote this, that that would be a
19		valuable exercise to go through and, and that you
20		should commit the plan into writing?
21	A	No.
22	Q	Uhm, so, could you just read for us paragraph 1 of
23		this memo?
24	А	In keeping with our plan to move this
25		investigation from an individual file focus

1 to a suspect-based one, the following is an 2 outline of what we will be doing and where we 3 feel we will need assistance. Please offer 4 any input or suggestions.

5 And you state there in the first sentence that, 0 "in keeping with our plan." So, it appears that 6 7 you had some discussions with, with Sergeant Field before you wrote this. Do you recall that? 8 I know we had a number of informal discussions. 9 А We, we spoke daily, several times a day about the 10 11 investigation. And I think when I say "we" I was

12 thinking in a team, in a team focus, in a team 13 sort of context.

14 And, and what you seem to be suggesting here, or 0 15 what you are suggesting, is that the investigation move to, to a solely suspect-based focus and, and 16 17 you discuss the three sort of working theories that you were, that you had in play at different 18 19 times in the investigation, and it would seem that 20 this one is prioritizing the serial killer theory; is that right? 21

A Well, I would say that that, that's true. And I think that, just to give it some context, it also seemed to be the natural sort of way that the investigation was going in terms of, uhm, I don't

want to say where the evidence was leading 1 necessarily, but in terms of the, the work that 2 3 was being done in the individual women's files was getting to a point that I felt that we had covered 4 5 a lot of the bases in those individual files and that it, it was time to -- at that point, I had 6 7 looked at, and thought that we had developed a, a fairly, uhm, definitive victimology of the 8 9 victims, you know, their similarities in terms of, of where they lived, what they did for work, what 10 11 some of their vulnerabilities were. All of those kinds of things in my mind really made them part 12 13 of a, of a similar group.

14And so once I put them together, I felt like15the natural assumption then was to look for, to16look for persons of interest that, that would want17to prey on them.

In terms of the action items that you set out, I 18 Q just would like to review those. So, you start 19 20 out with the suspects, and these action items 21 focus on suspect-based initiatives including 22 identifying the suspects and then placing them on a comprehensive list -- this is at the fifth 23 24 bullet point down -- and developing profiles and 25 timelines for each of those suspects. Now, we

1 didn't see any profiles or timelines developed for 2 suspects that were identified. Was that something 3 that was done?

4 Well, we had, with each person of interest, and А 5 when Project Amelia began, and I guess we will get 6 to this, but that work started to be done. Uhm, 7 there was, I don't think, anything formal in terms of timelines. You know, there was a lot of 8 9 discussion between Sergeant Field and myself about various persons of interest and, and information 10 11 we were receiving from various contacts with respect to, uhm, timelines around whether 12 13 different person of interest -- persons of 14 interest were in custody and for what timeframes 15 perhaps, to see if they, you know, they might fit our missing women profiles or they might not. 16 17 Uhm, a lot of that, at that time, was kind of anecdotal, quite informal, but we were sort of 18 trying to prepare a picture I think in our minds 19 20 of, of, of who was going to join this group of, of 21 persons of interest.

Q Can you just turn the page. Uhm, at the top is "victims" and this sets out the strategies that are, are victim-based initiatives, and you state here that you are going to be looking for links

with other unsolved homicides and obtaining the 1 2 family DNA. In terms of the, the other homicides, 3 let's refer to it there in the first bullet. Were 4 you relying on UHU's cooperation in that regard? 5 I don't know if I'd really quite gotten there yet. А 6 I know that that was, that was an area where 7 definitely my, my inexperience I think shone through in terms of, I wasn't really sure of the 8 9 process by which I could obtain those files or, 10 you know, that I could look at those files, access 11 that information.

But certainly when, I think it was Constable 12 13 Dickson brought those victims to my attention 14 earlier, earlier on in the investigation, my 15 initial thought was that, uhm, perhaps these were bodies -- you know, every, everything about those 16 17 files was very similar to our missing women files, except for the fact that we had recovered their 18 bodies. And so my thinking as an investigator was 19 20 rather than us saying, "we've got no body, we have got no bodies, we have got no bodies," perhaps 21 22 these are three or five bodies that could -- that are part of our group, perhaps we actually do have 23 some and we do have some forensic evidence. 24 25 So, I wanted to rule that out or in. And

1		that sort of became my mantra throughout the
2		investigation, was ruling things in or ruling
3		things out. And, uhm, so part of that process was
4		obtaining those files so that we could look at
5		them. And so ultimately, it was, it was PUHU
6		that, that was going to have to, have to give us
7		access to these files.
8	Q	And we will look a bit later at some of the
9		efforts that were made in that regard. Under the
10		heading "Other" you have listed a number of ways
11		here to generate more information and investigate
12		strategies including, under the first bullet
13		point, holding a brainstorming session with
14		officers of, of various sections of the
15		Department, and, uhm, and Davidson, which is the
16		RCMP profiler; is that right?
17	A	That's correct. And, and Trainor, who is
18		mentioned there, just, just for everyone's
19		information, that was Detective, I think Inspector
20		Neil Trainor, and he was from the UK, and he was
21		training with, uh, with Staff Sergeant Davidson,
22		and he had quite of a lot of knowledge on some of
23		the various UK serial sex work homicides as well.
24		So, he was quite a valuable person to have in the
25		room.

1QYou also state at the, at the last bullet point on2the page, that you would benefit from some sort of3database or analytical program, and that's to help4you, uhm, translate the information you were5receiving into some kind of intelligence; is that6right?

A Well, it was, because I don't know if it would necessarily give us intelligence per se, but it would, just by, by virtue of the sheer volume of information that we were obtaining and the number of victim files we had at that point, because if I am not mistaken, we were around 27'ish I think in May of '99.

14 So, uhm, I felt like -- I felt fairly 15 confident that I had a good handle on each file and any common threads in each file. But I wanted 16 17 -- I felt that, as we continued to, to gather information, I certainly didn't want it to be left 18 to my own, my own memory as far as, if there was a 19 20 licence plate in one file and now there's another licence plate in file number 30, and I might have 21 22 missed that connection. So, so, an analytical database made perfect sense to me. 23

24And that was -- you know, people have to25appreciate that, that at this time in, in police

history, you know, things like DNA were very, very 1 2 new technology, as were analytical databases. And 3 yet it was very clear that, that their application 4 and their, and their potential as tools were, were 5 huge. And so I felt like it was incumbent on us 6 to use all those kinds of tools. So, once I was aware that Inspector 7 Biddlecombe was looking at purchasing a system, or 8 9 that we had had a system and we were trying to get more licences, that I -- that's something I wanted 10 11 to use. And we will get to some of the challenges you 12 0 faced with, with that system shortly. 13 14 On the first paragraph that you read earlier, 15 you have asked for input and suggestions from Sergeant Field. Did she provide any to you? 16 17 I don't recall specifically but I, I know she А would have. I just, I don't recall exactly what 18 they were. 19 20 Could you turn to tab 1 please? These are the Q minute meetings that were prepared by Sergeant 21 22 Field with respect to the brainstorming meeting that was held and, and recommended by you in your 23 24 action plan. You have seen these minute meetings 25 before?

2QEighteen officers attend from various sections in3the Department, and including members from the4RCMP. Is anyone here from Coquitlam Serious Crime5who was working on the Pickton file?6AI don't believe so.7QDo you know who invited these folks and why, why8they wouldn't have been invited?9AMy recollection was that Sergeant Field, this was10her initiative, and I don't recall, uhm, any11discussion around Coquitlam or why they may or may12not have been there. I, I, I would have I13would assume we would have had them there. I14certainly don't recall any discussion that they15didn't need to be there, and I think it would have16been wholly appropriate. I just, I don't know the17circumstances of that.18Q20A4we really just felt like we needed or, or wanted21input from other experienced investigators. Uhm,22we felt this was a very unique, a very unique file23and we felt that we certainly din't, didn't have24a grasp on the kinds of strategies that might be25valuable. We didn't feel that we were we	1	A	Yes, I have.
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25 valuable. We didn't feel that we were we	24		a grasp on the kinds of strategies that might be
	25		valuable. We didn't feel that we were we

wanted to make sure that we weren't missing anything, and, and we felt that -- you know, it's always my feeling that the more, you know, the more brains at the table, the better, and, and that's what, that's what we were looking for.

6 And Geramy was wholly in agreement with that. 7 And I think she had had, both of us had, you know, we'd attended the VPD homicide conferences in the 8 9 past, and just the networking that goes on when you bring all of those serious crime investigators 10 together and, and people just share ideas, it's, 11 it's incredibly educational and valuable. And we 12 13 felt like the more people with fresh ideas that we 14 could bring into the room, the better. We felt 15 like -- we didn't want to, we didn't want to become too narrowly focused on anything at that 16 17 point, in terms of, in terms of our direction or where we could go with the file. So, that was 18 the, that was the focus of it. 19

20 Q And there is a short summary of what was 21 discussed. Could you just review these items with 22 us and tell us what they mean? That's at the 23 bottom of the page, you will see after the, 24 "Overview by Lori"?

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Sure. Uhm, well, uh, the "suggestions regarding

1		publicizing the photos commercially on billboards
2		by sponsors," uh, that was I, I don't recall
3		all the discussion around that, that item, but
4		that was something that was suggested.
5	Q	Was that something that was ever done?
6	A	No. No, not aside from the poster, but nothing
7		commercial.
8		"Analysis of the last 4 years of DEYAS bad
9		trick list," or bad date sheet, that was that
10		became a focus of the investigation and, and
11		perhaps I will speak more to that when we talk
12		about SIUSS.
13	Q	Was that done or that was
14	A	It was attempted and it was, it was very
15		challenging because of the limitations of SIUSS.
16		But we had a very cooperative relationship with
17		DEYAS. We had we were working on a utility, an
18		electronic utility program that was going to
19		basically it was referred to as "data mining,"
20		that was going to bring this information out of
21		the DEYAS database. And the utility was meant to
22		basically create a bridge with SIUSS so that this
23		information could be entered into SIUSS, and then
24		SIUSS would, in theory, be able to analyze this
25		information. And so this was a project that we,

that we took on after, after this, this meeting, or we began to try to take it on.

"Analysis of similar police calls," I think that was fairly, that's a fairly broad item and, and it was something that I think we were always alive to and trying to find different ways to bring out that information.

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You know, another thing people have to 8 9 recognize is, at this time, the PRIME record management system was really in its infancy. I 10 think it was barely, barely even started. We 11 still had -- each, each police department still --12 the RCMP had the PIRS system, which was their 13 14 record management system. The VPD had RMS, which 15 was our record management system. And in comparison to, to what's available today, in the 16 17 PRIME record management system, it was very, very 18 rudimentary.

19And so that kind of ability to look back at20old, old records, and we were still literally21dealing with microfiche and things like that. So,22we were really on the cusp of that technology. So23that was something we were trying to figure out,24is how can we, how can we see if we've had similar25police calls that would have information about,

1		you know, assaults, attempted abductions, all of
2		those sorts of things with, with sex workers.
3	Q	Okay. Was that analysis carried out?
4	A	Uh, in a manner of speaking, yes. Again, given,
5		given the kinds of challenges that, that I have
6		just, that I have just explained, uhm, we tried to
7		do that. I think, obviously in hindsight, there
8		are things we, we missed.
9	Q	And the next item says:
10		Who has previously used services?
11		What is that referring to?
12	A	I am really not sure, uhm, if, meaning who has
13		used the services of the women or which women used
14		some of the different social assistance and
15		community services, I am really, I am really not
16		sure. I know those, both of those things were
17		things that, that informed the investigation but I
18		really couldn't say what exactly that's referring
19		to.
20	Q	And then the next item:
21		Large amount of cash or drugs would get them
22		anywhere.
23		What does that mean?
24	A	I think that was just something thrown out in,
25		within the group as that we had to be mindful

1		that, that at various times, with various victims,
2		there may be less of an ability for them to care
3		for themselves or more of a, more of a willingness
4		or, or probably desperation that would lead to
5		them putting themselves at greater risk than,
6		than, you know, something that, that you or I
7		might do.
8	Q	So, that's just a comment really into their
9		vulnerabilities?
10	A	Exactly.
11	Q	And then the next one, "Enquire about other
12		investigative techniques used by other
13		departments," and that's referring to other police
14		agencies?
15	A	That's correct.
16	Q	And you did that and we will cover off some of
17		that. And then:
18		Re-examine other dump sites.
19		What was that in reference to?
20	А	That was in reference to, and I'm not sure if I,
21		if I can name these particular women, but there
22		were I think five, sometimes seven, but I think
23		two, two we were able to rule out, uhm, that, that
24		they had probably uhm, the, the RCMP Serious
25		Crime Section had felt that they had suspects that

were of a, a single-incident nature for, for those 1 2 two files. So, I think, ultimately, there was 3 five different women that had links to the 4 Downtown Eastside whose remains were subsequently 5 found in different outlying RCMP jurisdictions. 6 So, those were the files I was referring to 7 earlier that we wanted, that we wanted to look at, 8 analyze.

9 And that was the area where I did think that, that Detective Inspector Rossmo could certainly be 10 11 of, of help. You know, in fairness to him, geographic profiling refers to just that. You 12 13 need a place and a time and you need that kind of 14 information. And I felt like with, with bodies 15 and a dump site, that, that we had that, and that was a starting point for him to be able to, to run 16 17 some of that information through his program. So, that was an area that I thought we would actually 18 get a sense of, of what was happening. 19

20 Q What does the last item refer to, or what does it 21 say?

A Well, that's -- it was a typo. That should probably be "Acci" which is the Accident Investigation Unit of the VPD at the time. It's now called the collision, Collision Investigation

1		Unit. And so, I am assuming that, or I am reading
2		that as a sex worker had been run over in Burnaby.
3		I don't I have no further recollection of that
4		or what became of that.
5	Q	And on the second page, if we turn to it, there is
6		a short to-do list. So, Davidson is to do a
7		profile of the offender. Who, who is the offender
8		in that, that's being referred to there?
9	A	I think that that's, it's a general, it's a
10		general reference to the kind of offender that
11		would do this; what, what this offender would
12		probably look, look like or the kinds of
13		characteristics; you know, someone who could,
14		someone who could dispose of bodies, someone who
15		doesn't like women; that kind of thing.
16	Q	And it's a serial killer
17	A	In general terms, yes.
18	Q	Could you go to tab 5, and the third paragraph,
19		last sentence, and this is a memo that was written
20		by Sergeant Field to Inspector Biddlecombe on May
21		18th, 1999, and she discusses the meeting and she
22		states that:
23		It became apparent that many of those present
24		at the meeting believe this to be a strong
25		possibility, which needs to be explored more

1 fully.

2 And pardon me, I should have read the first 3 sentence, which is that, that what was discussed 4 was the possibility of one or more predators being 5 responsible for the disappearance of, of these women. Do you recall discussing the serial killer 6 7 theory at the brainstorming meeting? Yes, I think that was kind of an overriding theme 8 А 9 in that meeting, was that we're dealing with, we're dealing with a predator or predators, uhm, 10 11 with respect to these files. And at this time, in May of '99, Pickton is still 12 Q a suspect for the missing women? 13 He's still what I would consider a person of 14 Α 15 interest. And a strong, a strong person of interest? 16 Q 17 Certainly more compelling information than, than А we had on anyone else. 18 19 Uhm, could you turn to tab 2? These are notes Q 20 from an RCMP Burnaby officer with respect to the brainstorming session. And Pickton actually is 21 22 the only thing that's mentioned here about what came from that meeting, and I will just read what 23 24 it says about Pickton. 25 Pickton was discussed at this meeting along

with other potential suspects (the transient 1 2 johns). What does that refer to? 3 4 I don't know. Uhm, I'm not sure what, what he А 5 would be referring to. 6 At this time, no active work will be Q 7 conducted on Pickton, however, if he does 8 become a strong suspect, members will be 9 advised. Now, what, what do you recall was said by you 10 11 or Sergeant Field about Pickton in terms of him being a strong person of interest at that meeting? 12 I couldn't -- I can't recall what we said 13 А 14 specifically. 15 Do you recall there being any discussion around no Q further work on Pickton? 16 17 No, I don't. А Do you recall there being a discussion on the file 18 Q 19 closing? 20 No, certainly not. Uhm, my impression was that А there was a sense there needed to be more work on 21 22 Pickton, and I think that part of the problem was 23 I think there -- I remember having a little bit of 24 a, a bit of a struggle with the notion that, uhm, 25 not that anyone put it this way, but my sense was,

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well, we just have to wait for more information.

2 And I know that that, when I alluded to that 3 yesterday in terms of, you know, trying to, trying to generate tips from the public through the 4 5 reward and that sort of thing, hoping more 6 information would come forward, I think there was 7 a little bit of that, that, well, he is a strong person of interest. There is some very compelling 8 9 information. There was a bit of a sense, well, we will just have to see what else comes in. 10

11 And I, it was my feeling that, that we could have been more proactive in terms of -- and I 12 don't even know if we, meaning VPD, but we, law 13 14 enforcement in general, in terms of, again, I 15 still felt like a UC operation was very much a viable way to rule him in or out and to see, you 16 17 know, what -- how -- to try and judge the veracity of Lisa Yelds' information and the different 18 things that we knew about Pickton, and either rule 19 20 him in and elevate him to what I would consider to be a suspect or, or actively working on charges, 21 22 or rule him out and move on to another, another line of investigation. 23

24QI'm just trying to understand this a bit. So,25your other brainstorming session and the serial

1			killer theory is very much a part of those
2			discussions and, and Pickton is, is obviously
3			discussed. Did do you recall that there
4	THE	COMMISSI	ONER: Yes.
5	MR.	HERN: I	think that, I just want to be cautious about that
6			question, because I don't think the evidence is
7			that Pickton was obviously discussed. I think her
8			memory is quite different on that point. And I
9			just want to be clear because it does impact a lot
10			of other people at that meeting, so I think
11			clarity is important here as to what she really
12			remembers.
13	THE	COMMISSI	ONER: Of course.
14	MS.	BROOKS:	Fine.
15		Q	Do you recall Pickton being discussed at all?
16		A	I recall him being discussed in very general terms
17			at length. I don't recall that there I
18			certainly am not trying to imply that there was
19			debate or, or any sort of dissension as far as
20			which way to go.
21			I can't speak to this RCMP member's notes,
22			but I would suggest that I, I don't think that
23			was wholly accurate to say, "Well, nothing else is
20			
24			going to be done about Pickton."

1 going to be held in abey -- the file would be held
2 in abeyance?

- 3 No, I don't have any -- I certainly didn't come А 4 away from it with that notion at all. Just there 5 was, you know, there was a certain inertia around it, because it was, okay, how do we go forward 6 7 with it, and that was more the, the focus of this meeting. It was a very cooperative and productive 8 9 meeting in terms of ideas that were put forward. I just think there was a lot of, that a lot of 10 11 people were stumped by that, how do we move forward with it. 12
- 13QCould you turn to tab 4? This is a memorandum14that you wrote to Sergeant Field on May 14th, 199915making a request for additional resources as a16result of increased demands on the investigation.17Do you see that?
- 18 A Yes, I do.
- And you state that there's several factors 19 Q 20 including -- that result in this request, including the demands caused by the reward and 21 22 media attention. So, I take it, you believed that 23 there would be a, a, an information flood as a result of those initiatives? 24 25 А I did. And I, you know, I was thinking back to

my, my first week in the unit when, when a lot of 1 these tips came in with respect to, to Wayne 2 3 Leng's 1-800, and that information. And I, I felt 4 it was very important that we be prepared to deal 5 with those, with more than, than one investigator, 6 that we, we be able to jump on those, anything 7 that comes from that, from that, that call for information. 8 9 Q And in addition, it appears from the second

10 paragraph, that you also thought more 11 investigators were needed if a suspect, suspect-12 based investigation was to be seriously 13 undertaken?

Yes, I did, because I felt that, certainly, I was 14 А 15 not going to be able to, to continue maintaining adequate and meaningful contact with the families, 16 17 deal with what I, what I foresaw as greater media interest, uhm, greater file coordination demands. 18 Uhm, I just felt that if we were going to move 19 20 into a more, uhm, sustained and, and concentrated 21 approach with respect to potential suspects and 22 persons of interest, that, that it was appropriate for us to also have more experienced homicide 23 24 investigators start to work on that file. 25 You know, I certainly felt qualified for what

	I had done to that point, but I, I definitely felt
	that we needed, or I needed to be working, you
	know, shoulder to shoulder with people who had
	really who had been here before in terms of
	these kinds of investigations.
Q	And at this time, you are identifying this need
	because you are dealing with a multi, potentially
	multi-homicide investigation and it's effectively
	you working three-quarter time with some
	assistance from Detective Howlett?
A	That's correct. I am not certain, but I think by
	this point, Detective Howlett is, is having health
	issues to the extent where I am not he is not
	in the office very often.
Q	So, you ask also to be relieved of your coroner
	liaison position as well, at the bottom paragraph?
A	Yes.
Q	At that point in time, you were spending your
	Fridays doing that work?
A	Yes.
Q	Now, if you could turn to tab 5, this is a memo
	from Sergeant Field to Inspector Biddlecombe dated
	May 18th, 1999, and here she's passing on your
	action plan and request for assistance to him and
	with her endorsement. Do you see that?
	A Q A Q A Q

1 A Yes, I do.

2 Q Okay. And at tab 6, you will see the memo from 3 Inspector Biddlecombe to the Acting Deputy Chief 4 Doern on May 19th, 1999, and he approves your 5 request. Do you see that?

6 A Yes, I do.

Q Was this the first formal request for more
resources that you made since your arrival in the,
in the unit?

10 A I believe so, yes.

11QWould you turn to tab 7 please? This is a letter12that you wrote to Sergeant Henderson of the13Unsolved Homicide Unit requesting some files and,14and we've heard a bit about this and would just15like to get your perspective on the issue.

16 So, you have explained to us why you thought 17 it was important to review these files and see if 18 there was any commonalities or links between them 19 and the missing women; is that right?

20 A That's correct.

21 Q And eventually we know that it was determined, 22 through DNA testing, that, that neither Pickton 23 nor the other person of interest 390, that the 24 missing women investigations were looking at, was 25 connected to, to these murders; is that right?

1	A	That's right.
2	Q	But until that's determined, your team pursues
3		this as a strategy?
4	A	Yes, we did. Again, because these were victims
5		that, you know, all other circumstances, aside
6		from the circumstances of how their bodies were
7		found, they fit, they fit our victimology profile.
8	Q	And in the third paragraph of this letter, the
9		last sentence, you state that you have made some
10		requests for these files, "but there seems to be
11		some reluctance to provide them to us or these
12		requests have been lost or the investigators
13		changed, got transferred," et cetera. What did
14		you understand the problem to be there? You were
15		making requests and you weren't getting any
16		communication from them or what was happening?
17	A	Uh, I don't recall specifically but I, I know that
18		I had made several requests, initially informally
19		through, through phone, and I think I I can't
20		recall for sure who I asked but, you know, I
21		wouldn't want to speculate. I don't think it was
22		Corporal Connor and I don't think it was Constable
23		McCarl. They had both been very helpful and I,
24		and I am not trying to imply that there was anyone
25		unhelpful, just it felt like a bureaucratic issue.

And I can't recall specifically, but by the time I 1 2 wrote this to Staff Sergeant Henderson, I was --3 and again, this may have been my inexperience 4 that, that I hadn't really, up until this point, 5 worked very extensively with the RCMP. And so I, 6 uhm, it was suggested to me, I don't even remember 7 by who, that, that I make a written formal request for the files. 8

9 Q Could you turn to tab 8 please? There is an e-mail from Inspector Biddlecombe dated May 21st, 10 11 1999, to Acting Deputy Chief Constable Doern and Deputy Chief Constable McGuinness, Sergeant Field 12 is also copied, Staff Sergeant Giles, Staff 13 14 Sergeant Dureau, and it's regarding the formation 15 of what he calls the Missing Women Working Group, and this is what became the Missing Women Review 16 17 Team as we know it?

18 A Yes.

19 Q And that was also called "Project Amelia"?

20 A Yes, it was.

21 Q Where did that name come from?

A I came up with that name. Uhm, we were asked -it's standard that you name a project. And I was told -- again, this is my inexperience, I didn't know -- uhm, but Sergeant Field said, "It should

be something that begins with a V, because it's a Vancouver file."

And so I was thinking about different V words 3 4 and I couldn't really think of anything 5 appropriate. Uhm, a couple of people, and I can't 6 remember who, suggested names like, things like 7 "Vixen," and I thought that was wholly inappropriate. And so I thought of Amelia for 8 Amelia Earhart, just because, as far as I know, 9 she's probably the world's most, most famous 10 11 missing woman, and I just, I just thought that was a good name for the file. And, you know, in 12 hindsight, at the time even, I thought, I don't 13 know how well that bodes for this file, because 14 15 she's never been found. But that was the name 16 that I came up with.

- 17 Q And this working group is established in response18 to your request for more resources?
- 19 A Yes.

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20 Q And that request for more resources was a result 21 of both the action plan that you developed to 22 focus on a more suspect-based initiative and the, 23 and the information flood that you anticipated as 24 a result of the reward and media attention? 25 A Yes.

Now, if you go to the first paragraph, somewhat of 1 0 2 a mandate is, is set out there where Inspector Biddlecombe states this: 3 4 This working group will be tasked with 5 reviewing, investigating the circumstances 6 surrounding the disappearance of these 21 7 women. And it seems that that's a bit broader than 8 9 what you were proposing in your action plan, which would be a purely suspect-based focus. What, what 10 11 did you understand the direction to, to be to the team? 12 13 Well, in, in my original action plan suggesting А that a more suspect-based focus, it wasn't written 14 15 or, or intended to, to imply that, that that was at the exclusion of continuing to investigate the 16 17 disappearances, and whatever reason they maybe have disappeared for. Uhm, that, again, was, was 18 relating to my hope and my mindset that, that we 19 20 were going to receive more resources and more investigators. And so I had hoped those new 21 investigators were going to be able to be full-22 time investigators pursuing the persons of 23 interest, hoping that we would have suspects, and 24 25 that we would continue in another capacity within

1 the team.

2		When you talk about those three streams and
3		that's, that's what I am talking about. So that
4		we're continuing to, to try to rule out any
5		eventuality with respect to how these women have
6		gone missing and, and what's happened to them.
7		So, it wasn't a mutually-exclusive thing.
8	Q	So, ultimately, the Project Amelia proceeds still
9		with those three different working theories in
10		play and in pursuing investigative strategies in
11		support of all three?
12	A	Yes. And with, hopefully, the human resources to
13		be able to do that more effectively.
14	Q	It's not a purely suspect based?
15	А	No.
16	Q	If you could go to the next tab, tab 9. This is
17		the agenda from the first Missing Women Review
18		Team meeting; is that right?
19	А	I believe so, yes.
20	Q	Uhm, and you have been assigned Constable Chernoff
21		and Detective Lepine. How did you feel about
22		their assignment to the team?
23	А	Oh, I was actually thrilled. Uhm, I, I knew them
24		quite well and I Detective Lepine is very
25		experienced. He had come, I think as I referred

to in my testimony yesterday, he had a Vice
 background, Sex Crime Unit background. He's very
 well thought of, a very experienced investigator,
 very approachable.

5 And, and Mark Chernoff I knew well, I knew as 6 well, and he, he was more junior than Mark -- than 7 Ron, but again, very experienced. He was learning a lot from, from Detective Lepine and, you know, 8 9 he was far senior to me, even at that point. I think he was 15 or 18 years on the job. And I was 10 11 thrilled. Both, both of them were terrific to work with. 12

13QNow, now that the team is established, you sit14down together and hash out an operational plan for15the team?

16 A No, not -- no.

17QIf you could turn to tab 10. Just, just to guide18you here, this is a to-do list that you had put19together. And could you just tell us, you don't20have to go through the, the list in detail, but21broadly, what the areas of responsibility were for22the team members?

23AUh, I think what, what we tried to do, and this24was kind of an informal way for me to try to give25people some direction, but there were several

1things that I had identified that I would continue2to, to manage, again, more, a little bit more in3the role of a file coordinator, but trying to, to4glean any persons of interest that may come from,5from tip information that we received, looking at6what I have, what I have called here "potential7suspects".

And just to, I want to clarify, because, you 8 9 know, if you, if you talk to 10 different police officers and ask them about a suspect, a person of 10 interest, all these things, you'd probably get 10 11 different answers. And when I spoke to the group, 12 they often used the word "suspect" a little bit 13 14 interchangeably. But in my view, you know, if we 15 had persons of interest, and if we were looking at pursuing criminal charges or we were at that 16 17 point, I would call them "suspects". But -- so that's, that's why it's a little bit, it's a 18 little bit confusing. 19

But "possible suspects already interviewed" meaning persons of interest, people we had looked at and weren't quite able to necessarily rule out, but all we really had was an initial interview, I -- we hoped to have a second look. I think that was something Lepine and Chernoff went to look at.

Uhm --

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2 What -- may I just pause there for a second? Q 3 Sure. А 4 So, what was, what was your role on the team? Q 5 I still was wearing several hats at this point, Α 6 and I think that I saw myself more at this point, 7 I felt I was able to relinquish some of the lead investigator tasks and, and defer to Lepine and 8 9 Chernoff, and, and to utilize them and their expertise because, uhm, as I said, it was far 10 greater than mine. And that I, I became sort of 11 the conduit through which all the information came 12 in and then was disseminated or --13 And that's the file coordinator role, is it? 14 Ο 15 That's the file coordinator role, yes. А Uhm, but, but a lot of what I continued was 16 17 to work on a little bit of a catchall. You know, I ended up still doing things, like, there was a 18 19 line of investigation in, in the Marnie Frey file, 20 uhm, that I was, that I was continuing to work on. There was the Washington State/New York liaison 21

that I was working on. That was, you know, Washington State was the different investigations, the Green River that were different, two different investigations that were ongoing at that time

with very similar circumstances to ours, except
 they were, they were finding bodies. So, I was in
 touch with those people.

The New York, New York state liaison was Poughkeepsie, New York, which was a police -- a city with a police department that had had a sex trade serial killer who had killed eight women, and ultimately, they had all been found in the rafters of his home.

10 And when that, when that hit the news, I 11 contacted those investigators. I just wanted to find out what they had done, touch base as far as 12 13 if there were any suggestions they might make to me about, about how, how they came to know who 14 15 this man was and that sort of thing. And they had a relatively small sex trade there of about 70 16 17 women. And so I was interested in, in, in did they know this man. As it turned out, many of 18 them did know him, and that's fairly standard for 19 20 these cases.

21 Sorry, Mr. Commissioner, I don't mean to go 22 on and on about that, but that, that essentially 23 was taking a lot of my time.

Q And so can I just sort of summarize that?A Sure.

1	Q	So, you, you were acting as file coordinator and
2		managing all the information as it was coming in,
3		and then distributing tasks to different team
4		members; is that right?
5	A	Yes.
6	Q	And you also were taking on some, some of the
7		investigation, some of the investigative roles
8		yourself?
9	А	Yeah, I would almost call it investigative/
10		administrative. You know, there was a lot of
11		liaison type of work that I was doing that was
12		it definitely had an investigative bent, but also
13		an adminis you know, Faulkier County, Virginia
14		had, you know, two unidentified female legs and I
15		was sending DNA from my victims to try to see if
16		they might be, belong to any of our victims. You
17		know, that, that kind of thing.
18	Q	And you had passed the lead investigator role
19		onto, and I wasn't sure, was it Chernoff or
20		Detective Lepine?
21	A	It wasn't any sort of formal, uhm, passover of a
22		role, I don't think. I just they it was, I
23		think, understood between myself and Sergeant
24		Field that anything of any significance with
25		respect to persons of interest or, or, you know,

1		eventually the Caldvall information that that
1		eventually the Caldwell information, that, that
2		went to them because they were the most
3		experienced investigators. And at this time, and
4		we are talking about right now, they were
5		essentially the only, the only homicide
6		investigators we had.
7	Q	And Constable Dickson is on the team?
8	А	He is, yes.
9	Q	And what's his role?
10	A	Uhm, he was essentially I had a lot of
11		conversations with Constable Dickson about, about
12		his strengths and where he felt that he could be
13		most helpful to us. And so we agreed that, that
14		the best thing for him to do was to continue his
15		work in the community and to come into the office
16		whenever, whenever he felt whenever he wanted
17		and, you know, he was available to all the
18		meetings. He was a part of the team.
19		But he was really, uhm, boots on the ground
20		in the community, doing his normal interaction
21		with people and, and gathering information the way
22		that, the way that essentially he does his job all
23		the time. It really wasn't that different for
24		him, other than that he was reporting to me, and
25		we were having constant communication about

1		different, different lines of investigation with
2		respect to different, different files of missing
3		women.
4	Q	At the bottom of the meeting minutes, that's at
5		tab 9, it's stated that:
6		Weekly update to Brock and Fred, concerns,
7		equipment, proposals, etc.
8		How were those weekly updates to occur?
9		Would they be oral, orally given, or were they to
10		be in writing?
11	A	I'm sorry, I am just not seeing what you are
12		referring to.
13	Q	Tab 9.
14	А	Yes.
15	Q	The meeting minutes from the first Missing Women
16		Review Team.
17	A	Yes, I have it now.
18	Q	At the bottom of the page.
19	A	Yes, "weekly update to Brock and Fred." I believe
20		that was Sergeant Field's responsibility. I don't
21		think I ever reported to them weekly.
22	Q	Now, in terms of how all of this information that
23		you were receiving was going to be managed, I just
24		would like you to explain to us what that system
25		looked like. If you could turn to, to tab 11,

1		there is a, a spreadsheet of tips. And then I
2		will just direct you as well to tab 12, uhm, which
3		is, which is a document that, that is a sort of
4		template I think for one of the tips as an
5		example. So, using those two documents, could you
6		just explain to us how the information that you
7		were receiving was managed and assigned?
8	A	Sure. And if I could, it would be helpful to me
9		to also include the document in tab 13, just
10	Q	Yes.
11	A	in the, in the explanation.
12	Q	And that's your Missing Women Review Team log?
13	A	That's correct. So, what, what happened here is,
14		because I said yesterday, I had asked for major
15		case management training several times and it
16		wasn't forthcoming, but I was, it was suggested to
17		me that I go and speak to Sergeant LePard, now
18		Deputy Chief LePard, in the Home Invasion Task
19		Force, because he was the only VPD member at the
20		time who had received major case management
21		training.
22		So, I went and spoke, spoke to him and he was
23		very helpful. And he said, essentially, the way
24		to do it, he thought, was to set up a fairly,
25		fairly simple system where I could capture all the

information on paper and we could always, we could always, we could always go into an analytical database later if we, if we were able to.

So, what he explained, it was called a tip system, and the word "tip" wasn't so much a tip from a member of the public or an informant or that kind of thing. It was more tips in terms of almost individual pieces of information, uhm, or ways to find information I guess is the best, best way to explain it.

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11 So, what he suggested, and what I did, was I -- every, every strand of investigation received a 12 13 tip, and if it had a relevance or if it was 14 generated as a result of one of the victim files, 15 depending on if I decided it should be a tip onto itself or whether it could go into the victim 16 17 file, I would, I would either generate a tip as -let's say, you know, Mr. Pickton, okay, he's Tip 18 19 30.

20 So, every bit of information around that 21 investigation would, I would then create a 22 document, uh, like the one that you see under tab 23 12, the tip information received. And every 24 single time anyone did anything on or, or, or with 25 respect to Mr. Pickton, they would, they would

fill out that tip information form, or I would, 1 2 depending if -- if I received handwritten notes, I 3 would then transcribe them onto, onto this piece 4 of paper, and it would then go into, physically 5 qo, you know, we had a file cabinet, a credenza, 6 and every one of those tips had its own paper file 7 and it would go into Tip 30, and all of that information was collected that way. 8 9 So, each of the women's files also received a 10 tip number, and so anything that came in that was 11 in relation to their files of a more general nature that couldn't be, couldn't be broken down 12 13 more specifically, would go in there. Was the system effective? 14 0 15 I think it was actually. It's, it's, it's been a А little bit frustrating because I have been, I 16 17 haven't ever been able to, to have access to those files. I've made numerous written requests, uhm, 18 to the RCMP ever since 2002 for those files, 19 20 because those and the missing women case logs were 21 my notes at the time. And, and I ended up, I had 22 to leave Project Amelia a little bit, a month sooner than I intended to, because I had a family 23 24 emergency, and so I had never had the opportunity 25 to photocopy those, those logs for my own notes or

for --

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2	Q	Because you didn't keep a notebook; is that right?
3	A	I did not, no. I kept everything in, in each file
4		as a running log.

So, I was particularly frustrated because I felt, and continue to feel that the bulk of the work done, especially, well, certainly through Project Amelia, exists in those tip logs.

- 9 Q And with respect to tab 13, that was your case 10 investigation log for Project Amelia, what 11 information got recorded on your log?
- Again, it was depending on, uhm, if it was sort of 12 А a, I don't want to say a general nature, because 13 some of it is very specific, but if it was sort of 14 15 almost a catchall, it was a bit of a catchall, one of the challenges I had was, because of all the 16 demands on my time, I, I couldn't -- I felt there 17 was a lot of redundancy, or potential redundancy 18 19 to my maintaining notes and documents. So, I was 20 making notes in the victim files and then I was making the tip -- I was tipping out information, 21 22 and then I was keeping a case log, and I felt like my whole day was spent documenting. 23

24 So I, I created this to sort of capture the 25 things that, that might not have otherwise, uhm,

1		really been documented. And so there are things
2		in here, and then there are also lines of
3		communication with respect to tips that are then
4		in the tip files where I would make my notes in
5		the tip files.
6	Q	So, the other piece of information management is
7		how the information then gets analyzed. So, I
8		want to ask you some questions about SIUSS.
9	A	Sure.
10	Q	What is SIUSS?
11	A	I think it's Special Investigation Unit Support
12		System, if I am not mistaken. I think that's
13		right.
14	Q	Yes, Special Investigative Unit Support System.
15	A	Yes.
16	Q	And what and that was to be the analytical
17		database?
18	A	It was. It was something that the VPD was in the
19		process of purchasing licences for. I think you
20		buy them, you know, a licence for Homicide, a
21		licence for Robbery, Sex Crime Unit. I think the
22		Home Invasion Task Force had a licence and that
23		was ultimately the one that Amelia was supposed to
24		then receive when that, when the Home Invasion
25		Task Force wound down.

Uhm, so I was in some meetings with Inspector 1 2 Biddlecombe, Sergeant Field, Brian Shouldice, 3 pardon me, who was the representative, the 4 technical representative for the company that 5 marketed SIUSS. And, you know, there was a lot of discussion about the kinds of things it could do 6 7 for us and so I was guite excited. I thought that this was something that we could certainly, 8 9 certainly use in our file. So, how does the -- how does it work? Can you 10 Q 11 just tell us about its analytical capabilities? Well, I can't really in any great detail, because 12 А it never really did work, and it was --13 What was it supposed to do? 14 0 15 It was supposed to, and again, this is my very А simplistic interpretation of it, it was supposed 16 17 to maintain all of our information, virtually every bit of information -- the foundation of our 18 19 files essentially would all be in there. 20 And then, the way it was characterized to me, was that we could ask it questions, different, 21 22 pose different things. You know, put in the name 23 "Pickton" and find out every single place where we would get information with respect to Pickton or 24 25 licence plates. It was able to pull out common

themes and threads and linkages. There was a 1 2 whole linkage analysis system within that. 3 And so I was very excited. I thought that 4 was really something that, that we could benefit 5 from. 6 And we understand from the documents, and I won't Q 7 take you to them, that there were a number of challenges with SIUSS, and in particular, getting 8 9 someone with experience in using it, getting training on it, those kinds of things. And 10 11 ultimately, SIUSS, you know, never -- the, the value that you hoped it would provide never 12 materialized. Is that -- that's what the 13 documents seem to suggest. Is that what -- how it 14 15 was? Yes. It was -- you know, as with everything in 16 Α 17 this investigation, there were so many demands on, on, on the, on the administrative people, as well 18 as the investigators. And I think that, uhm, 19 20 what, what the initial thought was -- I had always felt like, you know, that the women's files were 21 22 the foundation of our case and we needed those,

that all the information from their files to go in first. And it was suggested to me, I think it was Brian Shouldice, who said, "Well, no, just put in,

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you know, the bare bones, kind of what, what 1 2 people call tombstone information about each, each 3 file, you know, date last seen, date of birth, those kinds of things, put in sort of a skeleton 4 5 of it, and then when we have time," which, which never happened, "the rest could go in." 6 7 And the problem was that the system was I think cumbersome. I think that it was, uhm -- the 8 9 biggest problem was a lack of training and, and a 10 lack of support. It seemed to me like, as though 11 once the, once the licences were purchased and, and the ink was dry, the support -- you know, we 12 13 didn't see Brian Shouldice nearly as much as I had hoped to. I called him --14 15 THE COMMISSIONER: Lack of training for? THE WITNESS: For actually using the system. 16 17 THE COMMISSIONER: Oh, I see. THE WITNESS: And for the data entry, because it was, it was 18 administrative people that would be doing that 19 20 work, the support staff, and they weren't really -- they, they received very minimal training, I 21 22 think, like, a half-day or a day training. I

think Sergeant Field could speak to that.

23

24But then about halfway through Project25Amelia, we were notified that, that SIUSS was

1		going to be, I can't remember if it was moved from
2		a DOS-based to an Oracle-based program, or the
3		other way around, I can't recall, but this just
4		basically happened without any, any notice for our
5		people or any training. So, all of a sudden, the
6		system had changed and what little we were able to
7		do with it before, we could, we could
8	MS. BROOKS:	
9	Q	It got completely derailed
10	A	It was completely derailed.
11	Q	Okay. So, how were the connections made then that
12		you were hoping SIUSS would make for you?
13	A	Well, just, just to be clear, SIUSS was never of
14		any value to us and, and, and
15	Q	But the promise of SIUSS, how were
16	A	The promise of SIUSS
17	Q	those connections made?
18	A	Well, you know what? I don't know. It's one of
19		those situations where I don't know because I
20		don't know what I don't know. And so I, I can't
21		say what it could have done for us because
22	Q	Well, for example, you talked about a connection
23		that you weren't able to make as a result of the
24		deficiencies in SIUSS, what you said about the,
25		the data mining project with DEYAS?

1	A	That's an example. We weren't able to enter the
2		bad date sheets. And, you know, you have to
3		appreciate, there was volumes and volumes of
4		information on, on bad johns, bad interactions,
5		licence plates, physical descriptions, words that
6		were used. The kind, some of the kind of
7		information that might be in ViCLAS as well, that,
8		that was, uhm, that was, would have, I think, been
9		very valuable. I think that, I think that, you
10		know, more information from, from Mr. Pickton
11		would have arisen from the bad date sheets. I am
12		quite, you know, I feel like I can say that with
13		quite a lot of certainty.
14	Q	Who was doing the analysis of the information that
15		you received?
16	А	From where?
17	Q	Well, you are getting all this information in.
18		You are relying on
19	А	Yes.
20	Q	SIUSS. It's not working out. Who is doing the
21		analysis?
22	А	I guess me. And again, just, you know,
23	Q	So, that's another
24	А	on here
25	Q	hat that you are wearing?

Well, it is, and -- yeah. 1 А 2 If you could turn to tab 14. Q 3 I'm sorry, 14? А 4 Yes. This is a case assessment that was prepared Q 5 by Detective Inspector Rossmo. It's dated May 25th, 1999. You, you have seen this before? 6 7 А Yes, I have. And he sets out his conclusions of his analysis of 8 Q 9 the missing women at page 3, and I will just summarize them, that the number of missing sex 10 11 trade workers is, is statistically significant and 12 the most likely explanation for, for the majority 13 of them, is a single murderer. Were, were you 14 working with that theory as well? 15 Yes, I was. А And, and, and so did his conclusions contribute to 16 Q 17 the weight that you placed on the serial killer theory at that time? 18 19 I would say it was more a validation of, of the Α 20 line of thinking that I had been, that I had been using at that point. 21 22 Q Did you have any discussions with Detective 23 Inspector Rossmo after his analysis was prepared? Uh, I think that, I, I recall a bit of a 24 Α 25 discussion that I was -- I had hoped that, that he

might be able to do some more specific work on the 1 2 individual women's files. But he spent a little 3 bit of time with those files and, and found that 4 it just wasn't applicable to his program for some 5 of the reasons I had said earlier, about the lack 6 of geography and dates and times. 7 Do you recall having any discussions with your Q team about his analysis and --8 9 А I recall certainly talking to Sergeant Field and both of us feeling that, that this, this was the 10 11 confirmation that this was, indeed, you know, an anomaly in terms of the normal ebb and flow of 12 missing persons; and that this, just by -- one of 13 14 the things that we had both kept pointing out to 15 each other was, how come, if, if there is just, if it's a drug thing or a, you know, something has 16 17 changed, it's a gang situation in the Downtown Eastside, all these different kinds of theories 18 that we were hearing at various times, why is it 19 20 only women. And, and, you know, and so when, when 21

22 Detective Inspector Rossmo was able to provide 23 this, I felt like that's -- this is, this is 24 basically our proof that this is a statistical 25 anomaly and that, that it's, it's not just, you

know, they're not just going missing, like, there 1 2 is a reason. Did anyone up the, up the chain of command come 3 Q 4 and talk to you about this analysis and how, how 5 it could further your investigation or what kind of direction your investigation should be taking 6 7 as a result of this analysis? 8 Α No. 9 Q So, did this analysis have any impact on the way that the investigation was being carried out? 10 11 А No. 12 Could you turn to tab 17 please? And in terms of Q community outreach, we have discussed that there 13 was the one community meeting that was held, and 14 15 there was the photo canvass and the reward. And another way that you attempted to obtain 16 17 information from the community was through this sex trade worker investigation questionnaire; is 18 19 that right? 20 That's right. А And this was a questionnaire that was to be 21 Q 22 distributed to sex trade workers to, to obtain 23 information from them about what, what could be 24 happening to the missing women? 25 А Yes.

1	Q	And we understand that it was distributed at the
2		WISH Drop-In Centre on June 8th, 1999, and that
3		members of your team were there, as well as
4		Detective Inspector Rossmo?
5	A	That's right.
6	Q	Can you tell us a bit about what's behind this
7		questionnaire? Why did you decide to gather
8		information this way?
9	A	Well, this was an idea I had, based on my
10		discussions with the detectives in Poughkeepsie,
11		New York, in that case that I had, had related.
12		One of the suggestions that they, that they had
13		was that, was that we provide a questionnaire.
14		And I can't remember if they had actually done one
15		themselves or if they had thought that that might
16		have been valuable, because they had told me that,
17		that what they had learned in their investigation
18		subsequent to this man's arrest, was that he had
19		been a very regular customer of many of the women
20		on their stroll, and that many of these women had,
21		you know, non-violent business transactions with
22		this man and had lived to tell the tale, and that
23		it seemed very sort of random when he would kill.
24		And so they, they, they were quite adamant
25		with me. They said, "This is going to be somebody

who is known to your, to your women, and, and this is, you know, this is not going to be someone who is going to skulk in and skulk out and never going to have an interaction. This will be someone who fits that profile." They felt quite sure of that.

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6 And they, one of the things that -- they felt 7 badly. They, they said, had told me that they had actually not turned their minds to that 8 9 possibility. They had made an assumption that, that, that the person they were looking for would 10 11 always kill sort of on every, on every trip through the stroll, or however it would, it would 12 manifest itself. 13

So, that was the suggestion that was made for 14 15 me and I thought, let's, let's find out from the women. You know, I knew we had the bad date 16 17 sheets, but I also knew that gleaning all that information was going to take a lot of time, I 18 knew the problems with SIUSS, and I thought this 19 20 is, this may be a way to get some information that 21 we might not normally get.

And I also recognized that to, to bring the women in off the street for interviews, it was, it was difficult. It took them out of, out of their lives. It took them out of their ability to earn

1		and, and to help us. And so I felt this was a way
2		for us to reach out to them and, and entirely
3		voluntarily voluntary. And, you know, I had
4		some concerns about privacy at the time, but I
5		felt that, that my mission to try to find these
6		women was more important than that, and anyone who
7		didn't want to take part, didn't have to. And I
8		think
9	Q	So, how was it administered?
10	А	I just, I think, if I recall correctly, we just,
11		you know, had, had the questionnaire. We
12		approached women individually, "Would you like to
13		fill this out?" Some of them took them with them
14		and brought them back. Some of them, you know,
15		were filled out in my handwriting. I would write
16		it for them. Uhm, there was a wide variety of, of
17		responses.
18	Q	And how, do you know how many were completed?

- 19AYou know, I can't remember. I think it was 30 or2040 but I, I, I would be guessing.
- 21 Q Mr. Commissioner, there is an aide memoire that I 22 would like to refer to now. It's number 4. It's 23 entitled "Summary of Certain Answers to Questions 24 from the Sex Worker Trade Worker Questionnaire." 25 And you have had a chance, Detective Constable

1		Shenher, to review this?
2	A	Yes, I have.
3	Q	And it accurately reflects the responses or I
4		should say, actually, that the commission received
5		13 responses to this questionnaire and we
6		summarized the answers to a few of those questions
7		on this aide-memoire and, and, and are these
8		answers accurate?
9	A	I would say that this captures the gist, you know,
10		the gist of the information we received from them.
11	Q	Okay. So, I just would like to refer to some of
12		these answers. So, you asked them, you asked the
13		women:
14		If a lot of money is offered, does it make
15		you suspicious?
16		And from our review of their answers, 10 said
17		"yes," two said "no" and, and one said
18		"sometimes." So, the overwhelming response there
19		is "yes"?
20	A	Yes.
21	Q	And, and then you asked:
22		What is a lot of money?
23		And the answers ranged from a hundred up to a
24		thousand. So, the fact that the women said, yes,
25		a lot of money makes them suspicious, and that's

anything over a hundred dollars, does that add
 some direction in terms of refining who your
 suspect is?

- I wouldn't say we were quite there yet, but I 4 А 5 felt, I felt that all of this kind of information 6 just would help inform our thinking as far as the 7 mindset of the women and, and what kind of, uh, variation perhaps in, in the level of risk they 8 9 might be at, at any given time, and when they might be vulnerable. I just, you know, I was 10 11 really grasping at straws trying to, to see if there was anything that we could apply from this 12 13 that might be helpful.
- 14QBut in terms of what you could make from this15information, it assists you, I would think, in16refining the sort of suspect profile, and that if17you learn that one of your suspects was offering18women anything over a hundred dollars, that the19women find that suspicious?

20 MR. DELBIGIO: Mr. Commissioner, DelBigio --

21 THE COMMISSIONER: You need to get --

22 MR. DELBIGIO: Sorry. DelBigio for McGuinness. This witness 23 is quite capable of providing -- listening to a 24 question and providing an answer, she has been 25 doing that. And I suggest that in this instance,

1			it would be better if the witness provide is
2			asked a question, a non-leading question, as the
3			usual way in direct, and is given an answer and
4			given a chance to answer, rather than being
5			cross-examined, or indeed, rather, rather than
6			having an answer suggested or given to her. Thank
7			you.
8	THE	COMMISSI	ONER: Okay. All right.
9	MS.	BROOKS:	Well, I mean, I am certainly entitled to ask
10			leading questions. That's provided for under the
11			Inquiry Act, but I am happy to
12	THE	COMMISSI	ONER: I know that. I know you are entitled to ask
13			leading questions. This is an inquiry. I know
14			that. But I think that, at the same time, I think
15			you need to be I think Mr. DelBigio's point is
16			well-taken, that there are some contentious areas
17			where, where you could maybe you couldn't be
18	MS.	BROOKS:	Well, I could rephrase the question.
19	THE	COMMISSI	ONER: All right.
20	MS.	BROOKS:	
21		Q	So, how did this information help you in terms of
22			considering what kind of suspect profile is at
23			play?
24		A	I really can't say how it helps, but some of how
25			some of my thinking in developing it was, was

in response to my interview with Ms. Anderson. 1 2 So, knowing, knowing some of the, some of the, 3 some of the details of that interaction and, and 4 that, that interaction that she had with Mr. 5 Pickton, that's where I was trying to go with this. Try and see if, if we had -- you know, if 6 7 women were reporting, "Yeah, I had," you know, "I have been, I have gone out of town and I have, and 8 this hundred dollars." I wondered about the 9 10 hundred dollars. Was that maybe a, was that an 11 amount particular to him? Was that an amount he always offered? There were things like that I was 12 13 trying to ascertain. The other question that you asked is: 14 0 15 Will you let a john take you out of Vancouver -- what does it depend on? 16 17 And we can see from the answers that five said "no" and then the other responses show that 18 19 it depends on how comfortable they are with the 20 person. Is that, is that right? Yes, and I remember -- actually, it's alluded to 21 А 22 here with respect to, to being drug sick. But I remember in some of the other responses, that it 23 may not be captured in these 13, but that, that 24 25 was, seemed to be a theme as well. And again,

1		that was, that question was developed around,
2		around the Anderson information.
3	Q	And how does this, how do the answers to these
4		questions help you in terms of identifying
5		potential suspects?
6	A	Well, again, I think, not to keep repeating
7		myself, but I think that it was just informing my
8		thinking and I was
9	Q	And how did it form your thinking?
10	A	Just, I, I believe I was just looking for where I
11		thought I might have, have a response from someone
12		who may have had interactions with him. That was
13		the kind of thought process that, that I was
14		having at the time.
15	Q	With "him" being?
16	A	With Mr. Pickton, I'm sorry.
17	Q	And you also asked the women:
18		What do you think has happened to these
19		women?
20		And from the review of the responses, none of
21		them thought that the women were on vacations or
22		on the sex trade circuit at the Calgary Stampede;
23		is that right?
24	A	That's correct.
25	Q	And that information would have been helpful in

1		terms of undermining that old-guard mentality that
2		you referred to earlier?
3	A	Yeah. I think the old guard were your words, but
4		certainly that, that old vice, vice, you know,
5		15-year-old, at the time, vice mentality
6		certainly.
7	Q	This is information directly from, from the women?
8	A	Exactly.
9	Q	Was this data analyzed at all?
10	A	Not in any, any formal way.
11	Q	If you turn to tab 25. Oh, pardon me.
12		Mr. Commissioner, could I have this "Summary of
13		Certain Answers to the Questionnaire" marked as an
14		exhibit please?
15	THE REGISTRA	R: Exhibit Number 81.
16		(EXHIBIT NO. 81: One-page document entitled
17		"Summary of Certain Answers from STW
18		Questionnaire")
19	MS. BROOKS:	
20	Q	Are you at tab 25?
21	A	Yes, I am.
22	Q	So, this is a case assessment by another criminal
23		profiler, Staff Sergeant Davidson of the RCMP "E"
24		Division of Major Crime; is that right?
25	A	Yes.

1	Q	And he provides a possible profile of a suspect
2		assuming that there is a single offender who can
3		dispose of bodies?
4	A	Yes.
5	Q	And he recommends certain investigative
6		strategies?
7	A	Yes, he does.
8	Q	I just would like to review those strategies with
9		you. So, if you could turn to page 420. So, are
10		you there?
11	A	Yes, I am.
12	Q	The first suggestion that's offered is:
13		Continual contact with women working in the
14		Downtown Eastside regarding customers or
15		potential customers with the following
16		criteria may identify a suspect.
17		And the first criteria is:
18		a any customer wishing to take the victim to a
19		location out of the downtown eastside,
20		regardless of whether or not the encounter
21		was problematic;
22		And that, that criteria is consistent with
23		what you just, we just reviewed in terms of the
24		answers to the questionnaires, that the women were
25		very reluctant to leave the Downtown Eastside,

1			isn't	t it?
2	2	A	Yes,	it is.
3	(Q	Uhm,	and, and then:
4			b	any customer who's (sic) vehicle has been set
5				up to disable the victim from opening the
6				door;
7			С	any customer offering an unusual amount of
8				money or drugs in an effort to entice the
9				victim to go with him;
10			And,	again, that's also consistent with, with the
11			answe	ers?
12	Ž	A	Yes,	it is.
13	(Q	And i	In terms of this maintaining the continual
14			conta	act with the working women, was there any
15			furth	ner contact with them after that questionnaire
16			was a	administered?
17	Ī	A	Well,	I know Constable Dickson continued to do
18			his,	to do his liaison on a daily basis, uh, and I
19			can't	recall anything else specific.
20	(Q	Numbe	er 2:
21				Using the victimology criteria listed above,
22				identify other women who may be victims of
23				the same offender(s).
24			And I	I will take you now down to the last sentence
25			of th	nat paragraph:

Vigilance for new victims is strongly 1 2 recommended. 3 And is what is being recommended here then is to 4 be alert to any new, new cases that are coming in? 5 А Exactly. 6 And we understand that there was an issue there, Q 7 that there was a, a problem with identifying incoming cases after January of 1999, and for some 8 9 period of time, there was a belief held by Project Amelia, that carried on into Project Evenhanded as 10 11 well, that there were no new missings; is that right? 12 Uh, yeah, there was, there was definitely a, a 13 А 14 sense that there weren't. I think there were, I 15 can't recall specifically, but there were a couple that, that were reported during that time and they 16 17 were found. And, you know, I remember that Sergeant Field 18 19 and I had some meetings with the Missing Persons 20 Section as well to, to make sure, we wanted to 21 impress upon them the importance that any new 22 files that fit this victimology be, be acted upon 23 very quickly, so, for obvious reasons, that we don't miss anything, and that we try to shore up 24 25 some of the kinds of investigative challenges we

had with the other files in terms of the big, the
 big time lags.

- 3 Q And we understand though that, that there was a 4 problem with that, that after January 1999, your 5 team hadn't been aware that there had been new 6 missings. Do I have that right?
- 7 Well, I don't think we recognized there was a А problem at that time. We, we -- it was more 8 9 almost, what we thought was a change in, in, in the status of what was happening. We, we wondered 10 11 if it was, if it was investigatively significant. Because we felt like -- at the time, I remember 12 13 thinking that we could say for certain -- we felt 14 like we knew whether people were going missing or 15 not, which, which I would imagine, in hindsight, was incorrect. But at the time, we weren't aware 16 17 there was a problem there.

And we were relying on the reporting and the 18 acknowledgement of those reports to indicate to us 19 20 if there were more similar victims going missing at that time. And we -- it was our understanding 21 22 that there weren't. Although, you know, I think, 23 if I am not mistaken, Jacqueline McDonell, I 24 think, I think she was late '98. But that was, 25 that was the -- so, so, we weren't aware that

there was a problem at that point, but we thought,
 we thought it was significant from an
 investigative standpoint.

4 We thought maybe this is someone who has 5 either gone into custody, if we're thinking of a 6 predator. Maybe this person -- you know, one of 7 the things I have learned about serial killers over the years is that, within a given period of 8 9 time, many either move or they change their, their MO, or they die, or they, they stop for whatever 10 11 reason, if they've, if they've, you know, gone into custody or, or, or relocated or any of those 12 13 kinds of things.

14So, that was, we mistakenly relied on that15information as being I think investigatively16significant, where I think it was, it was flawed17obviously.

18

Q

19ABecause it's my understanding that, that, that20reports either weren't taken during that period21or, or were misplaced. I really, I am really not22sure what happened.

Because women were still going missing?

23QIf we go to number 3, the suggestion is:24Identify all video cameras which have a view25of any of the locations where the sex trade

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1		workers usually encounter customers, as well
2		as the length of time the tapes are saved for
3		each location.
4		Was this done?
5	A	I don't I know that we, at that time, again,
6		there weren't, there certainly weren't the
7		preponderance of video cameras that there are now,
8		and I think we had, we did have some if you
9		look at some of the, some of the particular areas
10		where the women were working, many of those were
11		the sides of buildings where the storefront wasn't
12		there, so there weren't cameras.
13		So, I don't recall that we did a very
14		in-depth look for that, but I know that we, that
15		we did have a look and, and we were fairly certain
16		we didn't have anything there.
17	Q	Number 4:
18		Suspects can be prioritized based on their
19		familiarity with the Downtown Eastside, their
20		interest in moving sex trade workers out of
21		that environment and their access to a
22		suitable location for carrying out the
23		murder.
24		Was there any prioritization analysis conducted of
25		the suspects?

1	A	No, other than, you know, me sort of looking at
2		information and, and making a, a determination as
3		to what should be investigated first.
4	Q	Turn to tab 23 please. In addition to seeking
5		advice from the RCMP criminal profilers, you also
6		sought advice from other police agencies who
7		conducted serial killer investigations?
8	A	Yes.
9	Q	This meeting relates, or these minutes relate
10		to pardon me, this agenda relates to a meeting
11		that you had on June 15th to 16th with the Spokane
12		homicide investigators at 312 Main; is that right?
13	A	That's correct. It was, it was actually a joint
14		forces group of there were members from various
15		agencies that were all working on a, on the
16		similar problem of missing sex workers. And I
17		think they had, they had murders. They had
18		bodies.
19	Q	The Spokane investigators were part of a task
20		force that later charged Robert Yates with, with
21		multiple counts of murder against sex trade
22		workers?
23	A	Correct.
24	Q	What was the purpose of the meeting?
25	А	Again, this was us I think that Geramy had had

some, sorry, Sergeant Field had had some 1 2 interaction or some suggestion that -- some, some 3 contact with someone with respect to that, that 4 investigation and that prompted her to reach out 5 to them and, and, and request this meeting, again, in the hopes of just trying to share information, 6 7 brainstorm, find what, what sort of things were working for them, what weren't; how did they 8 9 actually structure their investigation; uhm, those kinds of things. 10

11 Geramy was -- Sergeant Field was very, she 12 was very collaborative in that way, and I think 13 she was always looking for, for new ideas about 14 how we could, how we could approach what we were 15 trying to do.

- Q Her notes of the meeting are found at tab 24.
 What were some of the similarities and differences
 with your respective investigations?
- 19AWell, I think the most glaring that I recall were20that, for one thing, they had, they had bodies.21Their victims were, were killed I believe by22gunshot wounds, and found in rural areas, but I23think not, not far from roads, which is fairly24consistent with these sorts of investigations.25And the other thing was just a very comprehensive

It was
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estigative
a crime scene
f forensic
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I don't recall
ecall, in
were astounded
trying to do
we had.
clusion, I
representative
fice, who was
man, and one
he said
he said, "I
do, aside from

adding a hundred people to this investigation."

He said, "you" -- and they did -- we did 2 3 talk, I remember, because this was of particular 4 interest to me, and I remember, you know, they 5 were talking about, "You have got to have 6 dedicated people to manage the information coming 7 in, if you are going to canvass for that information," i.e. the reward. Soon we would be 8 9 having America's Most Wanted, those kinds of things. They said, "You will be deluged with 10 11 information and, and your killer, or killers' information could very much -- very likely come 12 from those canvasses for information, and if you 13 14 are not prepared to deal with that information, it 15 could be lost. It, it's completely for naught."

So, that really resonated for me because I felt that, that to be able to, to have that delineation of, of responsibilities was important and we just simply didn't have the manpower for that.

21 Q Okay. So, they were suggesting a hundred more 22 people and how many people were on your team at 23 that time?

24 A Full time?

25 Q Yes.

1	A	Maybe four, if I am not mistaken. I could
2		double-check but
3	Q	Now, could you turn to tab 26 please? Now, this
4		is a memo that you wrote to Sergeant Field on June
5		22nd, 1999. You have identified the need for six
6		additional investigators. This was just over a
7		month after Project Amelia is formed, correct?
8	A	Yes.
9	Q	Why were, why were more investigators necessary?
10	A	That was in direct relationship to, to the meeting
11		with Spokane and their suggestion. And we just,
12		we felt like we really, to do this properly, we,
13		we needed far more than six, but I really, knowing
14		the climate of the Department, I felt like six was
15		reaching for the stars. But I thought I, I would
16		at least try for that.
17	Q	And if you go to the bottom of the second full
18		paragraph, three-quarters of the way through, you
19		say:
20		I have found myself in the dual role of
21		investigator and file coordinator, further
22		limiting my time available for follow-up
23		work. Everyone I have spoken to with
24		experience in large case management has
25		advised it is imperative to have a file

1		coordinator solely dedicated to that
2		function. As much as I would prefer to do
3		investigative work, I feel I am the logical
4		choice, but this is not possible without
5		investigators assigned to do the follow-up.
6		Were you ever freed from that dual role?
7	А	No.
8	Q	And the response you received is over on the next
9		page, in the handwritten notes. Whose, whose
10		handwriting is that?
11	A	That's Sergeant Field's.
12	Q	And she writes, "verbal, no one available."
13	A	Yes, and I recall her coming to me in person, too,
14		and saying that, that she had been told by, I'm
15		not sure who, if Inspector Biddlecombe was there
16		or Acting Inspector Dureau, but whoever was
17		sitting in the, in the inspector's chair had, had
18		indicated to her there was no one available.
19	Q	But then at some point, I'm not sure if this note
20		was created at the same time, but three people are
21		added on July 5th, and that's Alec Clarke Alex
22		Clarke and "LD", does that refer to "light
23		duties"?
24	A	Yes, that's right.
25	Q	And Doug Fell from CLEU and Mark Wolthers from

1		District 2?
2	A	Yes.
3	Q	And those, those individuals did come to your
4		investigation at that to Project Amelia at that
5		time, did they?
6	A	They did. And my recollection well, they
7		didn't come at that time, but they were, they were
8		at least identified as, as people we could have.
9		I don't think they came for a little bit.
10		But that notation from Sergeant Field, if I,
11		if I am recalling correctly, I don't think it
12		was it was a very short timeframe between us
13		being rejected and then ultimately being given
14		half of what we asked for. So, you know, I don't
15		think, I don't recall a lot of time passing before
16		we were actually given those three people.
17	Q	Could you turn to tab 28 please? This is an
18		agenda from a meeting that you held with the
19		families?
20	A	Yes.
21	Q	That meeting was on June 24th, 1999?
22	A	Yes, it was.
23	Q	Was this the only organized family meeting during
24		your time as investigator of the missing women
25		investigation?

1 A Yes.

2 And why did you decide to hold this meeting? Q 3 Well, I felt it was important to, to touch base А 4 with the families and, and give them an update 5 about the fact that we formed this team. It was getting to a point where their -- you know, I was 6 7 in regular contact with many of the family members, but for me to make, you know, 24 calls to 8 9 let them all know the same thing, it made more sense for me to have them in. 10

11 And the other, the other function of this meeting was that we -- it was becoming really 12 13 apparent to me that, as more and more time passed, 14 you know, and regrettably, we were probably 15 heading more into a recovery situation for these women than actually finding them alive situation, 16 17 and I was starting to turn my mind to the notion of identification. 18

19And, you know, my, my thought was that,20again, because of the timeframe, we may be dealing21with very decomposed human remains that, that may22not be easily identifiable. And again, this was23very much on the, on the very forefront of DNA24technology, but, but my thought was we could get25familial DNA from the relatives and that might aid

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in identifying any human remains we might find.

And I think, at that time, I was in fairly 2 3 close contact with, with Sylvia Port from the RCMP 4 who -- she was responsible for the ViCLAS unit 5 there, and she, uhm, she was the person for found human remains for the Province of British 6 7 Columbia. And I know she, she and I, in many of our conversations, she, she intimated to me that 8 9 she was trying to form a databank. She had, unfortunately, a very large quantity of found 10 11 human remains that, now that DNA was in vogue, she could start to test all of those, develop profiles 12 13 and then hopefully apply them against all the missing persons in the province, and perhaps we 14 15 would be able to close some of those files.

So, this was all in concert with that new 16 17 technology. And so we, we, we had the families in, and they all, all the ones that were, that 18 were blood relatives gave buccal swabs, which is a 19 20 saliva sample, for us to hang onto so that -- in the, in the eventuality that we would make an ID. 21 22 0 We've heard some evidence from the families that they were disappointed with the contact that they 23 received from, from the missing women 24 investigators. Could the investigation have 25

1			benefitted from a designated family liaison
2			person?
3		A	Absolutely. I think that was an area that was,
4			that was very, you know, lacking. And I can say
5			that because I was the one that was, despite my
6			best efforts, doing definitely an inadequate job
7			of that.
8		Q	That was another hat you had to wear?
9		A	Yes.
10	MS.	BROOKS:	Mr. Commissioner, I am about to move into the
11			Pickton investigation in the summer of 1999, so
12	THE	COMMISSI	ONER: How long are you going to be?
13	MS.	BROOKS:	I will be another hour.
14	THE	COMMISSI	ONER: All right.
15	THE	REGISTRA	R: The hearing will now recess for 15 minutes.
16			(PROCEEDINGS ADJOURNED AT 11:00 A.M.)
17			(PROCEEDINGS RESUMED AT 11:21 A.M.)
18	THE	REGISTRA	R: This hearing is now resumed.
19	MS.	BROOKS:	
20		Q	Detective Constable Shenher, I now want to turn to
21			the summer of 1999. I understand that you're on
22			leave from July 2nd to the 23rd?
23		А	Yes.
24		Q	When you returned, the Pickton investigation has
25			been reinvigorated?

1	A	Yes, it has.
2	Q	So, I want to discuss your involvement in the
3		Pickton investigation. So, we'll start with the
4		tip. It came in from, from Ross Caldwell and it
5		was received by Sergeant Field on July 16th, and
6		that can be found at tab 29. When the tip comes
7		in, you are on leave?
8	A	That's right.
9	Q	And it's assigned to Constable Chernoff?
10	A	Yes, it is.
11	Q	Do you recall when you first discussed the tip
12		with him?
13	A	I don't recall the specific date, but he called me
14		at home, and part of my recollection of that was
15		that he wanted to ascertain the information
16		that he had received was so similar to some of the
17		things that Hiscox had told me, and before he
18		spoke to Mr. Caldwell, he, he wanted to touch base
19		with me to see if it was possible if this was
20		actually the same tipster, because it was just so
21		it seemed quite in line, aside from some of the
22		specifics of it, but in general terms, we wondered
23		if it was the same source. And we were fairly
24		able to fairly quickly, I think, determine that it
25		sounded like it was two distinct people and

1		groups, that, that we weren't sure if they had an
2		association to each other, but we felt, both, that
3		it was, it was a, a new tip.
4	Q	And how did you react to learning this
5		information?
6	A	I remember being excited and, and, you know,
7		hoping the best from what he found, and actually
8		probably, for the first time in a while, looking
9		forward to getting back to work, so.
10	Q	What was decided about the role that you would
11		play in the handling of the Caldwell tip?
12	A	Well, there were, there were no formal
13		conversations around that, but, you know, I
14		certainly concurred with Sergeant Field in her
15		assigning Lepine and Chernoff that tip. I felt
16		very confident in their ability to, to shepherd
17		that information through with Coquitlam.
18		And by that point, uhm, there were a lot of
19		things going on in Project Amelia at that point,
20		and, and when I got back on the 23rd, that we were
21		very busy. I was doing a lot of work with, uhm,
22		the bulk of the work in, in starting to find the
23		four women that we did locate, started right
24		around that time period, and I was very busy with
25		that.

And so my, my understanding of my role at 1 2 that time was that I would -- I was the resource 3 in the office for those investigators, uhm, that 4 if they ever, if they needed anything, they wanted 5 to run anything by me, that I was there for them. They were updating me, you know, a couple of times 6 7 a day on what was happening with their, with their efforts, and that Sergeant Field and I were 8 9 basically in the office to assist in any way but that, that they would take the lead on it. 10 11 And in terms of how the investigation would be 0 handled as between the VPD and the RCMP, if you 12 could turn to tab 31, and the page number at the 13 left-hand corner is also 31. At the bottom of --14 15 and this is Chernoff, Constable Chernoff's log, and on July 29th, 1999, he, he sets out how the, 16 17 how the investigation would be handled, and he 18 states: 19 Coquitlam RCMP would be responsible for the 20 "Homicide" investigation at the PICKTON

21 residence if the information was accurate &22 could be verified.

23Insp. MOULTON agreed to initiate the24investigation and to contact Special "O" to25provide surveillance. Other resources were

also considered... 1 2 It was also agreed that I would continue to 3 handle the Source & reinterview on July 30th, 4 1999. 5 So, here we have Coquitlam is responsible for 6 the homicide investigation. Was it your 7 understanding that they were investigating a single homicide here or were they investigating 8 Pickton vis-a-vis the missing women? 9 MR. HIRA: Well, just a moment, Mr. Commissioner. That's not 10 11 -- it's Ravi Hira -- that's not what the note says. The note says that Coquitlam would deal 12 13 with the homicide if the information warrants it, 14 or words to that effect. So, the conclusatory 15 question misrepresents the note made by a person who isn't even a witness, who isn't even this 16 17 witness. The question should be reworded. THE COMMISSIONER: Okay. 18 MS. BROOKS: Well, I don't, I don't see that. 19 20 But in any event, I am just asking Detective Q Constable Shenher whether she understood if 21 22 Coquitlam RCMP was going to be investigating the 23 Pickton matter as a single homicide or whether he 24 was a suspect in multiple homicides? 25 Well, I don't, I don't recall that being discussed А

in any kind of formal way. Uhm, it was, it was a very fluid situation and I think that it was a matter of -- it was very much still under very active investigation in terms of, can we even -did we know who that, who that person could have been in the barn. There were -- it was a lot of work around that.

But my understanding in my conversations 8 9 with, with Detectives Chernoff and Lepine was that, was that Coquitlam was, in their view, 10 11 taking a lead on it, and you would have to ask them exactly what that meant. But that was my 12 understanding in my conversations with them. 13 And Mr. Hira raised an interesting point. He 14 0 15 pointed out that the caveat was, if the information was accurate and could be verified. 16 17 What was your understanding if there was some disagreement between the agencies about that? 18 I don't, I don't think that there was anything 19 А 20 intentionally untoward there or anything like that. I think what, what that's really referring 21 22 to is if it could, indeed, be verified that, that that was a homicide. And I think that, again, if, 23 24 you know, you talked to Detectives Lepine and 25 Chernoff, that was very much still to be

determined, and that's why there was active
 investigation at that point.

- Q So, is it the case then, with respect to the role that you're playing, uhm, in the Pickton investigation at this stage, that you are not really involved in any of the investigative decisions, but you are receiving reports through Constable Chernoff and, and Detective Lepine?
- 9 A I would say that's correct, and that I was also, I 10 felt quite free at this point to also provide my 11 input to the team, to, to Sergeant Field and to, 12 to Detectives Lepine and Chernoff.
- And the documents show that you did attend one 13 Q 14 multi-jurisdictional meeting during the summer of 15 1999 when the, the Pickton investigation was heating up. I just would like to look at that. 16 17 There's two documents that deal with that and that's at tab 32 and 33. The document at 32 is 18 19 Constable Connor's log, and at tab 33 is Sergeant 20 Field's notes. So, to the extent that they're helpful in refreshing your memory, there they are. 21

22 So, this meeting was held on August 3rd in 23 Coquitlam and there were representatives from the 24 VPD, RCMP and UHU; is that right? 25 A Yes.

And do you recall this meeting? 1 Q I do, yes. 2 Α Inspector Biddlecombe and, and Sergeant Field, 3 Q 4 your superiors, if I can put it that way, they 5 were there? 6 Yes, they were. А 7 And there were senior officers from the RCMP and Q UHU? There was Inspector Moulton and Staff 8 9 Sergeant Henderson? 10 А Yes. 11 Now, just to place those in the chronology at this Q 12 point in time, Caldwell had been interviewed three 13 times, twice by Detective Constable Chernoff on 14 July 19 and 26th, and once by Detective Constable 15 Chernoff and Detective Lepine on July 30th, but Lynn Ellingsen had not yet been interviewed, Ron 16 17 Menard had not yet been interviewed and Leah Best had not come in. So, who was chairing this 18 19 meeting? 20 I don't recall who, who actually chaired. А And in terms of the purpose of the meeting, 21 Q 22 Corporal Connor states in his log at the second 23 sentence of the first paragraph: 24 The purpose of the meeting was to provide an overview in an effort to elicit resource and 25

financial assistance from divisional units 1 2 and the Vancouver City Police. It was also 3 agreed that an investigative team must be 4 formed, and from that, an operational plan be 5 put in place. 6 And is that what you recall was discussed at 7 the meeting? That is my understanding, yes. 8 А 9 Q Okay. What was the mood like at the meeting? I think there was a fair amount of excitement in 10 А 11 the room. I think it was definitely very energized, you know, a lot of, a lot of activity, 12 13 I think would be a good way to characterize it. 14 Do you recall what your role was in the meeting? 0 15 Uhm, not specifically, but I know that, by this А stage in the investigation, I felt I had a little 16 17 bit more -- perhaps I just felt more confident, but I, I was able to, uhm -- you know, I know that 18 19 anything that was asked of me, you know, I felt 20 comfortable answering and that sort of thing. And, and I do recall reiterating my thought 21 22 again about an undercover operation to -- you 23 know, that, that I still felt that that was something that, that would be valuable. 24 25 And who, undercover operation with who? 0

It was my feeling that, I still felt like, if we 1 А were going to be bringing people in for interviews 2 3 down the road, that, that it seemed appropriate to 4 me that that be a starting point, uhm, perhaps for 5 a Part VI wire application, or surveillance to 6 take the person from the interview away, depending 7 on, on that kind of information. Depending on, on what came of the interview, I felt that that would 8 9 represent an opportunity perhaps to make some inroads and, and learn a little bit more about 10 11 these potential witnesses, to the extent that we might then be able to, to introduce an undercover 12 13 operator. And there are investigative strategies that, that, 14 0 15 that were discussed and that's reflected in Sergeant Field's notes at tab 33. 16 17 А Yes. Could you just review that list and, and tell us 18 Q which strategy was being considered and what that 19 20 involved? Well, I recall that there was an offer from the 21 А 22 VPD end of the Strike Force Surveillance Unit, if, if surveillance was going to, to be used. And 23 24 there were a couple of things that I'm not 25 entirely sure what, I'm not sure what that word is

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above what I see to be "Connor".

Uhm, but then "O", it refers to Special "O", which is the RCMP version of the Strike Force, the surveillance unit.

Uhm, "U/C" is "undercover operation approved," get it -- or sorry, an "approach" and "background," which I, if I recall, that was part of, part of, uhm, some of my input was some ideas on, on how to make an approach perhaps.

10Bob Stewart was a sergeant in the Strike11Force, the VPD Strike Force at that time. So,12maybe some discussion in approaching him. I'm not13sure that -- what that notation exactly refers to.

And the "Part VI - Connor" reference there, 14 15 it's my recollection that, over various points in times, that Corporal Connor had been, had been 16 17 either preparing, actively preparing a Part VI application, or, or was, was turning his mind to 18 the preparation of that. And I can't recall 19 20 whether it would be, it was that, that, to target Mr. Pickton's communications at that point or, or 21 22 the witness, Ellingsen, at that point. Uhm, I'm not sure exactly. But that was something that, 23 that we had all been quite alive to. 24 25 Was there any specific action item that you were 0

1 assigned?

- 2 A No.
- Q So, you were relying, were you, on the, on the
 other investigators to do what was necessary to
 carry out these strategies?
- 6 Certainly I was hopeful that was going to happen. А 7 Now, we understand that there was a turning point Q in the Pickton investigation in August, and 8 9 effectively, if I could just summarize, it lost momentum, and we have heard a lot of evidence on 10 11 that from Deputy Chief LePard and Deputy Chief Evans about what happened in terms of the 12 13 difference of opinion over the credibility of the 14 sources.
- We also heard that the transfer of Corporal Connor on August 24th, who we understand was really driving the Pickton investigation, impacted the momentum; and also UHU's conclusion that they preferred the evidence of Ellingsen over Caldwell. Did I describe that accurately?
- 21 A I would say so, yes.
- 22 Q So, I wanted to turn now to what happened after 23 those events occurred. And if you could turn to 24 tab 39? These are Sergeant Field's notes from a 25 Missing Women Review Team meeting held on

September 29th, and if you turn over the page, 1 2 you'll see Pickton was discussed, and I will just 3 read what she writes: 4 Problems with Ellingsen - historical. 5 And that's referring to UHU? 6 That's right. А 7 Don't agree with Coguitlam on veracity of her Q 8 story. 9 Was this a view that was shared by the team members? 10 11 А Yes. In fact, if I can just go back to late August, and I can't remember the date, but after I 12 13 think the last interview of Ms. Ellingsen, I 14 recall Detective Constable Chernoff calling me 15 from, from the interview and, and just being completely destroyed really, just very emotional 16 17 as far as he just could not understand why he felt that this information just wasn't, wasn't being 18 19 accepted. And, and that, that despite what he 20 communicated to me as their attempts, he and, and Detective Lepine's attempts to communicate some of 21 22 the motivations behind Ms. Ellingsen's discussions in these interviews, and the fact that they had 23 information that she was extorting Mr. Pickton, 24 25 there, there just seemed to be, at the time, in

Detective Constable Chernoff's view, it just 1 2 seemed like there was complete disregard for the 3 possibility that, that she was lying about, about 4 Pickton, and that he wasn't a great guy; that, 5 that what she'd seen in the barn, that she was 6 definitely being deceptive around that information. And he just couldn't understand why 7 the Unsolved Homicide detectives weren't, weren't 8 9 seeing what he, what he felt that he and Detective Lepine were seeing, and he was very upset. 10 11 How did you feel learning about that disagreement? Q Well, I know I was, I was shocked and really 12 А 13 trying to grasp what could possibly be leading them to that conclusion. And, and because it's 14 15 always been my way to, if you are going to conclude a file, you know, you need, you need as 16 17 much, I think, evidence to conclude a file as you do to pursue one. And so I was trying to get a 18 handle on what their reasons were for seeming to 19 20 disregard this information. 21 And, and, you know, I have since come to

learn a little bit more in, in the preparation for
this commission, but at the time, I was, I was at
a complete loss to understand what was happening.
And, you know, at that point, I hadn't quite, I

don't think, reached the full conclusion or, or come to see what the reality was of, of where this investigation was going, which was nowhere, uhm, until later.

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5 But at the time, I, all I could think of, and 6 I said to Detective Constable Chernoff, I said, 7 "Well, they must be doing something else. There must be more that's going to happen. What's, 8 9 what's next?" And he said, "I don't know. There's just" -- and he and Ron then came back to 10 11 the office, he and Detective Lepine and, you know, I remember the three of us and Sergeant Field 12 13 having more conversations about this and we just, we just could not understand what was happening. 14 15 We thought, well, tomorrow is another day and they 16 must be doing more because that was, that was just -- we couldn't, we couldn't -- they, they saw 17 18 nothing that, that would lead those investigators to stop pursuing Mr. Pickton at that point. 19

20 And the other thing that was frustrating for 21 me personally I remember in that conversation with 22 Detective Constable Chernoff, is he was telling me 23 these things and I said, "Well, did they, did they 24 follow her away?" Meaning, was there 25 surveillance? "No." "Was there a Part VI? Did

they have wire?" Because my thought was, she's 1 2 extorting Mr. Pickton. We have that information 3 from a source. So, to me, the very responsible, 4 investigative thing to do is --5 THE COMMISSIONER: Yes? 6 MS. TOBIAS: Mr. Commissioner, Cheryl Tobias appearing for the 7 Government of Canada. I, I have listened to this witness give a lot 8 9 of evidence about things that she didn't do and about things other people did. And I appreciate 10 11 that she has a point of view, but these are matters that are -- go to the core of the things 12 that you are looking into. These are witnesses 13 14 who are going to be called. Uhm, this witness is 15 giving evidence of, of conclusions that, in my respectful submission, is, at best, repetitious 16 17 and a waste of time; and at worst, prejudicial. Mike Connor can speak quite clearly about what he 18 thought and what his reaction was. 19 20 THE COMMISSIONER: She's telling us what Chernoff thought. MS. TOBIAS: Well, presumably Chernoff can tell us that too. 21 22 THE COMMISSIONER: Yes. MS. TOBIAS: These, these are conclusions that other people --23 she has testified that she was not involved in the 24 25 investigation into the tips in Coquitlam, that

that was Chernoff and Lepine's responsibility, uhm, and in, in my submission, they should speak to that.

4 If this witness did something as a result of 5 information received, well, fair enough. But I 6 have been waiting, to listen, and I have been 7 listening for that, and I don't hear it. What I do hear is conclusions that she's drawing based on 8 9 what her recollection of a meeting is that she took no notes of apparently. She's looking at 10 11 other people's notes to refresh her memory.

I think it's just getting too remote to be of any assistance to you, and furthermore, is getting into an area that, in my submission, is unfairly prejudicial for her to testify as to what Coquitlam did or did not do when she has no firsthand knowledge.

18 THE COMMISSIONER: Well, wasn't she there at the meetings?
19 MS. TOBIAS: Well, she was at this meeting.

20 THE COMMISSIONER: Yes.

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21 MS. TOBIAS: She was at a meeting with VPD folks. She had a 22 conversation with Connor. She is now relating 23 what Chernoff told her about what Coquitlam was 24 doing, intending to do or not intending to do. 25 That, in my submission, is too remote, and she

1		should, she should restrict herself to what she
2		knows and what she did.
3	THE	COMMISSIONER: Yes.
4	MR.	HIRA: Mr. Commissioner, it's the same situation that I
5		encountered with Rossmo, and all it does, when you
6		are getting somebody's opinion, based on hearsay
7		evidence, where they did not attend the
8		meeting,
9	THE	COMMISSIONER: Hearsay is allowed in this.
10	MR.	HIRA: I understand that, but then I have to cross-examine
11		on that issue.
12	THE	COMMISSIONER: Yes.
13	MR.	HIRA: So, how are you being helped? This evidence should
14		come from Chernoff, Lepine and Connor.
15	THE	COMMISSIONER: Okay.
16	MR.	HERN: This witness has an important perspective and an
17		important story to tell. And I think that, to the
18		extent that her explanation of those events may
19		have strayed into a characterization as to whether
20		something did or didn't happen, I, I submit that
21		you should simply take it as an explanation of her
22		state of mind at the time. That is important. It
23		is relevant.
24	THE	COMMISSIONER: Okay.
25	MS.	BROOKS: I just would add to that, that the perspective she

is providing here as well is what she understood 1 2 was going on, and that's very much in issue here. 3 THE COMMISSIONER: And I agree with that. You know, look, 4 she's telling us what she did as a result of, of 5 being at this meeting, and what she learned and, 6 and what happened thereafter. And if she is 7 proceeding on a faulty premise, in that Chernoff didn't do that, in that Chernoff is -- her 8 9 recollection of what Chernoff told her is, is incorrect, then that's something you can cross-10 examine Chernoff about. 11

But, you know, she's telling us what she did 12 in this investigation, and after learning what she 13 learned from Chernoff, what the next step was. 14 15 And some of that may go to weight, but I point out once more, this is not a trial, it's an inquiry, 16 17 and you are entitled to -- I am entitled to hear hearsay evidence if it's -- based on its 18 reliability. And it may well be at end of the day 19 20 that it may not be worthy of, of, of becoming factual. But at this stage, I need to know. It's 21 22 for me to decide what's going to help me at the end of the day. There is no one on trial here, 23 you know. I am entitled, under the Inquiry Act, 24 25 to hear evidence of that type.

Go ahead. 1 2 MS. BROOKS: 3 So, Detective Constable Shenher, you were talking Q 4 about the frustration that the team felt at this 5 time as a result of the disagreement with the --6 THE COMMISSIONER: Excuse me, but the real issue here is, she 7 was frustrated. You know, and she may have been frustrated for wrongful reasons or, or for 8 9 incorrect reasons. 10 Go ahead. MS. BROOKS: 11 12 So, did the team members have -- engage management Q on this issue, in any way? 13 Well, I know that, that through the chain, we, we 14 Α 15 made Sergeant Field aware. She was aware of what, what we thought had transpired. And I will cut to 16 17 the chase, but essentially what happened then was that we expected we would hear more. We expected, 18 19 Mr. Commissioner, in the coming days, that we 20 would hear more about the efforts to pursue Mr. Pickton. 21 22 And certainly things -- I came to learn that 23 things happened to pursue Mr. Pickton, but I also, in those ensuing weeks, I remember in the first 24 25 couple of days, uhm, Chernoff and Lepine made

calls to, to various investigators. I, I can't 1 2 speak to who. And that I had called, I believe 3 Corporal Connor, and that he was now no longer 4 there, hoping to find out who actually had the 5 file, and thinking, well, let's liaise now with who has got the file. And that information we 6 7 didn't -- we weren't able to learn. I think initially I was told Constable Dave Strachan had 8 9 the file and I think he was on leave when I made 10 the inquiries, so I then called him again.

11 And, and part of my thinking was that, uhm, I had learned, and I, I don't recall where I learned 12 13 this, but that some of the Pickton property had 14 been parcelled off and sold to the City of 15 Coquitlam. So, my thought, I was still thinking ahead and thinking, well, maybe, maybe a consent 16 17 search or that property could happen with the consent of the new owner. 18

And so, you know, we were alive to more of these ideas. But, but yes, we were frustrated and we, at that time, had no concept of what was happening with the investigation, and we certainly weren't being asked to provide any assistance at that point.

25

Q And just on that point, if you turn to tab 50,

there is a fax here that's dated November 4th, 1 2 1999, and it's a fax that is sent to Sergeant 3 Field by Anne Drennan, but if you note at the 4 bottom of the fax, there is a handwritten note. 5 And again, this is in November, and it says: 6 Geramy, if you could call Mike Connor and 7 just reiterate our concern, I would 8 appreciate it. Thanks, Lori. 9 And then Mike Connor's number is, is noted. Do you recall anything about the circumstances 10 11 that caused you to write that note? No, not specifically. 12 А Are you aware of, of the contact or communication 13 0 14 that Sergeant Field was having with anyone over in 15 Coquitlam at this time? I don't recall. 16 А 17 Were you personally aware of any of the steps that Q Coquitlam was taking with respect to the Pickton 18 19 investigation from fall of 1999 until and into 20 2000? I wasn't aware of any steps. I, I believe, at 21 А 22 some point, I, I did have an opportunity to speak to Constable Yurkiw, but I can't remember anything 23 -- or I recall that she had not indicated to me 24 25 anything that they were doing, and that, that the

file was somewhat, somewhat inactive at that 1 2 point. 3 Was your team ever approached to assist in Q 4 carrying out any investigative steps with respect 5 to Pickton after the fall of 1999? 6 А No. 7 And in terms of meetings between the Vancouver Q Police and, and the RCMP, the documents seem to 8 9 suggest that there were few of them. But I, I want to take you to one that you attended, and 10 11 that was on February 10th, 2000, and Pickton was discussed there. 12 13 So, if you could turn to tab 58. So, so 14 these are, are notes -- this is a memo from you. 15 It's your report to Sergeant Field about the meeting, and the meeting related to the RCMP 16 17 unsolved prostitute homicides. And, and I note that Detective Lepine and, and Detective Constable 18 19 Chernoff were also there, as well as members from 20 the, from the RCMP Profiling Section. And there 21 are several persons of interest discussed, and you 22 state "most noticeably Pickton" in the middle of, of the memo. Do you see that? 23 Yes, I do. 24 Α 25 Were any of the investigators from the, from --Ο

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MR. HIRA: Well, again, Mr. Commissioner, this is not an
 1
 2
                   accurate representation --
 3
      THE REGISTRAR: Would you come forward please?
      MR. HIRA: This is not an accurate representation of that
 4
 5
                   sentence, which is:
 6
                        Several persons of interest were discussed,
 7
                        most notably, William Robert Pickton and PO
                        150 and PO 015082.
 8
 9
      THE COMMISSIONER: Yes.
      MR. HIRA: Put that way, I have no problem.
10
11
      THE COMMISSIONER: Yes.
12
      MR. HIRA: That's all I am asking.
13
      THE COMMISSIONER: All right.
14
      MS. BROOKS:
15
                   And all I am asking is whether Pickton was
               0
                   discussed.
16
17
                   Yes, he was.
               А
      THE COMMISSIONER: You know, are you able to repeat the
18
19
                   question that counsel has objected to?
20
      MS. BROOKS: Uh, well, the only thing I want to establish is
                   that Pickton was discussed at this meeting.
21
22
      THE COMMISSIONER: Okay.
      MR. HIRA: And I have a difficulty with that.
23
24
      THE COMMISSIONER: That's what I thought, too, but go ahead.
                   Was Pickton discussed?
25
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1 THE WITNESS: Yes. Yes, he was. Yes.

2 MS. BROOKS:

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3	Q	And, and I was asking you if any of the, of the
4		Coquitlam investigators that were working on
5		Pickton attended at the meeting?
6	А	No.
7	Q	And what do you recall being discussed with
8		respect to Pickton?
9	А	Well, I recall general frustration. I recall us
10		talking that Staff Sergeant Davidson, Corporal
11		Filer, Corporal Kingsbury, Corporal St. Mars, were
12		all, and Constable McCarl, I don't remember Grant
13		Johnston, honestly, but I remember us all
14		discussing how we could we learned from them
15		what, at the time, was characterized to us, is
16		that, that nothing was happening with the file.
17		So, we were trying to reinvigorate that
18		investigation into Mr. Pickton through these RCMP
19		members. We felt like they had, or we hoped, you
20		know, I hoped at the time that they had some
21		influence perhaps with Unsolved Homicide. And,

and, you know, perhaps in retrospect, they may not have been any more influential than, than Detective Inspector Rossmo, I don't know, but, but we felt like, at the time, they had the ability

1		to, to try and reinvigorate this file.
2	Q	And if you could just turn to the next page, there
3		are some things, steps that they were going to
4		take, and a proposal was going to be submitted to,
5		to Gary Bass for funding and resources for the
6		following. Can you take us through that list and
7		tell us what was being considered?
8	A	Yes. To attempt to profile a suspect, or
9		suspects, meaning I think, again, the person
10		responsible for that, for the missing women and
11		for you know, if we were looking for a serial
12		killer, how do we profile that person. Uhm, we
13		want to reopen the Pickton file
14	Q	Okay. So, just, just to stop there. Was your
15		understanding that the file was closed at this
16		time?
17	А	That was the general impression in the meeting.
18	Q	Can you continue? On the, on the list?
19	А	Oh, I'm sorry, yes. So, yes, the second point was
20		to reopen the Pickton file, uhm, meaning liaise
21		with investigators, liaise with Coquitlam,
22		Provincial Unsolved Homicide. I remember there
23		being a discussion of who was actually, whose file
24		is it actually now, whether, you know, whether
25		PUHU had ever taken it on. We, we didn't know any

of these things. So that was part of the discussion.

1

2

3 Uhm, there was a suggestion to, for us to try 4 and assist with, to get assistance with our SIUSS 5 data entry analysis. I think that was something 6 that, that Staff Sergeant Davidson had put 7 forward, just, you know, reiterating the 8 importance of a case management system that had 9 analytical capabilities.

10It was suggested we improve coordination11between the unsolved prostitute homicides and the12missing women from the Downtown Eastside. So,13again, continued, continued work on that, on14those, what we were calling the Valley homicides15and checking for links with our, with our missing16women.

17To work together to propose a joint forces18task force, and failing funding from the RCMP,19Staff Sergeant Davidson and Staff Sergeant --20Corporal Filer said they were prepared to go to21the Attorney General.

22 Q And do you know whether this proposal to Gary Bass 23 was prepared?

A I don't know that, no.

25 Q And it also states that you adjourned and planned

to meet again in three weeks. Did that happen? 1 2 I don't recall. I don't recall meeting, so. . . Α 3 Another issue that we're trying to understand is Q with respect to the internal communication between 4 5 investigators and management in the, in the 6 Vancouver Police Department with respect to the 7 concerns around the Pickton investigation. So, I want to take you through a couple of meetings and 8 documents that we've identified on this issue and 9 10 get your perspective of things. 11 So, we've already looked at the September 29th meeting where it was noted by Sergeant Field 12 13 that there was a disagreement over the credibility 14 of, of the sources, and we couldn't find any 15 document that detailed that disagreement and was sent up, up the chain of command. Is, is that 16 17 your -- was there any discussion about doing something like that? 18 19 I'm not aware. I think that would be probably А 20 Detective Lepine's evidence or Detective Constable Chernoff's. 21 Could you go to tab 42? These are Sergeant 22 Q 23 Field's minutes from the next review team meeting 24 after that September 29th one where the 25 credibility disagreement is raised, and in

1		addition to the, the team members, Staff Sergeant
2		Giles and Acting Inspector Dureau are also in
3		attendance. And we, we heard from, from you and
4		Deputy Chief LePard that the team continued to be,
5		and "demoralized" is a word that was used, about
6		what was going on with the Pickton investigation,
7		and is that your recollection of things?
8	A	Yes.
9	Q	Uh, and were those feelings of frustration
10		expressed at this meeting?
11	A	Oh, I think that frustration just really hung in
12		the air around everything we did that whole fall.
13		We just literally felt like we'd reached a
14		crescendo, a lot of you know, we were really
15		going forward, we had momentum, and then, from our
16		perspective, and that's all I can speak to, it
17		just felt like it died and we couldn't understand
18		why and we were just, we just wanted some answers.
19	Q	And all that's written here on Pickton is just
20		"Mark C" Constable Chernoff and "- Pickton".
21		Do you know whether any, anyone at that meeting
22		made any requests of some of the senior members
23		there, to go and speak with the folks over at
24		Coquitlam and find out what was going on and
25		trying to get some, some momentum going?

I, I really couldn't say. 1 А 2 Now, in terms of reports, reports to, to Q 3 supervisors about Pickton, I just want to 4 highlight a couple. So, could you go to tab 69? 5 And this is a Missing Persons Review Team overview that's written by you to Sergeant Field on May 6 7 10th, 2000, and if you go to page 2, in the second paragraph, you state: 8 9 Extensive work has been done on Pickton by Coquitlam RCMP and the Provincial Unsolved 10 Homicide Unit. 11 What work were you referring to there? 12 13 Well, I was referring to the work of Corporal А 14 Connor, both early on with respect to Anderson, 15 and then the work that he did with me with respect to Hiscox, and as well with, with Chernoff and 16 17 Lepine, regarding Caldwell. And then, sorry, did you ask me about Unsolved Homicide or not? 18 19 Sorry. Q 20 I'm sorry, I just, did you ask, did you want me А to, to mention Unsolved Homicide as well? 21 22 Q Yes. Uhm, it was my understanding, again, through 23 А 24 information related to me by Detectives Lepine and 25 Chernoff, that, that throughout the Caldwell

investigation, there had been involvement by the 1 2 Provincial Unsolved Homicide Unit, and that's what 3 I was referring to. 4 Uh, and you state, you go on to state: Q 5 It is my feeling that there is more follow-up 6 work to be done with respect to his 7 activities and his property which was recently sold. 8 9 Did you have any further discussions with Sergeant Field about your, about your feeling 10 11 here, that more work needed to be done? Yes. We talked about that frequently and, and I 12 А 13 know that I had raised it to her about -- and I 14 apologize, I can't remember where I was getting the information that the property was being sold 15 off, but that, I felt, was an avenue of 16 17 investigation that was, that was guite viable and, uhm, she agreed with that. But I, but I can't 18 19 recall what, what, if anything, we decided to do 20 to, to advance that. If you could go to tab 74. This is a memo that 21 Q 22 you wrote to Sergeant Field on May 17th, 19, or sorry, 2000. And if you turn -- and you're 23 24 detailing some concerns you have with respect to 25 Detective Constables Fell and Wolthers. If you

turn to page 157 on the bottom left corner, you 1 will see that, that you state this about, about 2 3 Pickton on the last sentence: 4 Pickton is a very good example of a potential 5 suspect. Detectives -- or Detective 6 Constable Fell and Wolthers were never 7 interested in him despite the comparatively 8 large amount of information suggesting he was 9 an excellent suspect. Was it your view that Pickton was always, 10 11 comparatively, the best suspect on your list? I felt like the information surrounding Mr. 12 А Pickton was the most compelling of any person of 13 interest that we, that we had. 14 15 THE COMMISSIONER: Yes? MR. HERN: I just note the time, Mr. Commissioner. I wanted to 16 17 advise you that my time estimate -- I understand I, I am next. 18 19 THE COMMISSIONER: Yes. 20 MR. HERN: I'm being bumped up the chain a bit here. But my time estimate was an hour. It will be 21 22 substantially shorter, I think in the neighborhood 23 of 15 minutes. 24 THE COMMISSIONER: All right. 25 MR. HERN: So, commission counsel can have my, --

1 THE COMMISSIONER: All right. 2 MR. HERN: -- the balance of my time estimate. 3 THE COMMISSIONER: All right. 4 MR. HERN: I think it's important that this witness's evidence 5 comes out in an orderly way. 6 THE COMMISSIONER: Okay. Thank you. 7 MS. BROOKS: And I am almost finished, Mr. Commissioner. Sorry, what was your answer to that question? 8 Q 9 А I said that the information surrounding Mr. Pickton was, by far and away, the most compelling 10 11 that we had from any person of interest, or of any person of interest. 12 13 Could you go to tab 88? This is a review, your Q 14 overview. It's the last memo that you write. It's dated November 21st, 2000. We know that you 15 leave the -- that you get transferred shortly 16 17 after here. If you go to page, it's 94, on the left 18 19 corner, you will see where the heading "William 20 Robert Pickton," and again, if you go to the last 21 paragraph, you state: 22 Extensive work on Pickton has been done by 23 the Coquitlam RCMP and the Provincial Unsolved Homicide Unit. 24 25 And that's the same remark that you, that you

1		made in your earlier May memo? Were you referring
2		to the same work there?
3	A	Yes, I was.
4	Q	You say:
5		We recently became aware that Pickton had
6		been interviewed by RCMP members, however, we
7		do not know the contents of that interview.
8		And that interview we know was conducted on
9		January the 12th. So, you hadn't received
10		anything from them about, about any transfers of
11		the interview,
12	A	No.
13	Q	things like that?
14	A	No, no.
15	Q	It's my feeling that there was a lot that
16		there is more follow-up to be done with
17		respect to his activities and his property
18		which was recently sold. As of November 2nd,
19		he's still living there.
20		So, again, you are providing the same advice
21		that you had just given months earlier?
22	A	Yes.
23	Q	Now, I want to just talk briefly about Detective
24		or Constables Fell and Wolthers. We've heard a
25		lot about them in this inquiry from Deputy Chief

1		Evans and Deputy Chief LePard. And, and we know
2		that there is a number of, of memos on the record
3		about their concerns and your response to their
4		concerns, and Sergeant Field's comments on the
5		matter, and I will just take you to those
6		documents. If you go to tab 73. This is the
7		concerns raised by Fell and Wolthers and it's
8		dated May 12th, 2000, and it's to the Chief
9		Constable Blythe?
10	A	Yes, that's correct.
11	Q	And you have read this?
12	A	Yes, I have.
13	Q	And then on tab 74, this is a memo by you to
14		Sergeant Field, and it's dated May 17th, 2000, and
15		this is in response to that, is it?
16	A	Yes.
17	Q	Over on tab 75, this is a memo from Sergeant Field
18		to Inspector Spencer dated May 17th, 2000, and
19		these are her comments on the matter?
20	A	Yes.
21	Q	And I don't intend to take you through the
22		particular details about what the concerns were
23		with respect to their involvement, because it's
24		set out in these memos, and is that a
25		comprehensive overview, would you say, of, of the

1 problems?

- 2 A Yes.
- 3 Q But, but what I would like to know is, if you 4 could tell us, just generally, the way that their 5 involvement impacted on the team and, and you 6 personally?
- 7 Well, I, I think initially, as I say in my memo, А I, you know, I welcomed them and hoped that they 8 9 could be part of the team and, and function in the context of the team in a, in a productive way. 10 And, you know, in fairness to them, they, they did 11 a lot of work on, on their particular suspect, 12 uhm, and they brought a lot of energy to the file 13 14 in terms of, uhm, trying to, trying to, you know, 15 rattle the bushes a little bit and try and bring out other persons of interest. 16

17Unfortunately, they were, uhm, they were very18difficult to work with in terms of, uhm -- I19think, it seemed as though their perception was20they were brought into the team to only work on21their suspect, and my understanding was they were22part of our team.

And I assigned them tasks, tip information and tasks, the same way I assigned them to everyone on the team, and asked regularly for

notes to be provided as to their investigative 1 activities each day, and routinely, I wouldn't 2 3 receive notes back from them. Uhm, I would ask again for notes. I would ask for, uhm, to be kept 4 5 apprised of, of what they were working on. And in 6 my role as file coordinator, I felt that that was 7 incumbent on me to do. And I was -- you know, they weren't openly hostile to me, for the most 8 9 part, but they, they made it quite clear that they didn't seem to feel the need to do that. 10

11Uhm, I guess, really, the problems with them12were manageable until such time as -- I'm not sure13who I am to refer to as this -- is it 390 or 1390?140390, POI 390.

390, okay. Uhm, when 390 -- the first step was 15 А 16 when, you know, and it's outlined in my memo, I 17 don't know how much detail you want me to go into, but when 390, when they decided to travel to 18 Lethbridge to arrest and interview 390, I was on 19 20 holidays that week. There had been no discussion, prior to me taking those four days off, I had no 21 22 idea from them that that was their intention. I 23 certainly had no idea that subsequently, in their, 24 in their memo here they've expressed that, that 25 their plan was to interview 390 about his

involvement with the missing women. That was never discussed with the team. That was never -it was never put forward for any sort of brainstorming.

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5 And it was my view that, I think contrary to 6 some of their comments, I, I was quite willing to 7 accept 390 as a, as a potential, a potential suspect, and certainly a very strong person of, 8 9 person of interest. And I would have been quite thrilled if we could have had him be responsible 10 11 for the missing women and, and been able to conclude the file in that way. 12

13 But they didn't include the team in any sort 14 of planning around that, around that interview. 15 Uhm, and when they returned, when they returned from Lethbridge, there were a number of 16 17 investigative problems around the interview, and, and I had very, very grave concerns, especially 18 19 because I was not able to say, none of us were, 20 that this man wasn't responsible for all of our missing women. And I felt like there was a lot of 21 22 very damaging investigative things that occurred, grave errors that occurred that could have 23 potentially tainted that, going forward. 24 25 And, you know, this was all -- uhm, it's

difficult for me because I wasn't a supervisor, 1 2 and yet I was in the room with these people trying 3 to -- you know, I had a sense that they were not being forthcoming about their activities, and 4 5 that's a very difficult place to be when you are 6 trying to find out what you don't know, but you 7 are sure there are things you don't know and you try to find out. You know, I felt like I was 8 9 investigating my own colleagues, which isn't my role, nor my responsibility, and certainly not how 10 11 I think the families would have wanted me to be spending my time, but that's how I -- what I 12 13 became involved with.

14And I, you know, I went -- there were times15I, I spoke with Sergeant Field about my concerns.16She, because of her position, being part time in17there, didn't seem to have time to deal with it.18And I know that she did try, in terms of19information sharing, to deal with them.

I mean, you know, I increased our number of team meetings from once a week to twice a week, and that was solely for the purpose of trying to share information with them and engage them with the team, to, to have a give and take of information that would be productive and, and

1		informative to everyone. Uhm, continued to ask
2		via, on paper and verbally, for notes and
3		accounting of their activities. Didn't receive
4		them.
5	Q	So, was this an area sorry, I don't mean to
6		interrupt, but is this an area that could have
7		used a lot more supervision?
8	A	Absolutely, yeah. It's you know, they were
9		brought in to assist our team and all they really
10		did was take valuable time, my time away from
11		doing the things that I felt like I was there to
12		do.
13	Q	We also heard that they referred to the victims in
14		a derogatory way. Is that something you
15		witnessed?
16	A	Yes.
17	Q	Did that have any impact on, on the team?
18	A	Well, you know, it certainly didn't enhance our
19		respect for them. Uhm, but, you know, quite
20		frankly, I, I have worked with many very
21		challenging people in, in my career, and I am sure
22		I will continue to do so. And that really was
23		something I didn't really love but, you know, I
24		have I can, I can work with a lot of different
25		people. And, you know, Detective Constables

1 Clarke, Chernoff, Detective Lepine also are mature 2 people and we, we recognized some of their, some 3 of their peculiarities, if you will, and we, we 4 felt we could work within them.

5 When it started to impact the work of the 6 team and the morale of the team and the 7 investigation and the integrity, honestly, of what 8 we were doing, then I started to have a problem 9 with it.

So, I want to now talk about the wind-down. Uhm, 10 Q 11 so we understand that there were discussions as early as, as December 1999 about Project Amelia 12 13 winding down and, and the sort of -- this topic 14 begins with you actually requesting a full-time 15 sergeant, and I won't bother taking you there because it's just one note. I will give you the 16 17 references at tab 13. It's an entry in your log that's dated December 7th, 1999, and you simply 18 19 say:

> Request for sergeant in Missing Person Review Team full time to Field.

And if you could then turn to tab 51. Two days later, Sergeant Field writes a memo to Acting Inspector Dureau advising that the Missing Women Review Team should be in a position to wind down

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1		in the next two months, and this is on the heels
2		of a request you made for a full, full-time
3		sergeant. Did you know that that was her view?
4	A	No.
5	Q	And if you back at the log at page 94, and you
6		don't have to go there, on December 9th, you learn
7		that the request is denied by Inspector Dureau.
8		Did you have any discussions with her about why
9		she was denying your request, or why the request
10		for a full-time sergeant was denied?
11	A	Well, yeah. She came to me in person and said,
12		"Dan says no," and then she said, "He said, 'Lori
13		needs to understand that this thing is winding
14		down." And I looked at her and I said, "Why? Did
15		we find everybody?" Because, to me, there was
16		really no other I didn't understand how we
17		could be winding down.
18		And, you know, in fairness to Sergeant Field,
19		at this point, I know that we had had some very
20		informal discussions about the possibility of a
21		file review down the road, but I don't, I don't
22		recall if we were at that point at this, at
23		this point, if that's what we were talking about.
24		You know, honestly, she will have to speak to
25		that, but

Well, I am going to jump now to the end, to the 1 0 2 transfer of the file, but before I do, I just want 3 to say that I realize that there were a lot of 4 investigative steps that were taken during this 5 period and they're, they're set out in detail in 6 Deputy Chief LePard's report and Deputy Chief 7 Evans' report, but I just wanted you to know that those weren't lost on the commission. 8 9 А Thank you. So, if we go to the tab 78. And this is, this is 10 Q 11 a letter from the inspector, Inspector Spencer of Major Crime who is acting as, I believe, as the 12

DCC then, who writes Inspector Henderson of UHU. An informal request is made to the RCMP to review the Vancouver Police Department's complete file, and you and Sergeant Field were assigned to work full time to organize these files and then turn them over to UHU; is that right?

19 A That's right.

- 20 Q And I understand that there were some problems 21 with, with putting the files together. Can you 22 just tell us what those were?
- A Well, it became apparent at that point, through
 the loss of some of our administrative people,
 when, I think when some of the analysts looked at

the SIUSS, what was in SIUSS, it was revealed, I 1 2 guess, that a lot of the file information was not 3 entered. There was a, a major backload of, of 4 paper files that still had not been submitted into 5 -- or entered into the SIUSS database, and that, 6 effectively, it was not going to be of any value, 7 which, you know, from an investigative perspective, was, was, was a problem, because it 8 9 would have been nice to have that analytical capability. But really, in terms of -- we still 10 11 had all the information that we had gathered in our paper files. It was just that we had never 12 13 been able to utilize SIUSS's analytical capabilities the way we had hoped we could. 14 15 Just, I want to take you to one last document, and Q then I want to ask you about how this had impacted 16 17 you personally. So, if you can just go to tab 88. This is, 18 again, your final memo before you transfer out of 19 20 the unit. If you can go to the very last page of 21 that memo and the last paragraph. Can you read 22 that last paragraph for us? At this time, we are petitioning the chief 23 А coroner to assist --24 25 Sorry, I think we're at the wrong reference. 0

Sorry. 1 А 2 So, tab 88. Are you there? Q Is that the MPRT overview? 3 А Hm-hmm. And very -- under "direction of the 4 Q 5 investigation"? 6 Oh, I'm sorry. А 7 The very last paragraph of the, of the memo. Q 8 Yes, sorry. А 9 It is my feeling a review of this investigation could lead to new ideas as to 10 what direction to take in order to determine 11 12 what has happened to these women. As we 13 close off more and more potential noncriminal avenues, I believe we will need to 14 15 focus more attention on possible suspects and locating these women's bodies. 16 17 And the comment there, to focus more on possible Q suspects, that's the same recommendation that you 18 19 gave in May of 1999 before Project Amelia was even 20 formed; is that right? Yes, it was. 21 А 22 0 And so could, could the missing women 23 investigations have benefitted from some strategic 24 management oversight? 25 А Certainly.

And, and in your view, was this a systemic issue? 1 Q 2 Well, I think that, one of the things that I think Α 3 existed at that time, and I think has been an 4 improvement, and it just sprung to mind when, when 5 I saw the, the memo from Inspector Spencer to 6 Staff Sergeant Henderson. In my view, that was 7 really the first, I think, engagement, aside from a meeting here and there, but an actual written 8 9 engagement from one of our managers to the RCMP, to try to, to try to move this file forward. 10 11 And I think that it does -- I think that, that we have made some improvements in the VPD in 12 13 that regard, because we used to have managers that 14 didn't necessarily have experience as 15 investigators. You might have someone whose whole career was in Traffic and they may end up becoming 16

> an inspector and being assigned to the Drug Squad, where they had never worked before.

And I think there's been a concerted effort to change that. And we now have -- and, and that's not to say that some of our managers didn't have experience. I'm not sure what their experiences were, quite frankly. But now I think that at least we have, we have managers and people right up to the deputy level who would be able to

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look, as these, as these documents went up the 1 2 chain, would be able to now look at them and say, 3 "Well, wait a second. You know, as an 4 investigator, I know -- this sounds pretty 5 relevant. I know this is something maybe we need 6 to reach out to another agency." So, I think 7 that's, that's the kind of oversight that we really require on these kinds of cases. 8 9 Q And that's a helpful comment for us in terms of our policy work as well. So, thank you very much, 10 11 Detective Constable Shenher, and those are my questions. 12 Mr. Commissioner, I just want to put on the 13 record that Detective Constable Shenher has 14 reviewed these documents. They're all on 15 disclosure. So, the lawyers should all feel free 16 17 to ask her questions about them. And I would like the briefs that I have been 18 19 referring to, to be marked as, as the next exhibit 20 with the NR code please. 21 THE COMMISSIONER: All right. 22 THE REGISTRAR: Yes, it will be marked as Exhibit 82(NR), non-redacted. 23 24 (EXHIBIT NO. 82(NR): Document entitled "Witness: 25 SHENHER - Missing Persons Unit - Investigations" -

formerly marked Exhibit P for ID) 1 2 MR. GRATL: While, Mr. Commissioner, while we have a lull --3 Jason Gratl for Downtown Eastside interests. 4 THE COMMISSIONER: Yes. 5 MR. GRATL: Exhibits marked for Identification as A and J have 6 yet to be entered as exhibits. 7 THE COMMISSIONER: Oh. MR. GRATL: Last week, you ordered that if they hadn't been 8 9 vetted by Monday, they would be deemed to be vetted and entered as exhibits. And I'm hoping 10 11 that, that Vancouver Police Department counsel and commission counsel can turn their minds to that 12 13 over the break. THE COMMISSIONER: Okay, good. A sound suggestion. All right. 14 Do you need some time, Mr. Hern? You were 15 16 speaking to Mr. Crossin there. MR. HERN: My apologies. We just, as commission counsel had 17 mentioned, she was -- had contemplated on asking 18 19 this witness about her personal impact and I was 20 just wanting to --THE COMMISSIONER: I thought you were going to ask that. 21 22 MR. HERN: -- confer about that and, and whether that's appropriately done now --23 24 THE COMMISSIONER: Okay. MR. HERN: -- as opposed to at the end. It seems to me that 25

		that,	that's an important question for now.
THE	COMMISSI	ONER:	Yes.
MR.	HERN: SO	o that :	it doesn't result in any objections later.
MS.	BROOKS:	I am ha	appy to address that issue now.
THE	COMMISSI	ONER: A	All right.
MS.	BROOKS:		
	Q	So, I 1	understand that this investigation has
		affecte	ed you in both a personal and professional
		way.	So, if you could tell us about that.
	A	Well, }	before I begin, I want to, I just want to be
		clear	that whatever impact that this has had on me
		I thin	k is very minor compared in comparison to
		what th	he families and friends of the missing and
		murder	ed women have gone through, and I am very
		cogniza	ant of that.
		U	hm, obviously, this has affected me a great
		deal, 1	uhm, and I have actually worked very hard to
		get mys	self to a point where and I don't do this
		very o	ften uhm, but, uhm, it's, it's you
		know,	there were two phases for me I think that
		were ve	ery challenging.
		T	he first was just when I left the Missing
		Person	s Review Team and nothing was really
		forthco	oming or happening at that point. I was
		complet	tely burnt out and I think that that was a
	MR. MS. THE	MR. HERN: So MS. BROOKS: THE COMMISSIO MS. BROOKS: Q	THE COMMISSIONER: MR. HERN: So that MS. BROOKS: I am have THE COMMISSIONER: Q So, I affect way. A Well, 3 clear I thin what t murder cogniz U deal, get my very o know, Were very T Person forthe

large, a function largely of just doing way too many things and, and, and having a very high standard for myself, and trying to do the right things by these women.

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5 And, uhm, I was so completely disillusioned 6 with police work. And I had been, I had actually 7 been successful in applying for Homicide during this period of time, and when my time came to go 8 9 there, I just said, "I don't want to go." I was just done, uhm, largely because I wasn't prepared, 10 11 I don't think, for doing my job to the absolute fullest of my ability and following the procedures 12 that were laid out to me, and the chain of 13 14 command, and trying to -- and not having anyone 15 ever tell me I wasn't doing a good job, and I am quite secure, sitting here, that I did a damn good 16 17 job with what I had to work with -- but, uhm, I wasn't prepared for that and I didn't know what to 18 do with that, with respect to my career. And, you 19 20 know, I contemplated leaving policing. I had some circumstances with one of my children where it 21 22 wasn't really feasible for me to leave policing when I wanted to. 23

24 And it really wasn't until Deputy LePard was 25 assigned to do the report that I actually felt any

sort of recognition from my own police department 1 2 that, that this was a serious, serious 3 investigation, and these were so many women and that were just disregarded in some way. And I am 4 5 not saying that we did that in our investigation, 6 but there just seemed to be no acknowledgement of 7 what a very serious file this had been. And until Deputy LePard was assigned to do his report, I 8 9 just, I felt no confidence in law enforcement as a career. I felt no real confidence, honestly, in 10 11 the VPD. I just -- and in the RCMP, in my dealings, and I really didn't want any big part of 12 13 it.

14 And Deputy, Deputy LePard was then assigned 15 to, to do his report and I thought, finally, finally, they get it. And at that point, I think 16 17 it was Chief Chambers that, that made that assignment. And I thought at least finally 18 someone of, of Deputy LePard's weight and, and 19 20 experience and intellect and, and, and, and someone known to be, to me, just a, a tireless, a 21 22 tireless investigator himself, I felt some measure 23 of confidence that at least this story was going 24 to be told. Because at this point, it wasn't, and 25 these families had no idea.

And all I had been able to do was, when Mr. 1 2 Pickton was arrested, I had been able to make 3 calls to those, those, some of the families that I had dealt with in my investigation, and I said to 4 5 them at the time, "You need to ask, you need to ask these questions." And, you know, Maggie de 6 7 Vries said to me in that call, "You know, is this the man that you told me about," meaning Pickton, 8 and I said, "Yeah, this is him." And she just, 9 you know, she just said, "Oh, my God." And I 10 11 said, "You have to push for answers. We all have to push for answers." So, that was sort of the 12 13 first phase for me.

The second phase, and I will be brief, I'm 14 15 sorry. Really, the second phase was when Mr. Pickton was -- when the search happened and, you 16 17 know, Mark Chernoff phoned me. I was working in Financial Crime and still really suffering I think 18 from burnout and just a complete lack of interest 19 20 in policing. And, and he called me and said, "They're, they're searching the farm." And I 21 just, you know what? I, I can't even, you know, I 22 can't even tell you how completely in shock I was, 23 24 and, and not shock that it was a surprise to me, 25 but I just thought, oh, you know, anyone but him.

I really felt that way. You know, if it had been someone really tricky or skilled, you know, I, I could have handled that. But the fact that it was this person that was so in my sights the whole time, just, you know, both Mark and I were just stunned.

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7 And so from that, from that time, I -- it was, it was personally difficult. I took some 8 9 stress leaves. As I said, I think I worked quite hard to get myself together, uh, to get back to 10 work, uhm, and I -- but through that period of 11 time, I, honestly, I felt professionally just out 12 in the wilderness. I felt there's been very 13 14 little comprehension, even within, within my own 15 organization, that, that of those of us that even worked on that file and what we went through. 16

17 And, and, you know, every time someone's DNA was found on that farm, it was just, I was right 18 back there. And, and I, you know, I was counting. 19 20 You know, I was counting women. How many women 21 went missing from, from, you know, August, 22 September '99, from that time I really felt like we were really closing in on him. And I, you 23 know, I felt very, very, very, very much, very 24 25 much grief stricken I think.

And so, you know, since that time, I've really kind of hidden away at the police department. Uh, it's been difficult. And I think, you know, I suffer from some trauma around this.

6 And, uhm, I would like to hope that, that 7 there's room in policing for people like me, because I think we're needed. And, and I think 8 that, that, uhm, you know, if you want to look at 9 systemic things, Mr. Commissioner, I think you 10 11 need to look at a police culture that makes it very hard to be an outside-of-the-box thinker or 12 13 to -- and, and I don't know exactly what I am 14 trying to say here, but I think that people like 15 me either sink or swim in policing, and I think that you either assimilate to a culture or you 16 17 leave a culture.

And, and, you know, I think that what I would 18 19 hope to come from this is that, is that I can 20 continue to make a difference. I want, I want to, to continue my career and I would like to, I would 21 22 like to be a supervisor myself. I would like to 23 try and mentor people. I don't want anyone to go 24 through what these families have gone through, you 25 know, or what I've gone through professionally.

So, that's really all I have to say and I 1 2 thank you all for your indulgence. Thank you, 3 Mr. Commissioner. 4 MS. BROOKS: I thank you --5 THE COMMISSIONER: I want to thank you, Detective Shenher, for 6 sharing those thoughts with us. You have given us 7 an indication of how much of an impact, on a personal level, this tragedy, this horrific 8 9 tragedy has had on you, and I think it helps us understand what happened. And your, your 10 11 comments, I am sure by everybody in the room, are very much appreciated. I want to thank you for 12 13 doing that. So, we will come back at 2 o'clock -- or 14 15 1:30. THE REGISTRAR: This hearing is now adjourned until 1:30. 16 17 (PROCEEDINGS ADJOURNED AT 12:30 P.M.) (PROCEEDINGS RESUMED AT 1:34 P.M.) 18 THE REGISTRAR: Order. This hearing is now resumed. 19 20 THE COMMISSIONER: You will have no doubt noticed that I have 21 set some parameters on cross-examination. I want 22 you to know I hesitated, it was with great hesitation that I did that, but it's really 23 24 necessary in the interests of time and to protect 25 the integrity of the inquiry here.

This witness will be with us for a week and 1 2 we just, we just can't be having one witness a 3 week. And so, in any event, we have Corporal 4 Connor, as I understand it, coming next week. 5 MR. VERTLIEB: Yes, Monday. 6 THE COMMISSIONER: And when is -- what about Chernoff? When is 7 he coming? MR. VERTLIEB: He hasn't been scheduled yet. 8 9 THE COMMISSIONER: Oh, all right. MR. VERTLIEB: On your direction, we have Connor next week --10 11 THE COMMISSIONER: Yes. 12 MR. VERTLIEB: -- and then Adam. 13 THE COMMISSIONER: Then Adam after that. So, I expect that they will take an equal amount of time, so. Yes? 14 15 THE REGISTRAR: Mr. Commissioner, just before we start, the document that commission counsel asked to be 16 17 marked as 82(NR), that is formerly for identification P. That becomes 82(NR). For 18 Identification Q becomes 83(NR). Thank you. 19 THE COMMISSIONER: Okay, thank you. Yes. 20 (EXHIBIT NO. 83(NR): Document entitled "Witness: 21 22 SHENHER - Project Amelia" - formerly marked Exhibit Q for ID) 23 MR. WARD: Mr. Commissioner, in respect of this order, I have 24 25 some submissions. Just before lunch, or at lunch,

12:30, Mr. Vertlieb left a pile of documents on 1 2 the front table. The title of this document is "Ordered Cross Examination Times for Det. Cst. 3 4 Shenher." I would ask that it be marked as an 5 exhibit for identification. 6 THE COMMISSIONER: It doesn't have to be marked as an exhibit. 7 MR. WARD: Well --THE COMMISSIONER: It's a procedural issue and it doesn't need 8 9 to be. MR. WARD: I'm applying to set aside the order and I'm doing 10 11 that now, if I may. I would like to set aside the 12 order on the following grounds. 13 Firstly, the rules of natural justice and 14 principles of procedural fairness have not been 15 followed with respect to the issuance of the order. Those rules have been violated by making 16 17 an order without hearing any submissions from counsel. We were not heard before the order was 18 19 made nor, in fact, were we heard before the 20 practice directive upon which the order is based was made. 21 22 I accept that you, as commissioner, have 23 discretion to make procedural directives and it's 24 quite broad, but it must be exercised judicially. 25 It hasn't been in this case. And you, in my

respectful submission, needed to hear submissions 1 from counsel under the principle audi alteram 2 3 partem, one of the principles of the rules of 4 natural justice. The second --5 THE COMMISSIONER: Thank you. 6 MR. WARD: Excuse me. The second ground for setting aside the 7 order flows from the testimony of this witness. My clients, the families of 25 deceased women, 8 9 have interests that are directly and seriously engaged by this critical witness's testimony. 10 11 They have waited 10 to 14 years to have the opportunity to have their questions about the 12 13 investigations answered. We now have the most 14 critical witness, in my estimation, from the VPD 15 on the stand, the investigator who was directly involved. And my clients are entitled, in my 16 17 submission, to have the opportunity to conduct an effective cross-examination. 18 19 We are here to assist you, Mr. Commissioner, 20 in getting at the truth, and as Wigmore said, and 21 as you well know, cross-examination is the 22 greatest engine yet devised by man in order to

24The third ground that I'm applying to set25aside the order, is the time allotted to my

discover or ascertain the truth.

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clients is inadequate. There is another maxim,
 and I quote:

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Cross-examinations do not just happen. They are the product of careful preparation.

5 I have been directed by this order, as of 6 12:30 this afternoon, to jettison and prepare a 7 two-day cross-examination and conduct a cross-examination on behalf of my clients starting 8 9 at 1:30 this afternoon, not tomorrow, as had been planned, and that is completely unfair and unjust, 10 11 in my respectful submission. It just can't be done. 12

There is, fourthly, the final ground, there 13 is no legitimate reason, in my respectful 14 15 submission, for making this order. Counsel appearing before you have not abused cross-16 17 examination privileges. As far as I'm aware, the next three witnesses are all based in the Lower 18 19 Mainland and there is no reason why the schedule 20 cannot be flexible to allow them to testify and have all the evidence heard. 21

If there are time pressures, they're of, entirely of the commission's own making, in my respectful submission. This inquiry was called on September 29th, 2010. It was given a reporting

1date of December 31st, 2011. And for reasons that2are completely unclear to me, it didn't commence3hearings until October 11th, 2011, with a, with a4very short timeframe. You sought a one-year5extension. You were granted a six-month6extension.

7 But even though time is said to be of the essence, we are taking Fridays off. We are taking 8 afternoons off. Time is not so critical that my 9 clients be deprived of their right to cross-10 11 examine this witness, in my respectful submission. I'm ready, willing and able to sit Friday. I did 12 not suggest, at any point, that we not sit 13 Fridays. And the interests of justice, fairness 14 15 and getting at the truth have to trump interests of expediency, in my respectful submission. 16

17 This is a very, very important matter for my clients, and I adopt the witness's sentiments with 18 19 respect to how important, how necessary it is for 20 them to seek answers to their questions. I can't possibly do my job in seeking those answers this 21 22 afternoon, starting in a few minutes, for a period of one and-a-half hours. It can't be done and I 23 24 am not prepared to go.

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Mr. Gratl and myself had, or I had indicated

to commission counsel that Mr. Gratl and myself were exchanging positions. We thought that was okay, but this order doesn't contemplate that, for whatever reason. I would seek leave, in any event, if this application is dismissed, to start my cross-examination tomorrow morning, rather than this afternoon.

8 But my principal application is to set aside 9 the order and I would ask that it be marked as an 10 exhibit for identification so it's available for 11 review by someone else, if necessary. Those are 12 my submissions.

13 THE COMMISSIONER: Mr. Vertlieb, do you have any comments?
14 MR. VERTLIEB: The reasons we started were made clear months
15 ago. I am not going to revisit that.

We have no objection to the lawyers changing positions. Some of our colleagues have done that. There is no problem at all. And you've addressed the other concerns, so if Mr. Ward wants to go in the morning, that's just fine.

21Just so everyone knows, Mr. Ward had22indicated he wanted two days and Mr. Gratl one23day, and that just was not something that seemed24tenable.

25 THE COMMISSIONER: Yes. Mr. Ward appears to be of the view

Ruling

that we have unlimited amount of time to examine these issues. We don't. Trials have limitations of time imposed on them. This inquiry has similar limitations of time. In my view, clearly the interests of justice will be achieved by putting these limits on cross-examination.

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Mr. Ward's application for a two-day
cross-examination period of this witness is
completely unrealistic in light of the fact that I
listened carefully to her evidence and her
evidence appears, at this stage, to be critical of
the system and critical of the Vancouver Police
and in no way is critical of Mr. Ward's clients.

14 And in any event, his, his application 15 basically is that we ought to have an unlimited amount of time in the inquiry and we should go on 16 and on and finish it at our leisure. I'm afraid 17 that's not the way the real world works. And I 18 19 asked for time limits, I asked for estimates I 20 should say, and we tried to do our best to 21 accommodate people.

I can, I can rest assured, or I can tell you that I have to decide what I need in order to make the -- comply with the terms of reference. I have to decide what I need, and inquiries, often some

Ruling L. Shenher (for the Commission) Cross-exam by Mr. Hern

1	inquiries allow witnesses to be heard. In fact,
2	some others don't. And I think that in the
3	that it is, it is in the interests of this
4	commission of inquiry that witnesses be heard and
5	there ought to be full cross-examination, but that
6	doesn't mean that we have unlimited cross-
7	examination. In any event, I am not allowing your
8	application.
9	Mr. Hern, you're next.
10	MR. WARD: Sorry, just a procedural point. Could we please
11	have the document marked as an exhibit for
12	identification?
13	THE COMMISSIONER: Do you any problem? Any objection? All
14	right.
15	THE REGISTRAR: That will be next marked for identification R.
16	MR. WARD: Thank you.
17	(EXHIBIT NO. R FOR IDENTIFICATION: One-page
18	document entitled "Ordered Cross Examination Times
19	for Det. Cst. Shenher")
20	CROSS-EXAMINATION BY MR. HERN:
21	Q Sean Hern for the Vancouver Police Department.
22	Detective Constable Shenher, I have only got
23	four questions, fairly discrete, and, and they
24	jump around to different points in the chronology
25	so I will just introduce them a little bit to

orientate and then ask you the question. 1 2 The first question I have relates to the May 3 13, 1999 brainstorming meeting at the Vancouver 4 Police Department with members of various 5 different agencies. Do you recall? 6 I do. А 7 You recall giving evidence about that today. And Q my understanding is that you personally didn't 8 9 take any notes of that meeting. No, I don't believe I did. 10 А 11 And so, as we sit here, 13 years later, almost, I Q heard your evidence is, or noted your evidence to 12 be that you recall Pickton being discussed at 13 14 length, or at some length? 15 I do. А And, and what I wanted to ensure the commissioner 16 Q 17 had is a sense of how clear your memory is of that point. And if you could just describe for the 18 19 commissioner some -- if you, if you could 20 characterize the strength of your memory on that point, because my understanding is, it's not 21 22 crystal clear. 23 No, I -- Mr. Commissioner can appreciate, I sat in А on a lot of meetings and I -- my recollection of 24 25 this particular meeting was that Pickton was

L. Shenher (for the Commission) Cross-exam by Mr. Hern

	discussed in general terms. I wouldn't be able to
	say, uhm, at whose initiation, for how long. But
	my general impression was that there was, with a
	mind the discussion was ways with the mind to,
	to continue to pursue information around, around,
	around his activities, in general terms.
Q	All right. So, to be clear, you don't even
	remember who was speaking about it?
А	No, I don't.
Q	All right. Or what was said specifically?
А	That's correct.
Q	The next question I have relates to a document
	which I want to take you to and then have you
	provide your comment on it, and it's in Appendix L
	of the Williams report, which is Exhibit 2, and
	that is placed before you.
	So, if you could turn to tab L of that. Now,
	I think you're probably familiar with Corporal
	Mike Connor of the Coquitlam RCMP's notes or his
	file log, correct?
A	Yes, I am.
Q	And I'm not sure whether you have seen this
	document, but let me just summarize what I
	understand it to be. That after the February 2002
	search of the Pickton farm, and in advance, or in
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L. Shenher (for the Commission) Cross-exam by Mr. Hern

1		contribution to Superintendent Williams' review,
2		that this document was prepared by Mike, Corporal
3		Mike Connor, and it incorporates his timeline, and
4		then contains additions made by him to that
5		timeline, based on his recollection to assist the
6		review as to what happened in the Coquitlam
7		investigation. All right? Is this do you have
8		any knowledge of that or, or do you just need to
9		assume that that's correct?
10	A	I would have to assume. I don't believe I have
11		ever seen this before.
12	Q	Okay. And so if you could turn to tab 20 of this
13		document, you will see an entry from September 15,
14		1998.
15	A	Sorry, do you mean page 20 or?
16	Q	Yeah, page 20 at the bottom of the page. So, do
17		you have that entry for September 15, 1998?
18	A	Yes, I do.
19	Q	All right. And so in comparing, from my
20		comparison of the original case log of Corporal
21		Connor to this document, the bolded passage that
22		is set out there beside the number "1330", that's
23		directly taken verbatim from his log. And then
24		underneath that, there is italicized words that I
25		understand to be Corporal Connor's comments with

L. Shenher (for the Commission) Cross-exam by Mr. Hern

1		respect to that entry. All right?
2	A	Yes.
3	Q	So, I'll just, for the benefit of counsel, and for
4		the record, I will just read the initial log,
5		which says:
6		Corporal Connor received a telephone call
7		from Detective Pickerell who advised that the
8		senior member of the partnership stated that
9		he and Detective Shenher will interview this
10		subject initially. A meeting will then be
11		held to determine what following action will
12		take place. Under the circumstances,
13		Corporal Connor felt this to be appropriate
14		for the moment.
15		And this is in reference to the subject, being Mr.
16		Hiscox?
17	A	That's right.
18	Q	All right. And so beneath that Corporal Connor, I
19		understand, has written this. He says:
20		The following was never placed in an
21		investigative report [commenting on the
22		earlier passage]. When I initially met with
23		Detective Shenher, I said to her that it
24		would be very important to find out who the
25		callers/tipsters were, and then as the

information directly involves their missing 1 2 person, de Vries, and a person from the 3 Coquitlam community, I suggested we should do 4 a joint interview of this subject. She 5 agreed. 6 However, a few days later, I was advised in a 7 conversation with her that her partner, 8 Detective Howlett, did not want to get the 9 RCMP involved, at least yet, and that they would undertake to -- undertake the 10 interviews of the callers themselves. 11 I was 12 certainly taken aback. Detective Shenher was 13 certainly embarrassed by this, but did not 14 want to go against her senior partner. 15 In an effort to get included at the onset, I called a VPD member who I had known in the 16 17 past, Detective Barry Pickerell, and asked him to find out what was really going on and 18 19 make an attempt to convince all parties that 20 we must work together on this issue. He said that he would try to help. 21 22 So, I have read that correctly? 23 А Yes. 24 And do you -- what -- the reason I'm, of course, 0 25 asking you about this small issue is that you are

1		the only person who can contribute to what you
2		knew or what you felt at the time. And so what
3		is, what is your recollection of this juncture in
4		time and your recollection as to how you, uhm,
5		dealt with this event?
6	A	I would not have recalled this had I not had this
7		document to refresh my memory. Uhm, I, I would
8		have to just say that, that I really would I
9		recall, you know, obviously now, yes, I have an
10		impression of this occurring, but it wasn't
11		something that I have a great memory of.
12	Q	All right. You don't recall Corporal Connor being
13		excluded from the initial interview of Hiscox?
14	A	I don't recall, no.
15	Q	All right. Thank you. So, leaving that small
16		issue aside, and you can put that binder aside,
17		and the next question I have is in relation to
18		some evidence that was given by Ms. Lynn Frey.
19		And I understand that you had a long history of
20		dealings with Ms. Frey, as a mother of one of the
21		missing women, and, and that you have a lot of
22		respect for her. But I need to ask you this,
23		based on her evidence.
24		Did Ms. Frey ever tell you, at any time prior
25		to February 2002, that she had received

1		information about Pickton or that she had attended
2		his farm or believed he was responsible for the
3		missing women?
4	A	No.
5	Q	All right. And did she provide you any
6		information about a chipper?
7	A	Yes, she did.
8	Q	And what was that?
9	A	Well, my recollection of that was that she had
10		some dealings with, I believe it was a woman named
11		"Bernie Williams" from the Downtown Eastside, and
12		that through Ms. Williams, there was some
13		information about an individual that had a chipper
14		in the basement of the Cambie Hotel, the Stadium
15		Hotel on Cambie and, uhm, Cambie and Cordova. And
16		so I followed up on that information. I went to
17		the basement of that hotel and there was no
18		chipper there.
19	Q	All right.
20	A	And I believe that's documented in, it would have
21		either been in the Frey file or in the log, the
22		tip log notes with respect to Marnie Frey.
23	Q	The information about the chipper in the basement
24		of a hotel would be documented there?
25	A	It's documented in one of those two places, yes.

Q All right, thank you.

2 And the last question I have is, it relates 3 to Detective Inspector, then Detective Inspector 4 Rossmo, and as you discussed with commission 5 counsel, really, up to the point of his May 1999 6 analysis of the, the statistical analysis of the 7 disappearances of the missing women. What, what role did Mr. Rossmo have, from that date forward, 8 9 within your portion of the missing women investigation, what contributions did he make and 10 11 did you find them helpful? Uh, I don't recall him having a lot of dealings 12 А with the file after that. I think, as I testified 13 earlier, that, that I had had some discussion 14 15 around then, hoping he could perhaps provide more

16 with respect to the actual files and, and some 17 geographical profiling around that information. 18 As I said, he indicated he, he really didn't think 19 it was applicable to, to his formula.

20 And we had very, I would characterize it very 21 sporadic contact. You know, sort of maybe a 22 conversation every few months after that. I 23 probably only talked to him a couple of times 24 after that.

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Q And did you seek his, his help in terms of coming

1		up with concrete investigative strategies or
2		brainstorming about those?
3	A	No, I didn't.
4	Q	All right. And did he come by the missing women
5		investigations office to offer assistance?
6	A	I believe on maybe one or two occasions.
7	Q	But I understand he was at some of the conferences
8		or meetings where Corporal Davidson, for example,
9		was at, in terms of when you sought assistance
10		from the profiling units and so on?
11	A	I believe so, yes.
12	Q	And so he contributed in that way?
13	A	Yes, in that way.
14	MR. HERN: T	hat's all I have, Mr. Commissioner.
15	THE COMMISSI	ONER: Thank you, Mr. Hern. Mr. Gratl.
16	CROSS-EXAMIN	ATION BY MR. GRATL:
17	Q	You are still at the rank of detective constable,
18		are you?
19	A	Yes, I am.
20	Q	I am Jason Gratl, by the way, counsel for the
21		Vancouver Eastside. We've met before.
22	A	We have.
23	Q	And did you read the missing persons policy when
24		you first arrived at the Missing Persons Unit?
25	A	I don't recall reading it when I first arrived,

but I had studied it quite at length over various 1 2 times in my first few years on the Department, 3 because it was part of -- the VPD has requirements 4 in terms of, when you are a young constable, you 5 have to meet certain incremental standards over a period of time. So, you're subject to 6 7 examinations on your knowledge of policy and procedure. And so that was a policy that was 8 almost always included in those examinations. 9 So I was, I was familiar with it. 10 11 You appreciate that the policy requires that Q 12 persons whose mental health or physical state may 13 place them at risk to themselves or others, 14 regardless of the time period they have been 15 missing, shall receive a missing persons report and a field unit response to investigate the 16 17 circumstances? Could you just point me to that so I can just make 18 А 19 sure we are talking about the same policy? 20 Sure. It's in the first binder under tab 4. Mr. Q Giles, what's the exhibit number for that binder 21 22 again? THE REGISTRAR: That is -- that's tab 4? Just see which one --23 THE COMMISSIONER: Binder 1, tab 4. 24 MR. GRATL: Binder 1, tab 4. 25

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1
      THE WITNESS: I have it.
 2
      THE REGISTRAR: That's 82(NR).
      MR. GRATL:
 3
 4
                   Just at the bottom on the first page there, it
               0
 5
                   says:
 6
                        Persons defined in the following categories,
 7
                        regardless of time period they have been
 8
                        missing, shall receive a missing person
9
                        report AND a field unit response to
                        investigate circumstances:
10
11
                   Sub (c) says, obviously you want the category:
12
                        Persons whose mental or physical state may
13
                        place them at risk to themselves or others
14
                         (this would include persons with memory loss,
15
                        handicaps, retardation, blindness, muteness
                        or suicidal intentions, etc).
16
17
                   Do you see that?
                   I do.
18
               А
19
                   I take it you would agree that sex workers,
               Q
20
                   survival sex workers who are engaged in survival
                   sex work, because of their desperate addiction to
21
22
                   illicit substances, fall under the category of
23
                   persons whose mental or physical state may place
                   them at risk to themselves or others?
24
25
                   I don't know if I would entirely -- I think it
               А
```

1		would be determined on, on the individual to some
2		degree. I mean, obviously, it's a high-risk
3		profession, but I think that there would be
4		different women that might have varying abilities
5		to, to be quite competent in caring for
6		themselves.
7	Q	All right. So, that would be done on a case-by-
8		case basis?
9	A	Yes.
10	Q	Just because somebody is a survival sex worker
11		doesn't mean that they're automatically at risk to
12		themselves place themselves at risk?
13	A	Uhm, I wouldn't say so, necessarily, no.
14	Q	Okay. Well, I will put it to you that absolutely
15		none of these missing women on your list ever had
16		an immediate field unit response to investigate
17		the circumstances; isn't that correct?
18	A	That is, I believe, yes.
19	Q	And there were many there were, there were no
20		cases that you are aware of where the 24-hour
21		rule, the ordinary 24-hour rule was circumvented
22		for a sex worker?
23	A	Not that I'm aware of, no.
24	Q	All right. So, so, indeed, in terms of the actual
25		application of which you are aware, this category

	(c), "people whose mental or physical state may
	place them at risk to themselves or others," that
	was never applied?
A	Not to my knowledge, no.
Q	Okay. And you appreciate, of course, that drug
	addiction is a disability or could be considered a
	handicap?
A	I think that is something that I would
	acknowledge, yes.
Q	All right. I am going to concentrate first on
	systemic issues that affected sex workers and drug
	users in the Downtown Eastside. The first deals
	with problems with 911 intake. You acknowledge
	that there was differential application of that
	911 intake function to sex workers and drug users,
	correct?
A	My understanding is that that occurred at times,
	yes.
Q	You were aware of that upon your arrival, you
	were quickly made aware of that by Al Howlett?
A	I was made aware, in general terms, that there was
	I would characterize it as a very, uhm,
	flexible and, and inconsistent application of the
	policy and its standards
Q	Yes
	Q A Q A Q A

1	A	for those calls, yes.
2	Q	And, and that flexibility and any inconsistency,
3		that didn't work to the benefit of sex workers and
4		drug users?
5	A	No, certainly not.
6	Q	No. It worked to their detriment, correct?
7	A	Uhm, I would agree with that, yes.
8	Q	And the net effect of that was that sometimes
9		missing women reports weren't even received,
10		correct? They weren't channelled through to the
11		Missing Persons Unit?
12	A	Well, I don't know if I could speak to that
13		specifically because I don't know. Again, if I
14		don't receive them, I don't know they're
15		forthcoming unless someone tells me they're coming
16		or, or they're going to Sandy Cameron, the clerk.
17		So, I'm, I'm really not sure. If you, if you
18		could direct me to something that indicates that,
19		I can speak to it.
20	Q	Well, I don't have enough time, actually, to refer
21		you to all the documents. So, if you just don't
22		remember, then you should say so.
23	A	Sure, or I will ask for a document.
24	Q	You don't remember a problem with Sandra Cameron
25		contacting 911 repeatedly, asking 911 to take

1		to, to refer calls in?
2	A	Again, you would have to point me to something
3		specific. I don't recall, in general terms,
4		anything like that.
5	Q	All right. You do remember specific problems with
6		Sandra Cameron though, correct?
7	A	Uh, with respect to?
8	Q	Well, okay. She was abusive, for example, to some
9		of the people who called in,
10	A	She
11	Q	either who were calling in to ask for updates
12		about their missing persons they had already
13		reported or people who were attempting to report
14		people missing?
15	A	Specifically, I, at the time, I was aware that,
16		just through sitting there, uhm, with her, I was
17		aware of, uhm, what I felt were often abusive
18		interactions that she had with, with people who I
19		interpreted to be members of the public. Uhm, I
20		did, you know, I was party to hearing racial
21		comments and what I felt were insensitive comments
22		to, to people trying to communicate information
23		about their loved ones.
24	Q	And specifically some of the missing women who
25		were in your portfolio of missing women?

1	A	There was one example that I'm aware of
2		specifically that I can relate, if you would like,
3		or not.
4	Q	Tanya Holyk's mother?
5	А	Yes, Dorothy Purcell.
6	Q	Yes.
7	А	Yes.
8	Q	And isn't it true that Sandra Cameron said, "Maybe
9		if you'd been a better mother, she wouldn't have
10		disappeared," or words to that effect?
11	A	Well, yes. And Mr. Commissioner, if I can just
12		provide some context around that. I wasn't
13		initially aware of that until Ms. Purcell came in
14		to meet me for an interview. Uhm, I was going
15		over some of those initial 17 or 20 files and
16		realized that I had not ever met Ms. Purcell and,
17		and I wanted to go over I wanted to introduce
18		myself, go over some different things in the file
19		with her, make sure that we weren't missing
20		anything.
21		So, I invited her into the police station to
22		meet with me, and she came upstairs to the third
23		floor where the Major Crime interview rooms are,
24		where I intended to interview her, and just as I
25		was walking past the Missing Persons office, I

said, "Oh, hang on. I am going to introduce you 1 2 to Sandra" --I, I have to, I have to cut you off here because I 3 Q 4 only have a short time to cross-examine you. 5 I appreciate that. It's just that I am really not А 6 comfortable answering that without giving some 7 context, if that's --All right. Mr. Commissioner, this is going to --8 MR. GRATL: 9 this might well be a problem in terms of my time limitation. 10 11 THE COMMISSIONER: Well, let her answer the question first. MR. GRATL: 12 Okay. 13 Go ahead, please. Q Briefly, I wanted to introduce her to Sandy 14 Α 15 Cameron because I assumed that they had had some contact. I brought her into the office, made the 16 17 introduction and Dorothy just, she went white, basically just blanched. Sandy looked very 18 19 uncomfortable. They didn't shake hands. I mean, 20 it was very clear to me that there was a problem. So, I escorted Ms. Purcell out of the room. 21 22 She had already started to cry. I brought her 23 into an interview room and, you know, I apologized and said, "I had no idea. Is there a problem?" 24 25 She said, "That woman is just awful. She's

1		awful." And I said, "Why?" And she said that
2		you know, "She had related to me on the phone
3		several times that if I had been a better mother,
4		Tanya wouldn't be missing," and that's, that's how
5		I came to understand that.
6	Q	All right. There was also a problem with Sandra
7		Gagnon, correct?
8	A	I believe so, yes.
9	Q	Did Sandra Gagnon complain to you how about she
10		was treated
11	A	She did.
12	Q	by Ms. Cameron?
13	A	She did.
14	Q	And what were the specifics of that, quickly?
15	A	I can't recall the specifics of it, but I do
16		remember Sandra being very sorry, Gagnon being
17		very forthcoming with me, that she had tried to
18		communicate information about Janet Henry's file
19		and that, that she had difficulty doing that
20		through Ms. Cameron. I can't remember the
21		specifics of it.
22	Q	Sure. But generally, she complained about racist
23		treatment, correct?
24	A	I believe it was something like that, yes.
25	Q	All right. And aside from that, you acknowledged

that to Deputy Chief Evans and Inspector LePard, 1 2 that there were a number of racist comments that 3 you overheard from Sandra Cameron directly? 4 The ones that I heard myself were with respect to А 5 things -- one particular phone call I had heard 6 her fairly shouting into the phone, "This is 7 Canada, speak English," that kind of thing and hanging up the phone. And yes, and at that time, 8 I, I said to her that I felt that that was 9 inappropriate. I said, "You can't, you can't 10 11 speak to people like that." And I had an interesting relationship with 12 Sandy where I felt like I could tell her these 13 things. I said, "You know, you just can't, you 14 15 can't talk to people like that." "Oh" -- she didn't seem to think anything of it. But that's, 16

18 Q And when you say "interesting relationship," you 19 sort of talked to her like a friend and said, "You 20 know, that's not right. You shouldn't be doing 21 that"?

that's the specific incident I am speaking of.

17

A I tried to take an approach with her as, you know, I think, I think people, you know, are the product of many things and, and I, I felt like she just needed to be educated on the fact that, uhm, that

1		wasn't appropriate. And that, you know, I am
2		sitting 5 feet away from her and listening to that
3		and I am not going to sit there and, and, and
4		allow I certainly don't want to hear that kind
5		of talk, and I feel it's a reflection on our
6		office and a reflection on the VPD if she is
7		speaking to people like that. So, I took what I
8		kind of viewed as a bit of a little sister/big
9		sister approach and just said, "You really, you
10		can't have those kinds of conversations with
11		people."
12	Q	You didn't take an approach, as a public employee,
13		reporting abusive, racist behaviour
14	A	I didn't report specifically
15	Q	through official channels?
16	A	My answer to that is that I spoke to Sergeant
17		Field on several occasions about, about concerns
18		that I had with Ms. Cameron.
19	Q	And what did Sergeant Field say? Did she say,
20		"Don't worry about it?"
21	A	No. She said that I know that she was working
22		at the time and a little bit later on, later on
23		from my initial assignment to that section, that
24		she was actually working on a rewrite of the job
25		description for Ms. Cameron's position, with an

1		eye, through some of my recommendations, with an
2		eye to pull back some of her responsibilities.
3		Uhm, there were a number of problems in the way
4		the office was run, that some were, in my view,
5		exacerbated by Ms. Cameron's personality, and some
6		of them I think were, were not her fault and were
7		purely by virtue of the lack of oversight and
8		management in that office and, and a lack of, uhm,
9		a permanent detective in there
10	Q	So, you never
11	A	who was assigned.
12	Q	So, you never put anything down in writing about
13		Ms. Cameron's abusive, racist conduct?
14	A	No, not that I recall.
15	Q	And you never saw anything in writing from
16		Sergeant Field either?
17	A	Uh, eventually there was policy crafted around,
18		uhm nothing specific about how interactions
19		should be conducted, but about the kinds of
20		information and the kinds of responsibilities that
21		that position would, would, would maintain.
22	Q	All right. There were you have described that
23		Ms. Cameron was selective about who she would take
24		reports from, including that she wouldn't take
25		reports from friends of missing women from the

Uh, I don't -- she was selective. In, in my 2 Α 3 example where I came to have that information, was 4 she had a very warm relationship with Mr. Herb 5 Williams, who I believe was Olivia Williams' 6 father, and I believe to be a First Nations 7 person. So, when I am starting to think that she's a racist, then I am seeing that she's having 8 9 what I would characterize to be a very helpful relationship with an aboriginal man, it's a little 10 11 -- it was a little inconsistent. It was a little hard to understand, but. . . 12 13 Okay. So, sometimes she was racist and sometimes Q 14 not? 15 Apparently so. А 16 Q Okay. So, there was a -- you specifically 17 indicated that Ms. Cameron was selective about who she would take reports from, and specifically said 18 19 that she didn't take reports from friends in the 20 Downtown Eastside, so that you thought that there was a policy that only families could report 21 22 somebody missing; isn't that right? You would have to -- I, I don't recall that. 23 А You don't recall that? 24 Q 25 А No.

Downtown Eastside, correct?

1

All right. I'll look for that on the break. 1 Q 2 Thank you. Α I take it you acknowledge that there is nothing in 3 Q 4 the current -- there was nothing in the policy of 5 the day that indicated whether or not reports 6 should be taken from friends as opposed to, to --7 No, I seem to recall that that was one of the А things that came up in retired Sergeant Schouten's 8 9 audit of the Missing Persons Section. I stand to be corrected on that, but that was my 10 11 understanding. 12 There were a number of problems, I will 13 acknowledge, you know, with you, that there were a 14 number of problems as far as some inconsistency of, of the way people were being treated, 15 16 absolutely. 17 Sure. And I'm just trying to get to how that Q might negatively or adversely affect sex workers 18 19 or drug users, because I guess some of them 20 wouldn't have family within the Downtown Eastside. Yeah, I, I would venture to say a lot, a lot of 21 А 22 them didn't, yes. So, they would only have friends. It would only 23 Q 24 be friends who could report them missing? 25 Yes, that's very much a part of that community I А

1		would say, yes.
2	Q	And so if friends weren't allowed to report them
3		missing, then effectively nobody could report them
4		missing?
5	A	Yes, it was a problem.
6	Q	And from the point of view of the Missing Persons
7		office, those people wouldn't exist?
8	A	Yes.
9	Q	Now, Ms. Cameron, at some point, you decided that
10		there was a problem with Ms. Cameron dealing with
11		families and a problem with Ms. Cameron
12		exclusively deciding whether a file was a problem
13		file?
14	A	I, when I first started in there, I took
15		ownership. I, I sat down with her and said, "From
16		now on" because what was happening, there was
17		a, there was a mailbox outside the door, and
18		missing it was all paper at that time. So,
19		missing persons reports that would come from the
20		Communications Centre would be dropped in this
21		mail slot, and then in the morning, Sandra would
22		take them out and start looking through them.
23		So, one of the first things I did when I
24		started in there, I said to her, "You know, I am
25		not trying to step on your toes, but from now on,

I am the first point of contact. I want to look 1 2 through this pile and I will decide what I think 3 fits, fits or doesn't fit, and you can look at the 4 rest. And obviously in the course of your day, if 5 you see anything that, that you think fits this, 6 this victimology, then you will pass it on to me." 7 And I, it was my impression that she was onboard with this, and that, that she was alive to, to any 8 9 new file that would come in that would fit our 10 profile. 11 And occasionally she would describe herself as an Q inspector, a police inspector on the phone; is 12 13 that correct?

I don't ever recall her saying "inspector", but 14 Α 15 she would answer the phone, "Detective office," that's how she answered the phone. And I did hear 16 17 her on a couple of different occasions use the words, "we as police officers," and I called her 18 on that and said, "You know, Sandy, that, to me, 19 20 gives the impression that, that people think you are a police officer." And I said, "You may not 21 22 want that responsibility and that, and that person may be thinking, they're thinking they're talking 23 to a police officer when they're not." And she 24 25 sort of, sort of dismissed that. She didn't think

1		that would be a problem. She didn't think anyone
2		would think she was a police officer, but I had to
3		disagree.
4	Q	I take it, you are attuned to discrimination
5		issues?
6	A	I would hope so, yes.
7	Q	And you must have found it really hard to work
8		with Sandra Cameron if she was abusive and made
9		racist, racist comments like that?
10	A	It had its challenges, certainly.
11	Q	So, it made it more difficult to work in that
12		office?
13	A	It was, uhm you know, as I testified to you
14		earlier, I worked, I worked with a number of very,
15		very challenging people in my career, and, and
16		certainly she was, she was challenging.
17	Q	All right. So, it was just one I am not saying
18		it made you call in sick. I am just saying it
19		would have made it a more difficult environment to
20		work in?
21	A	You know, and yeah, quite the opposite, the
22		calling in sick. It actually made me feel very
23		attuned to the fact that I needed to be very on
24		top of what was going on in that office, uhm,
25		because I felt like there were cracks that things

1		could fall into.
2		You know, there was a drawer full of dental
3		moulds that I opened one day, and these are dental
4		records from missing people and none of them are
5		labeled. These are mismatched dental moulds.
6	Q	And
7	A	I was well aware there was a problem there.
8	Q	And in fact, you never got a computer in the
9		Missing Persons Unit until May of 1999?
10	A	No, that's not correct. No, I, I started in there
11		at the end of July of '98, and I believe I had a
12		computer within, I am guessing, but before
13		September of '98.
14	Q	All right.
15	A	It was probably three, four, five weeks. I can't
16		remember exactly.
17	Q	Okay. Detective Constables Fell and Wolthers
18		showed up, correct?
19	A	Eventually, in July of '99.
20	Q	July of 1999?
21	A	Yes.
22	Q	You described their conduct as "super racist,
23		sexist and homophobic," isn't that correct?
24	A	Yes.
25	Q	Okay. And you have said that it was so bad, that

1		you had a difficulty working with them?
2	A	At times, yes.
3	Q	And so that interfered with your working
4		relationship? It undermined the cohesion of the
5		investigative team?
6	А	Well, as I testified earlier, it, it was a
7		combination of, of the creation of a climate that
8		was uncomfortable, as well as the creation of a
9		lot of additional work for me in terms of now
10		having to monitor and police the police. So, yes,
11		it was difficult.
12	Q	And it interfered with the investigation?
13	А	Absolutely.
14	Q	And it was so bad with, I think it was Wolthers in
15		particular, that you considered making a
16		harassment complaint against him?
17	А	I did at one point. I wasn't really serious about
18		it, but I was looking for some kind of mechanism I
19		think at that point to, to have him looked at as,
20		as someone very difficult to be around.
21	Q	And, and to be fair, Sergeant Field suggested to
22		you that you should really consider making that
23		complaint, but you just decided against it at the
24		end of the day?
25	A	You know, I did. And my thought around that was,

again, that's one more thing that takes my energy 1 2 and time away from this file. And I didn't feel 3 like the personal issues between myself and 4 Detective Wolthers, and to some degree Fell, were 5 nearly as important to me as, as seeing this 6 investigation move forward. 7 And, you know, honestly, I really didn't want to enter into a harassment complaint. I don't 8 9 think -- my partner at home did a thesis on, you know, the satisfaction that people who put, put in 10 11 workplace harassment complaints enjoy, and it's, it's, it's really not a role that anybody wants to 12 13 be in unless they really have no choice.

Q I, you know, and I appreciate that.

15 Fell and Wolthers, one of the things you
16 spoke about was their use of the word "whores"?
17 A Yes.

18 Q You found that offensive?

14

19AI did. I, you know, I know that, at that time,20words, terms like "prostitutes" and "hookers" were21used, and, and for that, obviously I apologize as22we sit here in 2012. But at the time, no one23using them thought those words were offensive.24Having said that, the word "whore" I found25offensive. I, to me, just thought it was, it was

not a descriptive term about what somebody was. 1 It was just a, it was a slang, derogatory term and 2 3 I wasn't -- and both myself and Detective Clarke 4 were, were -- would be verbal and vocal in saying, 5 you know, "Don't use that word." And, and, interestingly, they, they never used that word 6 7 when Sergeant Field was in the room. You fielded some complaints from sex workers that 8 Q 9 Fell and Wolthers were abusive towards them? 10 А I did. I, I had different women come up to me and 11 say -- they referred to them -- Detective Constable Fell used to work with another police 12 13 officer, and the two of them together were in Patrol. They were in my, actually my Patrol Squad 14 15 when I first came on the job. And many of the women referred to them as Laurel and Hardy at that 16 17 time. So, when I would sometimes be talking with 18 sex workers, and I remember, in doing the 19 20 questionnaire, one of them had said to me, "Oh, do you remember that guy from Laurel and Hardy," and 21 22 I said, "Yeah." And she said, "Well, he's, he's, he's such a jerk and he doesn't, he doesn't really 23

24 25

167

care about us. He's just -- all he's about is, is

trying to, trying to catch drug dealers." I think

that was with respect to his previous work. "He 1 2 just wants to catch drug dealers. He doesn't care about us." 3 4 It's just -- I didn't get a sense that they 5 had -- that Detective Constable Fell and Wolthers had this great sort of informant police 6 7 relationship with any of the women that they, that they seemed to indicate they had was --8 9 Q Now ---- was my impression. 10 А 11 Indeed, you've described that in internal Q correspondence as abusive relationships? 12 13 I may have, yes. А 14 And you still agree with that characterization? 0 15 You would have to point that to me. I just --А it's not ringing any bells as far as me actually 16 17 -- of them having abusive relationships with sex workers; is that what you are saying? 18 19 Yeah, sure. They wrote to the, they wrote to the Q 20 Chief Constable at some point in May in 2000 --21 Yes. А 22 Q -- saying that they, they really care about sex 23 workers and they want to continue catching people who were attacking them. And you wrote a 24 25 responsive --

1	Ż	A When I said they're clearly not the friends that
2		they pretend to be? Is that
3	() Yes, that's exactly what I
4	Ĩ	A Yes, and that's true. I don't recall me saying
5		they had an abusive rela that's, those are not
6		words, I don't that I think I used. I would
7		have to have a look at that.
8	() All right. Well, that document will speak for
9		itself. Aside from that,
10	7	A Could you, could you just direct me to that
11		document please?
12	() No, it will speak for itself.
13	MR. CROSS	IN: Well, that's not, that's not sufficient. If this
14		counsel puts a suggestion to this witness that she
15		said something in a document, time aside,
16	THE COMMIS	SSIONER: I agree.
17	MR. CROSS	N: it's completely inappropriate to leave it like
18		that.
19	THE COMMIS	SSIONER: I agree with you. Go ahead and refer to the
20		document.
21	THE WITNES	SS: I'll need to be directed there.
22	MR. GRATL	I'm not sure in the Project Amelia it's binder
23		2, tab 74.
24	MS. BROOKS	S: Yes, it's at page 157, tab 4, Exhibit 93, or
25		sorry, 83(NR). It's at the top of

1 THE WITNESS: I have it here. 2 MR. GRATL: 3 Do you have that there? So, there, I'll just read Q 4 -- it says: 5 In paragraph two, Det/Csts Fell and Wolthers discussed their interest in the sex trade 6 7 workers of the Downtown Eastside. In 8 reality, I've had to defend them to sex 9 trade workers I have dealt with because they're clearly not the friends of the 10 11 working women they pretend to be. Every member of the review team has heard Fell and 12 Wolthers refer to our victims as "whores" and 13 "fucking whores" in the past year. I believe 14 their actions have proven that Fell and 15 Wolthers are only interested in whatever 16 17 glory they perceive waiting should they find a killer. 18 19 And, and then on it goes. 20 Yes, I just want to acknowledge, I don't think I А ever intimated they had abusive relationships with 21 22 sex workers. 23 All right. Uhm, Deputy Chief Unger, you indicated Ο 24 that you heard that he described sex workers and 25 the missing women as "just a bunch of fucking

1		hookers"; is that right?
2	А	I heard something thirdhand from a meeting,
3		something "fucking hookers," that that's who
4		what they were. That's my recollection of that
5		now.
6	Q	Just reading here from your interview with
7		Inspector LePard. It says:
8		I would hear that certain managers like
9		Unger, I was told, would say they were just a
10		bunch of fucking hookers.
11	А	Yeah, I accept that. That was from 2002, so my
12		memory is not great. But if, if that's what that
13		says, that's correct.
14	Q	Then, in addition, you indicated that it was your
15		perception that Unger and Deputy Chief McGuinness
16		considered that whatever investigation was being
17		done of the missing women was essentially a favour
18		to the women.
19	A	Uhm, that was my impression at the time, yes.
20	Q	I will just read it, and you can confirm whether
21		you recognize these words.
22		I think I failed to understand throughout
23		the process that there was an attitude from
24		McGuinness and Unger that, whatever we were
25		doing was a favour to the women,

That was an impression I had, yes. 1 А 2 -- nice to do, because we were not obliged to Q 3 do anything, because we didn't have evidence 4 that we had a killer. 5 That was my impression, yes. Α 6 You also said that, overall, your perception was Q 7 that, on a systematic (sic) level, the, the overall disposition was that, if the VPD just 8 9 ignores the problems for long enough, they will go 10 away. I believe my -- if I can just give a little 11 А context to that, Mr. Commissioner. My thoughts 12 around that were that, in my view, I was being 13 14 assigned to, to try to get to the bottom of the 15 problem and -- but I couldn't help getting the impression that, you know, given the resources I 16 17 wasn't being given, uhm, that there was a certain amount of, uhm, lack of will, I guess. I don't 18 19 think there were any, there was any deliberate 20 malice on anyone's part, but I don't feel that anyone was prepared to move this forward. And it 21 22 seemed as though there was -- I had the impression 23 that, as long as, people thought as long as I was managing this investigation, it was just humming 24 25 along nicely, but I don't think there was any

1		expectation that we were actually going to make a
2		lot of headway. So, that's, that was the context
3		around that statement.
4	Q	What I am reading here in this, in this LePard
5		interview, the third one, was your statement that
6		what you encountered the most was just denial,
7		that if we just ignore it long enough and look
8		like we're doing something, it will go away?
9	A	That was my view, yes.
10	Q	That was your impression that, what was imperative
11		is to look like you were doing something, rather
12		than to actually do something?
13	A	I think that implies a level of consciousness
14		around it that I don't think existed, but that,
15		that was certainly my impression at the time.
16	Q	Okay. Now, the first tip you received when you
17		arrived at the Missing Persons Unit was what you
18		described as the "hoax tip"?
19	A	That's correct.
20	Q	And, and you got information at some point that
21		the, the phone call was made from the Harbour
22		Centre, or Harbour Light Centre, with a Pink Floyd
23		song playing in the background and it was
24		attributed to somebody named "Jay"?
25	А	That's correct. But I thought, and I stand to be

1		corrected, I thought it was the Beacon Hotel.
2	Q	Okay. It could have been the Beacon Hotel?
3	A	It could well have been. That's my memory of it,
4		but again, I stand to be corrected on that.
5	Q	I take it
6	A	It's a while ago.
7	Q	I take it you never tracked this Jay fellow down?
8	A	No, I absolutely did. I interviewed him at, I
9		believe, either Agassiz or Kent Institution. I
10		would have to, I would have to be directed to a
11		document there, but I, I did extensive work on
12		him.
13	Q	I had, I had a note from your interview with Odd
14		Squad member, Toby Hinton, in September of 1999,
15		that you had yet to close that hoax tip issue.
16	A	That's probably correct. Again, I would have to
17		sort of revisit the chronology there. But if, if
18		that's what I had said at that point, that's,
19		that's true. I can't remember exactly when both
20		I interviewed the person you are referring to
21		as "Jay", and at that time, he didn't I
22		actually didn't, at that time, think he was the
23		voice in the tape. I was interviewing him,
24		because he was a former boyfriend of Sarah de
25		Vries. And so, as part of my work in finishing up

the work on, on Sarah's individual file, I tracked 1 2 him down. I believe Al Howlett and I went to, 3 again, I can't remember if it was Mission 4 Institution, Kent or Agassiz, one of the 5 institutions, and I interviewed him there with 6 respect to Sarah. And then, at the time, he had 7 indicated to me that he had a little, somewhat of a contentious relationship with Wayne Leng, who 8 9 was another of Sarah's acquaintances. 10 Then, later, when I was looking -- I had been 11 walking actually around the Downtown Eastside a little bit on my lunch break, and Sylvia Skakum, 12 13 who is a woman, the woman who had allegedly seen 14 Sarah de Vries last, she -- I was looking for her. 15 And then I spoke to another woman on a corner and asked if she knew Sylvia, because this was where I 16 17 knew Sylvia to be working, and that woman said, "Well, I don't, but" -- and I said, "Well, I am 18 working on the missing women," and I gave her a 19 20 card and then she said to me, "Well, I need to tell you something," and I said, "Okay." And then 21 she said, "I" --22 Can I interrupt you there? 23 Q 24 I think --Α

25 Q Because I don't want to --

I would like to continue. 1 А 2 -- belabour this point. Q 3 I would like to continue, if I could. You have А 4 started the question. 5 Uhm, she then said to me, "I don't want to 6 give my name, but I was there when that, when that 7 message was put on that phone line." And so, you know, obviously, I was all ears, and I said, 8 9 "Well, what happened?" And she explained to me 10 who it was. She was with this person, Jay, and 11 that he had made this call and she said, "He wanted to wind up someone named Wayne." I asked 12 13 her again for her name and she said, "I don't want to give my name." She was very afraid of Jay. 14 15 And so I left it at that. I was satisfied that 16 she was telling the truth and that's how I came to 17 know that. And I would just ask you to confine your answers 18 Q 19 to the questions asked. 20 The Hiscox tip, when it first came in, it got lost for seven days? 21 22 I believe so, yes. А How could it get lost? 23 Q I don't recall. 24 Α 25 Did you bother tracking that down? Because it Ο

1		could have reflected a systemic problem.
2	A	No, I didn't. I had other things to do. I don't
3		think once I found out, I thought, let's move
4		on. I wasn't going to spend time finding out what
5		happened, when it was lost.
6	Q	So, there might have been a problem with incoming
7		tip communications, but you are not sure?
8	A	I, I'm not sure.
9	Q	Okay. When the Hiscox tip came to your desk, you
10		didn't open up the informant file?
11	A	I don't believe that we, and I could be wrong, but
12		I don't believe there was any sort of formal
13		informant file to be opened. I began a lot of
14		contact as soon as I started dealing with Mr.
15		Hiscox.
16	Q	Because what I seem to have is an indication that
17		your contact with Hiscox was noted in handwriting
18		in the Sarah de Vries investigative log.
19	A	That's probably correct, yes.
20	Q	Probably because the tip came through Wayne Leng
21		first?
22	A	Well, and also because the information in the tip
23		indicated that this person killed Sarah. So, I
24		was, I was, I was documenting it in, in the de
25		Vries file.

1	Q	You are sure about that, that the information from
2		Bill Hiscox indicated that Pickton killed Sarah?
3	A	When I listened to the tape, because he had a
4		conversation with, with Wayne Leng, that was
5		mentioned on the tape.
6	Q	All right. So, I take it what you have got here
7		is, is you have got somebody who calls into the
8		police station, through Crime Stoppers, has
9		contacted you and is saying that there is a,
10		there's been a homicide?
11	A	I suppose, yes.
12	Q	All right. In fact, more than that. Multiple
13		homicides?
14	A	Well, the, the way I perceived the information was
15		that this was someone responsible for these women,
16		and that there was the possibility, through third-
17		hand information, that, that the effects of these
18		women had been found, personal effects.
19	Q	Hiscox says Pickton killed Sarah de Vries and
20		others?
21	A	Yes.
22	Q	And you quickly corroborate some of his
23		information, correct?
24	A	Over time, yes.
25	Q	It's detailed, and some of it's corroborated very

1		quickly?
2	A	Corroborated, I am not sure what you mean by that.
3	Q	Well, you find other sources of information that
4		match up with the information provided by the
5		informant?
6	А	You would have to direct me to those other sources
7		of information. I am not exactly sure.
8	Q	Well, that there is a farm, correct?
9	А	Sure. I wouldn't say that corroborated the
10		information.
11	Q	There is a fellow that's named "Willie" who lives
12		on the farm?
13	A	Sure, yes.
14	Q	And that there was a criminal charge for attempted
15		murder
16	А	Yes.
17	Q	and a knife fight, Correct?
18	A	Yes. I just wanted to know what you were
19		referring to there.
20	Q	Okay. Well, a lot of that information that he
21		provides is corroborated? It's detailed and it's
22		corroborated?
23	А	That's correct.
24	Q	Those are two of the key hallmarks for reliability
25		of information from an informant of unknown

1			reliability?
2	A	ł	Sure.
3	Q	2	So, you get what you considered to be reliable
4			information of a homicide, of multiple homicides?
5	A	ł	I felt the information was reliable, but it was
6			still thirdhand. So, that was definitely a
7			stumbling block at that point.
8	Q	2	And you are a junior investigator?
9	A	A	Yes.
10	Q	2	You don't have experience with homicide?
11	A	A	No.
12	Q	2	Haven't taken homicide training?
13	A	ł	No, other than some, some conferences listening to
14			other detectives talk about their cases.
15	Q	2	Homicide is a specialized area of investigation?
16	A	ł	Absolutely.
17	Q	2	And in fact, there is a the Homicide Squad is
18			down the hall from you?
19	A	ł	Yes.
20	Q	2	I take it you didn't take this information down
21			the hall to a homicide detective?
22	A	ł	No, I absolutely did.
23	Q	2	Which detective did you talk to?
24	A	ł	I spoke to several detectives about it and I spoke
25			to Sergeant Field.

1	Q	Who at the Homicide
2	A	Rick Crook, Chris Fielding, Steve Pranzl, Dave
3		Aitken.
4	Q	I just want to get these names down.
5	А	Sure.
6	Q	These are people you talked to about the Hiscox
7		information?
8	A	Absolutely.
9	Q	Shortly after receiving it in August of 1998?
10	А	Yes.
11	Q	Okay. So, they are?
12	A	Rick Crook.
13	Q	Rick Crook?
14	A	Steve Pranzl.
15	Q	Was that with a K?
16	A	Pranzl, P-r-a-n-z-l.
17	Q	Yes? And?
18	A	Chris Fielding.
19	Q	Yes?
20	A	Dave Aitken, A-i-t-k-e-n.
21	Q	Uh-huh?
22	А	And, and for the express purpose of, you know, I
23		asked them, "Do I have enough for a warrant here?"
24		That was because I, I didn't think I did but I
25		certainly would defer to their expertise.

1	Q	And, and what did, what did Rick Crook tell you
2		about whether you had enough for a warrant?
3	A	I don't recall what anyone specifically told me
4		but I, you know, I had conversations with them,
5		and nobody thought that I had enough for a warrant
6		at that point.
7	Q	Well, obviously your log with Hiscox is typed out;
8		isn't that right?
9	А	Yes, my log is. Sorry, I am thinking that the
10		Sarah de Vries case file was handwritten and my
11		log is typed.
12	Q	Yes. And so you wouldn't have opened up the
13		Hiscox file, the Hiscox log, until you had a
14		computer?
15	A	No, I don't believe so.
16	Q	And so, that wouldn't have happened until maybe
17		September or late August?
18	A	Yeah. Around that time, yes.
19	Q	After you had already had some conversations and
20		interviews with Hiscox?
21	A	I suppose so, yes.
22	Q	All right. So, where did you keep your notes of
23		your interviews with Hiscox and your contacts with
24		Hiscox?
25	А	I don't recall.

1	Q	And where did you keep your notes of your contacts
2		with these officers: Crook, Pranzl, Fielding,
3		Aitken?
4	А	I didn't make any notes when I spoke with them.
5	Q	Why didn't you make notes?
6	А	I was just in a mindset of bouncing this off of
7		them. There is a lot that goes on in policing
8		that is, uh, again, sort of a brainstorming
9		nature. There is a lot of that kind of give and
10		take of, of experience that's sort of on an
11		anecdotal basis where, where I wouldn't
12		necessarily document it.
13	Q	I am trying to understand. You are an officer who
14		has no experience with homicides
15	А	Hm-hmm.
16	Q	and you get information of an informant on a
17		homicide matter
18	А	Hm-hmm.
19	Q	and, and you don't take notes of what the
20		homicide detectives tell you to do?
21	A	No. To be clear, they didn't tell me to do
22		anything. I was, I was merely expressing what I
23		the information I had is, "Hey, you guys, I
24		have got this information, I have got this tip,"
25		in the same way that I, that I addressed Sergeant

1		Field with it. "I have got this tip, I've got
2		this source that I am trying to contact, and in
3		your view, views, would I have enough for a
4		warrant?" And they said, "Well, it's thirdhand,
5		there is no recency, we don't know" you know,
6		they said, "Check with your source. Find out if
7		your source knows from Lisa Yelds when she saw
8		this. You know, did she see this yesterday? Did
9		she see it last week? Did she see it two years
10		ago?" That, that was all communicated to me as
11		being very relevant in terms of our ability to get
12		a warrant.
13	Q	So, a number of these individuals Crook,
14		Pranzl, Fielding Aitken none of them said,
15		"Well, that's a homicide file, drop it off at the
16		Homicide Squad"?
17	A	No.
18	Q	They said, "You go ahead and investigate"?
19	A	"Pursue your source. Find see what you can
20		find out from your source."
21	Q	Okay. And similarly, you went to Sergeant Field
22		and said, "Well, I have got what looks like a
23		homicide file"?
24	A	I don't know if I would have even characterized it
25		at that point as a homicide file.

1	Q	How did you characterize how did you understand
2		it, in your mind, at that point?
3	A	I saw it as a source providing information on a
4		potential, on a potential homicide of one of my
5		missing women. That was, that was how it was
6		framed in my mind.
7	Q	Okay. So, I take it you hadn't considered the
8		protocol by the means of which a file ceases to be
9		a missing persons file and starts being a homicide
10		file?
11	A	I don't think I ever had any conscious
12		consideration of that, but uh, I think that would
13		be an area where I would have assumed that had I
14		when I posed this information to those
15		detectives and to Sergeant Field, that they
16		certainly would have, you know, that all of them
17		with 20-plus years of experience, would have said
18		to me, the seven-year member, "Oh, that's a
19		homicide file, pass it over," and that didn't
20		happen.
21	Q	And nobody even said, "Well, at least make sure
22		that you open up a separate file for that
23		particular fellow"?
24	A	Particular fellow did you say?
25	Q	Yeah. The particular target, the suspect.

1	A	That was something that Sergeant Field had said to
2		me, and Detective Howlett, they said, "Keep a log
3		of your contact with Mr. Hiscox."
4	Q	They didn't say, "Open up a new file for Robert
5		William Pickton, he is a homicide suspect"?
6	A	No.
7	Q	"He's, he's said to be a serial killer. You want
8		to open up a Pickton file"?
9	A	Well, at that point, in my, the training and, and
10		information I was receiving from Detective Howlett
11		was that, you know, you have a missing persons
12		file. Every bit of information relating to that
13		person goes in that file. And I understand where
14		you are going and I appreciate it, because I, you
15		know, obviously if I knew then, if I knew then
16		what I know now, that may have made sense.
17		At the time, my direction and, and the
18		information I was getting from, from colleagues
19		and my supervisor was that, to carry on in the
20		missing person file, which is what I did.
21	Q	All right. And you are saying Al Howlett, you
22		discussed this with Al Howlett too?
23	А	Yes, I did.
24	Q	And Howlett didn't say, "Well, you should open up
25		a separate file for Pickton"?

1	A	No.
2	Q	And you, "You should open up a separate file for
3		the informant"?
4	A	A log. That was, that was something that I was
5		supposed to do. My understanding of informant
6		handling was that I didn't want to have a file
7		with anything I didn't want to have to maintain
8		any information about my informant, other than
9		what's in the log, where his identity is kept,
10		kept secret, that I am not to be naming him at any
11		point.
12	Q	I put to you that your handwritten notes
13	A	Yes.
14	Q	in the de Vries file
15	A	Yes.
16	Q	dealing with Hiscox
17	A	Yes.
18	Q	carry on for months and months.
19	A	Yes.
20	Q	And you don't separate Hiscox out from the de
21		Vries file?
22	A	No.
23	Q	For months and months?
24	A	No, that's right.
25	Q	And it looks like, in your own investigative log,

1		which starts in 1999 with Amelia,
2	A	Yes.
3	Q	you have a reference in your investigative log
4		that you went back and typed up the Hiscox
5		material.
6	A	That could very well be, yes.
7	Q	Okay. So, you went back at some point and culled
8		out the Hiscox references in the Sarah de Vries
9		file and typed those up?
10	A	I don't recall what process I would have gone
11		through, actually.
12	Q	But that might have been the process?
13	A	It's certainly possible.
14	Q	All right. Because what we don't have is, we
15		don't have, for example, a witness statement from
16		Hiscox?
17	A	No.
18	Q	I mean, it's ordinary investigative practice.
19	A	Yes.
20	Q	You will appreciate this now, that when you have a
21		potential witness to a crime, you have the witness
22		come in, the officer you'd go with, and in the
23		usual cases, you would go out to find the witness
24		and you type up a statement or get them to
25		handwrite a statement and sign the statement and

1		date it?
2	A	Yes, I appreciate that. I don't think I was ever
3		in a place where, where I felt like Mr. Hiscox had
4		witnessed anything firsthand.
5	Q	All right. So, I take it though, you didn't have
6		him do any of those things? You didn't have him
7		sign a witness statement, for example?
8	A	I didn't consider him a witness at that point. I
9		considered him an informant.
10	Q	And you didn't, but you didn't have him sign a
11		statement of any kind?
12	A	No.
13	Q	Usually you'd do that in order to make sure that
14		the witness agrees with what you have put in your
15		own personal notes?
16	A	In another circumstance, if he was a witness, then
17		yes, I would.
18	Q	Just to make sure that you have the information
19		accurate, you would go and you'd write it down and
20		you would give it to the witness to sign, to read
21		over and sign for accuracy?
22	A	If he's a witness, yes.
23	Q	That never happened?
24	A	I didn't consider him a witness.
25	Q	It didn't happen with him as an informant?

1	A	I don't think, or I certainly didn't think at the
2		time, that that was something I would do with an
3		informant.
4	Q	But factually, there is no Hiscox statement
5		anywhere, is there?
6	А	No.
7	Q	All right.
8	A	No. Just the log, just to be clear.
9	Q	Sure. And then in terms of community context,
10		you've said that you were on the provincial
11		Prostitution Task Force for a while?
12	A	No. It was the Vancouver Police Prostitution Task
13		Force.
14	Q	Oh, okay.
15	A	Yes.
16	Q	And you made some contacts with sex workers?
17	A	Yes, I did.
18	Q	Did you keep a record of any contacts with those
19		sex workers?
20	A	I have notebooks from that time.
21	Q	Okay.
22	A	Just the early '90s.
23	Q	That was the early '90s?
24	A	Yes.
25	Q	I take it those sources weren't of any use for you

1		during the missing women investigation?
2	A	I didn't look at them. For some of my contacts,
3		knowing that I had had contact with some of those
4		women, but there was, there was nothing in there
5		of any value to me.
6	Q	Did you have any contact with PACE?
7	A	Not at the time, no. PACE is an organization that
8		I have come to, come to be familiar with more in
9		later years, but at the time, I, I honestly
10		couldn't even say if I was aware of their
11		existence.
12	Q	Okay. This was the Prostitution Alternatives
13		Counselling Education Society?
14	A	Yes.
15	Q	A sex workers advocacy organization on the
16		Downtown Eastside?
17	A	Yes. As I said, I am well aware of them now. I'm
18		just not, I'm not, I was not aware of them at the
19		time I worked on this investigation.
20	Q	Oh. How about John Lowman? Were you aware of
21		John Lowman?
22	A	You know, I had heard the names of various SFU
23		criminologists over the years, but I don't think I
24		became aware of his specific, the specific nature
25		of his work until after I worked on this file.

1	Q	All right. But you must have read his name in
2		some of the newspaper accounts of the missing
3		women?
4	A	I could well have, yes.
5	Q	Did you ever talk to him about victimology?
6	A	Not that I recall.
7	Q	How about the Vancouver Police Native Liaison
8		Society, Freda Ens and Morris Bates?
9	A	I, I had spoken to both Freda and Morris in the
10		past, yes.
11	Q	During the course of this investigation, did you
12		use them as resources?
13	A	I did, but it was, if I, if I am recalling
14		correctly, it was later on towards, into the
15		Amelia times. I wouldn't be able to say for sure.
16		I just don't remember. But I remember, I remember
17		specifically having, having discussions with
18		Morris, and I knew of Freda, but I spoke more with
19		Morris.
20	Q	Didn't you understand, even from the outset of
21		your arrival at the Missing Persons Unit, that the
22		Vancouver Police Native Liaison Society was a
23		place that was used as a portal by aboriginal
24		people to report friends and loved ones missing?
25	A	I was aware of that, but again, you have to

1		appreciate that I was doing so many different
2		things at that point. I would have loved to have
3		sought out all these resources and community,
4		pardon me, community sources of information. I
5		just really, by virtue of, I didn't have time at
6		that point. And I was hoping that, as I was going
7		to receive more resources, that I was going to be
8		able to, you know, myself or assign someone else
9		solely dedicated to that sort of function.
10		I was very aware, on a daily basis, of how
11		many areas and stones we needed to look under, but
12		I just simply didn't have time to look at that
13		point.
14	Q	All right. So, how about the Native Health
15		Society, the Vancouver Native Health Society?
16	A	Again, I'm aware of the existence, but I just, it
17		was just not something I was able to run out and,
18		and, and start investigating.
19	Q	I mean, at the time, there were only two community
20		clinics
21	A	Right.
22	Q	for aboriginal people and people who were
23		addicted to drugs or who had HIV, or required
24		intensive or regular health services in the
25		Downtown Eastside. One was the Native Health

1		Society, Vancouver Native Health Society, and the
2		other one was the Downtown Community Clinic. You
3		knew that, didn't you?
4	A	Well, if you are asking, was I aware of those
5		places as resources? Is that your question?
6	Q	Yes.
7	A	No. Honestly, I wasn't at that time.
8	Q	So, you never went in to check whether or not any
9		of these missing women had gone to those places
10		for health services?
11	A	No, I wasn't aware of them at the time.
12	Q	Okay. And did you know the name Lou Demerais?
13	A	It rings a bell, but I wouldn't be able to say.
14	Q	He's that First Nations guy who ran the Vancouver
15		Native Health Centre.
16	A	Okay.
17	Q	You, you don't know him as a resource?
18	A	I have just told you twice, I wasn't aware of
19		those organizations at the time. So, no, I
20		wouldn't have known to seek him out.
21	Q	Okay. Did you talk to Bonnie Fournier or Manny Cu
22		of DEYAS?
23	А	Yeah, if I recall correctly, I think Bonnie
24		Fournier was a street nurse. I, I'm not sure, but
25		I recall the name.

1	Q	In fact, she wasn't "a" street nurse. She was
2		"the" street nurse, wasn't she?
3	A	I believe, if you say so, she was. There were a
4		lot of people and a lot of organizations that I
5		was just very, very peripherally, if at all, aware
6		of. And it, all it did, if this helps at all, it
7		just heightened my awareness of all the different
8		areas that we needed to explore on a community
9		level, and, and, and maybe I will save you some
10		time, that was woefully inadequate.
11	Q	Okay. But I just want to go into some of the
12		detail here. The street nurse program was a
13		mobile van that drove around doing
14	А	Yes.
15	Q	a needle exchange for sex workers.
16	А	Yes.
17	Q	And they would have contact with sex workers and
18		they would give basically paramedic help,
19	A	Yes.
20	Q	services to sex workers?
21	A	Yes.
22	Q	On a nightly basis?
23	A	Yes.
24	Q	And so they knew the women intimately?
25	A	If I understand, if there is a question here, if I

1		understand what you are saying, you are wondering
2		why I wouldn't pursue that as an avenue of
3		investigation. What I am telling you is that,
4		that is, all of those community resources are
5		things that I would have very much loved to look
6		at, and I feel were vitally important to look at.
7		But I just, at that stage of the game, I didn't
8		have the resources to devote anyone, including
9		myself, to that.
10		I, I think there were times, with Dave
11		Dickson, where he, he had contacts with those
12		groups, but I very much relied on him. And what I
13		am saying to you is that it was an inadequate part
14		of our investigation.
15	Q	Okay. I take it then you didn't reach out to
16		Jamie Lee Hamilton either?
17	A	I had some dealings with her. I don't think I
18		reached out to her. I think we sort of, our paths
19		crossed at some point.
20	Q	Okay. And then there was VANDU, the Vancouver
21		Area Network of Drug Users?
22	A	Sorry, are you saying VANDU came to me at that
23		time or I am not understanding your question.
24	Q	Or did you reach out to them or did you have
25		dealings with them?

1 A No.

2	Q	They were running an, an illegal safe injection
3		site or two at the time.

- A Yes. Again, that would be one of the many community services that I would have, had I had the luxury of time and resources to explore in greater depth, I would have assigned people or a person to, to be liaising with those groups.
- 9 Q Okay. And part of the reason I ask is that, after 10 the working group dissolved, --

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11 A Yes.
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12 Q -- you were on your own?

As I think my testimony, I tried to allude to 13 А yesterday, I was always on my own. I don't really 14 15 think that the working group was anything other than a paper group of people with assignments, 16 17 other assignments, doing other kind of police work around. So, I didn't really feel, uh, that I had 18 19 had this team and, all of a sudden, I was back on 20 my own, because I don't really feel -- I didn't feel I ever had a team, if that helps at all. 21 22 Q I, I just want to leave that aside for a second. 23 But you were on your own there, correct? 24 Yes. А

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Did, and did you say it was Detective Axel

1		Brenner
2	A	Axel Hovbrender?
3	Q	Axel Hovbrender
4	A	Yes.
5	Q	told you to write everything down and to ask
6		for help, correct?
7	A	That's correct.
8	Q	But, in fact, you didn't write down a request for
9		more assistance until May of 1999?
10	A	That's correct.
11	Q	So, you went for months and months and months in a
12		context where you could have used assistance to
13		reach out to these community groups, but you
14		didn't say anything?
15	A	No. In hindsight, I would have.
16	Q	Well, why didn't you say anything to your
17		sergeant? Why didn't you say, "There is so many
18		things I could do here"?
19	A	Oh, I said that on a regular basis and she agreed
20		with me, and that's as far as it went. I didn't
21		make a formal request though until later.
22	Q	Okay. So, you didn't take Detective Axel
23		Hovbrender's advice to write everything down?
24	A	No, that's not correct. I, I wrote down
25		everything that I could write down, given the

1		amount of time I had, and the amount of assistance
2		I had, and the number of hours in a day that I
3		had.
4	Q	I mean, he's coming to you after the Working Group
5		saying, "ask for help and put it in writing,"
6		isn't that correct?
7	А	Yeah. Yes, he was.
8	Q	He's effectively suggesting to you that you're
9		being hung out to dry and you should paper the
10		trail; isn't that right?
11	А	Yeah, and I believe I tried.
12	Q	All right. And you didn't paper the trail in
13		respect of your requests for advice then?
14	А	No.
15	Q	Did you ask anybody, aside from Sergeant Field,
16		for resources between that period at the end of
17		September of '98 and May of 1999?
18	А	No.
19	Q	It was just Field and it was just orally?
20	А	I believe so.
21	Q	And what did Sergeant Field say in response to
22		your requests?
23	А	I don't know if I actually made requests per se.
24		More that we discussed the fact that, that what we
25		had, resource wise, was inadequate. But I believe

the thinking around that time was that there was 1 2 still investigation to be done in the individual 3 missing women's files and that, that before we looked at them, in their totality, even though I 4 5 was quite convinced they were related, there was still a lot of work to be done in each individual 6 7 file before we started to pull in all this kind of information that, that was bigger, if you will. 8

9 There was a lot of, you know, there were 10 people in the files where, you know, someone who, 11 who used to date one of the missing women, or, or 12 someone who had a violent relationship, those 13 kinds of things, and those were a lot of areas, 14 things that I still had to cross off on my to-do 15 list, if you will.

So, the impression and the direction I was 16 17 given at the time was, get all those things done so that each file, so there is not some glaring 18 omission in one of the files where, you know, 19 20 we've got a very, say, a very violent ex-partner in here who has threatened to kill this woman 10 21 22 times or something, make sure we've covered all those bases and then move forward into, into, into 23 24 the next step.

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It seems peculiar to me that you're saying that

	you had a lot of work to do to figure out whether
	or not these women could be located, on the one
	hand, but on the other hand, you are already
	engaged in an investigation of a suspected serial
	killer, Willie Pickton, with Corporal Connor.
A	Yes. That is the reality of this entire time.
Q	So, of course, you agreed that it was possible,
	maybe even to some extent likely, that there was a
	serial killer because you were investigating one
	already?
A	Yes.
Q	All right. So, it wasn't necessary to do all that
	work to figure out whether these women could be
	located?
A	I would have to disagree with that. I think that
	it was always necessary to do that work, and I
	think that speaks to my point. Had we had enough
	people and, you know, I take your point, yes, I
	probably should have asked for help at that point,
	really.
Q	Okay. So, then I just want you to look behind you
	at this chart, and you can see that the missing
	women are noted by the symbol for women in boxes,
	and they're centered according to month. And you
	can see that between September of 1998 and
	А Q Д Д

February of 1999, seven women go missing.

2 A Yes.

1

- Q Seven women go missing. I haven't seen any trace
 of any memo from you to anybody saying, "Wow,
 seven women have gone missing."
- 6 A Well, I think there are several memos where I, 7 where I go year by year of who is going missing. 8 And I indicated, and I definitely speak to, to a 9 spike in numbers in '98, '99, in that period.
- 10QBut here is why I say it, because it seemed as11though the first time this gets flagged to your12superiors, it seems to come from Detective13Inspector Rossmo, who is sitting in on your14Carnegie presentation.
- 15AYes, where I was, where I was laying out, year by16year. If you look at that memo, I, I detailed17year by year how many women are going missing.
- Q Sure. But he happens to be in attendance at your
 public Carnegie Centre presentation in, in
 February.
- A This wasn't a secret, and I'm not sure what you're, what you are getting at. I thought, you know, and I am reporting these numbers to Sergeant Field, and I am not -- I didn't realize I was toiling in anonymity at this point. I thought

1		that, by communicating those numbers up the chain,
2		that I was communicating those numbers. So, I am
3		not, I am not really understanding your question.
4	Q	Rossmo seems to be taken by surprise and Deputy
5		Chief McGuinness seems to be taken by surprise by
6		these numbers, which seem to reflect a very active
7		spike in the number of disappearances.
8	A	I can't speak to that, because I also, I wrote
9		that, acknowledging it was an active spike. So, I
10		can't speak to where it went up the chain of
11		command and why it didn't reach Deputy McGuinness
12		if that's the case.
13	Q	When was the first time you sent the memo to
14		Sergeant Field indicating that there was an
15		ongoing spike while you were at the Missing
16		Persons office?
17	A	I don't recall.
18	Q	I put it to you that you don't recall because
19		there is no such memo?
20	A	I would have to, I would have to look for that.
21		It's possible.
22	Q	Now, when a suspect is being investigated, it's
23		customary to develop a dossier with as much
24		information as possible on the suspect; is that
25		right?

1	А	Sure. Yes.
2		
	Q	Surely some of the detectives you spoke to at the
3		Homicide Squad must have said, "Well, here's what
4		you do if you have got a suspect of a homicide.
5		Figure out everything you can about that suspect."
6	A	Yes.
7	Q	Is that, in fact, what they said?
8	A	I knew that going in.
9	Q	Oh. Now, examples of information like that could
10		be names and aliases of that individual?
11	A	Possibly, yes.
12	Q	Associates?
13	A	Yes.
14	Q	Family members who were in trouble with the law?
15	A	Sure.
16	Q	And you would do a, conduct searches on the
17		various databases that are available to you, which
18		would have included, at the time, CPIC, correct?
19	A	Sure. Yes.
20	Q	PIRS, the Police Information Retrieval System?
21	A	Yes.
22	Q	Correct?
23	A	Yes.
24	Q	ViCLAS?
25	А	Yes.

1	Q	That's the Violent Crime Linkage System, mostly
2		sex offenders?
3	A	Yes.
4	Q	RMS, that's the retrieval management system
5	А	Yes.
6	Q	in-house VPD. And then offline CPIC searches
7		would be available to you as well?
8	A	Yes.
9	Q	And you would take all those things, print them
10		out and put them in a file and analyze them?
11	A	Yes.
12	Q	And you could check the Motor Vehicles' databases
13		for any vehicles registered to that individual?
14	A	Yes.
15	Q	Find out whether there are any companies or
16		businesses associated with that individual?
17	А	Yes.
18	Q	See whether those companies have any motor
19		vehicles associated with them?
20	А	Yes.
21	Q	That was never done in the case of Pickton by
22		yourself?
23	A	No.
24	Q	Why not?
25	A	I can't say. I just you know, I just think

1		that I was so overwhelmed by the amount of things
2		I had to do and I you know, really, probably,
3		had I turned my mind to, to that, it would have
4		been definitely helpful to have a victim have a
5		suspect file. Uhm, I certainly, you know, I
6		admitted yesterday that CPIC offline search was an
7		omission on my part, something that I wasn't,
8		wasn't, wasn't turning my mind to doing, and
9		certainly it would have been helpful and I, I
10		neglected to do that.
11	Q	The DEYAS bad date sheets recorded the licence
12		plates of the bad tricks, didn't they?
13	A	Yes, they did.
14	Q	And they were published in the form of a licence
15		plate that had one letter blacked out?
16	A	Hm-hmm.
17	Q	Isn't that right?
18	A	I believe so, yes.
19	Q	But those same licence plates were provided in
20		complete form to the police?
21	A	Yes.
22	Q	And so you could have cross-referenced the bad
23		date sheets with the, with the motor vehicle
24		licence plates registered to Mr. Pickton; isn't
25		that correct?

1	A	Mr. Commissioner, all of these things are very
2		valid and viable investigative techniques that
3		counsel is suggesting, and I could, could have
4		done all of those things. I, I am trying to
5		explain why they weren't done. Some of it was
6		inexperience and a lot of it was that I just
7		didn't have time to do all those things. I was
8		dealing with so many different things at the same
9		time.
10	Q	Well, and I appreciate you were overworked and
11		there are, on the face of it, a ton of things to
12		do.
13	A	Hm-hmm.
14	Q	You knew that there were that many things to do?
15	A	I did.
16	Q	Did you ever make a note to yourself about the
17		potential timelines for completing these projects,
18		like, a self-project management kind of
19		assessment?
20	A	No.
21	Q	Like, it's, "Wow, if I have to do all these things
22		myself, I am not going to be able to do them until
23		2012"?
24	А	No. It probably would have taken me extra days to
25		make to do my project management timeline that,

in my view, would have taken away from active 1 2 investigation that I was engaged in at the time. I take it from your answer, you'd agree that you 3 Q 4 didn't even have time really to zoom out and take 5 a big-picture look at what was happening with the 6 missing persons files? 7 I would disagree with that. I think that I was А always trying to zoom out and take a big-picture 8 9 look. You know, I was able to think about things at the same time I was doing other things, and I 10 11 was certainly trying to take a long view. And one of the things I was trying to take a long view of 12 is the Hiscox information, all the information 13 coming in from the, you know, the 1-800 tip, hoax 14 15 tip, all of the information on the individual victim files. So, I was trying to take a long 16 17 view on all of these things, at the same time as trying to complete all these other tasks in front 18 of me. 19 20 Some of the information retrieval systems, these Q databases, they're spelling sensitive, aren't 21 22 they? Uh, how do you mean? 23 А 24 Well, if you spell somebody's last name wrong, you Q 25 are not going to get the information out of the

1	system?

2	A	Oh, no, that's true. You need to, you need to put
3		within reason, they will give you usually
4		CPIC is a good example. If you put "Picton," you
5		know, "P-i-c-t-o-n," which was how it initially
6		was on the, I believe on the PIRS printout when I
7		saw it, then you will get your first hit that
8		you will get on CPIC will be anybody who is
9		P-i-c-t-o-n. Then it will you will see a
10		score, and it might be, you know, 34 out of 34.
11		So, you know that's, that's your person.
12		Your next hit might if there is another
13		person with a criminal record, Pickton,
14		P-i-c-k-t-o-n, you are going to get them next and
15		it's going to be a lower score. But it's got
16		their, it's got their first name and last name.
17		And so you would it happens all the time. You
18		will see, clearly, that there is someone who is
19		a lots of times people get entered and their names
20		are misspelled, but you still know that you have
21		got the right person there.
22	Q	So, with a good system like CPIC, you will get
23		some allowance for misspellings?
24	A	That's correct.
25	Q	But the Vancouver Police Department RMS system,

1		for example, didn't have that?
2	А	I can't speak specifically to, specifically to RMS
3		other than to tell you that all my experiences
4		with it were that it was extremely basic, a very
5		rudimentary system. So, that wouldn't surprise
6		me.
7	Q	How about ViCLAS and PIRS, did they make that
8		allowance for misspellings?
9	A	Uh, I honestly can't recall.
10	Q	Okay. So, I put it to you that William Robert
11		Pickton's surname is systematically misspelled
12		throughout the Vancouver Police Department file.
13		Up and to, and including November of 2000, his
14		name is rendered P-i-c-t-o-n?
15	A	That's correct.
16	Q	Can you tell me how it's possible that his surname
17		could be misspelled for that period of time?
18	A	I can't tell you exactly what it was, but my
19		initial, the first things that I saw with his
20		name, that's how it was spelled, and so that's how
21		I spelled it. I am actually a very good speller.
22		I am very attuned to issues of spelling, but that
23		was how I initially saw it. And there was some
24		debate among some of us working on it, and I think
25		I even had that conversation with Corporal Connor

1		at some point, is it P-i-c-k, is it P-i-c, and it
2		wasn't clarified for some time.
3	Q	Well, did you check the driver's licence database
4		for William Robert Pickton?
5	A	I don't recall doing that, no.
6	Q	That would have verified the spelling, wouldn't it
7		have?
8	A	Could well have, yes.
9	Q	I take it, was that never done?
10	A	I don't believe I ever did that, no.
11	Q	All right. And I take it that you can't say
12		whether that misspelling had any effect ultimately
13		on any computer searches that were conducted for
14		Pickton?
15	A	No, I am not aware that it did, but it's possible,
16		I suppose.
17	Q	In effect, it could have resulted in information
18		that you inputted into the system not being
19		accessible to other users of the system?
20	A	Again, the systems I'm aware of would have, would
21		have caught that. But I don't know.
22	Q	And you read the Victim '97 file that came to you
23		from the RCMP?
24	A	Yes.
25	Q	Did you check the information charging Pickton?

1		А	I read the file, yes.
2		Q	His name wasn't misspelled on that information,
3			was it?
4		А	I don't recall.
5	THE	COMMISSIC	NER: I think we will stop there, Mr. Gratl.
6	THE	REGISTRAR	: The hearing will now recess for 15 minutes.
7			(PROCEEDINGS ADJOURNED AT 3:03 P.M.)
8			(PROCEEDINGS RESUMED AT 3:17 P.M.)
9	THE	REGISTRAR	: Order. This hearing is now resumed.
10	THE	COMMISSIC	NER: Mr. Gratl.
11	MR.	GRATL: T	hank you, Mr. Commissioner.
12		Q	Detective Constable Shenher, if you could look
13			again at the chart behind you and take stock of
14			the date, January 2000. Could you mark that off
15			please? And after January 2000, there are a large
16			number of women who go missing. You can see in
17			March and April of 2000, there are two women who
18			go missing, and then and what are those dates
19			there?
20		A	These here?
21		Q	Yes.
22		A	Uh, December 2000, January 2001.
23		Q	Yes.
24		А	March, March '01.
25		Q	March '01?

1	A	Two in May, one in June.
2	Q	Two in May, one in June.
3	A	One in August.
4	Q	One in August.
5	A	Two in November, October and then January '02.
6	Q	Now, the women who went missing after January of
7		2000, but before November of 2001, did not get
8		added to the missing women list until November of
9		2001; isn't that true?
10	A	That's my understanding, yes.
11	Q	Now, it was Dan Dickhout who had conduct of the
12		missing women files during that period, correct?
13	А	That's correct.
14	Q	Why didn't he bring those files, those ones that
15		were within the Vancouver Police Department, why
16		didn't he bring those to the attention of the
17		Missing Women Review Team members within the
18		Vancouver Police Department, or otherwise Project
19		Evenhanded?
20	А	Well, Mr. Commissioner, if I can explain a little
21		context around that.
22	THE COMMISSI	ONER: Yes.
23	THE WITNESS:	When, when we, when we began with Project Amelia,
24		as I said earlier, we, we recognized the

sooner and be aware of them right away, because we felt that was, that was very important.

3 So, myself, Sergeant Field, Detective 4 Dickhout, uhm, probably the rest of our team, I 5 can't recall specifically, but we had conversations about how is that going to work, 6 7 what was that going to look like, who would take, who would take the initial look at those files, 8 9 and then at what point would we determine if they met, that they met our criteria. 10

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11 So, what we decided at the time, again, by virtue of the fact that in Amelia, we had so much 12 13 going on that, that we felt someone would, should take a preliminary look at those files, cover off 14 the initial bases, make sure we get to residences 15 in a timely way, that kind of thing, some of the 16 17 things we'd been previously criticized about, and make sure that we do a, a solid, initial 18 investigation. 19

20 Now, the idea of that was, and, and, and I 21 specifically recall communicating this, was that 22 while that would be happening within the Missing 23 Persons office, Sergeant Field and I wanted to be 24 informed of any file that came in that even had 25 the potential victim profile wise to meet, to meet

the same sort of, the same sort of victimology as, as our other existing files. And at the time, I believed that that was occurring in a, in an efficient and responsible way.

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Uhm, I know that Detective Dickhout consulted me. I know about the Jennifer Furminger file. I think, yes, Brenda Wolfe. And I recall even going out with Detective Dickhout to the Marr Hotel on one day to, I think to try and interview somebody who was associated to Jennifer Furminger, because he didn't have anyone to go with him.

So, I was, I was aware of those files. And 12 13 at the time, my understanding was that they would, that Detective Dickhout would go through them, 14 15 cover off all the bases, and then, at which time, if we hadn't found her, or we hadn't found a 16 17 clear-cut reason for her disappearance or person of interest specific to her, you know, a single-18 incident person that I was alluding to earlier 19 20 yesterday, then we would take over that file.

But they weren't mutually exclusive, or they weren't intended to be, insofar as it wasn't like, you work on this file, we don't need to know about it unless we decide to add that woman. The idea was, we were supposed to know about that file, any

1		details, that we would be working in concert, but
2		the active investigation would be done by the
3		Missing Persons office.
4	Q	You were responsible for the file transfer from
5		VPD to Evenhanded, correct?
6	А	Uh, I would say it was, it was Sergeant Field that
7		was responsible for that.
8	Q	You weren't responsible for it?
9	А	I dont, I, I didn't believe that I was responsible
10		for that, no.
11	Q	Were you assisting with that?
12	A	I was.
13	Q	Why weren't those missing persons files
14		transferred to Evenhanded so that Evenhanded could
15		know it was dealing with an active serial killer?
16	А	I really I don't know why. And I, I
17		acknowledge that it was, it was a problem. It
18		certainly became apparent it was a problem. It's
19		been revealed to have been a problem.
20	Q	Okay. And so that happened on your watch, but you
21		don't know why it happened?
22	А	That's correct.
23	Q	The Vancouver Police Department, generally, the
24		party line was they were opposed to a reward going
25		out, correct?

2 And your documents were in service of that party Q 3 line, the documents you prepared for the Attorney 4 General, correct? 5 You would have to be more specific with your А 6 question. I don't understand. 7 The April 9th, 1999 memo --Q 8 А Yes. 9 Q -- was in service of the party line, the Vancouver Police Department party line, which said it didn't 10 11 want a reward going out; isn't that correct? I can't see how it would be when the purpose of 12 А 13 that presentation was to, was to inform the 14 Attorney General so that he could make a decision 15 and allocate funds for a reward. The reward had already been approved at that point. We had gone 16 17 -- the VPD was not wild about adopting the reward. As I testified yesterday, I, I disagreed with that 18 19 stance. Uhm --20 You said you did an end run around your superiors Q by having Sarah de Vries -- or Maggie de Vries 21 22 advocate for a reward? Yes, that's right. That's correct. 23 А 24 So, you were defying your superiors, in effect? Q 25 Uh, I suppose you could, you could characterize it А

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Yes.

1		that way. That wasn't my intention. My intention
2		was to galvanize the families, let them know what
3		I felt would help, yes.
4	Q	Sergeant Field knew about that?
5	А	Uh, I think she did actually. I think that we had
6		a conversation that, that I, that I because I
7		think, if I am not mistaken, she, she did share my
8		view that a reward would certainly be something
9		that couldn't hurt, you know. If nothing ever
10		happened and we never paid it out, there is no
11		real loss other than the cost of the poster.
12	Q	You indicated to Deputy Chief Evans that there
13		were no other suspects until, aside from Pickton,
14		until Amelia was started; isn't that right?
15	A	That's correct. In terms of what I, what I
16		characterize as a suspect which, again, is someone
17		who, who I believe we have charges or evidence to,
18		to lay charges against.
19	Q	Okay.
20	A	I make the distinction between a suspect and a
21		person of interest.
22	Q	You didn't make that in your interview with Deputy
23		Chief Evans, did you?
24	А	Possibly not, no.
25	Q	You say "possibly not"? Didn't you tell

2 the police community, I would use suspect, pe	erson
3 of interest rather interchangeably, simply be	ecause
4 everyone else that I work with uses that fair	rly
5 interchangeably.	
6 Q Everybody else considers "suspect" and "perso	ons of
7 interest" to be a synonym?	
8 A I don't know, and that's my point. I can't s	speak
9 everyone, if you asked a lot of police of	ficers
10 what they think of those terms, I think you w	vould
11 get a lot of different answers.	
12 Q And you don't think it's incumbent upon you t	20
13 write unambiguous memos to the Attorney Gener	cal of
14 this province?	
15 A I feel it's vitally important that I write	
16 unambiguous memos to the Attorney General.	
17 Q Didn't you think that your superiors were so	rt of
18 setting you up by having you, a detective	
19 constable, a very inexperienced one, write a	
20 letter directly to the Attorney General?	
21 A I didn't think that at the time. I, I don't	still
22 characterize it quite so much as a conspiracy	. Ι ,
23 I see it more as another example of where no	one
24 really wanted to, to necessarily take a lead	on
25 this. There was no leadership on this file,	and I

1		was asked to do a task. I was essentially given
2		an order and that's what I did.
3	Q	Sure. But you had everybody at the Attorney
4		General's office there. You had all your
5		superiors. Field, Biddlecombe?
6	A	No, Field wasn't there.
7	Q	Biddlecombe?
8	A	No.
9	Q	McGuinness?
10	A	Yes.
11	Q	And the Chief Constable Chambers at the time?
12	A	No, he wasn't there. He says he was there, but he
13		wasn't actually there.
14	Q	So, it was just McGuinness?
15	A	That's it was McGuinness, Acting Inspector
16		Boyd, and then Gary Bass from the RCMP, and
17		myself.
18	Q	All right. And who gave you the order to prepare
19		that memo?
20	A	I believe it was Sergeant Field.
21	Q	All right. And
22	THE REGISTRA	R: Time, Mr. Gratl.
23	MR. GRATL: '	Thank you, Mr. Giles.
24	MS. BROOKS:	Next we have, just so you know, Mr. Roberts has
25		kindly agreed to switch with Ms. Gervais, so Mr.

1		Roberts is ready to go and
2	MR.	WARD: No, no
3	MR.	GRATL: Before I do that, before I sit down,
4		Mr. Commissioner, I would just like to put on the
5		record that I didn't have an opportunity to
6		cross-examine on the Piggy's Palace connection,
7		the investigation of Piggy's Palace or
8	THE	COMMISSIONER: Okay.
9	MR.	GRATL: the biker investigation, the investigation of
10		other persons of interest, the lack of training in
11		major case management, Ms. or Detective Constable
12		Shenher
13	THE	COMMISSIONER: Well, I think we've heard about that
14		already.
15	MR.	GRATL: Detective Constable Shenher's control of the
16		media line, which I don't think we heard about,
17	THE	COMMISSIONER: Yes.
18	MR.	GRATL: and the lack of assistance on SIUSS and
19	THE	COMMISSIONER: Sorry?
20	MR.	GRATL: The lack of assistance with civilian data entry
21		into the SIUSS system.
22	THE	COMMISSIONER: We a lot of that is in evidence in the
23		reports and you are free to argue that, and I will
24		give you an opportunity to do that.
25	MR.	GRATL: I just, I don't want to be seen to be complaining.

1		I just want to put it on the record
2	THE	COMMISSIONER: All right.
3	MR.	GRATL: that I didn't get the opportunity.
4	THE	COMMISSIONER: I appreciate that. Thank you. Yes, Mr.
5		Ward.
6	MR.	VERTLIEB: I was saying that Mr. Roberts kindly agreed to
7		go next and then Ms. Gervais.
8	THE	COMMISSIONER: Okay.
9	MR.	WARD: No, I'm afraid that's inaccurate. I had switched
10		places with Mr. Gratl. I'm next. I'm ready to
11		go.
12	THE	COMMISSIONER: Okay. All right.
13	CRO	SS-EXAMINATION BY MR. WARD:
14		Q And is it detective constable?
15		A That's correct.
16		Q Detective Constable Shenher, my name is Cameron
17		Ward. I represent the families of the following
18		murdered women: Dianne Rock, Georgina Papin,
19		Marnie Frey, Cynthia Feliks, Cara Ellis, Mona
20		Wilson, Helen Hallmark, Dawn Crey, Angela
21		Williams, Jacqueline Murdock, Brenda Wolfe, Andrea
22		Joesbury, Elsie Sebastian, Heather Bottomley,
23		Andrea Borhaven, Tiffany Drew, Angela Jardine,
24		Stephanie Lane, Tanya Holyk, Olivia Williams,
25		Debra Jones, Janet Henry, Maria Laliberte, Sereena

1		Abotsway and Diana Melnick. You knew many of
2		those women, correct?
3	A	Yes, I did.
4	Q	You said you received the sage advice from Axel
5		Hovbrender to document everything. Did you follow
6		that advice?
7	A	I tried, to the best of my ability, to do that,
8		yes.
9	Q	It must have really been second nature to you
10		anyway, because you were a journalist before you
11		became a police officer, correct?
12	A	That's correct.
13	Q	And of course, the Vancouver Police Department's
14		regulation and procedures manual required all
15		members to keep daily notes of their activities
16		while on duty, correct?
17	A	I believe so, yes.
18	Q	Where did you document everything?
19	A	I documented everything in a variety of places,
20		and it wasn't ideal. Uhm, I had individual victim
21		files, which is how I started the investigation.
22		And so at the front of each of those individual
23		files, there was a, like, a template case
24		investigation notes log. And so I would it was
25		placed in a made a notation of the date, a

place to, to provide a narrative and, and any, any
 other pertinent information.

3 I also kept notes, later in Amelia I would 4 keep notes specific to -- I created the tip file 5 system, and then each tip file had a physical paper file. So, there was all -- so, one place 6 7 where things were documented was in the tip log spreadsheet index, and then the credenza with all 8 the individual files. And then within that tip 9 file, each victim file had a tip file. And then I 10 would have to make a decision on different 11 information, whether it be its own tip or whether 12 13 it be incorporated into the victim file or, you know, how I should, I should keep that 14 15 information. So, you know, admittedly, there were documents in several areas. 16

17 Q Now, I want to ask you about the tip files 18 because, as I understand it, you kept the physical 19 file in a big credenza and it had an index listing 20 the tips by number, correct?

21 A That's correct.

22 Q And, for instance, if any of the women I missed, 23 or I, sorry, I listed a moment ago, were the 24 subject of a tip, they would be indexed and there 25 would be a paper file in respect of the

investigative efforts made in, in their cases? 1 Well, not entirely. Just, I just want to make 2 Α 3 sure that I understand what you are saying because it's not completely accurate. 4 5 Q All right. 6 Each victim's file was allocated a tip number, and А 7 again, I make the distinction between what a tip is. A tip, for the purpose of case management, is 8 a, essentially a piece of information. It doesn't 9 have to come necessarily from an individual. It 10 11 could come from, let's say, a file review that generates information, then, by virtue of its 12 veracity, might, might be given its own tip 13 number, depending on if it's going to be a lot of 14 15 information or if it should stand alone. So, each women's file was given a tip number 16 17 and that was -- the point of it, too, was that ultimately in SIUSS, we would be able to refer to 18 19 a tip number. But the -- so each file had a tip 20 number. And then anything new that was coming in, let's say on the Marnie Frey file, would be 21 22 documented on a tip, that template, and then go into that actual physical paper file. 23 I understand. You are aware that the RCMP uses a 24 Q 25 similar file management system?

1 А I was not. 2 All right. Well, tip really, we can use the word Q "tab" interchangeably, can't we? It's not a tip 3 4 at all? It's just a designation for a part of the 5 file. So, a tip or tab 1, 2, 3, 4, 5; is that 6 fair? 7 Not to quibble, but I don't -- that really wasn't А my understanding of, of the way, the way Sergeant 8 9 LePard at the time explained it, because he said it was, it was a piece of information potentially 10 11 requiring follow-up or, or potentially of relevance, however it may be relevant, would have 12 its own tip. But it wasn't -- many of them were 13 14 stand-alone. You know, they may have been a 15 person of interest that may have not been relevant to a particular file. So, it wouldn't have been 16 17 tabbed out by a particular file. But let's say it was a, a licence plate from the bad date sheet, so 18 it would have its own tip, but not necessarily be 19 20 a tab, if you will. All right. So, your investigative efforts were 21 Q 22 documented in this tip file, and in 2002, the physical file was transferred to the RCMP; do I 23 24 have that right? 25 I believe it went in, sometime in the early spring Α

- 2 Q Okay.
- 3 A It was after my, my time there.
- 4QAnd if I understood your evidence correctly, you5said you, yourself, made numerous written requests6to the RCMP for those files, or copies of them,7that you hadn't photocopied them before they were8transferred, and you found it very frustrating9that you hadn't had the opportunity to see those10files again. Do I have that right?
- 11 A Well, not entirely, Mr. Commissioner.
- 12 Q Okay.
- I just, I made what I believe were verbal requests 13 Α for homicide files earlier on from the RCMP. I 14 15 made -- oh, I'm sorry. Written, yes, written 16 requests for my notes, yes, that was later. 17 After, after Mr. Pickton's arrest, when it was clearly going to be relevant, uhm, I wanted -- I 18 19 knew that there was volumes and volumes and 20 volumes of my documentation out in Surrey under this investigation and I -- those formed my notes. 21 22 And if you want to talk about a rookie mistake, I should have photocopied those sooner, and didn't. 23 And it was a rookie mistake, because you haven't 24 0 25 been able to get your notes back to review them

	for the purpose of testifying today, correct?
A	I have been able to review some of my notes, and
	it's been glaringly obvious to me the ones that
	are, that have been omitted or are just not
	available to me, yes.
Q	So, despite numerous written requests to the RCMP
	for your own investigative notes, made since
	2002,
A	Yes.
Q	the requests were made since 2002, you haven't
	had access to them?
A	No.
Q	And you understand that they're not in the
	documents that are in concordance now, that you
	looked at for the purpose of preparing your
	testimony, correct?
A	That's my impression. And if I could just expand
	a little bit on that, too. Uhm, you know, I made,
	at the time I made these written requests, I was
	extremely bitter. I copied, I copied those
	letters to our Internal Affairs Section, at the
	time, Internal Investigation Section, to the Major
	Crime Section, to our union, and they went to
	Sergeant Wayne Clary of the RCMP, and he was the
	file coordinator of the of Evenhanded and
	Q A Q A Q

ultimately the Pickton investigation. And I, I didn't receive any response. And I sent more letters.

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4 And then at one point, I did get a response 5 from Detective Jim McKnight, who was a retired VPD homicide investigator, who I had worked with in 6 7 the past, and, and he just informed me at that time, because now, of course, Pickton was going 8 9 forward for charges, that those notes were not available to me and that they formed part of this 10 11 investigation.

But part of -- something that hasn't come out 12 13 in my evidence to this point, that I do want, want to express, is that -- and I don't know, 14 15 Mr. Commissioner, correct me, because this is a little bit outside the terms of reference -- but 16 17 the first, second and third week of February, 2002, so post 05 -- post February 5th, but before 18 the 20th, in the time between the search and the 19 20 interrogation, I did go out and work on the 21 Pickton investigation as a resource person, and 22 part of why I went was at the request of some investigators, because they were not able to 23 access any of our materials. And, and interviews 24 25 were actually being conducted of Lisa Yelds, for

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example, with no, none of the background that we collected, and that concerned me.

And I went out there, somewhat to my own, I think, emotional detriment, and I tried to assist. And at the time, there was a civilian working in the records management system there, who I had, I don't want to name, but she told me that she believed that there were several boxes of our files that were in an Atco trailer somewhere around the Surrey satellite RCMP office and that they weren't being utilized.

Because I had been receiving calls from 12 investigators from when I left the investigation 13 in 2000, up until as recently as last year, from 14 15 investigators asking me about different things I had worked on that they had, that they were 16 17 revisiting through Evenhanded, where they couldn't find any of our information, and I knew these 18 things, for a fact, to have gone out there with 19 20 the file. So, I really, you know, that's a bit of the background, and I don't know where those 21 22 things are.

Q Thank you. Let me just summarize, if I may, and I
understand my time is limited, -A Sorry about that.

-- so I will try to phrase the question in such a 1 Q 2 way that the answer will be limited in time. It's 3 not a very satisfactory way of proceeding, but 4 that's what I have to do. 5 Uhm, to sum up, it is glaringly obvious to 6 you, as you sit here today, that your own 7 investigative notes made during the period covered by the terms of reference between '97 and 2002 8 9 remain in the possession of the RCMP and have not been disclosed to you or your counsel or this 10 commission, correct? 11 I believe so, yes. 12 А 13 And furthermore, it's glaringly obvious to you 0 that your own investigative notes from the period 14 15 under review have not been disclosed to either Deputy Chief LePard, the VPD reviewer; or to 16 17 Deputy Chief Evans, the commission-hired reviewer, to assist them in their reviews, correct? 18 I believe that's correct. Because when Deputy 19 А 20 LePard was, was trying to gather all this information, I kept communicating to him that I, 21 22 that I believed that there was more and that it wasn't, that it wasn't being provided. 23 24 All right. Now, I want to ask you about your Q 25 book. I did a bit of detective work myself and I

1		went online and I looked up booksellers and
2		publishers and the like, and there is a book
3		disclosed by Amazon, and other booksellers, said
4		to be a true crime book about serial murderers
5		written by one Lori Shenher, publisher McLelland $\&$
6		Stewart, publication date September 2003. It's
7		been assigned two ISBN library numbers, a 10-digit
8		one and a 13-digit one. You wrote a book about
9		your investigation of the missing women case,
10		didn't you?
11	A	Yes, I did.
12	Q	Now, Mr. Commissioner, I earlier requested this
13		some considerable time ago. It's clearly a
14		relevant document.
15		And I ask, I ask you, witness, could you
16		bring your book with you tomorrow so that I can
17		review it please?
18	A	Well, Mr. Commissioner, just to be clear, it's not
19		a book. It's a manuscript. It was something I
20		had written in 2002 after the Pickton search.
21		It's never been published, uhm, just to be clear.
22		So, it's not an actual book.
23	Q	I understand. It's a manuscript you wrote setting
24		out, over some 320 pages, your experience as the
25		lead investigator in the missing women's

1		investigations.
2	A	Correct.
3	Q	That's correct?
4	A	Yes.
5	Q	In your own words, while things were fresh in your
6		mind?
7	A	Yes.
8	Q	All right.
9	A	But I would like to just add some context to that
10		too. I have since come to learn that some of the
11		things that I believed at the time turned, through
12		the, obviously, the benefit of more information,
13		were not correct. I would not publish that
14		manuscript in its current form.
15	Q	That's not, that's not what I am asking you,
16		witness.
17	A	Okay.
18	Q	I am asking you simply to bring it in.
19	THE COMMISSIO	ONER: All right. Mr. Crossin?
20	MR. WARD: E:	xcuse me, this is, this is cross-examination and it
21		shouldn't be interrupted.
22	MR. CROSSIN:	I am objecting.
23	MR. WARD: A	ll right. Well, it had better be good.
24	MR. CROSSIN:	Uhm, I object to that. It's not relevant. It's
25		not contemporaneous notes. In a broad sense, they

may be after-the-fact notes closer to the time, 1 2 but they're not contemporaneous. And so, 3 classically, those are not relevant, uhm, to this 4 inquiry and I, I object to that. 5 THE COMMISSIONER: All right. Thank you. Does commission counsel have any position on this? 6 7 MR. VERTLIEB: I think we've been comfortable with disclosure. It's the colorization that documents have been 8 9 withheld in some bad way that I have a problem with. There's been enormous disclosure. 10 11 But what I am thinking is perhaps Mr. Crossin could review this manuscript. There could be 12 issues around it. And if he has a look at it and 13 14 if he thinks it's something that could help us, he 15 can show it to Mr. Ward, and if not, we can discuss it again on the record. 16 THE COMMISSIONER: All right. I, I, I am sympathetic to what 17 you are saying as far as relevance is concerned, 18 particularly if it was not contemporaneous and it 19 20 was one written after the event. But I think Mr. Vertlieb's suggestion is a good one and maybe you 21 22 could take a look at it. Do you have any 23 comments? MR. CROSSIN: It's not the intended result. 24 THE COMMISSIONER: Well, you win some, you lose some. 25

Sometimes you get a tie. 1 MR. WARD: And I just hope, given the short timeframe I am 2 3 under, that my friend, Mr. Crossin, can look at 4 the manuscript and make his determination in a 5 timely way, so that I can have access to it, to 6 complete my cross-examination, if indeed, it is 7 determined to be relevant. I would just say, Mr. Commissioner, it's 8 9 hard, it's hard for me, as I stand here today, to imagine any scenario in which the lead Vancouver 10 11 Police Department investigator's description of her investigative efforts made during the period 12 13 between '97 and her departure at the end of 2000, written on Pickton's apprehension, could not be 14 15 relevant to the subject matter of this inquiry. THE COMMISSIONER: I didn't, I didn't think that's what she 16 17 said. MR. CROSSIN: It's not what she said and --18 19 THE COMMISSIONER: Yes. 20 MR. CROSSIN: -- and it's, it's relevant if it's 21 contemporaneous. 22 THE COMMISSIONER: Right. No, I have your point on it. MR. CROSSIN: But it's after the fact, and frankly, it can only 23 24 go to credibility. 25 THE COMMISSIONER: Yes.

MR. CROSSIN: And is that what my friend is saying, that he 1 2 wants to cross-examine this witness on credibility 3 on prior statements? Is that what my friend is 4 saying? 5 I'm saying that the witness's lengthy description of MR. WARD: 6 her involvement in the case is, well, perhaps 7 after the fact, to use Mr. Crossin's phrase, as more relevant, if not more relevant, than Deputy 8 9 Chief LePard's after-the-fact description of what happened, given that he wasn't even involved in, 10 11 in the case. THE COMMISSIONER: What, tell me what the purpose of all of 12 this is. You know --13 14 MR. WARD: The truth. 15 THE COMMISSIONER: Wait a minute. You are complaining about 16 the lack of time that you have and, so far, what 17 you have done in cross-examination is take some time to review what she's already said. 18 19 MR. WARD: The truth --20 THE COMMISSIONER: Just a minute. Everybody knew what she said, but you have to review it. And now this 21 22 issue comes up and tell me how that's relevant. If it's relevant, I will listen to it. 23 MR. WARD: It goes to the effort to seek the truth, 24 Mr. Commissioner. 25

1 THE COMMISSIONER: Well --

2 MR. WARD: And my questions are directed to that end. It's 3 clear, and it's been clear to me for the duration 4 of the time I've been involved in this file, that 5 relevant documents have been withheld from this 6 commission. The witness -- witness after witness 7 has confirmed that. Deputy Chief Evans has 8 confirmed it. This witness has confirmed it.

9 If we don't get documents that were created 10 back then, we have no chance of getting to the 11 truth, which is the object of this exercise, insofar as your fact-finding mandate is concerned, 12 13 in my respectful submission. And I am sure this commission doesn't want to be a party to an effort 14 15 to cover up or, or whitewash the events of 10 years ago. But we haven't got the documents. 16 17 THE COMMISSIONER: Never understate anything, Mr. Ward.

18 MR. WARD: I'm not planning to.

19 THE COMMISSIONER: Mr. Ward, --

20 MR. WARD: Mr. Commissioner.

THE COMMISSIONER: -- first of all, you are talking about documents that are in the possession of the RCMP. That's a, that's a different, that's a different issue. I thought we're now dealing with her manuscript. So, you're jumping back -- tell me

what, tell me what you want. 1 MR. WARD: I want her manuscript for review before I complete 2 my cross-examination. 3 4 THE COMMISSIONER: Okay. 5 MR. WARD: It's my understanding, from her evidence, is that it is a, a lengthy description of the conduct of the 6 7 investigations into Robert Willie Pickton. THE COMMISSIONER: All right. Okay. 8 9 MR. VERTLIEB: If it's of any help, I think Mr. Crossin made the right point. We don't challenge this 10 witness's credibility, but if Mr. Ward wants to, 11 12 he should tell you that and tie it into that 13 attack. THE COMMISSIONER: Well, I have tried to get that answer --14 15 MR. VERTLIEB: I know you have. Mr. Crossin did. I am now trying. I think that's the basis. Otherwise, I 16 17 don't see -- well, Mr. Crossin is right in law. I was just trying to find a way to cut through it. 18 MR. WARD: Well, with respect, I disagree. My understanding, 19 20 and -- maybe I will ask a few more questions and then we will revisit this, if I may. 21 22 THE COMMISSIONER: All right. 23 MR. WARD: Witness, my understanding of what you've testified 24 Q 25 is that, once Pickton was apprehended and his

1	property was searched, and after you got over the
2	shock of what happened, you used your journalism
3	skills and you sat down and you wrote a manuscript
4	intended for publication that would describe the
5	attempts of view in the VPD to solve the missing
6	women's case; is that correct?
7	THE COMMISSIONER: Okay, don't
8	MR. WARD: Don't answer that question until your counsel has an
9	opportunity to say what he needs to say.
10	MR. CROSSIN: I just object to that question. It's, it's not
11	relevant. We have a witness here. She's under
12	oath. She's going to tell you about these events.
13	The fact that she made a memoire after the fact is
14	not relevant, and I object to its production and I
15	object to questions.
16	THE COMMISSIONER: Okay.
17	MR. WARD: One can hardly make a memoire before the fact. One
18	can hardly make a memoire during the fact. One
19	has to do it after the fact. She did it while
20	things were fresh in her mind, while the, while
21	the whole experience of the preceding five years,
22	which happens to be the five years under
23	investigation here, was in her mind, and, and she
24	put down, in a very careful way, obviously, if it
25	was intended for publication, all of those factual

elements. 1 2 THE COMMISSIONER: All right. Yes? 3 MR. DICKSON: Commissioner, just on that last point, I note 4 that, that one of the things that Detective 5 Constable Shenher has said in relation to the manuscript is that she wouldn't publish it. 6 7 THE COMMISSIONER: She what? MR. DICKSON: She would not publish this manuscript. I heard 8 9 her say that. I also heard her say that there were a number of things in the manuscript she felt 10 11 were inaccurate and she would not publish it for that reason. 12 13 THE COMMISSIONER: All right. In any event, I am going to have Mr. Crossin look at it. I am sympathetic to what 14 15 he said, but at this stage, out of an abundance of caution and fairness to Mr. Ward, I'll, I'll do 16 17 that. I will order that. Okay. Go ahead, Mr. Ward. 18 MR. WARD: Thank you. 19 20 You reviewed the 1997 Coquitlam file, correct? Q 21 The investi -- sorry, go ahead. 22 Sorry, the Anderson file? А The Anderson file, yes. 23 Q Yes, I did. 24 А 25 Yes, I have it here. I would like to show it to 0

1		you. And this, of course, is the investigative
2		file well, what I am showing you, witness, is
3		the copy of the investigative file that has been
4		produced to me, and other counsel in this
5		commission, by the RCMP, as an appendix to the
6		Williams report, and I am showing you hard copies
7		of the file contained in two binders.
8	A	Mr. Commissioner, I should just clarify that
9		counsel asked me if I had reviewed the file.
10	Q	Yes.
11	A	That's, I answered "yes". That's not accurate. I
12		reviewed her statement. That's what I reviewed.
13	Q	The Anderson statement?
14	А	Yes. I don't believe I ever reviewed the whole
15		file. I don't remember receiving this kind of
16		voluminous information. I recall seeing a
17		statement. I stand to be corrected, but I don't
18		recall this.
19	Q	I want to ask you about some of the contents in
20		any event. You went out to Coquitlam more than
21		once, correct?
22	A	Yes, that's right.
23	Q	And you met with Corporal Connor there?
24	A	Yes.
25	Q	You learned of the '97 attack?

1	А	I learned of the '97 attack through my yes,
2		through my own investigation at my office, yes.
3	Q	And you were very curious as to why charges didn't
4		go ahead?
5	A	Yes.
6	Q	And you found I believe your testimony was that
7		you found it incredibly frustrating, and I quote,
8		"I have never found out why the charges were
9		stayed." That's what you said?
10	A	That's correct.
11	Q	So, have you, have you inquired? Have you tried
12		to find out why the charges were stayed in the
13		last 15 years?
14	A	I have asked. I asked Corporal Connor at the time
15		and, and had a conversation with him. Beyond
16		that, no.
17	Q	Beyond that, no?
18	A	No.
19	Q	Okay. Your view, based on some understanding of
20		the file, was that it probably would have been a
21		slam-dunk murder conviction, correct?
22	A	Based on what I knew with, with my level of
23		experience, yes.
24	Q	And if that were the case, then it probably would
25		have been a slam-dunk attempted murder conviction,

1		right?	
2	A That was my thought, but again, I, I wanted		
3		find out more. I was curious.	
4	Q	If it came down to a credibility contest between	
5		Anderson and Willie Pickton, you would put your	
6		money on Anderson, given your understanding, your,	
7		your involvement with her, right?	
8	A	I suppose so. I yeah, I suppose, based on my	
9		interaction with her, yes.	
10	Q	I just want to ask you a few things about the	
11		contents of the file. Could you go to volume 2,	
12		please, the first tab 26, page number 28 in the	
13		upper right-hand corner. It's got a "28" and it's	
14		got a "16". It's about halfway through the tab.	
15		A typewritten page.	
16	А	Sorry, I'm not seeing a lot of reference numbers	
17		here. You're saying	
18	Q	If I may come over, because time is pretty	
19	MS. TOBIAS:	Mr. Commissioner, Cheryl Tobias for the Government	
20		of Canada.	
21	THE COMMISS	IONER: Yes.	
22	MS. TOBIAS:	I have no idea what my friend is showing to the	
23		witness from my clients	
24	THE COMMISS	IONER: Sorry?	
25	MS. TOBIAS:	I have no idea what my friend is showing to the	

witness from my clients. 1 2 THE COMMISSIONER: Oh, he hasn't given you a copy of this? 3 MS. TOBIAS: No. But if he has no objection, I am happy to 4 stand behind the witness and have a look, or 5 otherwise --MR. WARD: Yes, that's fine. 6 7 THE COMMISSIONER: Mr. Ward. MR. WARD: That's fine. 8 9 Q So, we are on page 28 in handwriting, upper right-hand corner. It's also got a "16" in 10 11 typing. It's about two-thirds of the way through 12 the page, Mr. Commissioner. There is a, there's 13 a, kind of a --14 THE COMMISSIONER: Where are the, where are the pages numbered? 15 MR. WARD: They're numbered in various disorganized ways, which is how it, how the file came. They don't have --16 17 all I can say is --THE COMMISSIONER: I don't see any numbers on the pages that I 18 19 have. MR. WARD: Well, I will read the entry and then I can assist 20 Mr. Registrar in locating the exact entry for you, 21 22 if I may. March the 26th, 1997, the entry in the Coquitlam 23 Q 24 '97 file, the Pickton attack on Anderson says 25 this:

1		Corporal Connor spoke to Sergeant Geramy
2		Field of the VPD Sexual Offence Unit to
3		determine if the female was at all known to
4		them. She advised this subject has an
5		extensive background in prostitution in the
6		East Hastings area.
7		Do you see that?
8	A	I do.
9	Q	Now, if that entry is true, your boss in Missing
10		Persons, Geramy Field, had a prior experience with
11		Corporal Connor, with the suspect in Anderson's
12		murder, and with Anderson herself; correct?
13	THE COMMISSI	ONER: Yes?
14	MR. CROSSIN:	I object to that. That, that is a hypothetical
15		times about three.
16	THE COMMISSI	ONER: I, I agree with you.
17	MR. WARD: I	will rephrase the question. I'm grateful to Mr.
18		Crossin for his intervention.
19	Q	When you reported to your boss, Geramy Field, that
20		you had received a tip from Hiscox, that a farmer
21		in Coquitlam named "Willie Pickton" might be
22		involved in the women's disappearances, did she
23		say to you, "Oh, I, I had a case last year
24		involving this guy," or words to that effect?
25	A	No.

I think she's coming. I don't know, because I 1 0 2 don't know who the witnesses are from day to day, 3 but I certainly hope she is so that I can ask the 4 question of her. 5 Could you go to the first volume please, tab 6 3, third page in. And just as a preface to my 7 next couple of questions, the '97 attempt murder was a significant part of your investigation once 8 9 you received the Hiscox tip, correct? 10 А Yes. 11 And you have already testified about how you went Q and you interviewed the victim of the assault, 12 13 Anderson, and you spoke to Connor about it and so 14 on, right? 15 Correct. А 16 Q And this was around the time that you were 17 thinking that a serial murderer might be responsible for the women's disappearances, 18 19 correct? 20 That's correct. А And you had, in your mind as a possibility, that a 21 Q 22 serial murderer, a serial sex murderer might keep 23 trophies in respect to the women that he had 24 killed? 25 I don't believe that I, that I made a distinction А

1		that only a serial sex murderer would keep		
2		trophies and not just a serial murderer where		
3		there was no sexual element. I think that I		
4		believed trophies was a possibility in either, in		
5		either scenario.		
6	Q	Either, fair enough. I understand.		
7		Now, at page 3, you will see that the RCMP		
8		investigator		
9	A	Sorry, can I interrupt you for one second?		
10	Q	Yes.		
11	A	Sorry.		
12	Q	Sorry, it's at page 2 in the top, third page of		
13		the tab, tab 3.		
14	A	Thank you.		
15	Q	Line 1, tab 3, third page in, page number 2. Do		
16		you see the handwriting there, the two entries for		
17		1650 and 1948?		
18	А	Yes, I do.		
19	Q	All right. Now, as part of the investigation, you		
20		can see, and this is standard I presume, that		
21		Ident attended and took still photographs of the		
22		contents and interior of Willie Pickton's trailer.		
23		Do you see that?		
24		1948 Videos made of scene by Corporal		
25		Andrews. Photos taken of scene. Blood		

1			found on floor, walls, [et cetera] door
2			to trailer.
3			And then in the preceding entry:
4			Photos taken of red Chevrolet pickup.
5			Blood smears visible [and so on].
6			Do you see, see those entries?
7		A	Mr. Commissioner, I am just reading through these
8			entries.
9		Q	Sure.
10		A	I believe this is the first time I have ever seen
11			them, so.
12		Q	Take your time.
13		A	Thank you.
14	THE	COMMISSI	ONER: We will adjourn there.
15	MR.	WARD: N	ow, Mr. Commissioner, just before we do, I, I have
16			some questions about the photographs but, but I
17			have been asking for many months for copies of the
18			photographs of the inside of the Pickton trailer
19			that were taken in 1997. They are, if not, if not
20			critical, they're certainly relevant. I haven't
21			got them yet and the, the relevance is obvious.
22			If, if trophies were being kept in '97 by Pickton,
23			and they were there to be seen in the photographs,
24			that changes a lot.
25	THE	COMMISSI	ONER: Okay.

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1	MR.	WARD: I ask for an order that they be produced by the RCME
2		forthwith.
3	THE	COMMISSIONER: All right. Who is going to answer to that?
4	MR.	VERTLIEB: I cannot, that's for sure. I just know that, I
5		must admit, that I sometimes lose track of these
6		requests. So, I just am confident that if we've
7		asked for things, our, our staff, and you have got
8		a very good researcher who looks after documents,
9		I don't know what the status of the photographs
10		is, frankly. I just don't know. Maybe Ms. Tobias
11		knows if they're around. Maybe not. I just don't
12		know the status. It's not as though we would not
13		ask if we thought they were relevant.
14	THE	COMMISSIONER: All right. Ms. Tobias.
15	MS.	TOBIAS: Mr. Commissioner, Cheryl Tobias for the Government
16		of Canada.
17		I don't know the status of Mr. Ward's request
18		right now. I can tell you that Mr. Ward makes his
19		requests to the commission, and if the commission
20		feels that, commission counsel feels that it's
21		something that needs to be produced, commission
22		counsel conveys that request to us and we produce
23		them. So, I don't know if that, if commission
24		counsel has ever asked for them. Uhm, I know that
25		they are certainly around, available, and I will

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1	ask for them to	be produced,
2	THE COMMISSIONER: They are a	vailable?
3	MS. TOBIAS: if you wish t	hem to be. Yes.
4	THE COMMISSIONER: All right.	
5	MS. TOBIAS: I will ask for t	hem to be produced, if you wish
6	them to be.	
7	THE COMMISSIONER: I see. Ok	ay. Well, maybe you can produce
8	them if they're	available.
9	MS. TOBIAS: Yes, I will do t	hat.
10	THE COMMISSIONER: All right.	
11	MR. WARD: Thank you.	
12	THE REGISTRAR: This hearing	is now adjourned for the day. It
13	will resume at 9	:30 tomorrow morning.
14	(PROCEEDINGS ADJ	OURNED AT 4:03 P.M.)
15	I	hereby certify the foregoing
16	t	o be a true and accurate
17	t	ranscription of the proceedings
18	h	erein to the best of my skill
19	а	nd ability.
20		
21		
22	G	abriele Heise, RPR
23	C	official Reporter, BCSRA No. 399
24	R	ealtime Certified Reporter
25	U	nited Reporting Service Ltd.

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NO. DESCRIPTION

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(EXHIBIT NO. 81: One-page document entitled 59
"Summary of Certain Answers from STW Questionnaire")
(EXHIBIT NO. 82(NR): Document entitled "Witness: 121
SHENHER - Missing Persons Unit - Investigations" formerly marked Exhibit P for ID)
(EXHIBIT NO. 83(NR): Document entitled "Witness: 130
SHENHER - Project Amelia" - formerly marked Exhibit
Q for ID)
(EXHIBIT NO. R FOR IDENTIFICATION: One-page 137
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