

**Vancouver, B.C.**

**February 23, 2012**

**(PROCEEDINGS RECONVENED AT 9:30 A.M.)**

THE REGISTRAR: Order. The hearing is now resumed.

MR. GRATL: Yes, Mr. Commissioner, Jason Gratl for Downtown  
Eastside interests.

THE COMMISSIONER: All right. Let counsel open first and then  
I'll deal with --

MR. VERTLIEB: I didn't know Mr. Gratl wanted to say anything.  
Let me just start before Mr. Hall is in the  
witness box. Mr. Commissioner, for your  
information, yesterday we interviewed Darcy Sarra.  
You know that name. The name was mentioned on an  
earlier occasion here. And I could not sit in for  
the entire interview because I had to be back in  
your hearing for the afternoon session, but I just  
want you to know that the interview with her does  
not suggest any nefarious conduct by anyone, and  
it doesn't support any allegations of wrongdoing  
that have been made. Now, as I said, because I  
could not sit in the entire time, our staff have  
done that, and I need to sit with the commission  
people and just sort out how to move forward with  
that information, but I just wanted you to hear  
that, and I'll consider it tomorrow and the best

1                   way to deal with it and then we'll just move  
2                   forward, but I just wanted you to hear all that.

3   THE COMMISSIONER:   Okay.

4   MR. VERTLIEB:   The second thing, we have Mr. Hall, who will be  
5                   the day.   I just regret we don't always get time  
6                   estimates from people notwithstanding Ms.  
7                   McKeachie's attempts on numerous occasions to get  
8                   them, but I really wanted to stress it's important  
9                   we finish him today so we can have him finished.  
10                  We have panel evidence Monday, and so it's not a  
11                  situation where he can just carry over easily.   I  
12                  didn't know -- Mr. Gratl, I didn't know what you  
13                  wish to discuss.

14   THE COMMISSIONER:   All right.   Mr. Gratl.

15   MR. GRATL:   Mr. Commissioner, I have filed with you a notice of  
16                  application.

17   THE COMMISSIONER:   I know.   You have an application.

18   MR. GRATL:   Yes, and it's a very brief application.   What I'd  
19                  like to do, because we have a number of --

20   THE COMMISSIONER:   Wait a minute.   Is your friend in a position  
21                  to respond to it this morning because --

22   MR. GRATL:   I think we already have a response from my friend.

23   THE COMMISSIONER:   Sorry?

24   MR. GRATL:   They take the position that the material isn't  
25                  relevant and that the *Privacy Act* somehow

1                   constrains your powers to call forth evidence.

2       THE COMMISSIONER:   Okay.   So how long is this going to take?

3       MR. GRATL:   Well, my presentation will be about five minutes at  
4                   the outside.   It's very brief.   I have provided  
5                   you with written argument.

6       THE COMMISSIONER:   Yes.

7       MR. GRATL:   And it's a relatively simple application, in my  
8                   view.

9       THE COMMISSIONER:   Okay.   Yes.

10      MR. MAKOSZ:   Mr. Commissioner, Rory Makosz for the Government  
11                   of Canada.   For the record, it's M-a-k-o-s-z,  
12                   initial R.   Essentially what this is going to come  
13                   down to, in my submission, is a balancing of  
14                   interests that you are going to have to engage in  
15                   with respect to this individual's privacy concerns  
16                   versus the benefit to be obtained by the  
17                   commission by disclosure of that name and her  
18                   possibly attending as a witness.   Mr. Gratl's, my  
19                   friend's application came in on Tuesday morning.  
20                   Now, as I understand, we're entitled to four days'  
21                   notice, and so I have not prepared full  
22                   submissions today.

23      THE COMMISSIONER:   You're not what?

24      MR. MAKOSZ:   I don't have full submissions prepared to get into  
25                   the legalities of the *Privacy Act*.

1 THE COMMISSIONER: Okay. So when are you in a position to  
2 proceed with this?

3 MR. MAKOSZ: As soon as Monday morning.

4 MR. GRATL: Monday morning, in my submission, is not desirable.

5 THE COURT: Why?

6 MR. GRATL: Well, if -- I think maybe -- maybe we can do it  
7 Monday morning.

8 THE COMMISSIONER: Yeah. No --

9 MR. GRATL: Sure.

10 THE COMMISSIONER: -- I agree with you that you've been  
11 diligent and you've filed your material and --  
12 okay, we'll deal with it on Monday morning.

13 MR. GRATL: And I'd like to --

14 MR. VERTLIEB: Sorry, Mr. Commissioner, I just want to remind  
15 everyone we have a panel scheduled to start Monday  
16 morning.

17 THE COMMISSIONER: I know, but it's not going to take long.

18 MR. VERTLIEB: I haven't heard how long the DOJ will be.

19 THE COMMISSIONER: How long do you expect to be?

20 MR. MAKOSZ: It depends how complex it gets, Mr. Commissioner.  
21 I wouldn't expect --

22 THE COMMISSIONER: Well, you've got to know by now. I mean,  
23 this --

24 MR. MAKOSZ: I wouldn't expect longer than 10 minutes. It  
25 really depends to what extent they want to delve

1                   into the law.

2     THE COMMISSIONER:   Then we'll deal with it Monday morning.

3                   Okay.

4     MR. MAKOSZ:   Thank you.

5     THE COMMISSIONER:   Thank you.

6     MR. GRATL:   Yes.   And, Mr. Commissioner, I would just ask that  
7                   my friend provide me with his legal authorities by  
8                   Friday afternoon at four o'clock.

9     THE COMMISSIONER:   All right.

10    MR. MAKOSZ:   That's not a problem, Mr. Commissioner.

11    THE COMMISSIONER:   Okay.   Thank you.   Thanks.

12    MR. VERTLIEB:   So we've heard 15 minutes, and I'm assuming  
13                   they'll be strictly confined to that time estimate  
14                   so we can proceed efficiently.

15    THE COMMISSIONER:   Okay.

16    MR. VERTLIEB:   Can Mr. Hall come forward, please.

17    MR. ROBERTS:   I'm sorry to interrupt, and I apologize for that,  
18                   but I did indicate to commission counsel that I  
19                   wanted to address the commission today for a few  
20                   minutes.   I will only say right now I do not  
21                   intend to cross-examine Mr. Hall, so I won't take  
22                   any time up on that.   And I don't want to address  
23                   my submission to you right now.   I want a chance  
24                   to speak to commission counsel.   But I want an  
25                   opportunity to respond for five minutes with

1           respect to the Process Management Directive #3,  
2           which you came down with the other day, Mr.  
3           Commissioner, and which, in my view,  
4           unfortunately, we had no opportunity to take part  
5           in any process to know that this was coming.

6   THE COMMISSIONER:   Yeah.

7   MR. ROBERTS:   Because I do have some -- a brief set of remarks  
8                   or a submission I wish to make to that --

9   THE COMMISSIONER:   All right.

10   MR. ROBERTS:   -- depending on, however, the conversation I'd  
11                   like to have with Mr. Vertlieb.

12   MR. VERTLIEB:   I'm happy to do that, Mr. Commissioner.

13   THE COMMISSIONER:   All right.

14   MR. VERTLIEB:   So we'll make sure Mr. Roberts has a chance  
15                   today to speak with you.

16   THE COMMISSIONER:   All right.   Thank you.

17   MR. ROBERTS:   Thank you.   And I'm sorry I didn't introduce  
18                   myself.   I was speaking on behalf of Marion Bryce.

19   MR. VERTLIEB:   That's fine.   No problem, Mr. Roberts.   Thank  
20                   you.   All right.   Mr. Hall, please.

21                               **RICHARD DAVID HALL:   Sworn**

22   THE REGISTRAR:   Would you state your name, please.

23                   A    Richard David Hall.

24   THE REGISTRAR:   Thank you.   You may be seated.

25   THE COMMISSIONER:   Please have a seat.

**EXAMINATION IN CHIEF BY MR. VERTLIEB:**

Q Your end title with the RCMP is that of  
superintendent?

A Correct, sir.

Q You joined the force in what year?

A December 1965.

Q And you are officially retired?

A Correct.

Q When was that?

A I stopped working in October of 2004, and my  
official retirement was July 20th of 2005.

Q So 40 years?

A Just a tad short.

Q You're here with us today because you were the  
officer in charge of the entire Coquitlam  
Detachment during the time frame that is of  
concern to Commissioner Oppal?

A Yes.

Q Tell the commissioner how you came to be selected  
as officer in charge.

A When Coquitlam Detachment became vacant with the  
officer in charge of the day retiring, I was  
stationed as the officer in charge of Prince  
George Detachment, and when the vacancy at  
Coquitlam came open I applied for the position at

1 Coquitlam. I was selected and moved down in May,  
2 end of May, beginning of June, 1998.

3 Q And you stayed as officer in charge of Coquitlam  
4 until what date, please, what month and year?

5 A As I mentioned earlier, I stopped working October  
6 28th of 2004, and my actual retirement date still  
7 on strength to Coquitlam was July 20th of 2005.

8 Q Now, is there a community involvement in your  
9 selection as officer in charge? In other words,  
10 is it strictly the RCMP that do this or does the  
11 community have some opportunity to discuss that  
12 appointment?

13 A At that time, when I applied for the position, it  
14 was advertised nationally across Canada, and my  
15 name with others went in, and it goes to the  
16 officers staffing positions in Ottawa and referred  
17 to the commanding officer of "E" Division, who was  
18 Assistant Commissioner Murray Johnston at the  
19 time, and he referred my name to the mayors of  
20 Coquitlam and Port Coquitlam.

21 Q So did he refer your name as the primary selection  
22 and then give it to them to have their input? Is  
23 that how it worked?

24 A Yes.

25 Q Thank you. In your experience as a police



1           officer, had you ever been involved in the  
2           investigation of a serial murderer case?

3           A    No.

4           Q    Tell us the major component of your role as  
5           officer in charge of Coquitlam, and you can  
6           confine it from May '98 until the year 2002,  
7           because that's our term of reference.

8           A    My main role as the detachment commander or the  
9           officer in charge is dealing with the mayors and  
10          councils of City of Coquitlam, Port Coquitlam, to  
11          a lesser extent the summer villages of Anmore,  
12          Belcarra in the provincial area, as well as we had  
13          a small First Nations community in Coquitlam.  
14          Also my role would be dealing with human resource  
15          issues, budgets, complaints against the police  
16          that came into the detachment.

17          Q    Thank you. Now, in your detachment in your time  
18          there was a Major Crime Section?

19          A    Correct.

20          Q    And that would be the unit that would investigate  
21          a potential killer like, as it turned out to be,  
22          Pickton?

23          A    Yes.

24          Q    What system was in place to allow you to oversee  
25          the Major Crime Section when you were officer in

1 charge?

2 A When I first arrived at Coquitlam Detachment I had  
3 a second officer, which was called my operations  
4 officer. At that time it was Inspector Earl  
5 Moulton. The plainclothes section reported up  
6 directly through a staff sergeant, and my  
7 operations officer on paper looked after the  
8 uniforms, general duty and traffic section, but  
9 the reality of it was he was also overseeing the  
10 plainclothes section?

11 Q Did you have a meeting every morning with those  
12 individuals to debrief on what was happening in  
13 the detachment?

14 A I would meet with my operations officer. He would  
15 come to my office or I'd go to his office. And  
16 then we had a weekly meeting with all unit  
17 commanders to talk about the issues that were  
18 facing the detachment for that week. That usually  
19 took place on a Monday.

20 Q And Moulton was the operations officer?

21 A Correct.

22 Q And you met him every day?

23 A Yes.

24 Q And generally in your office?

25 A Mine or his.

1 Q And how far away was he from you?

2 A 35 feet.

3 Q You've briefed yourself on the Evans report?

4 A Yes.

5 Q And I'm not asking if you've read every page of  
6 it, but I do want to ask you if you read the pages  
7 where she appears to be making comment about your  
8 work?

9 A Yes, I did.

10 Q I just want to go through some of those comments  
11 in her report. The reference, Mr. Commissioner,  
12 page 8-31. We're talking about on the subject of  
13 knowledge of Pickton, Superintendent Hall. You  
14 understand that the knowledge of Pickton is very  
15 important in these proceedings?

16 A Yes.

17 Q So she says:

18 He recalled that officers from the Vancouver  
19 Police Department had come to investigate  
20 Pickton as well as officers from "E" Division  
21 Major Crimes and the Unsolved Homicide Unit.  
22 He recalled a meeting in Inspector Moulton's  
23 office that,  
24 and I want to emphasize these words,  
25 led him,

1 meaning you,

2 led him to believe that there was nothing to  
3 the information regarding Pickton. He agreed  
4 that he did not pursue this information with  
5 his own personnel.

6 Now, do you recall reading those comments as it  
7 relates to you?

8 A Yes.

9 Q So can you help us understand why you were of the  
10 view that there was nothing to the information  
11 regarding Pickton?

12 A I believe you have to look at the timeline before  
13 what she's commenting on. There were earlier --  
14 earlier meetings with Inspector Moulton when this  
15 matter first came to the detachment and he was  
16 explaining what was taking place to me, and then  
17 there was a follow-up meeting with all the players  
18 that you have just talked about, and then further  
19 on after that there -- I walked by Inspector  
20 Moulton's officer and I saw Corporal Frank Henley  
21 sitting in the office talking with Moulton, and I  
22 know Frank Henley from my days when I worked at  
23 Surrey Detachment. I popped in to find out what  
24 was going on, what they were discussing, and it's  
25 at that time that Corporal Henley told me that

1           they did not believe the information to be true  
2           and they at that time were going to just go ahead  
3           with a cold interview of Pickton.

4           Q    You recall being interviewed by Ms. Evans?

5           A    Yes.

6           Q    And there's a reference in the interview.  I am  
7           just going to read it out.  And the footnote's  
8           212, but let me just read this to you.  You said:

9                     ...I can't picture it in my mind's eye,  
10                    sitting down at a formal meeting about this,  
11                    but not to say that it didn't happen, but I  
12                    don't recall that.

13                   And then there was a discussion with Henley  
14                   in Moulton's office after, where they said  
15                   that they weren't going to be pursuing this  
16                   any further.

17           You remember that part of your interview?

18           A    Yes.

19           Q    And then Evans said:

20                   And Henley makes that decision as the  
21                   corporal in the Provincial Unsolved Homicide  
22                   Unit,

23                   and you said "hm-hmm", meaning yes, Henley made  
24                   that decision.  That's your recall?

25           A    Yes.

1 Q And then you said:

2 Oh, I am sure he made it in consultation with  
3 somebody else --

4 Okay.

5 -- in his unit.

6 You remember giving that comment to Ms. Evans?

7 A Yes.

8 Q I wanted to ask you -- well, let me just finish  
9 the passage. Then Evans said:

10 Would you have -- would you have any  
11 authority to say Corporal Connor says there  
12 is much more to this and I need -- I need you  
13 guys to stay focused on it until we either  
14 resolve it or not.

15 You remember her asking you words to that effect?

16 A Yes.

17 Q And you said:

18 My best guess, recollection, is that I, I  
19 believed that they were all on the same  
20 page...

21 And Ms. Evans said:

22 So you never -- you were never informed of  
23 the fact that Corporal Connor and officers  
24 from Coquitlam, had a completely different  
25 view than people from the Unsolved Homicide,

1                   and you said, "I don't recall."

2           A    That's correct.

3           Q    So you see the questions that emerge from that  
4               discussion.  It would appear that you were  
5               assuming that people had all decided this and  
6               everybody was in agreement.

7           A    That's correct.

8           Q    But it appears from the evidence we've heard, and  
9               maybe you know it as well now to be a fact, that  
10              people were not in agreement about how to handle  
11              the Ellingsen evidence and the Caldwell evidence.

12          A    Yes, I'm aware of that now.  At the time nobody  
13               came forward to me to put a dissenting view  
14               forward to me.

15          Q    So the question for you is if you're in charge how  
16               is it that that didn't happen?

17          A    I'm not a Major Crimes investigator or a Serious  
18               Crimes investigator.  That's not my background.  
19               My background or my role, as I believe it, I'm  
20               there in the background.  If somebody has a  
21               dissenting view and they feel that more needs to  
22               be done or more resources need to be put to an  
23               investigation and if they can't resolve it at  
24               their own levels, whether it be at the sergeant,  
25               staff sergeant or my operations officer level,

1           then I would be there to deal with that. I would  
2           expect that they would come forward to me and say,  
3           "We've got a dissenting view here as to the  
4           direction we should be taking."

5           Q   We can understand your comment you'd expect it to  
6           come forward, but how do you know that your people  
7           had that expectation of you? It seems that there  
8           was a disconnect between what people thought below  
9           you and what you were being told. It would seem  
10          that way from what we've just discussed. Can you  
11          help us understand how this would occur?

12          A   I have a difficulty understanding it myself in  
13          that I believe that we had a fairly open  
14          relationship between the supervisors in the  
15          detachment and my operations officer. It's not  
16          uncommon for investigators to have an ongoing file  
17          where they may still be gathering evidence and  
18          continue on doing so.

19          Q   You know Mr. Connor came here and gave information  
20          to the commissioner for more than one day? You  
21          know that he was here quite a long time?

22          A   Yes.

23          Q   And I'm sure you understand that Mike Connor is  
24          still very upset about the way this investigation  
25          was conducted?



1 A Yes, I've talked to Mike Connor.

2 Q He's very upset, as we understand it, to this day  
3 about Henley's actions. Do you understand that?

4 A I do now.

5 Q And you say, "I do now." What does that mean?  
6 What's the now?

7 A That means from being interviewed by Deputy Evans  
8 and others for my testimony here information has  
9 come forward to me that I was not aware of in  
10 1999.

11 Q And Evans interviewed you since this commission  
12 work started. She interviewed you sometime in the  
13 last number of months?

14 A I believe it was July.

15 Q Of 2011?

16 A Correct.

17 Q So just help us from your perspective as the  
18 officer in charge how Mike Connor, who obviously  
19 was committed to this investigation and seems to  
20 have worked very hard on it, help us understand  
21 how his feelings, the fact that he's even to this  
22 day still upset, was never brought home to you?

23 A I can't answer that question. Alls I can offer to  
24 you, sir, is that in my time as the officer in  
25 charge of Coquitlam Detachment I spent at least

1 twice every day walking down through the Serious  
2 Crime Section to talk to the various people down  
3 there, the supervisors, and to this day, and I've  
4 thought about this long and hard, I do not recall  
5 anybody mentioning anything about that particular  
6 investigation.

7 Q So if Connor has concerns which were on his mind  
8 back in 1999, whose responsibility was it to  
9 ensure that his concerns were properly addressed?

10 A He should be dealing with his sergeant, staff  
11 sergeant, or he -- it would be not uncommon for an  
12 investigator such as himself to go up and talk to  
13 the operations officer about what's going on or  
14 even come and knock on my door.

15 Q Ms. Evans at the bottom of page -- near the bottom  
16 of page 8-31 I'll just read:

17 I did not see any documentation that would  
18 demonstrate the level of knowledge that  
19 Superintendent Hall had in relation to the  
20 Pickton investigation. He was present during  
21 the meeting on August 11th, 1999 and would  
22 have been aware of some of the information.  
23 In my opinion, he should have followed up  
24 with his own investigators and sought out  
25 their thoughts on the investigation.

1           You've read that comment?

2           A    I have.

3           Q    So help us with -- give us your view of that  
4               comment, please.

5           A    As I mentioned earlier, I'm not a Serious Crimes  
6               investigator. That's not my background. I left  
7               the investigators to do their job, and as I've  
8               said, I'm in the background, and if people think  
9               that they need more assistance, they need me to  
10              run as a go-between with other units, other  
11              detachments, that's my role.

12          Q    You did understand that there was dispute about  
13               this person Ellingsen?

14          A    I'm sorry?

15          Q    You did understand that there was dispute about  
16               this person Ellingsen?

17          A    Yes.

18          Q    And we're talking back in the summer of 1999?

19          A    Yes.

20          Q    And you'd learned that she had made statements  
21               that were extraordinary that would clearly  
22               implicate Pickton?

23          A    That's what I was told.

24          Q    And you heard about what she had relayed to  
25               others, that she saw a woman hanging and being

1                   slaughtered? You heard words to that effect?

2           A    Yes.

3           Q    This isn't something that you would hear very  
4               often in your 40-year career?

5           A    No.

6           Q    You must have been alarmed about that?

7           A    Yes.

8           Q    And there was discussion about how to proceed with  
9               her because she had been interviewed and denied  
10              these comments, denied making them?

11          A    Yes, that's what I was told.

12          Q    So you understood in part it was not that she said  
13               those statements aren't true, she just said, "I  
14               deny making those statements," even though there  
15               was indication she had made them to more than one  
16               person, correct?

17          A    Correct.

18          Q    So the question is just even in your own mind, we  
19               appreciate you've told us about your investigative  
20               skill, but even just in your own mind, did it not  
21               go through your mind to think, "Hmm, I wonder if  
22               we should do some more with this woman, maybe  
23               arrest her, get her in, try to do some more work  
24               on her"?

25          A    But I also had been made aware that surveillance

1           had been done, other investigative avenues had  
2           been approached, and they had come up with no  
3           information.

4           Q    That's what you were being told?

5           A    Yes.

6           Q    Do you remember who told you that?

7           A    Henley and Moulton.

8           Q    There was discussion about doing a polygraph on  
9           Ellingsen. Did you know about that?

10          A    No.

11          Q    So you never heard that it was contemplated about  
12          doing a polygraph?

13          A    I was not aware of that.

14          Q    And we heard that originally she was going to do  
15          it and then she got advice of a lawyer and decided  
16          not to. Did you know that?

17          A    I've heard it now, but I hadn't -- I didn't hear  
18          it at the time.

19          Q    If she had declined the polygraph and you had been  
20          told that at the time, would that have made you  
21          somewhat suspicious of this person Ellingsen?

22          A    Probably not. Lots of people deny -- or do not  
23          want to take the polygraph.

24          Q    But no one told you about this development?

25          A    No.

1 Q Do you know why you weren't made aware of that?

2 A No.

3 Q Just to take that fact, for example.

4 A No, I don't.

5 Q So if there was a discussion about polygraph and  
6 she was not going to do it, who do you think  
7 should have followed up to consider more  
8 investigative strategies on her, her meaning  
9 Ellingsen?

10 A I would think that the investigators that were  
11 involved and their supervisors, the sergeants and  
12 staff sergeants, would be discussing what further  
13 approaches to take, what they had in their tool  
14 box that could help them out with the  
15 investigation, and, again, I view it as my role if  
16 they are coming -- have an obstacle in their way  
17 that they need help from a more senior rank then  
18 they would have come forward.

19 Q But that didn't happen?

20 A No.

21 Q And you have no explanation for that?

22 A No.

23 Q There was a meeting August 17, 1999. I just want  
24 to go through the meeting just to confirm your  
25 memory of who was there. We understand that you

1           were there in the Coquitlam Detachment for this  
2           meeting, Corporal Connor, Staff Sergeant Halpenny,  
3           Corporal Nash. Is that ringing a bell to you?

4           A    I can't confirm the date. It's been related to me  
5           from other people's notes that I stopped into that  
6           meeting.

7           Q    And you accept that happened?

8           A    Yes.

9           Q    You don't remember?

10          A    Not specifically, no.

11          Q    It's that meeting where it was decided that  
12               Ellingsen would be re-interviewed and a polygraph  
13               test administered. Now, we know that no test was  
14               administered. I've already asked you about that.  
15               But the question I wanted to ask you about,  
16               because you were the officer in charge, is did you  
17               have a follow-up system as officer in charge to go  
18               back and see if the items that were discussed to  
19               be done were, in fact, done?

20          A    No, I did not. I left that to the staff sergeant  
21               in charge of the plainclothes section.

22          Q    And would you not -- you had meetings once a week  
23               with your -- the leading people in your  
24               detachment?

25          A    Correct.

1 Q We heard about once a day with Moulton as the man  
2 in charge of operations?

3 A Yes.

4 Q So would there not be some reporting to you as the  
5 boss about what goes on and following up and  
6 reporting to you on a regular basis to keep you  
7 informed?

8 A No. They had many other investigations underway,  
9 and I don't anticipate that every time they do  
10 something they are going to be coming up to me to  
11 tell me what they're doing. I relied on my NCOs,  
12 the non-commissioned officers in charge of those  
13 various sections.

14 Q We can all understand that there would be many  
15 other investigations. All of us understand police  
16 are busy doing many things. Certainly  
17 investigating somebody who's alleged to have had  
18 someone slaughtered on a hook and hanging, that's  
19 very -- that's dramatic material to be  
20 investigating? You would agree with that?

21 A Yes. Sorry. Yes.

22 Q So no system for following up on that?

23 A I think I've already said no.

24 Q Thank you. Did Mr. Moulton ever tell you that he  
25 did not have enough people to investigate Pickton



1                   the way he wanted to investigate him?

2                   A    No.

3   MR. HIRA:   Just a moment.  The question as posed assumes that  
4                   there weren't sufficient resources to do the  
5                   investigation.

6   THE COMMISSIONER:  Yes.

7   MR. HIRA:  There's some groundwork that needs to be laid before  
8                   the question is asked that way by commission  
9                   counsel, who, I might add, enjoys a position not  
10                  unlike Crown counsel to be very fair, and I know  
11                  my friend is fair.  So lay the groundwork, then  
12                  ask the question.

13   THE COMMISSIONER:  What groundwork needs to be laid here?

14   MR. HIRA:  Well, the question has an assumption built into it,  
15                  did Moulton ever tell you that he didn't have  
16                  enough resources to do the Pickton investigation.

17   THE COMMISSIONER:  All right.  Okay.

18   MR. VERTLIEB:  That's fine, Mr. Hira, we can do that.

19   THE COMMISSIONER:  I understand that.

20   MR. VERTLIEB:  No problem.

21                  Q    So let me just ask you a broader question.  And  
22                          just so you know, I haven't yet had the  
23                          opportunity to meet with Mr. Moulton, through no  
24                          one's fault, so I'm not quite sure all of the  
25                          particulars what he's going to say, but my

1 question to you is this. Did Mr. Moulton ever  
2 come to you and discuss the Pickton investigation?

3 A Yes, when he first informed me about what -- the  
4 information they had and what steps they were  
5 taking to investigate that particular file.

6 Q And tell us from the best of your memory what he  
7 told you?

8 A I'd be paraphrasing. He described the information  
9 that had come forward, that we were going to be  
10 doing surveillance, there was potential of an  
11 undercover operation maybe taking place, and the  
12 Provincial Unsolved Homicide Unit and Serious  
13 Crime folks were going to come in and give us a  
14 hand.

15 Q And that --

16 A That sort of started the whole information flow.

17 Q And that was in the summer of 1999?

18 A Yes.

19 Q And that was a discussion in your Coquitlam  
20 office?

21 A I believe it was in, yes, Moulton's office at the  
22 detachment.

23 Q Either yours or Moulton's?

24 A Yes.

25 Q Now, when is the next time Moulton came and

1 specifically discussed Pickton with you?

2 A There again it was more of an informal briefing,  
3 again I think stopping into his office and we're  
4 talking about various things that were going on  
5 within the detachment, and he updated me on where  
6 the surveillance had been going or wasn't going  
7 and there was -- nothing was coming together.

8 Q What does that mean?

9 A Like, they were not getting a lot of information  
10 that they could proceed on.

11 Q And do you remember when that was relative to the  
12 first time he spoke to you about Pickton?

13 A I can't. I can't. It was in the summer of that  
14 year.

15 Q And did he ask you for any thoughts you might have  
16 or was there any discussion about --

17 A No. I believe that he had it well in hand.

18 Q And do you recall the next time Mr. Moulton talked  
19 to you about Pickton?

20 A As I mentioned earlier, when Henley was in his  
21 office and they were talking, and, again, as I  
22 mentioned, I know of Henley from my time at Surrey  
23 Detachment, so I popped in to say hello, and then  
24 that's when I got told about the person had  
25 recanted her story. They did not believe her.

1 Q I'm sorry, you said the person had recanted her  
2 story and they did not believe her. Those are --  
3 A Henley was telling me. He, the Unsolved Homicide  
4 folks.  
5 Q Henley?  
6 A Yes.  
7 Q He did not believe her?  
8 A Right.  
9 Q So Henley didn't believe Ellingsen?  
10 A Yes.  
11 Q And do you remember what Mr. Moulton said, if  
12 anything, to you about that?  
13 A I can't recall any -- his -- any words or -- I  
14 would just be guessing, but by body language in  
15 the sense that I was getting from the discussion  
16 the way it was unfolding was they were on the same  
17 page.  
18 Q So that's the third time Mr. Moulton's discussed  
19 Pickton with you?  
20 A Yes. There may have been other times in between.  
21 Q That's fine.  
22 A Again, because very informal between the two of us  
23 when we sit down to talk about what was going on  
24 within the office.  
25 Q And there's no notes that you have that would help

1                   you?

2           A     No.

3           Q     So this is all in the summer of 1999?

4           A     Yes.

5           Q     Can you tell us the next time Mr. Moulton spoke to  
6                   you about Pickton?

7           A     I don't think we ever talked about it again.

8           Q     In those three discussions that you've recalled to  
9                   Commissioner Oppal was there any request by Mr.  
10                  Moulton of you?

11          A     No, not that I recall.

12          Q     Did he ever complain to you in any way about  
13                  resources?

14          A     We complained about resources on almost a daily  
15                  basis at the detachment level.

16          Q     Did he --

17          A     Not specifically to do with this investigation,  
18                  but it was an ongoing problem for us.

19          Q     I was just going to ask you. So no complaint  
20                  about the specific Pickton investigation was made  
21                  by Mr. Moulton to you?

22          A     Not that I recall.

23          Q     Can you tell us when the next time you heard about  
24                  Pickton as a serial killer? We've covered the  
25                  three times you recall.

1           A    February 6th, 2002, a rainy morning at the Pickton  
2                farm.

3           Q    So nothing between the summer of 1999 and February  
4                6th, 2002.

5           A    No, sir.

6           Q    And tell us about February 6th, 2002.

7           A    Arrived at work and I found out that there was a  
8                major investigation going on as a result of a  
9                search warrant at the Pickton farm. I drove out  
10              there and saw what was going on.

11          Q    And so what were you thinking when you heard this  
12                in February 6th, 2002?

13          A    Wow, how did this happen.

14          Q    Fair response. And did you go ask anybody?

15          A    Sir, everybody was too busy. We were trying to  
16                secure that property, putting up fences, waiting  
17                for the Major Crimes investigators from Evenhanded  
18                to come in to take over the investigation. We had  
19                media, family members. Trying to secure that  
20                whole property.

21          Q    So you said to yourself, in effect, how did this  
22                happen?

23          A    Yes.

24          Q    You didn't go down the hall and ask your inspector  
25                about this?

1           A    He was busy. Everybody was busy.

2   MR. HIRA:   Just a moment. The impression that my friend is  
3               leaving is --

4   THE REGISTRAR: Come forward to the mic, please.

5   THE COMMISSIONER: I can't hear you. You have to get to a  
6               microphone.

7   MR. HIRA:   I understand.

8   THE REGISTRAR: And identify yourself. Thank you.

9   MR. HIRA:   It's Ravi Hira. The impression that my friend is  
10              leaving with you, Mr. Commissioner, is that my  
11              client was the inspector. My client left the  
12              detachment in June of 2000, so the inspector  
13              should be identified.

14   MR. VERTLIEB: Thank you, Mr. Hira.

15   THE COMMISSIONER: All right. That's a good point.

16   MR. VERTLIEB: No, that's a good point. I appreciate that. I  
17              misunderstood.

18           Q    So by then Mr. Moulton was gone?

19           A    Correct.

20           Q    Did you ever speak to Mr. Moulton since the arrest  
21              of Pickton about this?

22           A    No. He had moved on, and he was working out of  
23              "E" Division Headquarters Vancouver.

24           Q    So at no point did you discuss with him about how  
25              did this happen?

1           A    No.

2           Q    So why did you ask yourself that question, how did  
3                this happen?

4           A    Clearly we had a major event occurring within our  
5                detachment area.

6   THE COMMISSIONER:  And you weren't told about it; is that  
7                       right?

8           A    Before they went in?

9   THE COMMISSIONER:  Yes.

10          A    No, I wasn't advised that they had a search  
11                warrant to go in the evening before.

12   THE COMMISSIONER:  Is that normal --

13          A    Yes.

14   THE COMMISSIONER:  -- in the RCMP, that they would embark on a  
15                    major investigation, a major search here, in this  
16                    case the Pickton property, without telling you as  
17                    the officer in command?

18          A    The search warrant they had --

19   MS. TOBIAS:  With respect, Mr. Commissioner, I think there  
20                   might be -- Cheryl Tobias for the Government of  
21                   Canada.

22   THE COMMISSIONER:  Sorry?

23   MS. TOBIAS:  I think there might be some confusion because I  
24                   think what we're talking about is the firearm  
25                   search which precipitated later searches, but I



1 think the question was, with respect, a little  
2 unfair because the initial search was not the big  
3 dramatic search.

4 THE COMMISSIONER: No, he's speaking about the day he went down  
5 there, there were people all over the place and  
6 the property was being -- he's talking about the  
7 major search, as I understand it.

8 A Yes, sir. The -- Constable Wells had a search  
9 warrant --

10 THE COMMISSIONER: Yes.

11 A -- for a firearms --

12 THE COMMISSIONER: Right.

13 A -- searching for firearms on the property.

14 THE COMMISSIONER: Yes.

15 A And that's what precipitated the search.

16 THE COMMISSIONER: Right.

17 A And when they got onto the property, they found  
18 other evidence, and they put a stop to everything,  
19 and we locked down -- or the detachment and the  
20 members of Evenhanded who were there locked down  
21 the property and we secured it.

22 THE COMMISSIONER: Okay.

23 A And they got the further search warrants to go in.  
24 And when I arrived at work in the morning, that's  
25 when I found out this whole thing had taken place.

1 But to answer your question, the fact that our  
2 young constable, Nathan Wells, had gotten the  
3 search warrant and they were doing a search, that  
4 wouldn't be something that I would get called at  
5 home for.

6 THE COMMISSIONER: No. I see. So it was the major event of  
7 everybody being there and the property being taken  
8 apart and all the rest of it? That's what you  
9 saw?

10 A Yeah. It wasn't being taken apart at that time.  
11 It was just locking it down --

12 THE COMMISSIONER: I see.

13 A -- controlling the scene --

14 THE COMMISSIONER: Okay.

15 A -- until such time as the Project Evenhanded, or  
16 the Missing Women's Task Force I guess they were  
17 still called at that time, got their warrants and  
18 could come onto the property and start doing what  
19 they had to do. So basically what Coquitlam  
20 Detachment was doing, Commissioner, was securing  
21 the property, maintaining control of it, keeping  
22 people out.

23 THE COMMISSIONER: I see. All right. Okay.

24 MR. VERTLIEB:

25 Q Did you ever do a post-mortem to find out how this

1                   happened?

2                   A    I didn't, no.  That was -- in my opinion, that was  
3                   being done by the Missing Women's Task Force.

4                   Q    And who was doing that?

5                   A    I can't say who specifically, but it fell under at  
6                   that time Staff Sergeant Don Adam's span of  
7                   control, and they were the ones that were handling  
8                   the missing women's investigation.

9                   Q    Tell us about your working relationship with  
10                  Inspector Moulton.

11                  A    I think it was very good.

12                  Q    How many years did you work with him?

13                  A    I had worked with him once before during the  
14                  Gustafsen Lake operation in Hundred Mile House,  
15                  and when I came to Coquitlam in '98, May, June, he  
16                  had been the operations officer.  I'm not sure of  
17                  his exact start date as the operations officer,  
18                  but when my predecessor retired and moved on,  
19                  Inspector Moulton became the acting operation --  
20                  or acting officer in charge of Coquitlam  
21                  Detachment, and I think that would be, like,  
22                  January, February of '98 till I got there in end  
23                  of May.

24                  Q    And he was good to work with?

25                  A    Yes.

1 Q And you had a very open relationship with him?

2 A Yes.

3 Q It appears that you thought highly of his ability?

4 A I did.

5 Q And you paid a great deal of attention to his  
6 thoughts and views about policing?

7 A Yes, I did. I always used to laugh because when  
8 he writes a report I really had to read them two  
9 or three times over because he's really good at  
10 it.

11 Q So he's someone that you had complete confidence  
12 in?

13 A Yes.

14 Q And had reason to believe that?

15 A Yes.

16 Q Is there anything else that you wish to cover with  
17 the commissioner in the context of the questions  
18 I've asked you, because I just want to be sure  
19 that you have a chance to say if there's anything  
20 at all that you wish to say in answer to the  
21 questions I've put to you? Is there anything else  
22 now?

23 A The only thing I would like to add is that I ran  
24 the detachment in a way that people had shown me  
25 and taught me how to run a detachment, not to

1 stick your nose into the investigations, don't  
2 micromanage, let the investigators do what they  
3 had to do, be there to help them if they are  
4 running into obstacles with outside units, to go  
5 to bat for them. I believe, in my opinion,  
6 contrary to what Deputy Chief Evans says in her  
7 report, that I did run a good detachment.

8 Q Is there anything you would do differently if you  
9 had to do it again?

10 A I've thought about that an awful lot, and I still  
11 would hold the position that I would not be  
12 interfering with the Serious Crime investigators,  
13 with their operations, unless they came to me to  
14 ask for some assistance.

15 MR. VERTLIEB: Thank you.

16 THE COMMISSIONER: All right.

17 MR. VERTLIEB: Ms. Tobias has indicated she wishes 45 minutes.

18 THE COMMISSIONER: All right.

19 MS. TOBIAS: Mr. Commissioner, Cheryl Tobias for the Government  
20 of Canada. I've handed up a volume of documents,  
21 and they are entitled "Ric Hall Canada's  
22 Documents". I'd ask that be marked as the next  
23 exhibit in this -- in these proceedings for  
24 identification at this time, please, or at least,  
25 sorry, for NR.

1 THE COMMISSIONER: All right.

2 THE REGISTRAR: That will be marked as Exhibit number 106NR.

3 (EXHIBIT 106NR - Binder of documents entitled  
4 HALL, Ric Canada's Documents)

5 CROSS-EXAMINATION BY MS. TOBIAS:

6 Q Now, sir, Superintendent Hall, you have testified  
7 that your background as a police officer was in  
8 incident training rather than investigations per  
9 se?

10 A The latter part of my career, yes. The earlier  
11 part of my career was like many members of the  
12 RCMP. I started off in small rural detachments in  
13 Alberta.

14 Q And the incident training would cover things like  
15 emergency responses, security issues, that kind of  
16 thing?

17 A Yes. I started off as a member of the emergency  
18 response teams when they first came to be in the  
19 mid-'70s, became a team commander and developed  
20 from there where I became involved with hostage  
21 negotiations, and when I became a commissioned  
22 officer I was -- became an incident commander.

23 Q And you've been a commissioned officer since the  
24 mid-'80s?

25 A 1986.

1           Q    You have been a manager of different sizes and  
2                kinds of police units? For example, you managed a  
3                small detachment in Alberta?

4           A    That's correct.

5           Q    And you managed or you were a manager at a much  
6                larger centre in Prince George?

7           A    That's correct. I was the officer in charge of  
8                the Prince George City Detachment.

9           Q    And can you give us an idea of the size of that  
10               detachment, sir?

11          A    It was almost the same size as Coquitlam when I  
12                came to Coquitlam, and the numbers may vary a  
13                little bit, but they were essentially the same  
14                size.

15          Q    Okay. And also in Surrey?

16          A    I was the operations officer at Surrey Detachment.

17          Q    And that's a similar size to Coquitlam as well or  
18                is it bigger?

19          A    No, it's much bigger.

20          Q    It was at the time you were there?

21          A    Yes.

22          Q    And you have been a member of the BC Association  
23                of Chiefs of Police for a long time?

24          A    Since 1994 until I retired.

25          Q    And you served as vice-president and president at

1           various points during your membership?

2           A    That's right.

3           Q    The managers officer level, if I can put it that  
4                way, of the municipal police departments as well  
5                as the RCMP belong to that association?

6           A    That's correct.

7           Q    And you came to know the managers of the Vancouver  
8                City Police?

9           A    Most of the deputies and the chief.

10          Q    That association was one where the subjects  
11                concerning you were technical police enforcement  
12                subjects?

13          A    Yes. There would be an agenda set up. Normally  
14                the meetings take place four times a year. There  
15                would be an agenda set out before detailing all  
16                the topics that were to be discussed, and then the  
17                presenters obviously would come and give their  
18                presentation to the chiefs.

19          Q    Were individual investigations or projects  
20                discussed if they were major matters?

21          A    Normally individual investigations were not  
22                discussed in the open forum.

23          Q    Would they be discussed informally at all?

24          A    They may be discussed informally, yes.

25          Q    Was there any discussion about the missing women's



1                   problem in Vancouver or the Pickton investigation  
2                   at your detachment?

3           A    I do not recall it ever being on the agenda,  
4                   Pickton or the missing women's. The only time I  
5                   can recall the missing women's investigation being  
6                   on the agenda was when Inspector Don Adam came to  
7                   give a discussion on what was happening at the  
8                   farm during that investigation.

9           Q    Okay. You said as well -- I'm skipping ahead a  
10                   little bit here, but one of your duties as the  
11                   commanding officer of Coquitlam Detachment was to  
12                   deal with complaints or issues from the outside  
13                   about the conduct of investigations that occurred  
14                   within the detachment. Did I understand that  
15                   correctly, sir?

16          A    Yes. It could be how an investigation was being  
17                   handled or it could be allegations of excessive  
18                   force or improper attitude by members of the  
19                   detachment when they're dealing with the public.

20          Q    And did anyone approach you at all with respect to  
21                   the Pickton investigation to make any kind of  
22                   complaint or talk to you about how that matter was  
23                   being handled?

24          A    No.

25   MS. TOBIAS: Now, sir, I'm going to ask you to take up Exhibit

1           106, and I want to ask you some questions about  
2           the organization. There's some organizational  
3           charts. And, Mr. Commissioner, I think I'm going  
4           to take the opportunity with this particular  
5           witness to set out for you and put before you the  
6           way in which the Coquitlam Detachment was  
7           organized as relevant to this case and also "E"  
8           Division and the relationship between the  
9           Coquitlam Detachment and "E" Division and  
10          specifically, for example, the Coquitlam  
11          Detachment and the Unsolved Homicide Unit and  
12          Major Crimes --

13       THE COMMISSIONER: All right.

14       MS. TOBIAS: -- because I think that's something that you need  
15          to know for your mandate.

16           Q    So, sir, would you turn to tab 14, please, and  
17                we'll start there. This is an organizational  
18                chart or part of an organizational chart dealing  
19                with "E" Division from headquarter's perspective.  
20                Do you see that?

21           A    We're talking page 1 of 1?

22           Q    Yes, I am.

23           A    Yes, I see it.

24           Q    Now, what we see there is that there is the deputy  
25                commissioner of Pacific Region and then the

1           commanding officer of "E" Division as the top two  
2           levels; is that right?

3           A    That's correct.

4           Q    And then if we go down and then into the  
5           right-hand corner, there are some boxes labelled  
6           District Officer North, Southeast, Southwest, and  
7           Island?

8           A    Yes.

9           Q    And Coquitlam fell within the District Officer  
10          Southwest box; is that right?

11          A    That's correct.

12          Q    And on the other side we see OIC Criminal  
13          Operations managed by a chief superintendent. Do  
14          you see that?

15          A    Yes.

16          Q    Is that what's commonly known as CrOps or  
17          sometimes known as CrOps?

18          A    Yes.

19          Q    And that we'll get to in more detail in a minute,  
20          but that's where Major Crimes and UHU or Unsolved  
21          Homicide and units like that reported?

22          A    That's correct.

23          Q    Okay. So, in effect, Coquitlam reported up to the  
24          commanding officer of "E" Division, and Criminal  
25          Operations was -- also reported up to the

1           commanding officer of "E" Division; is that right?

2           A    That's right.

3           Q    So there was no reporting relationship between  
4           Coquitlam Detachment and Criminal Operations?

5           A    That's correct.

6           Q    Now, would you turn, please, to tab 17.  Oh, no,  
7           we won't go to tab 17 quite yet.  Now, at the  
8           time -- this chart is dated -- we can see  
9           effective date on the stamp is January 21st, 1999?

10          A    Yes.

11          Q    And the signature of the commanding officer of "E"  
12          Division there, that's Murray Johnston?

13          A    That's correct.

14          Q    So, Mr. Commissioner, I have also handed up, and  
15          this is purely by way of an aid to -- an  
16          aide-memoire I suppose is the term we've been  
17          using because some of the boxes have been  
18          highlighted, and this is for when we get to  
19          Coquitlam, which we're going to go to in a moment.  
20          I think, actually, we'll first go to the Major  
21          Crimes Unit.  Would you flip over the page to tab  
22          15, please.  And this is a chart dated April 1st,  
23          1998, the effective date?  Yes?

24          A    Yes.

25          Q    And it shows the chief superintendent, the OIC

1 Criminal Operations at the top, so that was Murray  
2 Johnston?

3 A No. OIC Criminal Operations?

4 Q Yes. From the previous chart. Oh, I'm sorry.

5 A '98.

6 Q I'm sorry, I've got them mistaken.

7 A '98. That might have been Murray Johnston. He  
8 may still have been the Criminal Operations  
9 officer.

10 Q But that's -- I'm sorry I misled you -- that's the  
11 OIC Criminal Operations box from the previous tab,  
12 so this is what we have on the top here, and then  
13 we have the Major Crime Section below that?

14 A Yes.

15 Q And that was Gary Bass at the time?

16 A Yes.

17 Q And then we look down and we see Unsolved Homicide  
18 reporting to the OIC of Major Crime?

19 A Yes.

20 Q And to the left on the page we have the Serious  
21 Crime Unit?

22 A Correct.

23 Q So if we just stop there for a minute, you  
24 described having people from Unsolved and I think  
25 you said Major Crimes helping out with the Pickton

1 investigation, so that would be from these two  
2 units here?

3 A Yes.

4 Q Okay. And then if we flip over the page to the  
5 second -- it's on the same page, actually, but  
6 it's the back part of that tab. It's a later  
7 version. This one's dated 2000 -- I think that's  
8 2002, March 1st. Do you see that, sir?

9 A Yes. Sorry.

10 Q And we can see that the organization was very  
11 similar as of that date. You still had your  
12 Unsolved Homicide Unit and your Serious Crime Unit  
13 as part of the Major Crime Section?

14 A Yes.

15 Q And would you turn over one more tab, please, to  
16 tab 16. This is the Lower Mainland District,  
17 again "E" Division, in 2002, April 1st, 2002, and  
18 this chart here describes a change in the  
19 reporting relationship for Coquitlam, does it not?  
20 We have the deputy commissioner Pacific Region "E"  
21 Division at the top of the chart, then a new  
22 position, what's labelled new district officer  
23 Lower Mainland District?

24 A Yes.

25 Q And then if you go down and slightly to the left,

1 we see OIC Coquitlam Detachment, superintendent.

2 That was you?

3 A That's me.

4 Q Okay. So as of -- by 2002 you were reporting  
5 instead to -- instead of reporting to the  
6 Southwest District you reported to the Lower  
7 Mainland District?

8 A Yes. The Southwest District was done away with.

9 Q And if we look at the bottom of the page, we see  
10 that Gary Bass is now signing as the deputy  
11 commissioner of the Pacific Region?

12 A Correct.

13 Q So he had changed positions in the intervening  
14 years?

15 A Yes.

16 Q And then we have the Lower Mainland District  
17 officer. Whose signature is that, sir?

18 A Gary Forbes.

19 Q Now, would you turn back, please, to tab 11, and  
20 these are organizational charts for Coquitlam  
21 Detachment, sir. And would you turn to -- it's  
22 the second full page, and it's a chart headed "E"  
23 Division Coquitlam Detachment?

24 A Page 3 of 7?

25 Q Yes. And, Mr. Commissioner, that's when this

1 highlighted version might be useful to you. So  
2 the commanding officer -- oh, and there are more  
3 copies up on the desk, I think, if any counsel  
4 want to take advantage of them.

5 So then you have the commanding officer of  
6 "E" Division and the -- this is 1997 -- the  
7 superintendent reporting to the commanding  
8 officer. And the superintendent, that was your  
9 position, but your predecessor was Superintendent  
10 Zapotichny?

11 A Correct.

12 Q And the commanding officer of "E" Division at that  
13 time was Murray Johnston?

14 A Right.

15 Q And when you arrived in May of 1998, Earl Moulton  
16 had been acting in that position for some time?

17 A Yes.

18 Q And if we go down and look at the far left, the  
19 operations officer, that was Earl Moulton's  
20 position?

21 A Correct.

22 Q And then if we go to the far right, we see the box  
23 for GIS/drug commander, the staff sergeant?

24 A Yes.

25 Q And this is what you explained earlier, I believe,



1           that technically on paper the staff sergeant  
2           reported directly to you, but in reality Earl  
3           Moulton actually oversaw all the plainclothes  
4           operations?

5           A    Yes.

6           Q    So he oversaw the plainclothes as well as the  
7           watch?

8           A    Yes.

9           Q    So he had a very, very broad span of duties?

10          A    That's correct.

11          Q    And your staff sergeant at the time was Bush  
12          Halpenny?

13          A    Correct.

14          Q    Now, this is where I'm going to suggest, sir, that  
15          you keep your finger in tab 17 as well. And, Mr.  
16          Commissioner, I am going to ask you to -- I'd  
17          suggest you actually take it out and hold it  
18          beside the other charts because the tab 17 are the  
19          names of the people that go with the charts as  
20          they appeared at various times, and most of these  
21          names are people that you've heard of in the  
22          evidence, and so, in my submission, it would be  
23          helpful to you to know where they fit in the  
24          organization and what their relationships were.

25                So if we're looking at tab 17, Superintendent

1 Hall, we see at the top of the first page in the  
2 chart that we've talked about Superintendent  
3 Zapotichny preceding you, and you were the  
4 superintendent throughout the terms of reference  
5 after mid-1998?

6 A Yes.

7 Q And then the inspector, that's the position we  
8 just looked at. Initially it was Earl Moulton,  
9 and then Lorne Schwartz came into that position in  
10 August of 2000?

11 A That can be just a little bit deceiving because  
12 Earl Moulton was my operations officer. We only  
13 had the one inspector, and when I created a second  
14 inspector's position, Earl Moulton moved over to  
15 become the operations support officer looking  
16 after the plainclothes. Inspector Dave Debolt  
17 came in and became my operations officer looking  
18 after the uniform side.

19 Q So when Lorne Schwartz came in he was just on the  
20 plainclothes side?

21 A Yes. He took Earl Moulton's spot when Earl left.

22 Q Okay. And I think we're going to see that on a  
23 later chart, but let's look down to the staff  
24 sergeant position. So this is the staff sergeant  
25 of the GIS and drugs. He was the GIS/drugs

1 commander. So we have Bush Halpenny until August  
2 1999 and then Brad Zaly's --

3 A Correct.

4 Q -- from the rest?

5 Okay. So let's put that aside for the moment  
6 and go back to our tab 11 here. Sorry, that  
7 was -- yes, tab 11. And so if we turn to page 4  
8 of 7 over the page, so what we're seeing here is  
9 that if we go back to 1997, 1998, before you made  
10 the change you described, Earl Moulton is -- the  
11 operations officer is Earl Moulton?

12 A Yes.

13 Q Inspector Earl Moulton. And this is the watch,  
14 the uniform patrol, that's being described on this  
15 page?

16 A That's correct.

17 Q And the next page, the operational support NCO,  
18 that's a completely different unit we don't need  
19 to concern ourselves with? Yes?

20 A Yes.

21 Q And then flip over to Chart 4. This is where we  
22 see you as detachment commander and then GIS/drug  
23 commander, which was Halpenny, but we should  
24 really pencil in Moulton's name here because --

25 A Yes.

1 Q -- effectively they reported to you through him?

2 Yes?

3 A Yes.

4 Q Okay. And we see that the drug commander had a  
5 number of units under his -- that he was  
6 responsible for, four of them, and one of them was  
7 the Serious Crime Unit?

8 A Yes.

9 Q And there was a sergeant in charge of that  
10 particular unit?

11 A Yes.

12 Q And reporting to the sergeant were two corporals?

13 A Yes.

14 Q And they oversaw six investigators, six  
15 constables? Under the box "Investigators".

16 A Correct, yes. I'm sorry.

17 Q Okay. So between -- if we can include corporals  
18 and investigators, between them and you you had,  
19 in effect, the sergeant, the staff sergeant, and  
20 Earl Moulton, so there were three levels of  
21 supervision between you and the investigators?

22 A Yes.

23 Q Now, let's turn back to tab 17, and if we look at  
24 the sergeant's position on the bottom of the page,  
25 when you arrived Brad Zalys was in one of those

1 sergeant positions before his promotion?

2 A That's correct.

3 Q And he was succeeded in October 1998 by Daryll  
4 Pollock?

5 A Correct.

6 Q Who remained in that position until 2001, in  
7 March, when he was succeeded by Mike Connor as the  
8 sergeant?

9 A Yes.

10 Q Then if you turn over that page, we see the  
11 corporals. One of the two corporals positions, we  
12 see that Wayne Clary occupied that position for  
13 most of the terms of reference, from September  
14 1997 to February 2001?

15 A Except for the seconded period.

16 Q Well, yes. So he was in that position, but he was  
17 seconded from August 1999 to February 2001, and I  
18 understand from other evidence he was seconded to  
19 an investigation called E-Lobster. Does that ring  
20 any bells with you?

21 A I remember it, yes.

22 Q And then he became a member of the Evenhanded  
23 team?

24 A Yes.

25 Q And so when he was gone, when he was seconded,

1                   were you able to backfill that position?

2           A    No.

3           Q    And was that the normal situation when a member  
4                was taken to fill one of these projects, that  
5                their position would just sit vacant?

6           A    Yes.  We always received promises that they would  
7                come back to us, but generally we never saw them  
8                again.

9           Q    And then the second position was the position that  
10               Mike Connor held until his promotion in September  
11               1999?

12          A    Right.

13          Q    And he was succeeded by Dave McCartney and then by  
14                Cary Skrine and Jeff Ketola?

15          A    Yes.

16          Q    And then we have the names of all the constables  
17                there, including Ruth Yurkiw, for example, who's  
18                in the number 4 spot.  Looking at this chart, sir,  
19                it seems that the personnel seemed to be there for  
20                a couple of years before they -- they came and  
21                left within a couple of years.  Is that a fair  
22                statement?

23          A    Yes.  It was quite a revolving door of people.

24          Q    Was that a situation that you -- well, first of  
25                all, can you give us any background to that

1 situation?

2 A Well, as you can see -- like, a person like Mike  
3 Connor and Brad Zalys, they moved on to be  
4 promoted. They stayed within the detachment going  
5 back onto uniform side, and then when vacancies  
6 came open on the plainclothes side they moved back  
7 into a position on the plainclothes side of the  
8 house. Some of these people moved on to other  
9 specialized sections. Some of them did not work  
10 out as a plainclothes investigator and were moved  
11 back to the uniform side. Some of them became  
12 stressed out and asked to be transferred out.

13 Q Was that a usual state of affairs on a  
14 plainclothes unit?

15 A I can't speak for other units, but at the time it  
16 seemed that because of the small numbers of  
17 investigators we had they were being overworked,  
18 and quite often I would hear from the constables  
19 that they were getting no time at home with their  
20 families and they had to get out and move on.

21 Q We've heard evidence about Mike Connor seeking  
22 permission to remain in his position or to remain  
23 with the unit after he was promoted to, I believe  
24 it was sergeant, and continue on with this file.  
25 Would that be something that's sometimes referred

1 to as over-ranking?

2 A Yes.

3 Q And so that's when a person is promoted but  
4 continue in the same duties and position as before  
5 so that they can finish up some assignment?

6 A Yes. There's -- organizationally there was a  
7 whole bunch of different obstacles in the way of  
8 doing that.

9 Q Is there any difference between how that situation  
10 was at the time handled say between the detachment  
11 and headquarters? Was it --

12 A I'm sorry, I don't understand what you're asking.

13 Q Okay. You mentioned that there were obstacles in  
14 the way of over-ranking someone. Maybe what you  
15 can do is just tell us what those were.

16 A In this particular case Mike Connor was being  
17 promoted to sergeant, and he was going to fill a  
18 position on the watch. Clearly we needed somebody  
19 on the watch to do that job. If we had left him  
20 on the plainclothes section, then that would have  
21 left that supervisory position vacant. We would  
22 have to move somebody up, a junior corporal to  
23 move up to take that position. Then it comes down  
24 to internally and organizationally we've got a  
25 sergeant doing a corporal's job or a constable's



1           job on the plainclothes side of things. Normally  
2           in most cases if a person is promoted, in this  
3           case from plainclothes back onto general duty,  
4           they normally would stay, clean up as many files  
5           as they can, turn -- what they can't clean up they  
6           would turn over to their supervisor to say,  
7           "Here's what I've got open I can't work on," then  
8           they move on to their new job. They don't take  
9           those files with them because they -- he would  
10          have no time.

11         Q   I am going to ask you more questions about this  
12             later, but between the watch and the general duty  
13             and the plainclothes sections what was the  
14             priority at the time? Was there a priority  
15             between the two of them?

16         A   There's always a fine balancing act between the  
17             uniform side and the plainclothes side, trying to  
18             keep enough resources on the uniform side so that  
19             there's people that can respond to the calls for  
20             service when they come in, and then there's always  
21             the priority of having enough people to be able to  
22             do the job, to carry on with those serious  
23             investigations that would normally fall to the  
24             plainclothes unit. Fine balancing act. No easy  
25             answer.

1           Q    I'd like you to go back to the charts again.  
2                Let's flip over to tab 12, please.  And if you'd  
3                look at page 3 of 8, please.

4   THE COMMISSIONER:  Page what?

5   MS. TOBIAS:  3 of 8.

6           Q    This is a chart dated July 1st, 1999, as its  
7                effective date signed by yourself and Murray  
8                Johnston?

9           A    It's actually signed by my staff sergeant.

10          Q    Oh, I see.  Sorry.

11          A    It's okay.

12          Q    On your behalf?

13          A    Yes.

14          Q    Okay.  And Murray Johnston?

15          A    Correct.

16          Q    And does this chart describe the change you talked  
17                about earlier, because here you've got now an  
18                inspector, the operations officer, that was Earl  
19                Moulton on the far left, and then a second  
20                inspector, operational support officer?

21          A    Correct.

22          Q    So the operational support officer, that was Dave  
23                Debolt?

24          A    No.

25          Q    Oh, okay.

1           A    It was reversed.

2           Q    Do I have them the other way around?

3           A    Yeah.

4           Q    Okay.

5           A    Operations officer was Debolt.  When he moved in,  
6                which was November of 1999, Earl Moulton moved  
7                over to become the operational support officer  
8                looking after the plainclothes sections.

9           Q    Okay.  And so then if we turn over the page to  
10               page 4, we see the operations officer there.  We  
11               see the watch.  And page 5 is more duties or more  
12               units reporting to the operations officer?

13          A    Yes.

14          Q    And then page 6, the next one, this describes the  
15               operational support officer, which was Earl  
16               Moulton?

17          A    Correct.

18          Q    And the number of units that he had under his  
19               command?

20          A    Correct.

21          Q    Quite a large number of them?

22          A    Yes.

23          Q    And then on the next page we have, on page 7, the  
24               staff sergeant, the drug commander, reporting to  
25               the operational support officer, and that was

1 Halpenny/Zalys that we've talked about?

2 A Yes.

3 Q And then we see now that there's a team on the  
4 left called the Street Enforcement Team, Drugs and  
5 Burglary?

6 A Yes.

7 Q So that was a structure we hadn't seen split out  
8 before in the previous chart?

9 A That's correct. Did some massaging of the  
10 personnel that we had.

11 Q Okay. And then on the right-hand side the Serious  
12 Crime supervisor --

13 A Yes.

14 Q -- sergeant, and that was Daryll Pollock through  
15 most of the time and then Mike Connor?

16 A Yes.

17 Q And then you've got one team on the left-hand  
18 side, the Fraud Team, one corporal there, and then  
19 the Serious Crime Section on the right-hand side  
20 with the two corporals and the six constables?

21 A Yes.

22 Q Now, you told Mr. Commissioner earlier that your  
23 Coquitlam Detachment serviced a number of  
24 different areas. If I can just review them  
25 quickly. The cities of Coquitlam and Port

1 Coquitlam?

2 A Yes.

3 Q And also the communities of Belcarra and Anmore?

4 A Yes.

5 Q And those were kind of seasonal communities?

6 A Yes.

7 Q And there was a small reserve --

8 A Yes.

9 Q -- First Nations reserve as well?

10 A Right.

11 Q And if you compared the size of Coquitlam and Port

12 Coquitlam in terms of -- I think it's in terms of

13 population that Port Coquitlam is about a third

14 the size of Coquitlam?

15 A Yes. That's sort of the benchmark that we use.

16 It was like a one-third, two-third split between

17 Coquitlam and Port Coquitlam.

18 Q Would you go back to the Exhibit 106, please, and

19 turn up tab 19. This is a chart entitled

20 "Coquitlam RCMP Detachment Member Strengths".

21 You're familiar with this chart, sir?

22 A Yes.

23 Q And that chart shows us on the left-hand side the

24 different organizations that we've just gone

25 through. And so the heading Provincial policing,

1                   that would describe Anmore and Belcarra?

2           A    Yes.  We had three members assigned to the  
3               provincial side.

4           Q    And the federal side would be the First Nations --

5           A    Yes.

6           Q    -- community?

7                   And you had -- well, it says three in 1998, but  
8               then you went down to one --

9           A    Yes.

10          Q    -- one member assigned?

11          A    The downsizing was drug positions that were taken  
12               away.

13          Q    Okay.  And then what we see -- and this chart  
14               precedes your time on the -- at Coquitlam, but  
15               what we see is a gradual increase in the number of  
16               members that you had from -- when you arrived in  
17               1998 there were 161 in total?  Yes?

18          A    Yes.

19          Q    And when you left in 2004, 179, if we turn over  
20               the page?

21          A    Yes.

22          Q    Nevertheless, I understand that you experienced  
23               serious shortages of personnel in the late 1990s?

24          A    Yes.

25          Q    Would you turn up tab 22, please.  Actually, tab

1           18. That's my mistake. I apologize. And if you  
2           go to page 2 of 4, this is a memorandum from you  
3           to the City Manager of Coquitlam dated May 19th,  
4           1999?

5           A    Yes.

6           Q    And about the resourcing?

7           A    It went to the City of Port Coquitlam as well.

8           Q    Okay. And you have some detailing here describing  
9           what you term as 12 positions that were vacant?

10          A    Yes.

11          Q    So we looked at the positions on the chart just  
12          now, but -- so those are the positions you have,  
13          not the positions you have that are filled. So  
14          these 12 positions would detract from, in effect,  
15          the number of people you actually had working?

16          A    Right. Normally if somebody was being transferred  
17          out there would be somebody being transferred in,  
18          and their name would be in the box on the  
19          organizational chart to indicate they're coming  
20          in, but these 12 positions were vacant. There was  
21          no names to go in them.

22          Q    And so you describe the situation that generated  
23          this or you describe the circumstances that led to  
24          this situation in your memorandum, and I  
25          particularly would ask you to look at page 3 of 4.

1 First of all, in the middle of the page you say:

2 With the shortages we now face my primary  
3 focus is to ensure that we maintain an  
4 adequate level of General Duty first  
5 responders.

6 And then you say it's what the public expects "and  
7 we have to have enough resources on the road", and  
8 then you say that you have to look to the  
9 specialty sections to see where you can draw  
10 resources from. So by specialty sections, would  
11 those include the plainclothes unit?

12 A Yes, that would be a last resort.

13 Q And you say at the end of that paragraph:

14 I have vacant positions in our plainclothes  
15 units which will not be filled in the near  
16 future.

17 A Yes.

18 Q Okay. And at the bottom of the page you describe  
19 a shortage in British Columbia of more than 200  
20 RCMP members, and you talk about what proportion  
21 of those you -- or proportion of new cadets coming  
22 out you can expect to get. So can you elaborate  
23 on that a little bit and how that might have  
24 impacted your detachment, and I'd ask you to focus  
25 specifically on Serious Crime?



1           A    When we were allocating resources internally  
2                    within the detachment to fill vacancies or  
3                    shortfalls, Serious Crime would be one of the last  
4                    ones we would try and affect because that was a  
5                    small unit to begin with. The first places we  
6                    would look is the Traffic Section, to take people  
7                    off Traffic to backfill positions on the general  
8                    duty side, the uniformed members. The impact of  
9                    our training centre being shut down for that  
10                  period of time or the numbers being very low,  
11                  those 12 vacancies that we had no names for, those  
12                  would be -- for the most part they would be new  
13                  members, cadets coming from depot, so they arrive  
14                  on our doorstep and they have no experience as a  
15                  police officer.

16          Q    Okay. So just to pause for a moment there  
17                  parenthetically, when Serious Crime has more  
18                  urgent work than they can handle you call in the  
19                  other members from other plainclothes units to  
20                  assist?

21          A    Yes.

22          Q    And sometimes the general duty as well?

23          A    Sometimes, yes.

24          Q    But when those units are strapped, it becomes even  
25                  more difficult to protect?

1 A Yes, that's correct.

2 Q Would you turn, please, to tab 1. Now, what's in  
3 this tab are a series of documents entitled  
4 "Management Committee Meeting Minutes", and this  
5 is a reference to the management committee at  
6 Coquitlam Detachment; is that right?

7 A Yes.

8 Q Would you turn, please, to -- I'm going to go a  
9 little bit backwards here, but I'd like you to  
10 turn to page 19 of 23 first, and on the left-hand  
11 side of the page there's a heading "Operational  
12 and Administrative Matters Superintendent Hall".  
13 Do you see that?

14 A Yes.

15 Q And three bullets from the bottom you talk about:

16 Addressed issues of staffing shortages with  
17 both Cities...

18 Now, I am going to stop there for a moment and  
19 note that this is in 1999 according to the heading  
20 for that set of minutes, June 15th, 1999.

21 A Yes.

22 Q And so you say:

23 Addressed issues of staffing shortages with  
24 both Cities who are not very happy with the  
25 RCMP as an organization at the present time,

1                   they are drafting correspondence to the  
2                   Commissioner,  
3                   etcetera. So is this describing a follow-up to  
4                   the memorandum --

5           A    Yes.

6           Q    -- we just referred to?

7           A    Yes.

8           Q    So you end that with:

9                   Coquitlam Detachment will be short 10-12 for  
10                  the summer.

11                 So that's the summer of 1999?

12          A    Yes.

13          Q    And while we're in this tab would you turn,  
14                 please, to page 13, and we can see from page 12  
15                 that these are minutes for a meeting on March 8th,  
16                 2000. And on page 13 there's a heading on the  
17                 right-hand side "Operational and Administrative  
18                 Matters Inspector Moulton". Do you see that?

19          A    Yes.

20          Q    And this is the reference:

21                   There are 20 murder files outstanding, cannot  
22                   assist GD side until they are cleaned up.  
23                   GD is general duty side?

24          A    Yes.

25          Q    Can you give us some explanation for that entry,

1                   please? Just some elaboration. Why would --

2           A    At these meetings we'd be discussing how we can  
3               best allocate resources if we were running short  
4               in a certain area, where we could pull bodies  
5               from, and despite the brief comment there I'm  
6               taking that Inspector Moulton at the time is just  
7               standing up for his side of the house and saying,  
8               "I can't give up bodies."

9           Q    Okay. So we know that at best there's one  
10               sergeant, two corporals, and six constables in  
11               Serious Crime, so that's a total of nine. We know  
12               that Wayne Clary was on secondment. And so  
13               they're working on 20 murder files?

14          A    Yes, they're on the back shelf waiting to be  
15               solved.

16          Q    And that would -- they had files other than murder  
17               files as well? Serious Crime did not only handle  
18               homicides?

19          A    Oh, that's correct, yes. This was in the days  
20               before the Integrated Homicide Investigation Team.

21          Q    And there were times, is that right, when other  
22               parts of the Coquitlam Detachment had to take  
23               files that were less serious than homicide files  
24               because Serious Crime simply couldn't get to them?

25          A    Yes.

1 Q Would you turn, please, to tab 23. And this is a  
2 draft report to council from the Protective  
3 Services Committee. Is that a municipal  
4 committee?

5 A Yes, it is.

6 Q Can you tell us what it was?

7 A It's a committee of council. It's in the  
8 municipal environment like Vancouver's, Port  
9 Moody's -- it would be like their police board.  
10 So the detachment would attend the Protective  
11 Services Committee along with Fire, Bylaws to talk  
12 about various issues that were going on.  
13 Generally most of it is in camera, and we would  
14 discuss any concerns that they may have with the  
15 police or anything that we thought that they  
16 should be made aware of that was going on in their  
17 community.

18 Q So this memo is dated April 11th, 2002, which is  
19 just outside the terms of reference, but it does  
20 appear to describe a situation that has been  
21 ongoing for some time. I'd ask you to look at the  
22 first paragraph under "Background & Comments". Do  
23 you see that, sir?

24 A Oh, okay. Yes.

25 Q It starts:

1                   Attached is a schedule showing the strength  
2                   of police departments within the province.  
3                   And I am going to take you to that in a minute,  
4                   but at the last part of the paragraph is a  
5                   reference:

6                   Zeroing in on the Lower Mainland only and  
7                   folding in non-RCMP forces the average  
8                   strength becomes one police officer for each  
9                   710 citizens. For our detachment to attain  
10                  that same strength we would add 71 members to  
11                  the detachment.

12                A    Yes.

13                Q    And is that accurate, sir?

14                A    Yes.

15                Q    Would you turn, please, to the last page in that  
16                   tab. It's a chart entitled "RCMP resourcing". We  
17                   have a list of municipalities on the left-hand  
18                   side, population, police strength, and then we  
19                   have population per police, that column. Do you  
20                   see that, sir?

21                A    Yes.

22                Q    So for Coquitlam the population per police is  
23                   described as 1012, and these are 2000 statistics,  
24                   and for Port Coquitlam 1050, and that appears to  
25                   be the highest population per police ratio of the

1 Lower Mainland municipalities listed there. Does  
2 that accord with your understanding?

3 A Yes. Traditionally Port Coquitlam and Coquitlam  
4 had the highest police -- or highest police to  
5 population ratio.

6 Q And then if we compare that to Vancouver,  
7 Vancouver's police to population ratio was 532,  
8 but are you aware of any sort of circumstances  
9 that would affect the comparison between Vancouver  
10 and Coquitlam?

11 A I think with the municipal departments in  
12 Vancouver they had more police officers working  
13 inside compared to what the RCMP has.

14 Q So --

15 A I believe that's where the difference -- why  
16 there's such an extreme difference.

17 Q So there is a difference, it just might not be  
18 quite as sharp as what these figures would  
19 indicate?

20 A Because of all the shortages that we were having  
21 we were trying to get all those police officers  
22 that were doing administrative duties on the road  
23 as opposed to sitting in the office.

24 Q Now, would you turn to tab 2, please. Now, you  
25 spoke earlier in your evidence about your

1           responsibility being obviously over resourcing but  
2           also to deal with issues where the units that  
3           reported to you became -- came to something of an  
4           impasse; is that fair?

5           A    Yes.

6           Q    And so what we see at tab 2 is an exchange that is  
7           of that nature, is it?

8           A    Yes.

9           Q    And so here this is described as Project Shock on  
10          page 1. Can you tell us very briefly what that's  
11          about?

12          A    If my memory serves me correctly, I could be  
13          corrected on this, but I think it was to do with  
14          9/11.

15          Q    And so were some people taken away from --

16          A    Yes, we had some people seconded away.

17          Q    And you said when they were seconded chances are  
18          you'd never see them again?

19          A    That's correct.

20          Q    And we can see a discussion in that initial memo  
21          from Brad Zalys as to whether someone from Serious  
22          Crime Unit should go. The third paragraph in.

23          A    Yes.

24          Q    So you said earlier that the Serious Crime Unit  
25          was protected as much as possible, but not



1                   entirely, I guess?

2           A    Right.  In this particular case it would appear  
3                   that Lorne Schwartz or Dave Debolt has reached out  
4                   to Brad Zalys as the staff sergeant in charge and  
5                   said, "We have to provide a body," and they  
6                   already provided one, and that came from the  
7                   street enforcement side, and now they were trying  
8                   to figure out where a second body would come from.

9           Q    And as we can see, so you've got your inspectors,  
10                   your sergeants being involved in this, and we can  
11                   see on page -- what's on the bottom page 63 of 190  
12                   eventually you come in to broker some kind of a  
13                   resolution here?

14          A    Yes.

15          Q    Just while we're here, if you flip over to tab 3,  
16                   you see that there are some documents which are  
17                   lists of members.  So these are records maintained  
18                   in the Coquitlam Detachment, are they, or at least  
19                   in "E" Division?

20          A    It looks like this was being kept by Constable  
21                   Sherstone for Staff Zalys.

22          Q    Okay.

23          A    I've never seen it broken down this way that I can  
24                   recall.

25          Q    Oh, okay.

1 THE COMMISSIONER: So how much longer are you going to be?

2 MS. TOBIAS: About two minutes.

3 THE COMMISSIONER: Two minutes?

4 MS. TOBIAS: Yes.

5 THE COMMISSIONER: Oh, okay. All right. We'll finish it.

6 MS. TOBIAS: So, Mr. Commissioner, these documents here, these  
7 and some other documents that we're going to refer  
8 to as mayoral reports that talk about the actual  
9 files, I'm not going to ask this witness to go  
10 into it at all but just to tell you that I'm  
11 bringing them here because you're going to --  
12 we're going to be tendering some evidence putting  
13 together all the figures and the details of the  
14 files that Coquitlam had and the people they had  
15 in the Serious Crime Section. So I don't need  
16 this witness to tell you anything detailed about  
17 it, but that's why I'm putting those documents in  
18 through him.

19 THE COMMISSIONER: All right.

20 MS. TOBIAS:

21 Q So all I want to ask you about, sir, is that there  
22 are a number of tabs here that are entitled  
23 "Mayor's Report" for the Serious Crime Section.  
24 Those went in under your signature as commanding  
25 officer?

1           A    Yes, and as you'll probably see as you go through  
2                them, a lot of them have been signed on my behalf  
3                by my administrative NCO because he gathers all  
4                that information, forwards it on to the two  
5                cities.

6           Q    So as I understand that, there's monthly reports  
7                gathered by all your units put together, they go  
8                out to the two mayors under your --

9           A    Yes.

10          Q    -- signature, and they describe in a general way  
11                what's been keeping the unit busy for that month?

12          A    Yes, without getting into specific investigations.

13          Q    Now, you've told Mr. Commissioner about what you  
14                knew about the Pickton file, and you talked about  
15                letting the investigators do their work without  
16                interference from you. When you say  
17                investigators, do you mean simply the corporals or  
18                do you -- or, sorry, the constables or do you  
19                mean -- which level are you talking about there?

20          A    The -- particularly on the Serious Crime Section  
21                there's more of a team approach to doing  
22                investigations. Constables and the supervising  
23                corporals are -- they work pretty harmoniously  
24                together, as opposed to the general duty side  
25                where the corporal supervisors are really having

1 to direct those young constables on the road  
2 because for the most -- or -- because they're all,  
3 in the Serious Crime Section, working together on  
4 the same files or working together on many of the  
5 same files, so it's not like the same as on the  
6 general duty side where it really is where the  
7 corporals are actually directing the constables on  
8 the road.

9 Q Okay. So we know that between you and the  
10 constables we had Inspector Moulton, the staff  
11 sergeant, Zalys or -- I've forgotten who came --  
12 who else was -- Halpenny, and then we had Daryll  
13 Pollock, and then we had the corporals. Which  
14 part of that team are you talking about when you  
15 say, "I left the investigators to do their work"?

16 A It would be all of them.

17 Q Up to and including Moulton, or not?

18 A More up to the staff sergeant level.

19 Q You also answered some questions from Mr. Vertlieb  
20 about the particular extract from the Evans report  
21 that you read, and it talked about that there was  
22 I think nothing further to be done, but I just  
23 want -- you also talked in your evidence about  
24 doing a cold interview of Robert Pickton. Do you  
25 recall giving that evidence?

1           A    Yes.

2           Q    And I just want to show you -- and I'm sorry, Mr.  
3               Commissioner, I don't have a complete copy of the  
4               Evans report here, and I am going to show this to  
5               the witness and hand it up. There is a -- on page  
6               55 and 56 of your interview with Deputy Chief  
7               Evans you say that:

8                         ...Henley was sitting in Moulton's office,  
9                         and they had that discussion, and it was  
10                        just, like, we got no further, no way -- no  
11                        more recourse. They've tried surveillance  
12                        and they were going to try and do a cold  
13                        interview with him.

14               I am just going to give that to you. It's at the  
15               bottom of the page 55 and the top of page 56. So  
16               you've -- in other words, what I gather from that  
17               is that you did tell Deputy Chief Evans that you  
18               anticipated that there would be at least that  
19               further step that would be undertaken?

20           A    Yes.

21   MS. TOBIAS: I'd ask that that document be marked as the next  
22               exhibit in these proceedings, please.

23   THE COMMISSIONER: All right.

24   THE REGISTRAR: That will be Exhibit 107.

25               **(EXHIBIT 107: Document entitled - Excerpt from**

1                   **Ric HALL interview transcript)**

2       MS. TOBIAS:

3               Q    And if you go back to Exhibit 106, one last  
4                   document I want to ask you about, sir, at tab 10,  
5                   and this is what's described as the original  
6                   message from Al Macintyre to a number of parties,  
7                   including you. You are the second last person on  
8                   the "To" list. Do you see that?

9               A    Yes.

10              Q    And there are some procedures being talked about  
11                   here in terms of DNA analysis and so forth dealing  
12                   with missing persons investigations, and if you  
13                   flip over the page, it says:

14                       As "missing persons" investigations are in  
15                       any event, a divisional policing priority,  
16                       any work done to improve the solvability of  
17                       these historic files is high value added and  
18                       the right thing to do.

19                   Do you see that?

20              A    Yes.

21              Q    So that's something that would have gone to you?

22              A    Yes.

23              Q    And it describes missing persons as a divisional  
24                   policing priority. Can you tell the commissioner  
25                   anything about that?

1           A    I think what has happened in the past is many  
2                missing persons files went unattended.  People  
3                would be reported as missing.  Police officers  
4                would add them to CPIC and put the file away, and  
5                there would never be any follow-up.  So we had  
6                missing persons on that databank or people on the  
7                databank indicated as missing and probably  
8                returned home two hours after they were reported  
9                missing.  So there was -- the follow-up was not  
10              being done.  And this is going back in time, so --

11          Q    How many -- like, back past 2002 or --

12          A    Yes.

13          Q    How far back?

14          A    Before 2002.  I'm sorry.

15          Q    How long before 2002?

16          A    Probably in the '70, '80s, '90s.

17          Q    Okay.

18          A    So the pressure was on all units to ensure that we  
19                were treating missing persons files with the  
20                appropriate authority -- or the appropriate  
21                action.  There was -- oftentimes people were  
22                reported missing and they were tagged as being  
23                chronic and there would be no follow-up done, so  
24                we were attempting to get away from tagging people  
25                as chronic and make sure that the proper follow-up

1           was done to make sure (a) that they returned home  
2           or were found.

3           Q   And was that process already underway, that  
4           process of retooling your procedures?

5           A   The process of?

6           Q   You said that, "We were trying to get away from  
7           that."

8           A   Yes.

9           Q   So had that effort been going on for some period  
10          of time before this memo came out?

11          A   I believe it had been, and I think it's one of  
12          those things that every year we got something like  
13          this to remind us that we had to do that.

14          Q   Sir, those are all the questions I have to ask you  
15          except that can you or would you like to say  
16          anything about how you have been affected by this  
17          case since it happened?

18          A   I would just like to add that, as I mentioned  
19          earlier, when I was standing in the Pickton farm  
20          in February 6th of 2002 wondering how this  
21          happened, I think about that almost daily, what  
22          could we have done better, how could we have done  
23          things to make this not have happened, and I think  
24          not only for me, but I think everybody that's been  
25          touched by this investigation probably thinks the



1 same way. If it doesn't -- if you don't think  
2 about it, somebody talks about it, and  
3 particularly with this inquiry going on. It  
4 really resonates home with us, and me, because I  
5 was the guy in charge and ultimately I was  
6 responsible for the operations of Coquitlam  
7 Detachment. And when I think about what I could  
8 have done differently, I don't think I could have.  
9 I probably would have handled my people the same  
10 way I handled them before I ever got to Coquitlam  
11 in other locations.

12 MS. TOBIAS: Thank you, Mr. Commissioner.

13 THE COMMISSIONER: All right. Thank you. We'll adjourn.

14 THE REGISTRAR: The hearing will now recess for 10 minutes.

15 (PROCEEDINGS ADJOURNED AT 11:14 A.M.)

16 (PROCEEDINGS RESUMED AT 11:32 A.M.)

17 THE REGISTRAR: Order. The hearing is now resumed.

18 THE COMMISSIONER: Yes.

19 MR. VERTLIEB: Mr. Giles, I would ask you to go back to being a  
20 timekeeper here just so we can get this done.

21 THE COMMISSIONER: Yes, I think we need to do that.

22 THE REGISTRAR: That means the pay goes up.

23 THE COMMISSIONER: There are a lot of lawyers in the room. I  
24 just ask out of courtesy that you keep to your  
25 time estimates. I don't want to wield a stick

1           here, but it's just courtesy to other counsel so  
2           that everybody can have an opportunity to be  
3           heard.

4   MR. VERTLIEB:  So here's what we have.  Mr. Peck's five  
5           minutes.  He should go next, please.  And then the  
6           VPD are 45 minutes, Mr. Giles, and let me tell you  
7           Mr. Ward has said 45 minutes.  I want to give you  
8           the last few times.  Ms. Winteringham 15, Mr. Hira  
9           one hour, and that's all I have.  And I'm not  
10          going to keep chasing people.  Ms. McKeachie asks  
11          more than once for this.

12   THE COMMISSIONER:  People don't even respond.

13   MR. VERTLIEB:  No, that's right, so I'm frankly not going to  
14          run around.

15   THE COMMISSIONER:  Is it asking too much to respond to  
16          commission counsel when you're asked about  
17          estimates?  This has been happening throughout the  
18          hearing.

19   MR. VERTLIEB:  It's just that if we don't have times I'm going  
20          to assume nothing.  Mr. Gratl has given us no time  
21          that I have here in response.  Maybe someone  
22          hasn't communicated to me.

23   MR. GRATL:  Yes, Mr. Commissioner, I apologize.  I'm one of the  
24          counsel that didn't respond in time.  I'm doing my  
25          best to try to respond, but I'm scrambling a

1                   little bit.

2       MR. VERTLIEB:   Don't worry about it, Mr. Gratl.   You can wait  
3                   to the end of the day and hopefully we can fit you  
4                   in.

5       MR. GRATL:   I can say that I will be very brief with this  
6                   witness.

7       THE COMMISSIONER:   All right.   Thank you.

8       MR. VERTLIEB:   So the only other thing is Mr. Roberts wants to  
9                   speak to you for five minutes, so I suggest at 25  
10                  after we just stop and Mr. Roberts can address you  
11                  for the five minutes he wants to talk to you.

12      THE COMMISSIONER:   All right.

13      MR. VERTLIEB:   So, Mr. Giles, I hope you have all that, and Mr.  
14                   Gratl will be just at the end of it, and hopefully  
15                   we'll fit that in.   Thank you.

16      THE REGISTRAR:   Good to go.

17      THE COMMISSIONER:   All right.   Thank you.   Mr. Peck.

18      MR. PECK:   Thank you.   Peck for Gary Bass.

19      **CROSS-EXAMINATION BY MR. PECK:**

20               Q    Sir, Gary Bass was the officer in charge of the  
21                   Major Crime Section of "E" Division until July of  
22                   2000, when he became the officer in charge of  
23                   Criminal Operations "E" Division; you understand  
24                   that?

25               A    Yes.

1 Q He had no command authority over you, did he?

2 A No.

3 Q Your detachment operated autonomously, and we've  
4 seen from the charts that initially your reporting  
5 command structure was to the CO of "E" Division,  
6 that is, the deputy commissioner and then --

7 A Correct.

8 Q -- later it was the divisional officer?

9 A Yes.

10 Q Yes. When he was in charge of -- when he was OIC  
11 Major Crime for "E" Division, Bass did not have  
12 any authority to come in and take an investigation  
13 away from you?

14 A No.

15 MR. PECK: Thank you.

16 THE COMMISSIONER: Thank you. All right. Who's next?

17 THE REGISTRAR: Mr. Dickson, would you be kind enough to turn  
18 off the mic.

19 MR. VERTLIEB: Mr. Ward.

20 THE COMMISSIONER: Mr. Chantler.

21 MR. CHANTLER: I am not Mr. Ward, but I am here on behalf of  
22 Mr. Ward.

23 THE COMMISSIONER: All right. Thank you.

24 MR. CHANTLER: Mr. Hall, it's Neil Chantler. I'm co-counsel  
25 with Mr. Cameron Ward on behalf of 25 families

1           whose loved ones were confirmed or suspected to  
2           have been the victim of Robert Pickton. I have  
3           just a few areas to canvass with you. Mr.  
4           Commissioner, I am going to hand up three copies  
5           of our brief.

6   THE COMMISSIONER: All right.

7   MR. CHANTLER: And before I forget, if we could have that  
8           marked NR for the time being.

9   THE COMMISSIONER: All right.

10   THE REGISTRAR: That will be marked as Exhibit number 108NR.

11                   **(EXHIBIT 108NR: Cross-examination brief re**  
12                   **Superintendent Hall)**

13   **CROSS-EXAMINATION BY MR. CHANTLER:**

14           Q   Mr. Hall, the first area I'd like to explore a  
15           little further with you is your knowledge of the  
16           investigation into Pickton during the relevant  
17           time period, specifically the investigation into  
18           Pickton. My friend Mr. Vertlieb asked you when  
19           you first spoke to Inspector Moulton about  
20           Pickton, and I gather that was at one of the  
21           meetings in August 1999, but I understand you came  
22           across the Pickton name some time before that; is  
23           that correct?

24           A   I'm not sure how you mean.

25           Q   Do you have any recollection of hearing about the

1 Pickton brothers before your meeting with

2 Inspector Moulton in the summer of '99?

3 A First time I heard the Pickton name brought up was  
4 at a Monday morning briefing session where the  
5 watch commander was going over the general duty  
6 reports from the weekend, and he mentioned Piggy's  
7 Palace, and I had no idea what that was all about,  
8 so I asked him what Piggy's Palace was, because  
9 the police had responded along with the fire  
10 department to shut it down, so it was explained to  
11 me it was a partying place.

12 Q Do you recall when that was?

13 A It would have been June, July of '98.

14 Q All right. The evidence you've just given does  
15 accord with what you told Deputy Chief Evans in  
16 her interview, but she didn't clarify with you  
17 when that was. I thought you might be referring  
18 to discussions that surrounded the fire department  
19 and police shutting down a New Year's Eve party in  
20 1998 going into 1999. Do you recall any  
21 discussions about that?

22 A You've sort of jogged my memory on it. I may have  
23 been -- heard of it through the watch commander's  
24 report.

25 Q Okay. If I might --

1 A Specifically I'm struggling with that one.

2 Q I might jog your memory further. If you can be  
3 referred to tab 9 of the brief I've handed up.  
4 And, again, my only point here is really to  
5 establish at what date you may have had some  
6 knowledge of the Picktons at all. This is a  
7 three-page fax you sent to Fire Chief Randy Shaw.  
8 Now, the date of this document is handwritten at  
9 the top right-hand corner --

10 A Yes.

11 Q -- and it's reported to be January 4th, 1998,  
12 which would be sometime before you've just  
13 indicated, but I actually am led to believe that  
14 this date is incorrect and that it should be  
15 January 4th, 1999.

16 A That would appear to be the case.

17 Q And I say that, and I'm glad you agree, because  
18 the notes on the following page, what you're  
19 actually faxing is a continuation report authored  
20 by Sergeant Done in regards to the 1998 New Year's  
21 Eve party at Piggy's Palace which was shut down by  
22 the police, and so it would be illogical for this  
23 fax to have been sent 12 months before that. So  
24 accepting that the date is wrongly written and it  
25 should be January 4th, '99, and accepting your

1 earlier evidence, you did have some knowledge of  
2 the Pickton name, the Pickton family, the Pickton  
3 brothers fairly shortly after you arrived at the  
4 Coquitlam Detachment; is that fair to say?

5 A Yes.

6 Q Now, just a little bit further on that party  
7 issue, the document being referred to in that  
8 continuation report that was read out to the  
9 Pickton brothers was, in fact, an order that had  
10 been issued by the Supreme Court, an injunction  
11 prohibiting such events at the Pickton property,  
12 and that injunction order is found at tab 11 of my  
13 brief. Have you seen that before?

14 A I can't say that I have. It may have been held on  
15 our file that the member generated, but it appears  
16 to have gone -- been through the fire department.

17 Q All right. But based on the fact that you did  
18 send that fax, you enclosed the continuation  
19 report, you had been apprised of the police  
20 involvement with Piggy's Palace on New Year's Eve  
21 1998, you had some knowledge of the goings-on at  
22 Piggy's Palace at that time; is that fair to say?

23 A Yes.

24 Q Okay. And by that time you had been with the  
25 Coquitlam Detachment, by my count, approximately



1                   seven months, having arrived in May of 1998. Do  
2                   you agree with that?

3           A    Yes.

4           Q    Now, in that time had you not been apprised by  
5                your subordinates at the detachment of the  
6                attempted murder charges that had been laid on  
7                Robert William Pickton resulting from an incident  
8                in 1997 involving a sex trade worker in his  
9                trailer?

10          A    Is your question was I advised of that?

11          Q    Correct.

12          A    No.

13          Q    Okay. Nor were you aware, I assume, but correct  
14                me if I'm wrong, that a member of your detachment,  
15                Corporal Connor, had in August of '98, shortly  
16                after you arrived, received information that there  
17                was this potential serial killer operating in your  
18                jurisdiction?

19          A    I was not aware of that.

20          Q    Okay. You were not aware that Corporal Connor had  
21                entered Pickton's name on CPIC?

22          A    No.

23          Q    And you were not aware that Corporal Connor was  
24                taking additional steps in the investigation of  
25                Pickton, including speaking with the victim of the

1 1997 attack, speaking with the detachment's  
2 civilian employee, Bev Hyacinthe, who had known  
3 the Picktons for years, he had made a request to  
4 Special "O" Section for surveillance on Robert  
5 Pickton, and he had made a request to Inspector  
6 Sabey of "E" Division Air Services for aerial  
7 photography of the Pickton property? You weren't  
8 aware of any of those things?

9 A I was shown a memorandum requesting air  
10 surveillance, but that was from 1998. I don't --  
11 it has my name on it. I don't -- have never seen  
12 a signed copy. I don't know whether I actually  
13 signed it.

14 Q Do you recall when you first saw that document?

15 A I was shown it to -- by DC Evans, I believe, or  
16 DOJ.

17 Q Much later?

18 A During this inquiry.

19 Q I mentioned Bev Hyacinthe. She was a civilian  
20 employee at the Coquitlam Detachment. Did you  
21 know her?

22 A In passing. She worked in the radio room.

23 Q Did you ever learn in your time at Coquitlam that  
24 she had a connection to the Pickton family?

25 A No.

1 Q Did you ever speak to her personally about the  
2 Picktons?

3 A I don't ever recall talking to her about that.

4 Q Accepting that she did know the Picktons  
5 personally, would you agree that Ms. Hyacinthe was  
6 potentially a valuable resource for the Pickton  
7 investigation?

8 A She may have been, yes.

9 Q And do you happen to know today the extent to  
10 which Ms. Hyacinthe was used to further the  
11 Pickton investigation?

12 A I do not know.

13 Q When you learned about the shut-down of Piggy's  
14 Palace, did you also learn that this was a place  
15 that the RCMP had been monitoring for some time?

16 A The RCMP as in Coquitlam?

17 Q Correct.

18 A Other than being called there to respond to  
19 activities at Piggy's Palace --

20 Q Were you --

21 A -- I wasn't aware that there was anything else  
22 that we were doing.

23 Q Were you made aware that that had been a fairly  
24 regular occurrence, if that was the case?

25 A A regular occurrence? I'm not sure what you're

1           referring to.

2           Q   Did the RCMP regularly respond to calls to attend  
3           to Piggy's Palace to shut it down or whatever?

4           A   I don't have that information at my fingertips.  
5           This fax message that you just showed to me, like  
6           now I realize obviously I did send it. That sort  
7           of jogged my memory on that. But I can't recall  
8           the number of times that the police responded. I  
9           mean, that would have to be information that we'd  
10          have to glean from our old files.

11          Q   Was it your impression at that time, when you  
12          learned about the New Year's Eve event, that this  
13          was a one-time event, or was it your impression  
14          that the police had in the past been called to  
15          respond to Piggy's Palace? That's all I'm trying  
16          to clarify.

17          A   Yeah, I -- again, I can't say how many times the  
18          detachment responded to that place. I sort of was  
19          of the thinking that these guys were just a couple  
20          of rascals that liked to party and bring people  
21          in.

22          Q   All right. I'm still not sure I have an answer to  
23          the question, but at that time or in the pursuing  
24          -- or preceding months did you come to know  
25          Piggy's Palace as somewhere, and I'll just

1 describe it with my own words, a notorious beer  
2 can attended to by members of the biker community,  
3 sometimes sex trade workers were brought to the  
4 Piggy's Palace?

5 A That last part I was never aware of.

6 Q Okay.

7 A You're talking about bikers and sex trade workers.  
8 No.

9 Q Can you tell us what your knowledge of Piggy's  
10 Palace was? Perhaps this is the best way I should  
11 approach this question. Just exhaust your  
12 knowledge of Piggy's Palace at that time when --  
13 after the New Year's party was shut down.

14 A It was a place where the local community went to  
15 drink and party.

16 Q Did you have any knowledge of the attendees at  
17 those parties?

18 A Not at that time.

19 Q Have you ever been to Piggy's Palace?

20 A No.

21 Q Have you since been to Piggy's Palace?

22 A No.

23 Q My friend referred you in -- my friend Ms. Tobias  
24 referred you in her examination to a set of  
25 minutes from Protective Services Committee

1 meetings or at least one meeting. You attended  
2 these meetings, and I believe you gave evidence  
3 that members of the fire department attended as  
4 well?

5 A Yes.

6 Q Did Piggy's Palace ever come up at any of those  
7 meetings?

8 A I don't recall it ever coming up. It may have,  
9 but that's, like, quite a while ago.

10 Q Okay.

11 A There would be minutes of all those meetings.

12 Q Did the Pickton brothers or their farm ever come  
13 up?

14 A Only after February of 2002.

15 Q Following that date I've put to you as a date by  
16 which we can at least say you knew of the  
17 Picktons, in January '99, I'll put to you a few  
18 other events that occurred in the course of the  
19 Pickton investigation. February 10th Constable  
20 Strachan, Constable Pitt-Payne, and Corporal  
21 Connor met with members of the VPD and Provincial  
22 Unsolved Homicide Unit to discuss the Pickton  
23 investigation. Did you know about that at the  
24 time the event occurred?

25 A No.

1           Q   July 20th Corporal Connor received information  
2               relating to another tipster, this time Ross  
3               Caldwell, and this was related to the horrifying  
4               event in the barn. You'll recall Lynn Ellingsen's  
5               story was passed to the police through Ross  
6               Caldwell. Did you learn about that when Corporal  
7               Connor received that information?

8           A   I -- as I said earlier, I learned that through  
9               Moulton.

10          Q   Okay. And we discussed briefly a meeting on  
11               August 11th, 1999. I believe we discussed this  
12               meeting, or perhaps it was only the August 17th  
13               meeting, but I believe you attended a meeting on  
14               October 11th, 1999, with -- I'll list some names  
15               of attendees, and you can perhaps -- this will  
16               perhaps jog your memory. Connor, Clary, Pollock,  
17               Andrews, Pridday, Ballantyne, Henley, Justason,  
18               Lepine, and Chernoff. Do you recall this meeting?

19          A   I'm not specific on the date, but I recall a  
20               meeting taking place at Coquitlam Detachment in  
21               our training room, and the training room there has  
22               a -- glass doors across the front of it, and I  
23               recall, because it was my normal practice if I saw  
24               something going on in there, where there's a big  
25               meeting, I recognized some of the players from my

1           time at Surrey Detachment, so I went in to say  
2           hello, stand at the back of the room until the  
3           meeting got underway, see what it was about, then  
4           I'd walk out and leave it to the investigators to  
5           do what they've got to do.

6           Q   All right. I understand you have no specific  
7           recollection. It was a long time ago. I put to  
8           you that there were, according to documentary  
9           record, two meetings, August 11th and another on  
10          August 17th, and it appears from the record that  
11          you attended both of those, and the topic of  
12          discussion in both cases was primarily the  
13          evidence that had been received about Ms.  
14          Ellingsen and the subsequent interview of Ms.  
15          Ellingsen and what was to happen next. I believe  
16          the second meeting you only joined later in the  
17          meeting, according to someone's note. Does that  
18          accord with your vague recollection?

19          A   Yes.

20          Q   Okay. So certainly by this time you have  
21          knowledge that Robert Pickton is a suspect in the  
22          disappearances of numerous women from Vancouver's  
23          Downtown Eastside, he's considered a potential  
24          serial killer, he's living right within your  
25          jurisdiction, and he's the subject of an ongoing



1 investigation being conducted by your detachment,  
2 correct?

3 A I don't think all of your statement is correct.

4 Q Okay.

5 A I don't think I was aware that he was a suspect as  
6 a serial killer.

7 Q All right. The rest of my statement was correct?  
8 You understood that he was the subject of an  
9 investigation?

10 A Yes.

11 Q And it related to the disappearance of numerous  
12 women from Vancouver's --

13 A No.

14 Q -- Downtown Eastside?

15 A Specific to one.

16 Q All right. Only the information relating --

17 A Yes.

18 Q -- to Lynn Ellingsen's observations in the barn?

19 A Correct.

20 Q Okay. Now, you've testified today, and this  
21 accords with your "will say" statement that you  
22 provided for the purpose of this inquiry, that  
23 essentially the summer of 1999 was the last you  
24 recalled hearing about the Pickton investigation  
25 until the search warrant?

1 A Yes.

2 Q I've calculated that to be a period of  
3 approximately one year and four months. Now, I am  
4 going to suggest to you that that's a rather long  
5 period of time for you to have been unaware of the  
6 progress or lack thereof of the Pickton  
7 investigation at your detachment. Would you agree  
8 with that? And I may add, if you're struggling to  
9 answer, that given its significance it's a long  
10 period of time for you to have not been updated on  
11 that investigation.

12 A That would be fair.

13 Q And you know now sitting here today that Pickton  
14 remained a suspect throughout that time with  
15 respect to at least the information received from  
16 Ellingsen? He remained a potential murder  
17 suspect?

18 A In my mind when I last met with Inspector Moulton  
19 and Frank Henley and they said that this was going  
20 nowhere and I heard nothing further from the  
21 investigators, I was moving on with the other  
22 things that I had to deal with.

23 Q You know now that various investigative steps were  
24 taken in furtherance of the Pickton  
25 investigation --

1 A Yes, now I do.

2 Q -- through that time?

3 And certainly until August, when Corporal  
4 Connor was promoted, he had taken significant  
5 steps towards confirming the information that Lynn  
6 Ellingsen had indirectly provided to police?

7 A But I'm not surprised at that.

8 Q All right. And after Corporal Connor was promoted  
9 Constable Yurkiw essentially took carriage of that  
10 investigation; would you agree?

11 A I now know that, yes.

12 Q So just putting two and two together, it's fair to  
13 say that you were never apprised of any of the  
14 steps that Constable Yurkiw took with respect to  
15 the Pickton investigation?

16 A I was not.

17 Q And just to give you some examples of the steps  
18 that were taken after that time, after that  
19 summer, January 19th, 2000, Robert Pickton was  
20 actually interviewed at the Coquitlam Detachment  
21 in the presence of Gina Houston by Constable  
22 Yurkiw and Cater. You know now that that event  
23 occurred?

24 A Yes.

25 Q But you did not know about that event at the time?

1 A I did not.

2 Q And presumably you were not informed of the  
3 results of that interview, including that Robert  
4 Pickton had invited officers to come and have a  
5 look around his farm?

6 A Not until now.

7 Q In February 2000 members of the Serious Crime  
8 Section met three times, according to the  
9 documentary record, to discuss the status of the  
10 Pickton investigation. You know now that these  
11 events occurred --

12 A Yes.

13 Q -- that they were having these meetings, but you  
14 did not know at the time? That's a yes?

15 A Yes.

16 Q February 19th, 2000, the RCMP's conduct of the  
17 Pickton investigation was put on hold, according  
18 to a note that we have, to free up resources for  
19 another homicide investigation. Were you aware of  
20 that?

21 A Not that the Pickton file was being put on hold,  
22 but I am aware of the other murder investigations  
23 being undertaken.

24 Q On April 18th, 2000, Staff Sergeant Zalys and  
25 Inspector Moulton met again to discuss the Pickton

1 file, and lack of resources resulted in the  
2 investigation stalling further according to the  
3 documents we have. Were you aware of that meeting  
4 in April 2000 between Zalys and Moulton and that  
5 discussion?

6 A I can't recall it ever being mentioned. It may  
7 have been, but I have no recollection of it.  
8 That, in most likelihood, was just between the two  
9 of them.

10 Q And on March 30th, 2001, Corporal Frank Henley,  
11 assigned to the Provincial Unsolved Homicide Unit,  
12 paid I believe what he later called a social visit  
13 to Robert Pickton in which Henley advised Pickton  
14 that he was still a person of interest. Do you  
15 know now that that event occurred?

16 A I know now.

17 Q But you didn't know about that at the time?

18 A No.

19 Q Do you have any comment, as an aside, as to how  
20 that visit that Henley paid to Robert Pickton  
21 might have affected the ongoing investigation?

22 A I don't know how it would have affected. I don't  
23 know what transpired at this social visit. I  
24 would find it hard to believe that Frank Henley  
25 would do a social visit to Robert Pickton.

1 Q Are you suggesting the event may not have happened  
2 or --

3 A No, I don't think it was social.

4 Q All right. What do you know about the visit?

5 A I don't know anything about it.

6 Q Okay.

7 A Other than the fact that it took place.

8 Q You never had a discussion with Corporal Henley --

9 A No.

10 Q -- about that visit?

11 A No.

12 Q On April 11th, 2001, the Coquitlam Major Crime  
13 Section held a file review meeting and set Pickton  
14 as a high priority file with Constable Yurkiw  
15 tasked to continue the investigation. Do you know  
16 now that that meeting occurred April 11th, 2001?

17 A I do now.

18 Q You weren't apprised of it at the time?

19 A No.

20 Q So it's quite apparent now in hindsight looking  
21 back that fairly significant steps were being  
22 taken in the Pickton investigation in that year  
23 and four months from when you say you were last  
24 apprised of the Pickton case and when Pickton was  
25 ultimately -- when the farm was ultimately

1           searched? Some significant events occurred, and  
2           you were never told about them?

3           A    Yes.

4           Q    Okay. Now, during that time you were having  
5           regular meetings with other senior members of the  
6           Coquitlam Detachment. You testified earlier today  
7           that you met -- the management committee meetings  
8           were, I believe, weekly?

9           A    Monthly.

10          Q    Monthly. Sorry.

11          A    Or tried to be monthly.

12          Q    I presume you don't recall the Pickton  
13               investigation coming up at those meetings? That  
14               would accord with what you said already.

15          A    I do not recall it coming up. It would have been  
16               recorded. I had a recording secretary at that.

17          Q    All right. We have the minutes of nine such  
18               meetings between January 1999 and September 2001.  
19               Are those all the meetings that would have taken  
20               place?

21          A    I don't know. I don't have the file with me.  
22               They would all be recorded and held on file.

23          Q    Were they necessarily every month, these meetings?

24          A    No, sometimes there was a delay because we'd be  
25               short -- people would be away and holiday time,

1                   and so oftentimes they got delayed.

2                   Q    There were also meetings with the Serious Crime  
3                   Section. Did you attend those meetings?

4                   A    No.

5                   Q    And you've mentioned earlier today that you met  
6                   every morning with Inspector Moulton; am I  
7                   correct?

8                   A    Pretty much every morning, yes, when we both  
9                   arrived at work.

10                  Q    And Inspector Moulton, to your knowledge, to the  
11                  best of your recollection, never discussed with  
12                  you in those morning meetings the ongoing Pickton  
13                  investigation?

14                  A    Other than the times that we talked about when we  
15                  met in his office.

16                  Q    In my friend's brief, and you don't need to refer  
17                  to it, but from tabs 4 to 9 are a series of what  
18                  are called mayor's reports.

19                  A    Yes.

20                  Q    My understanding of those are they're an effort to  
21                  keep the mayor up to speed on matters of  
22                  significance, investigations being carried out by  
23                  the Coquitlam Detachment; is that correct?

24                  A    Yes.

25                  Q    And those reports can be written from -- written



1 by corporals? Corporal Connor submitted --

2 A Yes.

3 Q -- several.

4 Constables?

5 A I would say generally not by constables. They may  
6 provide input.

7 Q And higher ranks as well?

8 A Yes.

9 Q All right. On my review of those mayor reports --  
10 firstly, it appears that mayors are kept quite up  
11 to date on even the names of people under  
12 investigation from time to time.

13 A No.

14 Q Certainly when a major arrest is made. Perhaps  
15 I've misread the reports.

16 A I would suggest that they don't include names of  
17 people that are under investigation.

18 Q All right. Sorry, I've misread that. But  
19 certainly when a major arrest is made --

20 A Yes.

21 Q -- the names are there?

22 A Or it's been in the public domain.

23 Q Sorry for interrupting. And if a crime has been  
24 committed and an ongoing investigation is  
25 occurring, there will be an update to the mayor on

1                   that ongoing investigation?

2           A    Yes.

3           Q    To a limited degree?

4           A    The purpose -- that was put in place before I got  
5                there, and we carried on doing it just to give the  
6                mayors and councils a bit of an idea where their  
7                tax dollars are going as far as policing is  
8                concerned.

9           Q    Now, I've had a look through those meeting --  
10               sorry, those mayor's reports, and I don't see any  
11               mention of the Pickton investigation at all. I  
12               understand from your evidence that it wouldn't  
13               probably say his name, but I don't see any mention  
14               of any investigation into an alleged murder such  
15               as that Coquitlam was, we know now, investigating  
16               at that time. Does that accord with your  
17               knowledge or your understanding?

18          A    Yes.

19          Q    Can you explain why that would be?

20          A    No doubt it was on -- when the input was being  
21                provided by the members of the Serious Crime Unit,  
22                I would suggest that they probably just did not  
23                want that information getting out because  
24                information could be leaked from those council  
25                minutes.

1 Q Is your evidence that there are investigations of  
2 a certain nature that will not get put on a  
3 mayor's report because --

4 A Yes.

5 Q -- it's particularly sensitive?

6 A Yes.

7 Q All right. I want to refer you to a couple of  
8 interview transcripts, interviews conducted of  
9 Inspector Moulton. The first is at tab 4 of my  
10 brief. If you turn -- first, we can see this  
11 is -- it's called the statement of Chief  
12 Superintendent, as he then was, Earl Moulton.  
13 It's conducted by -- the interview is conducted by  
14 Staff Sergeant Simmill, but Inspector Bob Williams  
15 is there as well. And the date of the actual  
16 interview is September 27th, 2002. If we turn to  
17 page 6 of 12, the first half of the page they're  
18 discussing the steps that could have been taken  
19 with respect to Lynn Ellingsen to further the  
20 investigation of Pickton, and then about halfway  
21 down the page Inspector Williams, who's now  
22 interviewing Moulton, says:

23 Did...did...Was senior management from our  
24 Force ever briefed on...on this? Were they  
25 aware of the contents of Lynn ELLINGSEN's

1                   allegations?

2           And Moulton says:

3                   I recollect a conversation I had with Gary  
4                   BASS I believe at the time.

5           Williams:

6                   Okay.

7           Moulton:

8                   And Gary was well informed. And...and I kept  
9                   Rick HALL involved as well at Coquitlam  
10                  Detachment.

11           Now, before I ask any questions I just want to  
12           show you another quote at tab 5 of my brief. Now,  
13           this interview is conducted by DC Evans, Deputy  
14           Chief Evans, hired by this commission, of then  
15           Chief Superintendent Moulton. This is nearly nine  
16           years later. And if we turn over the page to page  
17           67, the very bottom of the page, line 25, Jennifer  
18           Evans says:

19                   Okay. And were you aware that in the year  
20                   '99, late '99, 2000, that women continued to  
21                   go missing?

22           Moulton:

23                   Yes.

24           Evans:

25                   So, did you keep your investigation -- your

1 superior -- I recall, Gary Bass -- informed  
2 of the, of the Coquitlam investigation or the  
3 missing women concerns or --

4 Moulton:

5 I would have kept Ric Hall involved.  
6 Turning to tab 7 of my brief, one more passage, on  
7 September 8th, 2002, Mike Connor was interviewed  
8 by Bob Williams. Second page, which is page 26 of  
9 42, two paragraphs down Williams asks:

10 Senior management of our Force was briefed on  
11 this...on this investigation?

12 Connor says:

13 Senior...certainly Inspector MOULTON was  
14 aware, he was our Operational Support Officer  
15 here in Coquitlam. Superintendent HALL was  
16 certainly aware, he's the OIC here in  
17 Coquitlam.

18 So, Mr. Hall, my question to you is this. Did  
19 Inspector Moulton and Sergeant Connor keep you  
20 informed generally on the Pickton investigation as  
21 they've reported in these interviews?

22 A I can't speak to what Inspector Moulton is saying  
23 here when he's being interviewed -- or pardon me.  
24 Looking at Mike Connor's, I'm sure that he  
25 probably did talk to Inspector Moulton. Whether

1           there was any further conversations other than the  
2           ones I've referred to earlier, I do not recall.

3           Q   Sergeant Connor doesn't just say he kept Inspector  
4           Moulton apprised. He says, and I quote:

5                     Superintendent HALL was certainly aware, he's  
6                     the OIC here in Coquitlam.

7           And I appreciate that it's not entirely clear what  
8           date periods they're referring to. They're  
9           speaking generally, about the time period  
10          generally, and I just want to ask if their  
11          statements accord with your recollection or if you  
12          feel they need to be significantly qualified?

13          A   I don't know in that particular one on page 26 of  
14          42 from Mike Connor when he says:

15                     Superintendent HALL was certainly aware, he's  
16                     the OIC.

17          Is that an assumption on his part? I don't know.

18          Q   All right. Do you know why they might have said  
19          in these interviews that they generally were  
20          keeping you up to date on the status of the  
21          Pickton investigation? Do you have any suggestion  
22          as to why they --

23          THE COMMISSIONER: I'm sorry. You're asking him as to why  
24          someone did something.

25          MR. CHANTLER: I'll move on.

1 THE COMMISSIONER: Maybe you can --

2 MR. CHANTLER: It's a difficult question to answer. I  
3 appreciate that.

4 Q Generally as inspectors should Moulton have been  
5 regularly apprised himself of the Pickton  
6 investigation in his position?

7 A Yes.

8 Q And, in turn, should he have been the one updating  
9 you on the Pickton investigation?

10 A If there was information to be passed on.

11 Q I am going to move to another subject, Mr. Hall.  
12 Did you have any knowledge of the Coordinated Law  
13 Enforcement Unit's interest in the Picktons during  
14 those years --

15 A No.

16 Q -- '98 to 2002?

17 A No.

18 Q Are you aware at all whether CLEU, as they're  
19 called, had opened files on the Picktons?

20 A No.

21 Q Did you have any dealings with CLEU at all in your  
22 time as inspector at Coquitlam Detachment?

23 A I don't believe so, no.

24 Q Did you have any knowledge of the Picktons'  
25 alleged affiliation with the Hells Angels?

1 A No.

2 Q To your knowledge, was this something that the  
3 Coquitlam RCMP was monitoring in any way?

4 A They may well have. We had an intelligence unit  
5 there, small, but they may well have been doing  
6 that.

7 Q Would that unit have reported to you?

8 A Through the operations support officer, Moulton,  
9 and Schwartz.

10 Q I expect you don't know then if any wire-taps or  
11 surveillance had ever been conducted on the  
12 Picktons --

13 A I do not.

14 Q -- as a result of their alleged connection to the  
15 Hells Angels?

16 You had no knowledge at all of any  
17 affiliation between Robert Pickton and the Hells  
18 Angels, just to conclude on this topic?

19 A No.

20 Q Okay. I'd like to refer you to a couple of  
21 passages from your interview with Deputy Chief  
22 Evans. This is at tab 1 of my brief starting at  
23 page 59. Here you're having a discussion about  
24 the information the investigators received about  
25 Ellingsen, and I start at line 11. You say:



1                   No, I don't recall hearing that. Uhm, I  
2                   learned earlier on, particularly when I went  
3                   to Surrey Detachment, because of the size of  
4                   that place, the work that was going on there,  
5                   is when you get stories coming in about  
6                   things happening, uhm, I learned very fast  
7                   that I would not go, "oh, wow, this is bad."  
8                   Let the investigators do their job.

9                   I'll stop right there. That accords with evidence  
10                  you've given earlier today that essentially you  
11                  adopted a fairly passive management style. Would  
12                  you say that's fair?

13                A    I don't think that's a fair statement.

14                Q    All right. I'll suggest that your evidence has  
15                      been that you let your subordinates do their jobs  
16                      and to come to you --

17                A    Yes.

18                Q    -- when they had a problem or they needed to  
19                      report something to you?

20                A    Certainly on the Serious Crime side, yes.

21                Q    All right. Now, I've called that passive as  
22                      opposed to perhaps an active management style,  
23                      where you might have sought out their -- or gone  
24                      to them and asked them how they were doing and  
25                      what investigations they were working on.

1           A    But I did that daily.

2           Q    All right.  I'm not quite sure that I can  
3                reconcile those two comments; you did that daily,  
4                but you let them come to you when they had a  
5                problem.  Can you just help clarify that for me?

6           A    Certainly.  Every day I would go down through the  
7                Serious Crime Section and all the different  
8                sections within the detachment, stop, talk with  
9                the constables doing the work if they had a file  
10               that was ongoing that had come in recently, was a  
11               hot topic.  I would talk with the sergeant in  
12               charge of the plainclothes section.  I talked with  
13               the staff sergeants that were in charge of the  
14               plainclothes section, Halpenny and Zalys.  I  
15               talked to the general duty watch commanders and  
16               sergeants and the general duty constables.  Every  
17               day I was at the office I would wander down  
18               through those various sections, talk to them, find  
19               out what was going on.

20          Q    And would you ask them about investigations you  
21                happened to know they were working on?

22          A    If it was something that was up front and had just  
23                occurred, a murder, major sex assault case that  
24                had just come in, sure, I'd ask them how it was  
25                going, "Do you need anything?"

1           Q    But you never asked about the Pickton  
2                    investigation?

3           A    No, I did not.

4           Q    Can you explain that?

5           A    I think I did earlier.  I -- sometime in the end  
6                    of '98 in my mind that had come to an end.

7           Q    Certainly that would accord with the next passage  
8                    I'd like to read, which is page 61 of your  
9                    interview with Jennifer Evans, over the page,  
10                  starting at line 6.  Sorry, I'll start at line 5.

11                    No?  You are shaking your head?  Okay.

12           Hall:

13                    As I told these folks, you know, I, I drove  
14                    by the turnoff to the Pickton farm twice a  
15                    day, for the most part, --

16           Evans:

17                    Hm-hmm?

18           Hall:

19                    -- for two -- I think it was four years, and  
20                    every time I drove by, I didn't go to myself,  
21                    "We've got a mass murderer or a serial killer  
22                    living here."

23           Evans:

24                    Right.  Okay.  Uhm, but did you ever drive by  
25                    and go, "Hm, I wonder what's going on with

1                   the Pickton investigation"?

2                   Hall:

3                   No, I can't think that -- say that I did.

4                   So from your comments to Deputy Chief Evans and  
5                   from your earlier evidence it appears that the  
6                   Pickton investigation wasn't even on your radar,  
7                   to put it one way, it wasn't a concern of yours at  
8                   all after those conversations that you described  
9                   in '99?

10                  A   Fair statement.

11                  Q   Page 69 of your interview with Deputy Chief Evans  
12                   at line 10 Jennifer Evans asks:

13                               How was it that -- like, I understand Brad  
14                               Zalys, at one point is going to Earl Moulton  
15                               saying, "Pickton is still a priority, we've  
16                               still got to work on this," and he's being  
17                               told that "priority of the day takes  
18                               precedence over Pickton, because we have to  
19                               deal with what comes through the door."

20                               How do you defend the fact, though, that  
21                               you've got 27 missing women, that how is that  
22                               not a priority over an attempt murder or a  
23                               priority over a home invasion or a robbery?

24                  Your answer:

25                               Good question. Uhm, alls I can say is that,

1                   at the time, dealing with what was happening  
2                   now, obviously had to take precedence. And I  
3                   can't speak on behalf of the investigators  
4                   because clearly, they were still running with  
5                   this or had knowledge of it, but that  
6                   information wasn't being passed to me, and I  
7                   hate to say, I didn't know of it. I think  
8                   that's a fair statement.

9                   Your comments to Deputy Chief Evans suggested it  
10                  was the responsibility of the investigators, like  
11                  Zalys, Connor and Yurkiw, perhaps Inspector  
12                  Moulton as well, to come to you with information  
13                  about the Pickton investigation; is that correct?

14                A    If they thought that they had to, yes.

15                Q    Did you believe you had any responsibility to be  
16                      proactive and seek out further information about  
17                      the Pickton investigation?

18                A    I worked on what I believed was -- had happened or  
19                      how the investigation into the information on the  
20                      single incident had come to an end.

21                Q    You had plenty of opportunity to ask for an update  
22                      at the management committee meetings, for example;  
23                      would you agree with that?

24                A    Yes, but I was also working under the assumption  
25                      that it wasn't going any further, had not gone any

1 further.

2 Q Were you aware at that time that the crisis of  
3 missing women from Vancouver's Downtown Eastside  
4 was continuing and was a major issue of public  
5 concern?

6 A Yes.

7 Q Were you aware of the regular media articles on  
8 the subject?

9 A Yes.

10 Q None of that prompted you to ask for an update on  
11 the Pickton investigation?

12 A Did not.

13 THE REGISTRAR: Mr. Chantler, you have three minutes.

14 MR. CHANTLER: Thank you.

15 Q Knowing what you know now, do you wish that you  
16 had taken further steps to find out more about the  
17 Pickton investigation?

18 A Knowing what I know now, yes.

19 Q All right. I have a couple of sections I'd like  
20 to cover with you quite briefly, and I think I  
21 understand from you your limited knowledge of the  
22 Pickton investigation. What I want you to confirm  
23 for us is what impact that might have had on your  
24 job as superintendent over the management of  
25 resources. Now, I understand that your role was

1           mainly administrative in nature. You set that out  
2           in your "will say"?

3           A    Yes.

4           Q    You dealt with the cities on funding issues,  
5           correct?

6           A    Yes.

7           Q    And while the distribution of resources within a  
8           section was up to the inspector in charge of that  
9           section, the actual distribution of resources to a  
10          section was your responsibility?

11          A    Certainly. It was all done in discussion with my  
12          two operations officers.

13          Q    Right. So in order for you to do your job, which  
14          was to determine the resource allocation between  
15          the sections, you needed to be reasonably apprised  
16          of the resource demands of those sections,  
17          correct?

18          A    Yes.

19          Q    And you testified earlier today that this was a  
20          fine balancing act, no easy answer, correct?

21          A    Yes.

22          Q    But surely the more information you had about what  
23          the demands were of a section, the easier your job  
24          would have been?

25          A    Yes.

1 Q And you didn't get that information from the  
2 Serious Crime Section in this case, did you?  
3 A No. As I understand it, they believed that they  
4 had the resources that they needed at the time.  
5 Q The person to have come to you and said, "We need  
6 more resources for Serious Crime because we're  
7 struggling with this Pickton investigation and  
8 struggling to keep it on the front burner," if I  
9 may, would have been Inspector Moulton; would you  
10 agree?  
11 A Or it could have been Staff Zalys.  
12 Q But it could have been Inspector Moulton?  
13 A Could have been.  
14 Q Would you say it should have been?  
15 A No doubt it would be in consultation with Staff  
16 Zalys.  
17 Q I believe your evidence earlier today is that no  
18 requests for additional resources with respect to  
19 the Pickton investigation were ever made to you?  
20 A No.  
21 Q Do you know now that resources was an issue  
22 preventing the Pickton investigation from being  
23 furthered?  
24 A I don't know that.  
25 Q Well, the fastest way for me to take you to some



1 evidence of that would be Deputy Chief Evans  
2 report, Exhibit 34. Sorry, I'll take you to tab 6  
3 of my brief, which is a note of Staff Sergeant  
4 Zalys December 21st, 1999. Staff Sergeant Zalys  
5 writes on the bottom right side of this page, and  
6 it's hard to read, but I'll read it out:

7 had spoken to Inspector Moulton since  
8 returning to,  
9 it's illegible,

10 about workload & shortages on,  
11 Serious Crime Unit,

12 SCU with two members away for long period of  
13 time (was supposed to end in December but  
14 unlikely). Many old jobs continue to be  
15 neglected - said he understood - priority to  
16 serious new files. Work on old ones when we  
17 can - not happening!

18 Over the page this is another date, April 18th,  
19 2000. He writes:

20 E-mail sent to Inspector Moulton, Inspector  
21 Debolt, Superintendent Hall & Christine  
22 Stanley to deal with deficiencies in  
23 interview room - sent April 13th.

24 - issues have not been addressed

25 - also discussed Pickton versus --

1 looks like "karoke file".

2 A Karaoke.

3 Q

4 ...karoke file previous week - drop Pickton  
5 for time being, no resources.

6 Will you accept that resources played a factor in  
7 your department's inability to take steps in the  
8 Pickton investigation?

9 A Yes, and others.

10 Q The final area I'd like to canvass with you is  
11 with respect to your detachment's communications  
12 with Project Evenhanded. You know that this joint  
13 force operation came into effect approximately  
14 January 2001?

15 A Yes.

16 Q And there was certainly cooperation between the  
17 RCMP's "E" Division and the VPD in the formation  
18 and management of this JFO; you'd agree?

19 A Yes.

20 Q I want to ask you about the extent of the  
21 Coquitlam Detachment's involvement. Did you  
22 contribute resources to the JFO?

23 A I believe we did.

24 Q Can you briefly describe what resources you  
25 provided?

1           A    I think -- and I would need a list of names to see  
2                    who was there and where they came from, but I  
3                    believe we did provide bodies --

4           Q    Okay.

5           A    -- to the project.

6           Q    Did you have any communication with members of the  
7                    JFO about their ongoing work?

8           A    Not very often.

9           Q    Were you aware in February 2001 that VPD Detective  
10                  Little was assigned to Project Evenhanded and was  
11                  tasked with prioritizing suspects?

12          A    No.

13          Q    Did you have any knowledge at all of the work  
14                  Project Evenhanded did into suspects?

15          A    No.

16          Q    We know now that Pickton was on their suspect list  
17                  highly prioritized, at one point from one list  
18                  apparently looks like the number one suspect. Had  
19                  you known that at the time, would that have  
20                  compelled you to seek an update?

21   THE COMMISSIONER:   Yes.

22   MS. WINTERINGHAM:   Just to be clear, that's not the evidence.

23                  The evidence --

24   THE REGISTRAR:   Microphone.

25   MS. WINTERINGHAM:   Sorry, Janet Winteringham for Don Adam. The

1 evidence before this commission is that Mr.  
2 Pickton may have been prioritized in the Project  
3 Amelia files, not in the Project Evenhanded files.  
4 THE COMMISSIONER: Project Evenhanded was just in its inception  
5 at that time.

6 MS. WINTERINGHAM: That's correct.

7 THE COMMISSIONER: Right.

8 MR. CHANTLER: Thank you, Ms. Winteringham. I'm sorry if I  
9 misspoke. I'm referring to documents, Mr.  
10 Commissioner, for your benefit, that are in my  
11 brief at tab 10. I won't go into them in detail,  
12 but they're the handwritten notes of Detective  
13 Little in which he is ranking the various  
14 suspects.

15 THE COMMISSIONER: Okay. All right. Thank you.

16 MR. CHANTLER: And it's not clear from these notes always what  
17 date they were drafted. We're doing our best to  
18 figure out what they mean, and we don't have --

19 THE COMMISSIONER: But we know that that's -- Project  
20 Evenhanded started at that time.

21 MR. CHANTLER: Certainly.

22 Q And my point is simply this, it's that Pickton was  
23 on the list of high priority suspects. Had you  
24 known that at the time, would it have prompted you  
25 to seek an update from your investigators into

1                   that investigation?

2           A    It may well have, yes.

3           Q    And would it have perhaps then prompted you to  
4               demand additional resources into that  
5               investigation?

6           A    It would be my understanding at that time that it  
7               would have been turned over to Evenhanded or the  
8               Missing Women Task Force.

9   THE REGISTRAR:   Time, Mr. Chantler.  We need time for Mr.  
10                Roberts.

11   MR. CHANTLER:   All right.  Those are my questions.

12   THE COMMISSIONER:  Thank you, Mr. Chantler.

13   MR. GRATL:   Mr. Commissioner, I just rise to ask all counsel to  
14               check their e-mail in boxes.  I've just served  
15               notice of an urgent application for disclosure by  
16               the Vancouver Police Department of documents  
17               dealing with a raid and closure of Jamie Lee  
18               Hamilton's Grandma's House in 2000.  I was told  
19               yesterday after the hearing concluded that Ms.  
20               Hamilton will be testifying in panel format on  
21               Monday, and so that application is a little bit  
22               urgent.

23   THE COMMISSIONER:  All right.  Thank you.  Mr. Roberts, you  
24               have an application or you have --

25   MR. ROBERTS:   Thank you, Mr. Commissioner, and -- for your

1           indulgence and everyone here for the brief remarks  
2           I wish to make with respect to Process Management  
3           Directive #3, Mr. Commissioner.

4   THE COMMISSIONER:   Yes.

5   MR. ROBERTS:   And let me start by saying first of all that I  
6           acknowledge the great burden that this commission  
7           is to everybody and in particular to you, sir, and  
8           to commission counsel. I remember the remarks  
9           that I heard -- read in the press by the  
10          Honourable Tom Braidwood that this is a more  
11          difficult commission in his view, this one is than  
12          his, and so I'd like you to keep that in mind with  
13          what I am about to say.

14                I turn in your directive, Mr. Commissioner,  
15          to paragraph 7, and it's the one which makes  
16          reference to making recommendations, and you end  
17          that paragraph, sir, by saying:

18                I cannot imagine anyone would seriously  
19          disagree that this is my most important task.  
20          And I want to say, yes, indeed, I agree it is a  
21          very important task, I will say most important  
22          task, as long as it's equal to another most  
23          important task. In my respectful submission, and  
24          this is -- I'm speaking for my client, Marion  
25          Bryce, the most important task of this commission

1 is to inquire into the conduct of the police  
 2 investigations that allowed her daughter to get  
 3 picked up and killed, which was in 2001, and as I  
 4 speak to her and to others, most people, including  
 5 the public, want to know what happened in the  
 6 police investigations, and that's in directive --  
 7 term of reference #1. Yes, of course we need to  
 8 get to recommendations, and I think the idea of  
 9 panels is a good one, but there is a serious  
 10 amount of work still to be done in this regard.

11 This week we heard for the first time through  
 12 Chief -- former Chief Terry Blythe that, yes,  
 13 indeed, there were crimes in Vancouver to be  
 14 investigated. He said when led through his  
 15 evidence by one of Canada's foremost criminal law  
 16 lawyers, Edward Greenspan, that the case was  
 17 Vancouver's case, the crimes were Vancouver's,  
 18 that so far as he was concerned the fact that  
 19 bodies or evidence showed up elsewhere was  
 20 irrelevant. He said as well, when taken to the  
 21 rewards, which the public of this province backed  
 22 through the Attorney General and the police board  
 23 of Vancouver, signed off by Terry Blythe and  
 24 former Attorney General Dosanjh, that the crimes  
 25 to be investigated for which information was

sought by reason of that -- by way of that reward of unlawful confinement, kidnapping, and murder were the crimes in Vancouver. Mr. Blythe said that he regarded them as serious, they were not window dressing, that he expected the police force of Vancouver under his jurisdiction, under his leadership to investigate those crimes. We have burdened, we have laboured four months, in my respectful submission, without having that established.

I don't mean to be critical, but in my professional opinion and experience that was an *a priori* question for this commission. This commission is to inquire into the conduct of the police investigations. It was not our job to determine what the crimes were in Vancouver that are to be inquired into as to the police investigations. That was a very unfortunate situation to happen, in my view, in my submission, to have the internal review report put before this commission, which does not identify any crimes in Vancouver, and then to have its author go into the witness stand and say there were no crimes in Vancouver and then to wrestle mightily with me in cross-examination as to whether kidnapping was a



1 crime in Vancouver to be investigated.

2 So I won't say more about that now. We do  
3 have the evidence after four months, I believe,  
4 and I do submit that it may well be -- that four-  
5 month burden may well be a reason why my  
6 colleague, Mr. Ward, has made extensive document  
7 requests labouring under the burden of not knowing  
8 what are the crimes in Vancouver.

9 In my submission, I don't want to interfere  
10 with what is set for next week, but I respectfully  
11 submit that as soon as possible there should be  
12 three or four witnesses called. Your memorandum  
13 refers to Constable Shenher as a lead  
14 investigator. With the utmost respect, Mr.  
15 Commissioner, she was the only investigator. She  
16 knew nothing about homicide. She didn't know  
17 about the crime of the kidnapping, and she didn't  
18 know how to treat the source, and she lost contact  
19 with the source. She was not investigating  
20 kidnapping, which was one of the crimes in  
21 Vancouver according to Terry Blythe. We need to  
22 hear from her supervisor, Sergeant Field. We need  
23 to hear from her supervisor or the person she  
24 reported to, Brock Giles. And we need to hear  
25 from the head of that department, that division.

1 And I don't like the term silos, with utmost  
2 respect to commission counsel. There was much  
3 collaboration back and forth between those two  
4 terms -- two divisions.

5 Anyway, in my submission, I respectfully ask  
6 this commission to make arrangements so that we  
7 can finally pursue the evidence of what happened  
8 in the conduct of the police investigations in  
9 Vancouver, and then, Mr. Commissioner, I  
10 respectfully agree with you we're ready to deal  
11 with the question of recommendations and how to  
12 better communicate with the people who are  
13 affected by a criminal predator such as this.

14 THE COMMISSIONER: You should talk to commission counsel  
15 about that, if you want specific witnesses called,  
16 and not only that, but the fact that panels are  
17 coming doesn't mean that the rest of the case  
18 won't go ahead, such as the 1997 attack, and all  
19 of those --

20 MR. ROBERTS: I understand.

21 THE COMMISSIONER: Those will all be canvassed. And you talk  
22 about crimes being committed in Vancouver. Well,  
23 you have that evidence through Terry Blythe, that  
24 there were --

25 MR. ROBERTS: It's taken four months, sir.

1 THE COMMISSIONER: Vancouver did accept responsibility, and  
 2 there might be other counsel here who would argue  
 3 that -- that contrary to what you're saying it's  
 4 just not Vancouver but there were other  
 5 jurisdictions. That is something we'll have to  
 6 ultimately -- I'll have to ultimately decide that,  
 7 and you're free to argue that at the end of the  
 8 day.

9 MR. ROBERTS: I understand, but I do want to make the point it  
 10 was not our task. That was an *a priori* question.  
 11 Our task is to inquire into the conduct of those  
 12 investigations, and it's been a big burden on us,  
 13 particularly those who are not representing the  
 14 police forces before this commission of inquiry.  
 15 And I -- all I'm asking is that these witnesses be  
 16 called sooner rather than later.

17 THE COMMISSIONER: All right. Yes.

18 MR. DICKSON: Mr. Commissioner, Tim Dickson for the department.  
 19 If I might respond to Mr. Roberts' argument.

20 MR. ROBERTS: It wasn't an argument.

21 MR. DICKSON: I might be able to shorten things up a little bit  
 22 for Mr. Roberts. Let me make very clear that the  
 23 VPD and Deputy Chief LePard have never, not for a  
 24 single second, taken the position that it was not  
 25 incumbent upon them to investigate kidnapping,

abduction, forcible confinement, murder within Vancouver. Certainly not. And if Mr. Roberts went back and read the LePard report, he would see a litany of criticism of Deputy Chief LePard's own department, the Vancouver Police, with respect to investigations of missing women. That indeed is the entire tenor of the report. The confusion appears to be what is done with the investigation in Coquitlam, and every witness who has come before you, Mr. Commissioner, has said that with respect to what was going on on Pickton's farm they do not see kidnapping as a useful charge. They see an investigation of murder, an investigation of forcible confinement, of attempted murder, of aggravated assault. Those are the charges. It is not helpful in every single witness's opinion who has come before you to investigate kidnapping. But it doesn't matter. Certainly the department's view is that it was investigating the missing women as a whole and it had to investigate them for a number of crimes.

THE COMMISSIONER: All right. Thank you.

THE REGISTRAR: The hearing is now adjourned until 1:45.

**(PROCEEDINGS ADJOURNED AT 12:37 P.M.)**

**(PROCEEDINGS RESUMED AT 1:48 P.M.)**

1 THE REGISTRAR: Order. The hearing is now resumed.

2 THE COMMISSIONER: Okay.

3 MR. VERTLIEB: So, Mr. Commissioner, just so you know, we have  
4 two hours of hearing time, and you have two hours  
5 for questions, and that means that Mr. Dickson,  
6 who's doing the VPD, 45 minutes, Ms. Winteringham  
7 15, and Mr. Hira one hour, and that is it.

8 THE COMMISSIONER: All right.

9 MR. VERTLIEB: And that finishes Mr. Hall for the day, as we  
10 planned to do.

11 THE COMMISSIONER: Okay.

12 MR. VERTLIEB: Obviously we're grateful for Mr. Giles keeping  
13 those time limits in place. Thank you.

14 THE COMMISSIONER: Okay. Yes, Mr. Dickson.

15 MR. DICKSON: Yes, Mr. Commissioner. Tim Dickson for the  
16 Vancouver Police Department.

17 **CROSS-EXAMINATION BY MR. DICKSON:**

18 Q Superintendent Hall, I want to start by following  
19 up on an answer you gave to Ms. Tobias this  
20 morning. You said that in the past in the RCMP  
21 missing person files often went unattended, they  
22 were -- in the sense that they were added to CPIC  
23 and then they were sort of put away. Do you  
24 recall that?

25 A Yes.

1           Q   And you spoke to that point a little bit in your  
2               interview with Deputy Chief Evans, and I've put  
3               together a little package. Mr. Registrar, I left  
4               three of these packages on your chair.

5   THE REGISTRAR: They've been passed out.

6   MR. DICKSON: Yes. Thank you.

7           Q   And, Superintendent, there at the back of that  
8               package is a little stapled package of eight  
9               pages, and it's just -- it should be just slid  
10              into the back of the package. Yes, that's the  
11              one. And so you can see here that this is the  
12              first page of your interview with Deputy Chief  
13              Evans?

14          A   Yes.

15          Q   And if we turn over the page, starting at line 14  
16               you had been speaking on this point with Deputy  
17               Chief Evans, and she asks you this.

18                       Well, it's interesting you say that, because  
19                       in a memo dated, and you wouldn't have seen  
20                       this memo, in April of 1999, Sergeant Field,  
21                       Geramy Field from the Vancouver Police,  
22                       writes a memo to her Police Services Board  
23                       and suggests in this memo, that says, or  
24                       states in the memo, that,  
25               and then she's quoting,

1 Vancouver is the only police agency  
2 across Canada that actually has a  
3 designated missing persons unit. For  
4 the most part, police agencies put up a  
5 missing person on CPIC and don't do any  
6 investigation.

7 And then she asks you:

8 Would you say that's an accurate portrayal?

9 And you said:

10 Back then? Yes.

11 And she asks:

12 Back then?

13 And you said:

14 Yes.

15 And that accurately reflects your evidence,  
16 doesn't it?

17 A Yes.

18 Q Now, I think it's clear from your evidence this  
19 morning that you were not closely involved in the  
20 Pickton investigation out of Coquitlam?

21 A That's correct. Excuse me. That's correct.

22 Q You have said that you trusted your investigators  
23 and you didn't interfere with them?

24 A Yes.

25 Q And that was perhaps especially true of the

1                    Serious Crime Section?

2                    A    Yes.

3                    Q    You don't have a background in investigations?

4                    A    That's correct.

5                    Q    And Mike Connor was a very seasoned investigator?

6                    A    Yes.

7                    Q    Naturally you would respect and trust his judgment  
8                    with respect to investigative approaches?

9                    A    Yes.

10                  Q    And indeed on the Pickton investigation in  
11                  particular Corporal Connor, later Sergeant Connor,  
12                  had the most in-depth knowledge of the evidence?

13                  A    Based on everything I know now, yes, that would be  
14                  a true statement.

15                  Q    He was the lead investigator on the attempted  
16                  murder in 1997?

17                  A    Yes.

18                  Q    And he was the Coquitlam investigator who was  
19                  investigating the Hiscox information in 1998?

20                  A    Yes.

21                  Q    And he was the lead investigator in the summer of  
22                  1999?

23                  A    Correct.

24                  Q    And so you would trust his knowledge of the  
25                  evidence?



1 A Of the evidence?

2 Q Yes. You would trust his knowledge of the  
3 information that was being gathered as part of the  
4 Pickton investigation?

5 A Yes.

6 Q And you would trust his judgment of its  
7 investigative value and what could be done with  
8 it?

9 A Yes.

10 Q Indeed, Mike Connor was the person within  
11 Coquitlam Detachment who knew the most about the  
12 Pickton investigation?

13 A I think that's a fair statement, yes.

14 Q Now I want to ask you some questions about  
15 Coquitlam's investigation as of the summer of  
16 1999. That's when Ross Caldwell came forward with  
17 information that he had apparently received from  
18 Lynn Ellingsen, who had told him that she'd seen  
19 Pickton skinning a sex worker in his barn,  
20 correct?

21 A I believe that's the flow of it.

22 Q And then Coquitlam Detachment led an investigation  
23 into that information with assistance from "E"  
24 Division Serious Crime, Unsolved Homicide, and the  
25 VPD?

1 A Correct.

2 Q And that was in the summer of 1999?

3 A Yes.

4 Q And at that time Coquitlam Detachment was looking  
5 at information coming from Lynn Ellingsen that  
6 Pickton had been seen murdering a woman in his  
7 barn? That was the import of it?

8 A I'm aware of that now, yes.

9 Q And, of course, that barn's on his property in  
10 Port Coquitlam, which is in your jurisdiction?

11 A Yes.

12 Q And so if the information is true, it's indicating  
13 a homicide taking place in your jurisdiction?

14 A Yes.

15 Q And there's been a lot of discussion about  
16 jurisdiction in this inquiry, as you will have  
17 seen just before the lunch break, and I want to  
18 take you to Sergeant Connor's evidence on this  
19 point and see if you agree with it. So in this  
20 package I've included extracts from Sergeant  
21 Connor's testimony before this inquiry, and we'll  
22 go first to tab 1. This is Sergeant Connor's  
23 testimony in chief with Mr. Vertlieb for the  
24 commission, and starting at line 20 he asks this:

25 Staff Sergeant, I just want to clarify

1 the last discussion we had just before  
2 the break, and I have in mind the  
3 questions that I asked and then the  
4 commissioner's questions. Just so  
5 we're clear, when you said that you  
6 believed you were investigating the  
7 Coquitlam issue and not the missing  
8 women investigation issue, just let's  
9 be clear on the record what you mean by  
10 that. What were you actually  
11 investigating?

12 And Sergeant Connor replied:

13 I was -- there were two sets of  
14 investigations going on in my mind.  
15 The one was the missing women out of  
16 Vancouver, which the Vancouver City  
17 Police were dealing with, and the issue  
18 that I was solely dealing with was the  
19 purported murders of women or a woman  
20 or women at the Pickton property.

21 Q So that would have included women who had  
22 gone missing and possibly murdered who  
23 were from the Downtown Eastside of  
24 Vancouver?

25 A That's correct. It's the information

1                               related to that, yes.

2                               And that accords with your understanding of  
3                               Coquitlam's role in all of this, doesn't it?

4                   A    Speaking from what I know now?

5                   Q    Yes.

6                   A    Yes.

7                   Q    Thank you.  Now, the Ellingsen information related  
8                               in its specifics, in that information about her  
9                               having seen Pickton murdering a sex worker in the  
10                              barn, that related to one sex worker?  There was  
11                              one sex worker who was hanging in the barn,  
12                              correct?

13                  A    That's what was related to me, yeah.

14                  Q    But as you know now at least, Coquitlam Detachment  
15                              had other information as well, and when Sergeant  
16                              Connor was on the stand he testified that he knew  
17                              that they were investigating Pickton for possibly  
18                              killing a number of sex workers, and do you accept  
19                              that that was the focus of Coquitlam's  
20                              investigation into Pickton?

21                  A    Now?

22                  Q    Yes.

23                  A    Yes.

24                  Q    It was a serial killer investigation?

25                  A    Possibly, yes.  Hadn't been proven yet.

1 Q No, of course not. It's only an investigation.

2 A Yes.

3 Q It's not a prosecution.

4 A Yes.

5 Q But the investigation was into Pickton with  
6 respect to allegations that he was killing a  
7 number of sex workers; you'd agree with that?

8 A Yes, from what I know now.

9 Q Now, I don't want to take you through all the  
10 evidence pointing to Pickton in the summer of 1999  
11 because Sergeant Connor was questioned about that,  
12 and, as we've seen, as lead investigator and a  
13 very experienced investigator at that you would  
14 defer to his knowledge and assessment of the  
15 evidence?

16 A Yes.

17 Q But I do want to take you to some of his  
18 conclusions, and so if we could go to tab 3 in  
19 this little package, and we're going to page 104,  
20 the first page, and line 17. And there was an  
21 exchange that went -- between myself and Sergeant  
22 Connor that went this way:

23 Now, I want to turn to the Ellingsen  
24 information. I think it's fair to say,  
25 isn't it, that you were always a

1                   believer in what Caldwell was telling  
2                   you?

3                   A I believed that Caldwell was giving us the  
4                   information that he had been told by  
5                   Ellingsen, and he had given us various  
6                   other pieces of information of things that  
7                   he observed himself.

8                   Q Yes. And you thought that Ellingsen may  
9                   very well have been truthfully reporting  
10                  to Caldwell what she saw?

11                  A In the face of anything else to the  
12                  contrary, yes.

13                  Q And certainly through the whole course of  
14                  this investigation you thought the  
15                  information was compelling and needed to  
16                  be investigated?

17                  A Absolutely. To do otherwise it would be  
18                  negligent in my view.

19                  Q Indeed, because the allegations were so  
20                  serious?

21                  A That's correct.

22                  Q They were so serious they justified an  
23                  equally serious investigation to either  
24                  confirm or disprove them?

25                  A That's correct.

1                   And you don't disagree with Sergeant Connor's  
2                   evidence there, do you?

3           A    No.

4           Q    You accept it?

5           A    Yes.

6           Q    I took Sergeant Connor as well through some of the  
7                   evidence that Coquitlam had in the summer of 1999  
8                   that pointed to Pickton, and I asked him this, and  
9                   that's just continuing -- oh, I'm sorry. Sorry.  
10                  And that's continuing on page 114 behind the same  
11                  tab. So it's the last page in this tab. And at  
12                  the top of that page, line 3, I asked him this  
13                  question:

14                         So based on the totality of all of this  
15                         evidence you of course were of the  
16                         opinion that there was compelling  
17                         evidence pointing to Pickton as being  
18                         responsible for some or all of the  
19                         missing women and that justified a  
20                         serious investigation into him?

21           A    Correct.

22                  And, again, you would accept that evidence?

23           A    Yes.

24           Q    You would share that opinion?

25           A    Yes.

1 Q Now, Corporal Connor was promoted and transferred  
2 off the file on August 20th, 1999, correct?

3 A Correct.

4 Q And this morning Ms. Tobias asked you about his  
5 request to stay, and you recall that she used the  
6 term over-ranking?

7 A Yes. That's one way of terming it.

8 Q And I took the context of her question as being  
9 that Corporal Connor was asking that he take the  
10 promotion but remain in his job in Serious Crime,  
11 and you said, well, there would be problems with  
12 that, there would be obstacles, if you recall,  
13 such as it would leave the job he was going to in  
14 the watch unfilled?

15 A Correct.

16 Q That's a fair summary?

17 A Yes.

18 Q And I just want to clear that up, because my  
19 understanding is not that Corporal Connor wanted  
20 to remain in his job but rather that he wanted to  
21 retain carriage of this particular investigation.  
22 Not all the investigations that he was on, just  
23 this one. And I want to show you a passage that  
24 might clarify that. And, Mr. Registrar, it's  
25 Exhibit 2, and I think it's B, 2B, because it's



1 the appendices to Williams' report. And,  
2 Superintendent, it's tab L.

3 A Tab L?

4 Q Yes. And that's -- yes, tab L. Do you have one  
5 or --

6 A They're all numbered.

7 Q Oh, I see. I'm sorry. Can I just have a look?  
8 Thank you. No, it's maybe -- no, it's maybe A  
9 then. My apologies. That's the one. My  
10 apologies, Mr. Registrar and Mr. Commissioner. So  
11 tab L, Superintendent, and have you seen this  
12 document before?

13 A No, I haven't.

14 Q This is a timeline that was put together by  
15 Sergeant Connor in the spring of 2002, and I'll  
16 show you in a moment, but what he did is he  
17 compiled the daily log and he added in his own  
18 comments and he added in notes of other  
19 investigations that Coquitlam was doing at the  
20 time, and what refers to the Pickton investigation  
21 is bolded, just so you know. So we're going to  
22 page 123. The numbers are at the bottom.

23 THE COMMISSIONER: What tab?

24 MR. DICKSON: L, Mr. Commissioner.

25 THE COMMISSIONER: All right.

1 MR. DICKSON:

2 Q Tab L, page 123. And this is an entry, you can  
3 see, from August 20th, 1999. The bit above it is  
4 bolded, but then there's an italicized note  
5 from -- and you can take it from me that that is  
6 Sergeant Connor's own note that he added in in the  
7 spring of 2002 when he created this timeline. And  
8 it says this:

9 I should state, that prior to leaving the  
10 Major Crime Section I spoke with the Admin  
11 NCO in an effort to see if I could take my  
12 promotion and then be seconded back to the  
13 investigation. I was informed that the OIC  
14 would not approve it. That when I was  
15 promoted I would be expected to fill that  
16 position.

17 And so on. And when I read that, it seems to me  
18 that he's just asking to retain carriage of that  
19 investigation. Do you think I have that wrong?

20 A That's how I read it, yeah.

21 Q And so I'm taking it from that that he's not  
22 asking to stay in his position in Serious Crime  
23 and not go to the watch, he's saying, "Let me go  
24 to the watch, take the promotion, but I also want  
25 to retain carriage of this investigation." Is

1                   that fair enough?

2   THE COMMISSIONER: I think that's already been the evidence.

3                   Yes.

4   MR. MAKOSZ: Mr. Commissioner, Rory Makosz for the Government  
5                   of Canada. I've listened to my friend on this  
6                   line of questioning, and I don't know why these  
7                   questions wouldn't have simply been put to  
8                   Sergeant Connor when he was here with respect to  
9                   the meaning behind his note.

10   THE COMMISSIONER: Yes.

11   MR. MAKOSZ: I don't see the value in having Superintendent  
12                   Hall speak to the meaning that Mike Connor may  
13                   have had behind that note.

14   THE COMMISSIONER: Okay. Well, there's another concern that I  
15                   have, and that is that Superintendent Hall has  
16                   told us that he really didn't know any of this and  
17                   none of this ever came to his attention, so I  
18                   don't know what we're learning from this cross-  
19                   examination. I mean, you can put it to him, and  
20                   he'll agree with just about -- with hindsight and  
21                   retrospect he's been told this, and he agrees with  
22                   it all, but at the relevant time he wasn't privy  
23                   to any of this because he said he left all of this  
24                   to his investigators. Is that not so, sir?

25                   A   That's correct, sir.

1 THE COMMISSIONER: So --

2 MR. DICKSON: That's right, Mr. Commissioner, and I'm not going  
3 to be long, and on this point in particular. It  
4 was just because this morning I heard  
5 Superintendent Hall say that it was not -- when  
6 you were asked in this vein -- it was not possible  
7 for Sergeant Connor to have his request to remain  
8 granted because he had to go and fulfil that other  
9 position, and that's just not quite what I  
10 understood Corporal Connor's request to be, and I  
11 was just clarifying that.

12 THE COMMISSIONER: Well, I understood Corporal Connor was  
13 obviously happy with the promotion.

14 MR. DICKSON: Indeed.

15 THE COMMISSIONER: But the promotion carried with it a transfer  
16 to be the watch commander. Is that what it was?

17 A He'd be the patrol sergeant.

18 THE COMMISSIONER: Patrol sergeant, right.

19 A Right.

20 THE COMMISSIONER: But it would mean that he would have to give  
21 up this file, and he didn't want to do that.

22 MR. DICKSON: That's right.

23 THE COMMISSIONER: But, you know, he had no choice. Is that  
24 not so?

25 MR. DICKSON: Indeed.

1 THE COMMISSIONER: If he wanted the promotion.

2 A If he could have presented a business case --

3 THE COMMISSIONER: Ah.

4 A -- to say this is what's going on, this is why I  
5 should retain control, then we'd have -- we would  
6 sit down and discuss is that a possibility to do  
7 that, but --

8 THE COMMISSIONER: In any event, didn't happen.

9 A -- it never went beyond, as I read it here, beyond  
10 my administration NCO, who facilitated the  
11 internal transfers.

12 THE COMMISSIONER: It didn't happen?

13 A Didn't happen.

14 THE COMMISSIONER: All right. Okay.

15 MR. DICKSON: No, it didn't happen, and, Mr. Commissioner, just  
16 to follow up that point, the point is, is that  
17 it's not just a case of him having to give up  
18 every investigation when he goes over to the  
19 watch. There is some possibility that he could  
20 have remained on this investigation, and as you  
21 might have the view from his evidence, after he  
22 transfers --

23 THE COMMISSIONER: You can -- excuse me for interrupting you,  
24 and I shouldn't be doing this, but, I mean, you  
25 can argue at the end of the day that he should

1                   have been allowed to stay there, but the fact is  
2                   he wanted to stay for this one file --

3   MR. DICKSON:   Right.

4   THE COMMISSIONER:  -- and they said no, so that was sort of the  
5                   end of it.

6   MR. DICKSON:   Right.

7   THE COMMISSIONER:  And you can argue at the end of the day that  
8                   he should have been allowed to stay and look after  
9                   that file, but we're in a bit of a quandary here  
10                  because then you're getting into the RCMP internal  
11                  promotion policy and all of that.

12  MR. DICKSON:   Oh, I see.  I see.

13  THE COMMISSIONER:  So I just --

14  MR. DICKSON:   Well, it is a bit of a quandary, but we'll see  
15                  what we can do with that.

16  THE COMMISSIONER:  All right.

17  MR. DICKSON:   So I'll move on from this point, Mr.  
18                  Commissioner.

19                  Q   Just on this page, Superintendent Hall, on this  
20                      page 123, you see at the bottom of that italicized  
21                      note Sergeant Connor writes:

22                      The Pickton investigation was then left in  
23                      the hands of Coquitlam Major Crime Section.  
24                      And you don't disagree with that, do you?

25                  A   No.

1 Q It remained an active file within Coquitlam Major  
2 Crime?

3 A Yes.

4 Q And it was never concluded before the search of  
5 Pickton's farm anyway?

6 A That's my understanding.

7 Q And it was never transferred to any other  
8 detachment or police force until after Pickton's  
9 arrest?

10 A Correct.

11 Q Now, Mike Connor returned to the Major Crime  
12 Section of the Coquitlam Detachment in March of  
13 2001, correct?

14 A I take it you have that information. I don't have  
15 it in front of me.

16 Q Very well. Yes, we do. And when he came back to  
17 Major Crime, he was the sergeant in charge of that  
18 section, correct?

19 A That's right.

20 Q And that means he was the supervisor of Major  
21 Crime, and Major Crime had conduct of the Pickton  
22 investigation?

23 A Correct.

24 Q And I just want to show you, if I can, quickly  
25 that Sergeant Connor reviewed the Pickton file and

1 became familiar with the steps that had been taken  
2 to that point, and it's at tab 4, page 121. And  
3 you can see on line 12 on page 121:

4 Q And soon after your return you reviewed  
5 the outstanding files in the section,  
6 correct?

7 A That's correct.

8 Q And that included the Pickton file?

9 A That's right.

10 Q And so you were generally aware of what  
11 had been done on the file during your  
12 absence?

13 A Generally, yes, I was.

14 And so, again, you would accept his knowledge of  
15 the investigation as it occurred up to his return  
16 and then certainly after when he is in charge of  
17 the section; fair enough?

18 A I'm sorry, I wasn't -- I was trying to read along  
19 with you here.

20 Q Yes. You would accept Sergeant Connor's knowledge  
21 of the investigative steps that were taken on the  
22 Pickton file up to his return to Major Crime and  
23 after his return?

24 A Yes.

25 Q And just continuing in this transcript, he says on



1 page 122:

2 Q And so I want to ask you this. Do you  
3 agree that the investigation made far too  
4 little progress after your transfer?

5 A It made little progress. And I have to  
6 preface that, because I think that the  
7 unit was busy for some period of time  
8 after I had left on murder investigations  
9 and that sort of thing, but it certainly  
10 hadn't progressed to where I thought it  
11 had gone, but I know the unit was busy,  
12 so.

13 Q Right. And we've seen the information  
14 pointing to Pickton was compelling?

15 A Certainly.

16 Q And the allegations were extremely  
17 serious?

18 A Yes, they were.

19 Q And you'll agree with me, I'm sure, that  
20 it was incumbent upon Coquitlam Detachment  
21 to advance the investigation far more than  
22 they did after your transfer?

23 A I would like to have seen it investigated  
24 more than it was, but then again I can't  
25 account for their time, as to what was

1 occupying their time during that period.

2 And you have, again, no reason to disagree with  
3 Sergeant Connor's assessment of the investigation,  
4 do you?

5 A No. Excuse me.

6 Q And I'll just take you to one more passage in  
7 Sergeant Connor's testimony, and that's behind tab  
8 7. And it's on the first page there, page 153,  
9 line 20.

10 Q All right. Well, Sergeant Connor, let me  
11 summarize a little bit. Here are the  
12 significant steps that were taken on the  
13 Pickton investigation after your  
14 promotion...until the search of the  
15 Pickton's farm in February of 2002. One,  
16 Ellingsen was interviewed again in  
17 September of 1999?

18 A Correct.

19 Q Two, Pickton was interviewed on January  
20 19th, 2000?

21 A Correct.

22 Q Three, new aerial photos were obtained of  
23 the Pickton farm?

24 A Correct.

25 Q Four, Pickton's DNA was excluded from the

1 valley murders?

2 A Correct.

3 Q That's it; yes?

4 A I'm sorry, where are you reading?

5 Q Oh, I see. I'm sorry. Tab 7, page 153.

6 A Yes.

7 Q Starting at line 20. And perhaps you could just  
8 read there until the next page, line 11. And it  
9 continues on line 12:

10 Q That's it; yes?

11 A That sounds right.

12 Q And you accept, I would imagine, that that  
13 is far too little progress in two and a  
14 half years on a file of this seriousness?

15 A Yes.

16 Q And you agree that the information  
17 pointing to Pickton was so compelling and  
18 the allegations so serious that a major  
19 sustained investigation needed to be  
20 pursued to either confirm or eliminate  
21 that information?

22 A I guess you and I would differ on the word  
23 major, but a sustained investigation was  
24 required, yes.

25 Q And that just wasn't done?

1                   A   No.

2                   And, again, you would accept Sergeant Connor's  
3                   assessment there, would you?

4                   A   Yes.

5                   Q   So here, I think, are the main points on which you  
6                   and Sergeant Connor agree. First, from at least  
7                   the summer of 1999 RCMP Coquitlam Detachment had  
8                   conduct of the investigation into Pickton, yes?

9                   A   Yes.

10                  Q   Two, that investigation into Pickton related to  
11                  the possible murders of a number of sex workers?

12                  A   That's what I know now.

13                  Q   Yes.

14                  A   Yes.

15                  Q   To put it short again, it was a serial murder  
16                  investigation?

17                  A   It appeared to be.

18                  Q   Three, the information pointing to Pickton was so  
19                  compelling and the allegations so serious that a  
20                  sustained investigation was required to either  
21                  confirm or deny those allegations?

22                  A   Correct.

23                  Q   And fourth, that sustained investigation was not  
24                  done?

25                  A   Correct.

1 THE COMMISSIONER: Yes.

2 MR. MAKOSZ: Mr. Commissioner, I rise, and I hate to do so, but  
3 I have some concerns with the line that my friend  
4 is taking with these questions.

5 THE COMMISSIONER: What?

6 MR. MAKOSZ: It seems to me that all that's happening here is  
7 that the evidence of Mike Connor is going in once  
8 again. We've already heard from this witness that  
9 he didn't have this knowledge back at the time,  
10 and I don't know how it assists you to hear his  
11 hindsight perspective now.

12 THE COMMISSIONER: I agree with you that this was given by  
13 Connor and he really has no personal knowledge of  
14 that and he's merely confirming what Connor has  
15 told us earlier.

16 MR. DICKSON: Yes, that's absolutely correct. On the steps  
17 that were taken he's agreed that Sergeant Connor  
18 has the knowledge of those steps, and he's agreed  
19 with Sergeant Connor's assessment of the  
20 investigation, of what was done and of the -- and  
21 of the quality of the information pointing to  
22 Pickton.

23 THE COMMISSIONER: But nobody ever challenged Connor on that,  
24 and -- Mr. Vertlieb.

25 MR. VERTLIEB: I understand the discussion, but given the role

1           that Mr. Hall played in the organization when he  
2           was the lead man, and he has lots of experience,  
3           if there's going to be discussion about it, his  
4           opinion should be of some benefit to you. It  
5           ultimately becomes a matter of weight. I don't  
6           accept the comments of my learned friend for the  
7           Department of Justice. It's a matter of weight  
8           for you.

9   THE COMMISSIONER: Yes.

10   MR. VERTLIEB: Obviously you've heard that Connor didn't go  
11           directly to him, but it's still good to have this  
12           body of information to help formulate what you  
13           believe ultimately happened. So I don't have the  
14           same concern that the DOJ's expressing.

15   THE COMMISSIONER: Well, the point that counsel is making here  
16           is that -- I mean, that's something for argument  
17           at the end of the day. I'm sure somebody's going  
18           to argue that as the OIC he should have known  
19           that. That's probably what somebody's going to  
20           argue, right?

21   MR. VERTLIEB: No, I accept that. I'm not talking about that  
22           point, though. Just to get his view of that  
23           evidence wouldn't be -- wouldn't disadvantage you  
24           in coming together in what happened looking back.

25   THE COMMISSIONER: Well --

1 MR. VERTLIEB: I agree with your comment, and you're absolutely  
2 right in my view. It's just that it seems to me  
3 that the DOJ objection isn't one that makes sense  
4 to me given what your mandate is and what you're  
5 trying to do in piecing together what happened  
6 some years ago.

7 THE COMMISSIONER: The point here is, though, that it doesn't  
8 add anything to the discussion because Connor's  
9 evidence on that issue is uncontradicted, and  
10 Superintendent Hall's comment at this time is  
11 merely a repetition. That's what the point is.

12 MR. VERTLIEB: I'm totally comfortable. It's always about what  
13 you need for you to get your mandate supported.  
14 So if that's your perception, I'm totally  
15 comfortable with it. I just was trying to give a  
16 comment, if it helped.

17 THE COMMISSIONER: All right. Thank you.

18 MR. MAKOSZ: Thank you, Mr. Commissioner.

19 MR. DICKSON: If it's any comfort, I'm moving on now --

20 THE COMMISSIONER: Okay. All right.

21 MR. DICKSON: -- from that, but I just wanted to make sure  
22 we're on the same page with Superintendent Hall.

23 THE COMMISSIONER: I understand what you're doing.

24 MR. DICKSON: Yes. As to the import of the Pickton  
25 investigation.

1 Q Now, Superintendent Hall, I think it's clear that  
2 there was some difficulty with resources in  
3 Coquitlam Detachment at that time?

4 A Yes.

5 Q Now, you will agree with me, I'm sure, that the  
6 public has the right to expect that the RCMP will  
7 find adequate resources to investigate crimes as  
8 serious as serial murder?

9 A Can you ask me that again?

10 Q Yes. You will agree with me, no doubt, that the  
11 public has the right to expect that the RCMP will  
12 find adequate resources to investigate crimes as  
13 serious as serial murder?

14 A Yes, but I would also -- if I might add to that.

15 Q Certainly.

16 A The public does expect us as Coquitlam Detachment  
17 because we are contracted to police those two  
18 cities. On the same page, when you talk about  
19 that, the City is also obligated to provide us the  
20 resources so that we can do those jobs, and for  
21 years we -- it was a struggle to get resources  
22 from those two cities.

23 Q Yes. You appear to have been a bit strapped for  
24 resources. But you'll agree, I'm sure, that a  
25 serial murder investigation in your own



1 jurisdiction is not something that could be left  
2 on the back burner?

3 A Should not be.

4 Q And had you known, had you known how compelling  
5 the information pointing to Pickton was, you would  
6 have ensured that adequate resources were devoted  
7 to it, wouldn't you?

8 A We could have reached out to our provincial units  
9 for assistance, yes.

10 Q Yes. One way or the other, Coquitlam Detachment  
11 had to find more resources to put to this  
12 investigation?

13 A But that's not what I was hearing.

14 Q Yes. No, I understand that. That's not what you  
15 were hearing, but had you heard, had you heard the  
16 information, you would have made sure to get those  
17 resources?

18 A If I had heard that information, we would have sat  
19 down to discuss where we were, where we could go,  
20 do we need additional resources, can we handle it  
21 internally.

22 Q Yes.

23 A So that at the end of the day perhaps I would have  
24 made the same decision and said, "Sorry, we got  
25 other things to work on."

1 Q I see. So is your evidence here today that  
2 looking back in hindsight it was acceptable for  
3 Coquitlam Detachment of the RCMP to pursue the  
4 investigation exactly the way it did?

5 A Until it reached the point where it was decided or  
6 there was a meeting to take place and an  
7 operational plan put in place to say we can't  
8 handle this, we need help.

9 Q Yes. If you had reached the conclusion that you  
10 did not have adequate resources internally to  
11 properly investigate Pickton, you should have  
12 sought them elsewhere?

13 A There's a possibility to do that.

14 Q Because, as you agree, the allegations were  
15 extremely serious, and your lead investigator and  
16 your sergeant in charge of Major Crime found the  
17 information compelling?

18 A Yes, I know that now.

19 Q Yes. Now, if you needed more resources from  
20 outside to properly investigate Pickton, then one  
21 thing that you could have done is to put forward a  
22 business case to "E" Division to seek additional  
23 resources; yes?

24 A That would be a possibility, yes.

25 Q And that wasn't done to your knowledge, was it?

1           A    Not to my knowledge.

2           Q    And even informally it is common for one RCMP  
3                detachment to borrow resources from a neighbouring  
4                RCMP detachment?

5           A    Yes, it is.

6           Q    Yes. And that's what you did, for instance, with  
7                the Breann Voth murder?

8           A    Absolutely.

9           Q    And when was that, roughly, in Coquitlam?

10          A    2000.

11          Q    Very well. And for that murder investigation I  
12                understand you brought in people from all  
13                surrounding detachments?

14          A    Yes.

15          Q    And certainly that is an approach that could have  
16                been taken on the Pickton investigation?

17          A    Possibly, yes.

18          Q    But that was not done?

19          A    No, not that I'm aware of. Well, there was in  
20                '99.

21          Q    Summer of 1999?

22          A    Yes.

23          Q    Yes. After the summer of 1999 that was not done?

24          A    No, not that I'm aware of. But there was still  
25                contact between -- interagency.

1 Q Yes.

2 A Between the investigators at the front end.

3 Sorry.

4 Q I'm sorry. The resources were not provided from  
5 other RCMP detachments and not sought --

6 A No.

7 Q -- to devote --

8 A No.

9 Q -- to the Pickton investigation?

10 And alternatively, Coquitlam Detachment could  
11 have asked Provincial Unsolved Homicide to help  
12 after the summer of 1999?

13 A Probably would have gone to Serious Crime or Major  
14 Crimes.

15 Q Okay. And after the summer of 1999 Coquitlam  
16 never asked the Vancouver Police Department for  
17 help on the Pickton investigation, to the best of  
18 your knowledge?

19 A To the best of my knowledge, no.

20 Q Now, you have agreed, I think, that had the  
21 investigation pointing to Pickton been brought to  
22 you you would have ensured that a proper sustained  
23 investigation was conducted; yes?

24 A I think it's fair to say if that had come forward  
25 we would be sitting down, as I think I said

1 earlier, to discuss, okay, what have we got now,  
2 where are we going to head with this, what has  
3 been done in the past, are there avenues that we  
4 have not explored, are there additional steps that  
5 we could take by bringing additional resources in  
6 or seeking additional resources.

7 Q And that discussion about -- with you about  
8 seeking other resources just never took place?

9 A Did not.

10 Q And so clearly there was a breakdown in  
11 communication somewhere in the Coquitlam  
12 Detachment?

13 A My understanding is that Connor felt that he had  
14 the resources that he needed, and, again, I'm  
15 hearing that after the fact.

16 Q I see. And so that information just didn't -- the  
17 information -- the assessment that more resources  
18 were needed just didn't go up the chain; is that  
19 fair?

20 A Not that I'm aware of.

21 Q And the result is that that sustained  
22 investigation just didn't happen, as Sergeant  
23 Connor said?

24 A No, it did not.

25 Q And it should have happened?

1           A    If a case had been brought forward.

2           Q    And so you'll agree that there was a failure  
3                somewhere within what I'll call the management  
4                system of Coquitlam Detachment?

5           A    A failure? There could have been more  
6                communication.

7           Q    There could have been more communication because  
8                there needed to be more investigation?

9           A    Yes.

10          Q    And I understand your position that you weren't  
11                properly informed of the Pickton investigation by  
12                the officers under your command, but you accept,  
13                don't you, that they were under your command?

14          A    Yes.

15          Q    And you agree that as detachment commander you  
16                must take ultimate responsibility for the failings  
17                within your detachment?

18          A    I do.

19   MR. DICKSON: Thank you. Those are my questions.

20   THE COMMISSIONER: Thank you, Mr. Dickson.

21   MR. COOPER: Mr. Commissioner, Seth Cooper, articulated student  
22                for Jason Gratl. I know Mr. Vertlieb already gave  
23                you a schedule for cross-examinations, but I've  
24                been advised by Mr. Gratl that he will be  
25                returning to the hearings and that he asks for

1                   your indulgence to conduct --

2   THE COMMISSIONER:   Who will be?

3   MR. COOPER:   Mr. Gratl.  He will be returning to the hearings,  
4                   and he asks for your indulgence to conduct a brief  
5                   cross-examination of Superintendent Hall.

6   THE COMMISSIONER:   All right.  Okay.  Who's --

7   MS. WINTERINGHAM:   Mr. Commissioner, Janet Winteringham for Don  
8                   Adam.

9   **CROSS-EXAMINATION BY MS. WINTERINGHAM:**

10               Q   Superintendent Hall, back in 1989 you were  
11                   stationed at the Surrey Detachment of the RCMP; is  
12                   that right?

13               A   That's correct.

14               Q   And were you there from 1989 until 1994?

15               A   I was.

16               Q   You were the team commander of the Emergency  
17                   Response Team during that time; is that right?

18               A   Yes.

19               Q   And you came to know then Corporal Adam, retired  
20                   Inspector Adam?

21               A   He was a constable when I first got there, yes.

22               Q   Okay.  And he became a member of the Emergency  
23                   Response Team --

24               A   Yes, he was.

25               Q   -- beneath you, correct?

1 A Yes.

2 Q And he eventually becomes the second in charge of  
3 that unit during your time at the Surrey Emergency  
4 Response Team; is that right?

5 A Yes.

6 Q And you are familiar with Sergeant Adam's skill  
7 set as a police officer during the time that you  
8 worked with him?

9 A Correct.

10 Q And I am going to suggest to you that he was a  
11 qualified and capable police officer --

12 A Absolutely.

13 Q -- based on your observations of him --

14 A Yes.

15 Q -- on duty?

16 A Yes.

17 Q Now, you also learned that Sergeant Adam became  
18 appointed as the team commander of the  
19 investigation into the missing women from the  
20 Downtown Eastside?

21 A Yes.

22 Q The project that later became known as Project  
23 Evenhanded?

24 A Yes.

25 Q And you, I take it, supported his appointment as



1 the team commander of that investigation?

2 A I wasn't asked, I had no involvement in that, but  
3 from what I know it was a logical choice, in my  
4 opinion.

5 Q And I'm going to suggest to you that there were  
6 very few investigators available at the time to  
7 have taken on the assignment of team commander of  
8 Project Evenhanded. Do you agree with that?

9 A I can't really answer to who was available, but  
10 based on my knowledge of Don Adam and how he  
11 works, at that time I thought that's great.

12 Q Now, you've already testified that you become  
13 aware of a search warrant being executed at the  
14 Pickton residence after February 5 of 2002?

15 A Yes.

16 Q And at that time what Coquitlam does is simply  
17 provide support as needed to Project Evenhanded in  
18 order to ensure that the search is properly and  
19 efficiently completed; is that fair?

20 A Correct, yes.

21 MS. WINTERINGHAM: Thank you. Those are all of my questions.

22 THE COMMISSIONER: All right. Thank you, Ms. Winteringham.

23 **CROSS-EXAMINATION BY MR. HIRA:**

24 Q Superintendent, my name is Ravi Hira. I represent  
25 retired Assistant Commissioner Earl Moulton, who

1                   was your operations inspector at Coquitlam up to I  
2                   believe June or July 2000.

3           A    Correct.

4           Q    All right. First let's deal with resources. Is  
5                   it fair to say that you were about 40 per cent  
6                   below regular strength?

7           A    I think you've probably already figured that out.  
8                   I would have to agree 40 per cent, yeah, give or  
9                   take.

10          Q    Okay. Now, let's deal with your management style.  
11                   Is it fair to say that what you'd do is you'd get  
12                   a briefing in the morning with respect to what was  
13                   happening in your jurisdiction?

14          A    Correct, yes.

15          Q    You'd get a briefing from your watch commanders?

16          A    Yes.

17          Q    You'd walk up and down through the detachment and  
18                   just keep yourself informed as to what was  
19                   happening?

20          A    That's correct.

21          Q    You believed in collaborative decision making and  
22                   trying to reach a consensus?

23          A    For the most part, yes. Sometimes you just have  
24                   to make a decision.

25          Q    That's right. But in the RCMP that is the

1 management style, correct, collaborative decision  
2 making, trying to reach a consensus?

3 A For the most part, yes.

4 Q It's not a matter of trying to pull rank just  
5 because you have rank? In other words, if you're  
6 a sergeant, you don't go around commanding people  
7 to do things?

8 A Unfortunately, there are people that do that.

9 Q All right. Well, you're the superintendent. You  
10 didn't go around commanding people to do things,  
11 did you, sir?

12 A Only when it was required.

13 Q Thank you. Now, let's talk about resources and  
14 let's talk about resources within the detachment  
15 and how resources would be allocated. If somebody  
16 needs resources, you will agree with me that all  
17 they have to do is come and ask?

18 A Correct.

19 Q If an investigator needs resources, he or she can  
20 come and ask you?

21 A Yes.

22 Q Or they can move up through the chain of command  
23 and ask you?

24 A And that would be the normal process.

25 Q But let's talk about particular people in

1 Coquitlam. First of all, Mike Connor was a highly  
2 respected investigator?

3 A Yes.

4 Q And he had the gravitas, so to speak, to be able  
5 to walk into your office and say, "Sir, I need  
6 more people to do this or that"?

7 A I would think he would.

8 Q And/or, "Sir, I need you to speak to Division and  
9 get me some more surveillance or an undercover  
10 operation"?

11 A That's correct.

12 Q He'd have that ability, correct?

13 A He would.

14 Q The other person in terms of resources looking at  
15 the GIS or Major Crime Section who would be coming  
16 to you seeking resources for an investigation or  
17 for the section would be the staff sergeant,  
18 correct?

19 A Yes.

20 Q In this particular case it would be either  
21 Sergeant Pollock and later followed by -- sorry,  
22 Staff Sergeant Pollock later followed by Staff  
23 Sergeant Zalys, correct?

24 A No, Staff Sergeant Halpenny.

25 Q Yes.

1           A    Replaced by Zalys. And Halpenny would have no  
2                    problem whatsoever walking in and talking to me  
3                    about what he needs, as did Zalys.

4           Q    All right. And what about Constable Yurkiw, who  
5                    I'm told had almost 25 years experience at that  
6                    time?

7           A    She transferred in from the outside and went  
8                    directly down to the Serious Crime Section.

9           Q    Yes.

10          A    And my knowledge of her is fairly limited.

11          Q    All right. But certainly you got no requests.  
12                   Let's define the Pickton file for a moment. In  
13                   July, August of 1999 you will agree with me that  
14                   the Pickton file, the Pickton investigation was a  
15                   file to determine whether or not there had been a  
16                   murder committed by Pickton on his property,  
17                   correct?

18          A    That was my understanding.

19          Q    Did any of either Connor, Yurkiw, Pollock,  
20                   Halpenny come to you and say, "Sir, we need more  
21                   resources for Pickton"?

22          A    No.

23          Q    And nor did Moulton?

24          A    No.

25          Q    All right. In July, August of 1999 you will agree

1           with me that there were a lot of resources put  
2           into the Pickton file to determine whether or not  
3           there was information to support the belief that  
4           he committed a murder?

5           A    Yes.

6           Q    And I won't outline the resources, but it was  
7           everything short of an undercover operation,  
8           correct?

9           A    Correct. As I understand.

10          Q    And I said I'm not going to outline the resources.  
11          I notice I have to for my next question, so we get  
12          it wrong. Without applying 20/20 hindsight, as  
13          you've been requested time and time again to do  
14          today, let's take a look at the business case for  
15          more resources at the time, okay?

16          A    Yes.

17          Q    If somebody needed more resources, they'd come to  
18          you, particularly resources from outside of the  
19          detachment, and you'd need to put forward a  
20          business case, correct?

21          A    A business case or an operational plan outlining  
22          what we were attempting to do.

23          Q    All right. So here we are now in August, towards  
24          the end of August 1999, and if either Connor or  
25          Halpenny or Moulton -- let's say Moulton, he's my

1 client -- came to you and said, "Sir, we need more  
2 resources for Pickton because we believe it's --  
3 there could be a murder involved here," you'd ask,  
4 "Well, what have you done so far," correct?

5 A Yes.

6 Q So if the person coming forward said, "Well, we've  
7 had surveillance, and it hasn't turned up  
8 anything. We've had a joint forces operation with  
9 Vancouver, and it hasn't turned up anything.  
10 We've had Special "I" involved, and it hasn't  
11 turned up anything. We've gone to Crown counsel  
12 to seek a Part 6, a video warrant or a search  
13 warrant, and Crown counsel says there's nothing  
14 here. And, frankly, we cannot articulate a  
15 charge," what would you have said, not with 20/20  
16 hindsight, but at the time?

17 A I think it would be, "Well, boys, you've probably  
18 done the best you can."

19 Q Now --

20 A "Is there anything we're missing?"

21 Q Fair enough. And you can't think of anything that  
22 they're missing?

23 A Other than there was talk of an undercover  
24 operation, which seemed to not gather much  
25 support.

1 Q Right. And let's talk about an undercover  
2 operation for a moment. If all of those things  
3 have been done and there's no way to approach Ms.  
4 Ellingsen to have her introduced to the undercover  
5 operative because Caldwell is not acceptable as an  
6 agent, what business case could you make for an  
7 undercover operation, sir?

8 A Not much of one.

9 Q Thank you. Now, let's talk about for a moment  
10 Henley, and I want to be clear about this  
11 evidence. Henley didn't believe Caldwell; isn't  
12 that your understanding?

13 A Caldwell?

14 Q Caldwell. He didn't believe that a murder had  
15 occurred, correct?

16 A Yes.

17 Q Thank you. He believed Ellingsen's denial,  
18 correct?

19 A Yes.

20 Q Now, as a result, by September 14 PUHU or the  
21 Provincial Unsolved Homicide Unit pulls out of the  
22 investigation, correct?

23 A I believe that's right.

24 Q And you stop getting further information about the  
25 investigation --



1 A Yes.

2 Q -- correct?

3 A Yes.

4 Q Now, I'd like you to consider whether on a file by  
5 file basis -- and in Coquitlam, what, are there  
6 some 50,000 files per year?

7 A I think it was more than that, but --

8 Q 57? Somewhere in that range?

9 A Long time ago.

10 Q And Coquitlam was the third largest detachment in  
11 the Lower Mainland after Burnaby and Surrey, or  
12 does Richmond want to sort of fight with you on  
13 that?

14 A I think Richmond had more resources. We were  
15 larger than North Vancouver, so --

16 Q All right.

17 A North Vancouver, Coquitlam, Richmond were probably  
18 all on par.

19 Q So let's talk about the type of information that  
20 you would get as the detachment commander on a  
21 file that exists to determine whether or not  
22 there's actually been a murder, and this is not a  
23 case where you have a murder, but a file to  
24 determine whether there's been a murder. Okay.  
25 Would you expect to get briefings on attendance at

1 Pickton's farm a couple of times, requests to get  
2 aerial photographs, which were taken in November,  
3 February and May to determine whether there were  
4 burial sites or bodies, further attempts to  
5 contact Ms. Ellingsen, finding Ms. Houston and  
6 arranging an interview with Mr. Pickton, coming up  
7 with an interview plan for Pickton, interviewing  
8 Pickton, doing a profile on Pickton, getting his  
9 school records, interviewing Vancouver Police  
10 officers or officer that had known Pickton? Would  
11 you expect that type of detail to be coming up to  
12 you?

13 A No.

14 Q It would be different, would it not, if we were  
15 dealing with say the karaoke murder that occurred  
16 in February, in other words, something that is  
17 actually there; is that fair to say?

18 A Yes.

19 Q Thank you. And in terms of Mr. Henley's social  
20 visit, my friend Mr. Chantler suggested that it  
21 was on March 30, 2000. The record shows it was  
22 March 30 -- sorry, March 30, 2001. Again, you  
23 wouldn't expect to hear about that?

24 A No.

25 Q But these would be steps that would be taken

1 eventually to eventually build a business case for  
2 a further operational plan, perhaps an undercover  
3 operation, correct?

4 A That's correct.

5 Q And you'd expect these steps to be taken?

6 A That's correct.

7 Q But you wouldn't be necessarily hearing about  
8 them?

9 A Not on a day-to-day basis.

10 MR. HIRA: Thank you. Now, I want to deal with --

11 incidentally, you'll be pleased to know, Mr.  
12 Commissioner, I'm not even going to take close to  
13 an hour.

14 THE COMMISSIONER: Pardon me?

15 MR. HIRA: You'll be pleased to know I'm not even going to take  
16 close to an hour. I might even be done before the  
17 break.

18 THE COMMISSIONER: All right. I encourage you to do that.

19 MR. HIRA: I'm trying. Don't interrupt me. Now, you should  
20 have -- Mr. Chantler, what was the exhibit number  
21 of your careful brief?

22 Q You should have Mr. Chantler's brief before you  
23 that included at tab 1 --

24 MR. CHANTLER: It should be 107.

25 THE REGISTRAR: 108.

1 MR. HIRA: 108.

2 THE REGISTRAR: That's the one you want, Mr. Chantler?

3 MR. CHANTLER: That looks right.

4 THE REGISTRAR: That's 108.

5 MR. HIRA:

6 Q That should have at tab 1 your interview with  
7 Deputy Chief Evans, and I'd like to take you to  
8 two parts of that interview. I am going to read  
9 to you two questions, okay?

10 A Page?

11 Q Let's go to page 41 starting at line 12. And  
12 before I start at line 12, you'll note up at line  
13 3 she's making a reference to August of 1998. I  
14 believe the reference is mistaken. It's August  
15 1999. But that's not -- I'm just trying to give  
16 you some context here. And she says at line 12:  
17 Apparently he receives the tip, a Crime  
18 Stoppers tip that talks about Pickton being  
19 involved in the missing women in Vancouver,  
20 and he actually transfers the information  
21 down to Vancouver City Police. I'm trying to  
22 determine why would not the RCMP then take  
23 responsibility if they're saying that Pickton  
24 is responsible, homicides of the missing  
25 women, and Pickton lives in Coquitlam, Port

1 Coquitlam, why isn't the RCMP then saying,  
2 "Hey, we are going to look at this as  
3 ourselves"?

4 Do you see that question, sir? Have I read it  
5 correctly?

6 A Yes.

7 Q All right. I'd also like to refer you to one  
8 other question. And of course your response was:

9 I can't answer that question,  
10 correct?

11 A I'm sorry?

12 Q Your response was:

13 I can't answer that question,  
14 correct?

15 A Yes.

16 Q I'd like to take you to one other question,  
17 please. And this was put to you by Mr. Chantler,  
18 but I'd like to ask a different question. And  
19 that's at page 69 of the transcript starting at  
20 line 3.

21 "We know he has access or he has had previous  
22 contact with a sex trade worker, which was a  
23 violent episode. We know that in New  
24 Westminster we got information that he's been  
25 trying to pick up sex trade workers, and that

1 we have this box of information that we want  
2 to pursue, and although we worked it in  
3 August of 1999, we didn't get further with  
4 it." How was it that -- like, I understand  
5 Brad Zalys, at one point is going to Earl  
6 Moulton saying, "Pickton is still a priority,  
7 we've still got to work on this," and he's  
8 being told that "priority of the day takes  
9 precedence over Pickton, because we have to  
10 deal with what comes through the door."

11 How do you defend the fact though, that  
12 you've got 27 missing women, and how is that  
13 not a priority over an attempt murder or a  
14 priority over a home invasion or a robbery?

15 Have I read that correctly?

16 A Yes.

17 Q Sir, trying not to apply 20/20 hindsight but  
18 putting yourself in August of 1999, was the  
19 Pickton file a file about 27 missing women?

20 A Not in my mind.

21 Q Thank you. Now, you were asked a question by  
22 commission counsel talking about dramatic -- a  
23 dramatic statement by Ellingsen or attributed to  
24 Ellingsen regarding the nature of human flesh,  
25 things of that nature. Do you remember that?

1 A Yes.

2 Q If you have a dramatic hearsay statement that  
3 cannot be corroborated, do you believe, sir, given  
4 your 40 years of experience at the RCMP, that  
5 that's grounds to say go and arrest Pickton or go  
6 and arrest Ellingsen?

7 A No.

8 Q Thank you. Now -- and with respect to that  
9 dramatic statement, there was a major push,  
10 investigational push in August of 1999 to  
11 corroborate that dramatic statement, correct?

12 A Yes.

13 Q Now, let's deal with some specific matters. One,  
14 would you agree with me that my client, Earl  
15 Moulton, kept you informed of matters that  
16 required your attention?

17 A Yes.

18 Q Would you agree with me that you would not have  
19 expected to have been kept informed of those  
20 investigational matters that I outlined a few  
21 moments ago that occurred after August of 1999?

22 A Yes.

23 Q Next, would you agree with me that adequate  
24 resources were put into the Pickton investigation  
25 as you, your detachment, "E" Division, special

1 units, and Vancouver Police understood the  
2 investigation in August of 1999?

3 A Yes.

4 Q Would you agree with me that Coquitlam and in  
5 particular Earl Moulton gave that investigation  
6 all the necessary resources and priority it  
7 required at that time?

8 A At that time, yes.

9 Q Because, you see, it's quite easy to come here 14  
10 years later and say, "Well, you could have done  
11 this and you could have done that," right?

12 A Yes, I understand that.

13 Q Now, finally, let's talk about my client. You  
14 worked with my client for how many years?

15 A From May, June '98 till he left and was promoted  
16 into "E" Division Headquarters in June of 2000.

17 Q And he was promoted from inspector to chief  
18 superintendent, correct?

19 A That's correct.

20 Q So he skipped a grade?

21 A He did.

22 Q Is that unusual?

23 A Yes, it is.

24 Q Tell me about that. Why? You had something to do  
25 with why he skipped a grade, didn't you?



1           A    I think I did.

2           Q    Tell us about that.

3           A    I knew that Inspector Moulton was a bright young  
4               officer. I felt that he had a career to offer the  
5               RCMP moving onward and upward. There seemed to be  
6               -- in the RCMP there is a process to move onward  
7               into the chief executive rank, which a chief  
8               superintendent is, leading to assistant  
9               commissioner, deputy commissioner, commissioner,  
10              and I felt that was a path that he should be  
11              taking. There seemed to be some reluctance to let  
12              him move on through that path, a more senior level  
13              in the division, and I took it under -- him under  
14              my wing to mentor him to make sure that he did  
15              move on, and I was able to convince the commanding  
16              officer of the division who makes the  
17              recommendation or made the recommendation at that  
18              time that he move onward, and he recommended that  
19              he go before the chief superintendent's advisory  
20              board at that time. He -- the process was  
21              delayed. There's deadlines for all these things,  
22              of course, and the process was delayed making this  
23              recommendation, and he fell short of the deadline.  
24              I contacted Ottawa to make sure that they would  
25              include him, which they did, and he was

1                   successful.

2                   Q   And he eventually went on to be the commander of  
3                   Saskatchewan, correct?

4                   A   Correct. What we call "F" Division.

5                   Q   Thank you. Which is what, the second largest  
6                   detachment in the country?

7                   A   Division.

8                   Q   Yes.

9                   A   British Columbia would be the largest, probably  
10                  Alberta the next, and then Saskatchewan, Manitoba  
11                  would fall close by.

12                  Q   Thank you. And in terms of a leader, an  
13                  investigator, a communicator, the ability to  
14                  understand and analyze cases, how would you rank  
15                  on each of those my client, Earl Moulton, while he  
16                  worked for you?

17                  A   I would rank him very highly, otherwise I would  
18                  not have recommended him to go through the chief  
19                  superintendent process.

20                  Q   And just dealing with investigator, you knew that  
21                  he had a phenomenal background as an investigator,  
22                  correct?

23                  A   Yes.

24                  Q   He was not only involved in Major Crimes  
25                  undercover operations, but he also had a fine

1                   understanding of detail having been in charge of  
2                   Commercial Crime in Vancouver?

3           A    I don't think he was in charge of Commercial  
4                   Crime, but --

5           Q    Ah. Well, maybe I -- you know --

6           A    He was in Commercial Crime, yes.

7           Q    -- got carried away and elevated him.

8                   I'm sorry?

9           A    Yes. He was involved with Commercial Crime, yes.

10          Q    And you knew that he had a keen understanding of  
11                   investigations and the resources required?

12          A    Yes.

13   MR. HIRA: Thank you. Those are my questions.

14   THE COMMISSIONER: All right. Thank you, Mr. Hira.

15   MR. VERTLIEB: Mr. Gratl is here. How many minutes do you  
16                   need, Mr. Gratl, please?

17   MR. GRATL: I think 10 minutes.

18   THE COMMISSIONER: All right. Well, we'll push on now then.

19   **CROSS-EXAMINATION BY MR. GRATL:**

20          Q    Superintendent Hall, if you had asked for more  
21                   resources from "E" Division, you would have  
22                   received them?

23          A    I think we discussed this when you weren't here,  
24                   but we would have to put a business case or an  
25                   operational plan together to come up with reasons

1                   why additional resources, because the provincial  
2                   units are also being stretched to the maximum, so  
3                   they're just not going to give them up at the drop  
4                   of a hat.

5           Q   And if you had put an operational plan like that  
6                   together, those resources would have been  
7                   available?

8           A   They might have been.

9           Q   You attended the Pickton farm yourself on the 31st  
10                  of December, 1998?

11          A   I did not.

12          Q   I have a continuation report here.

13          A   That was put together by the NCO that was working  
14                  that evening, and I just forwarded it on to the  
15                  fire chief in Port Coquitlam.

16          Q   Oh, I see. You were copied on this document, were  
17                  you? I'm referring to tab 9 of the brief put  
18                  together by my friend Mr. Chantler. It's a  
19                  continuation report.

20   THE COMMISSIONER: I think he said earlier he wasn't there on  
21                          New Year's Eve.

22   MR. GRATL: Yes.

23           A   But the continuation report I was blind -- or  
24                  copied.

25   MR. GRATL:

1 Q You were copied?  
2 A Yes.  
3 Q And so you read it?  
4 A Yes.  
5 Q Okay. And in the third paragraph it indicates  
6 there that the author and Sergeant Buerk and David  
7 Pickton had a discussion about how to handle the  
8 people that would show up at the party?  
9 A That's what it says.  
10 Q It says Pickton was concerned that he was not  
11 allowed to have a birthday -- that:  
12 Pickton was concerned that he was not allowed  
13 to have a birthday party, he stated that  
14 there were about 47 East End boys already on  
15 the property and it was one of them who was  
16 having a birthday.  
17 A Okay.  
18 Q That's what it says, isn't it?  
19 A That's what it says.  
20 Q And East End boys there refers to East End Hells  
21 Angels, doesn't it?  
22 A I don't know. I didn't infer that.  
23 Q Okay. He said one of them was having a birthday?  
24 A Yeah.  
25 Q You didn't ask what East End boys meant?

1           A    I'm an East End kid from Vancouver, and I just  
2                assumed it's East End kids or guys.

3           Q    Okay. So you didn't take East End Chapter of the  
4                Hells Angels --

5           A    No, I did not.

6           Q    Okay. From that. The Williams report suggests  
7                that you directed Constable Yurkiw to interview  
8                Lynn Ellingsen. Do you recall that?

9           A    No.

10          Q    Okay. You're saying that didn't happen?

11          A    It might have, but I don't recall. I don't -- I  
12                would not direct an investigator what to do --

13          Q    Okay.

14          A    -- in a case like that.

15          Q    You do recall being in a meeting where operational  
16                decisions were being made?

17          A    I didn't stay.

18          Q    Okay. But you recall being in a meeting --

19          A    Yeah.

20          Q    -- where operational decisions were being made?

21          A    Yes.

22          Q    That was post-Caldwell interview but pre-Lynn  
23                Ellingsen interview. Do you remember that?

24          A    I remember being in a meeting in our training  
25                briefing room at Coquitlam Detachment where there

1                   was a bunch of investigators there, but exact date  
2                   I don't.

3           Q    Okay. And do you remember whether the major case  
4                   management principles were being followed at that  
5                   meeting?

6           A    Probably not because I don't think we were into  
7                   major case management at that time.

8           Q    Okay. The whole detachment wasn't into major case  
9                   management?

10          A    I don't think many people were. That was '99. I  
11                think it was just being developed around that  
12                period of time.

13          Q    But whenever it was developed, it hadn't been  
14                implemented in any way, shape or form at Port  
15                Coquitlam Detachment?

16          A    There may have been small bits of it that had been  
17                implemented, but my memory of the major case  
18                management when we started developing it was about  
19                2000 plus.

20          Q    Okay. And you had a homicide squad at the Port  
21                Coquitlam Detachment?

22          A    Serious crime, not specifically homicide.

23          Q    Okay. So there was no -- there were no homicide  
24                detectives per se?

25          A    No.

1 Q They were part of the Major Crime Squad?

2 A Yes.

3 Q So the same investigators would deal with a bank  
4 robbery as would deal with a homicide?

5 A Could well be, yes.

6 Q And at what point did the Major Crime Squad get  
7 involved in the investigation of a file as opposed  
8 to patrol?

9 A Routine matters would be left to the general duty,  
10 the uniforms on the street.

11 Q Sure.

12 A Anything that was going to be prolonged they would  
13 send off to the Serious Crime Section, and then at  
14 some points in time they would say to us, "We've  
15 got enough on our plate. We can't handle it. The  
16 general duty are going to have to look after it."

17 Q Okay. At what point did it become a serious  
18 crime? Is it like assault causing bodily harm,  
19 aggravated assault --

20 A Could well, yes.

21 Q -- assault with a weapon?

22 A Yeah.

23 Q All those things?

24 A Usually if it's going to take a longer period of  
25 time, because the general duty uniform people



1 don't have the time to keep digging and digging  
2 and digging because they're going to all the calls  
3 for service.

4 Q Okay. So there's no -- there was no, say,  
5 analytic distinction there between serious and not  
6 serious; it was done on an ad hoc basis depending  
7 on workload?

8 A No, we had unit supplements that said, okay, break  
9 and enters would be handled by this part of the  
10 detachment. If it was a sexual assault, they  
11 would be handled by the Serious Crime people.  
12 Frauds would be handled by the Fraud Section.

13 Q Corporal Galliford came to you at one point and  
14 spoke about difficulties she was having with Grant  
15 Learned as part of Evenhanded?

16 A No.

17 Q You never spoke to Galliford?

18 A Oh, I spoke to her many times. She was our  
19 training NCO media person at Coquitlam Detachment.

20 Q Okay. And did she have any difficulties with --

21 THE COMMISSIONER: Just a minute.

22 MR. MAKOSZ: Mr. Commissioner, I rise just briefly. I would  
23 appreciate if my friend could give a time frame  
24 with respect to questions of that nature. A lot  
25 of time has passed. There may be discussions that

1                   have happened at any point in the last 14 years.

2       THE COMMISSIONER: Yes. Okay. Your friend has objected, Mr.

3                   Gratl.

4       MR. GRATL: I don't know of any legal requirement to put a time  
5                   frame to a witness.

6       THE COMMISSIONER: Well, there's a time frame on the terms of  
7                   reference.

8       MR. GRATL: Sure.

9               Q    Let's say prior to Pickton's arrest did Corporal  
10                   Galliford come to you and speak about difficulties  
11                   she was having with Grant Learned?

12              A    The only time prior to her transfer to Coquitlam  
13                   Detachment, which was after Evenhanded started, my  
14                   inspector, Dave Debolt, we had a bit of a -- a  
15                   little ceremony for him when he received his  
16                   commission to inspector. His father came out from  
17                   Alberta. His other -- some other family members  
18                   came out. And I presented him with his official  
19                   scroll from Ottawa stating that he was now a  
20                   commissioned officer in the Royal Canadian Mounted  
21                   Police. And Galliford as a constable at that  
22                   time, she attended as she was a friend of  
23                   Inspector Debolt's.

24              Q    Okay. Did you know that she had complaints about  
25                   her colleagues at Evenhanded?

1           A    I did not.

2           Q    She never came to you with any of those concerns?

3           A    She did not.

4   THE COMMISSIONER:   Yes.

5   MS. WINTERINGHAM:   Janet Winteringham for Don Adam.   I have  
6                       sought a "will say" from my learned friend for --  
7                       commission counsel with respect to Ms. Galliford's  
8                       statement.   I'm waiting for that "will say".   I am  
9                       going to ask that these sorts of questions not be  
10                      put to this particular witness until we have an  
11                      opportunity to know what it is that Ms. Galliford  
12                      has said.   She, as you know, has made sweeping  
13                      allegations against numerous individuals, and in  
14                      fairness to the participants here I would ask for  
15                      that information first.

16   THE COMMISSIONER:   Well, it's cross-examination.   I don't know  
17                      how relevant any of this is.   You may not have the  
18                      "will say", but that doesn't mean that he can't  
19                      otherwise ask the questions.

20   MS. WINTERINGHAM:   Well, in fairness to the participants,  
21                      that's the only thing that I'm asking for.

22   THE COMMISSIONER:   All right.   Thank you.

23   MR. GRATL:   I don't have any more questions for this witness on  
24                      that topic, but I can say that we have a very long  
25                      transcript of an interview of Corporal Galliford,

1                   so it's simply not the case that there's no  
2                   material on what Galliford has to say.

3       MS. WINTERINGHAM: Well, to be clear about the statement that's  
4                   been disclosed, it is incomprehensible, not only  
5                   from the way Ms. Galliford speaks, but the fact  
6                   that much of it is redacted. She participates in  
7                   the interview with her boyfriend, who speaks  
8                   during the interview, and anything that is  
9                   attributed to Mr. Debolt has been vetted out. So  
10                  it's incomprehensible.

11       THE COMMISSIONER: Yes, no, that may well be, but that doesn't  
12                  mean that he can't ask questions in cross-  
13                  examination. You're quite right that a lot of  
14                  this just may go to weight, and a lot of it may  
15                  not even be relevant at the end of the day.

16       MS. WINTERINGHAM: But just to follow up, and I won't take any  
17                  more of your time, but reputational interests are  
18                  at stake. The allegations made by Ms. Galliford  
19                  are sweeping.

20       THE COMMISSIONER: He's moving on.

21       MS. WINTERINGHAM: Good. Thank you.

22       THE COMMISSIONER: Okay.

23       MR. GRATL:

24                Q     When you heard about the missing women, you didn't  
25                    have the impression that it was a Port Coquitlam

1                   problem; is that correct?

2           A    You're talking about the news that was coming out  
3                   about the missing women from the Downtown  
4                   Eastside?

5           Q    Sure.

6           A    Yeah.

7           Q    As I understand it, you were listening to Peter  
8                   Warren on CKNW?

9           A    I was whenever I had the opportunity.

10          Q    So you learned through Peter Warren that there was  
11                a missing women --

12          A    Yeah.

13          Q    -- issue?

14          A    And in the newspaper.

15          Q    And your impression was that was a Vancouver  
16                problem, correct?

17          A    Yes.

18          Q    And I take it that your evidence is that you never  
19                tied that Vancouver problem in to Port Coquitlam?

20          A    I did not.

21          Q    That never occurred?

22          A    It did not.

23          Q    All right. Now, there are references in the Evans  
24                report that you probably saw to numerous documents  
25                that deal with requests from your subordinates for

1 more resources, specifically in Major Crime. Did  
2 you read those references?

3 A I must have, yes. I'm not sure what you're  
4 referring to.

5 Q Well, and I'll just ask you a compendious  
6 question. Did you receive numerous requests from  
7 your subordinates for more investigative  
8 resources, and in particular Major Crime Squad  
9 requests?

10 A I received requests for more resources from every  
11 unit at the detachment.

12 Q Okay. And Major Crime Squad in particular?

13 A I think it would be safe to say, yes, they were  
14 bunched in with everybody else, because we'd go  
15 out to them at budget time every year when we have  
16 to go to the City to say what we need for  
17 additional resources, so each section, each watch,  
18 each smaller unit within the detachment would come  
19 back to me with a list, their wish list, this is  
20 what we need.

21 Q Okay. What I have a note here is that a series of  
22 e-mails were sent to you by Staff Sergeant Zalys  
23 over concerns about workload priorities and under-  
24 resourcing of the General Investigation Section  
25 and in particular Major Crime, and things got

1 quite heated over e-mail.

2 A I think we saw that e-mail earlier today.

3 Q Okay. And are you saying that you didn't provide  
4 the resources requested?

5 A I think if we refer back to the e-mail message it  
6 lays out we were being asked to supply bodies to  
7 special projects, so we gave up one from the  
8 Street Enforcement Unit, which fell -- sorry --  
9 fell under his umbrella, and we were then asked to  
10 provide a second body for a project, and of course  
11 he's concerned because we're looking at trained  
12 investigators for these projects, and that's where  
13 they would come from, is from under Staff Sergeant  
14 Zalys's umbrella on the plainclothes side. I  
15 think that's what you're referring to, and we  
16 looked at that earlier.

17 MR. GRATL: Those are my questions, Mr. Commissioner.

18 THE COMMISSIONER: All right. Thank you, Mr. Gratl.

19 MR. GRATL: Now, I did mention just before the lunch break that  
20 I would be making application on short notice for  
21 production of some Grandma's House documents, a  
22 Report to Crown Counsel. That's been resolved,  
23 Mr. Commissioner.

24 THE COMMISSIONER: All right. Thank you.

25 (WITNESS EXCUSED)

1 MR. VERTLIEB: That concludes the workweek today then. Monday  
2 we have the first panel. It will be Ms. Hamilton,  
3 Jamie Lee Hamilton, it will be Ms. de Vries and  
4 Mr. Leng, and the plan is for that to be two days.

5 THE COMMISSIONER: All right.

6 MR. VERTLIEB: And I would just remind all counsel to think  
7 about questions that would be in the spirit of  
8 your directive, and you used that particular  
9 language, so that it should have a different focus  
10 from my colleagues here about what questions are  
11 appropriate. The key point, as your directive  
12 makes clear, is to have questions that can help  
13 you with recommendations, and so everyone here has  
14 the opportunity over the next few days to  
15 contribute to making a difference in what kind of  
16 recommendations flow from your work.

17 THE COMMISSIONER: All right.

18 MR. VERTLIEB: Then we would move back to Don Adam, and we  
19 should be able to finish him Wednesday, Thursday,  
20 and then we can proceed from there.

21 THE COMMISSIONER: All right. Thank you.

22 MR. VERTLIEB: Thank you.

23 THE REGISTRAR: The hearing is now adjourned until 9:30 Monday  
24 morning.

25 **(PROCEEDINGS ADJOURNED AT 3:13 P.M.)**



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I hereby certify the foregoing to  
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