

January 30, 2012

Vancouver, BC.

(PROCEEDINGS RECONVENED AT 10:02 A.M.)

THE REGISTRAR: Order. The hearing is now resumed.

THE COMMISSIONER: Yes.

MS. CHRISTIE: Good morning, Mr. Commissioner. It's Vanessa
Christie.

THE COMMISSIONER: Yes, Miss Christie.

MS. CHRISTIE: And I'll appearing -- Edward Greenspan and I
will be appearing on behalf of Terry Blythe and
John Unger.

THE COMMISSIONER: All right.

MS. CHRISTIE: Both former members of the Vancouver Police
Department that you've heard about. And we'll
only seek to cross-examine when we feel it's
relevant to do so, obviously, Mr. Commissioner,
and we're here to help in any way we can.

THE COMMISSIONER: All right. Thank you for appearing.

MS. CHRISTIE: Thank you very much.

MS. BROOKS: Our next witness is Detective Constable Lori
Shenher.

LORI SHENHER: Sworn

THE REGISTRAR: Would you state your name, please?

THE WITNESS: Lori Shenher.

THE REGISTRAR: Would you spell your surname?

1 THE WITNESS: S-h-e-n-h-e-r.
2 THE REGISTRAR: Thank you. Counsel.
3 MS. BROOKS: Mr. Commissioner, you should have before you two
4 binders that have been prepared by myself to
5 assist me in the examination of this witness.
6 THE COMMISSIONER: Yes.
7 MS. BROOKS: I'd like to enter them now as the next exhibits.
8 THE COMMISSIONER: All right.
9 MS. BROOKS: And they should be entered with the NR code
10 because they have not yet been redacted for
11 confidential information.
12 THE COMMISSIONER: All right. Thank you.
13 THE REGISTRAR: The first document --
14 THE COMMISSIONER: I take it there are no objections to the
15 documents going in?
16 THE REGISTRAR: The first document marked "Witness: Shenher,
17 Missing Persons Unit Investigations" will be
18 marked as 79NR. The second document --
19 THE COMMISSIONER: Mr. Gratl?
20 MR. GRATL: I can speak for myself. I'm not sure about other
21 counsel. I received the bulk of the documents on
22 Saturday and Sunday. I haven't had a chance to
23 review them yet, so I'm not sure whether I object
24 or not.
25 THE COMMISSIONER: Okay. That's a fair comment. Why don't we

1 put them in for identification at this stage.

2 THE REGISTRAR: For identification. We'll rescind that 79 NR

3 then and the document marked "Witness: Shenher,

4 Missing Persons Unit Investigations" will be

5 marked For Identification P, letter P, and the

6 document marked "Witness: Shenher, Project

7 Amelia" will be marked For Identification Q.

8 (EXHIBIT P FOR IDENTIFICATION: Binder of documents

9 entitled "Witness: Shenher, Missing Persons Unit -

10 Investigations)

11 (EXHIBIT Q FOR IDENTIFICATION: Binder of

12 documents entitled "Witness: Shenher, Project

13 Amelia")

14 EXAMINATION IN CHIEF BY MS. BROOKS:

15 Q And I'll be referring to those briefs as binder 1,

16 and that will be the Missing Persons Unit -

17 Investigations, and binder 2 will be Project

18 Amelia.

19 Detective Constable Shenher, I'd like to

20 start by asking you some questions about your

21 service with the Vancouver Police Department. I

22 understand that you attended at the police academy

23 in April, 1991?

24 A That's right.

25 Q And joined the department as a sworn officer

1 November of that year?

2 A That's correct.

3 Q You started your work with the department in

4 patrol in District 2?

5 A Yes.

6 Q That's the Downtown Eastside?

7 A Yes, it is.

8 Q You worked there from 1991 to '93?

9 A That's correct.

10 Q And then you went to the communications centre?

11 A Yes.

12 Q You were there for about 15 months?

13 A Yes, I was.

14 Q And from there you went to patrol in District 4?

15 A Yes.

16 Q And that's the West Side, is it?

17 A Yes.

18 Q And you were there until 1996?

19 A That's right.

20 Q Then you transferred to Strike Force?

21 A Yes.

22 Q And that's doing surveillance?

23 A Yes.

24 Q And you were there for two and a half years?

25 A Yes.

1 Q In July of 1998 you transferred to the Missing
2 Persons Unit?

3 A Yes.

4 Q So just looking at your history, then, so far by
5 the time you transferred to the unit, you had two
6 and a half years of patrol and two years of
7 surveillance and then some inside work; is that
8 right?

9 A I think I had a total of four and a half years of
10 patrol if I'm not mistaken because that's the
11 way -- that's the way that it's always been
12 explained to me.

13 Q Okay. Well, you would know, so we'll go with
14 your --

15 A So from November, '91 until -- until '96 without
16 the 15 months, I think -- I'm not sure if that's
17 exactly right, but --

18 Q So four years in patrol?

19 A Yes.

20 Q Two and a half years in surveillance?

21 A Yes.

22 Q And then you stayed in the Missing Persons Unit
23 and conducted missing women investigations until
24 November of 2000?

25 A Yes.

1 Q And then you went on leave at that time?
2 A Yes.
3 Q And you were on leave until March of 2001?
4 A Yes.
5 Q When you returned, you went to the Diversity
6 Relations Section?
7 A Yes.
8 Q You were there for a few months?
9 A Yes.
10 Q And then you transferred to Financial Crime in
11 2001?
12 A That's correct.
13 Q And then I understand in May of 2005 you started
14 working in the Emergency and Operational Planning
15 Section?
16 A Yes.
17 Q And the Threat Assessment Unit?
18 A That's right.
19 Q That's where you currently are today?
20 A Yes.
21 Q Have you ever applied to go back and work in the
22 Downtown Eastside?
23 A No, I haven't.
24 Q So I'm going to ask you some questions now about
25 your patrol experience in the Downtown Eastside,

1 and that was from 1991 to 1993?

2 A Actually, can I stop you there? I did go back to
3 the Downtown Eastside this past September to do
4 what's called my Module 3 training, which if
5 you're considering promotion to sergeant or to
6 work as an acting sergeant in patrol, you have to
7 complete that training. And so I chose to go down
8 and do it in the Beat Enforcement Team in the
9 Downtown Eastside, so I was down there for two
10 weeks.

11 Q Thanks for clarifying that. So -- and during your
12 time in patrol in the early nineties, you were
13 working on the Prostitution Task Force?

14 A Yes.

15 Q And what was the mandate of the task force?

16 A Well, I don't recall seeing anything specific
17 about a mandate. My understanding of the work was
18 that the large percentage of the time would be
19 spent in uniform interaction with sex workers in
20 the Downtown Eastside, interacting, getting to
21 know the women, getting to know where they worked,
22 any problems that they were having. And the idea
23 was that it was a community liaison to improve the
24 relationship between the police and the sex
25 workers and then -- so we worked essentially a

1 four-day work. Three of those four days were in
2 that function and then my fourth day of the week,
3 the Friday, I would work as an undercover sex
4 worker in the Downtown Eastside.

5 Q So there was a safety component and then you were
6 also doing john stings?

7 A Yes. That's right.

8 THE COMMISSIONER: Also doing what?

9 MS. BROOKS: John stings.

10 THE COMMISSIONER: Oh.

11 MS. BROOKS:

12 Q And where was this work carried out?

13 A Well, I worked from the police building at 312
14 Main Street and the bulk of our work I would say
15 was in the area bounded Main Street to the west,
16 Clark Drive to the east, the water -- the water to
17 the north and probably Pender Street to the south.

18 Q And we've heard about different strolls in the sex
19 trade, so were you working the low-track stroll?

20 A Predominantly. There were some times where we
21 worked in the -- an area that's no longer
22 frequented by sex workers, which is Quebec Street,
23 Ontario Street on the West Side in between 2nd
24 Avenue and Broadway.

25 Q Was that considered the mid-track stroll at that

1 time?

2 A I would say so, yes.

3 Q And the low-track stroll is where most of the
4 survival sex workers are situated?

5 A That's right.

6 Q So in terms of the liaison role that you
7 described, what kinds of interactions were you
8 having with the women?

9 A I would say it was mainly focused on being a
10 contact point for the police, discussions on if
11 they were having any problems with particular bad
12 dates, unreported violence that we might not
13 otherwise be privy to. We would try to establish
14 a relationship so that they would feel comfortable
15 to share information that might be of use to the
16 police in terms of identifying not only -- not
17 only violent johns but also -- it was almost, I
18 would say, an informant or source development tool
19 as well. You know, if we were hearing that there
20 was a particular person who had access to guns or
21 someone who was dealing drugs and perhaps maybe
22 some drug-related beatings, that kind of thing,
23 that we had hoped that we would just open the
24 channels of communication and get that kind of
25 information.

1 Q And how did you go about opening those channels of
2 communication? You actually would go down to the
3 strolls. And would you be in plain clothes? Were
4 you approaching the women? How did you develop
5 those relationships?

6 A We were predominantly in uniform, so it was a very
7 sort of overt approach. And the idea was just
8 through -- through establishing a relationship by
9 just repeat contact. And we would check in with
10 the women quite quickly. We understood they
11 had -- being in the survival sex trade that they
12 had -- they needed to work. They needed this
13 money and that we didn't want to disrupt their
14 business in any sort of way. So they were
15 co-operative with us and we were respectful of the
16 fact that they had their job to do, so we tried to
17 not, I guess, hang around too much so that we
18 would cause them difficulty with their business
19 or -- there's always a concern. No one in the
20 Downtown Eastside wants to be perceived as a
21 police informant. You know, the term 'rat' is not
22 obviously a positive one. So we tried to always
23 make sure we talked to -- you know, if there were
24 four or five sex workers on a corner, we made sure
25 we spoke to all of them. We never singled anyone

1 out. And we're very mindful of those kinds of
2 dynamics. So that was the idea, is to have quick
3 conversations. If there were things that were
4 intimated to us that might require follow up, we
5 would make -- we'd say, "Well, we'll talk to you
6 again tomorrow" or "We'll see you here", "We'll
7 make an appointment", that sort of thing, so that
8 we weren't -- so we were respectful of their
9 privacy among their peers.

10 Q And you mentioned that the women -- or the
11 residents of the Downtown Eastside would often be
12 concerned about being perceived as a rat. Did you
13 find that the women were also very fearful
14 themselves of the police?

15 A I was well aware that there was, you know, a very
16 negative perception and that many of these women
17 had related to us negative experiences with
18 different police officers over the years. You
19 know, some of them I felt those interactions
20 were -- those concerns were very legitimate. It
21 was hard to tell what might have been urban myth
22 and what was reality, but my sense was that they
23 were -- these concerns were very well rooted in
24 reality.

25 Q And regardless of whether they were real or

1 perceived, did you find that -- that the women --
2 that that presented a challenge for you in terms
3 of really communicating with the women and getting
4 information from them?

5 A Sometimes. I think you had to look at individuals
6 and go on an individual basis and look at their
7 history and obviously what level of damage they
8 may have incurred through various negative police
9 contacts. There was a real diversity of
10 acceptance of us and of the experiences of the
11 women.

12 Q One of the things you said in the approach was
13 that you would try to have regular contact with
14 the women. Did you see many of the women over and
15 over again so that you were able to develop a
16 trusting relationship?

17 A Yes.

18 Q So tell us about what you learned through that
19 experience about the conditions of these women's
20 lives.

21 A Well, I understood -- I came to understand very
22 quickly what survival sex work meant. It was very
23 much, you know, money in, money out in terms of
24 drugs and paying for a room, getting some food.
25 And I -- I came to understand that to a degree

1 that when I worked as an undercover operator in
2 that capacity, I could say things -- in my
3 interactions with some of the johns, I might say,
4 "You know, I need to make X amount of money", "I
5 need to make my rent", "I need to score", those
6 kinds of things. And it just -- it was an assist
7 to me in playing that role. It also allowed me to
8 understand the reality of their lives, which was
9 very -- it was a very, very challenging existence
10 for them.

11 Q So maybe I could just break that down a little bit
12 more. So what did you learn about the kinds of
13 violence that the women experienced?

14 A Well, I learned at it from two perspectives, one
15 from the women themselves and then when I worked
16 the corners -- and often I was in the area of
17 Victoria Drive, Victoria and Salisbury --

18 Q As an undercover --

19 A As an undercover operator. It's a very lonely
20 life. It's a very difficult life. You know,
21 these women are standing in the shadows in an
22 industrial area for the most part. There is --
23 you know, men are circling you all the time. And,
24 you know, I -- I had protection. I had -- you
25 know, I had a gun under my coat and so I wasn't

1 afraid, but the fear -- I could very much
2 understand the fear that one would feel in that
3 position. I had some interactions myself with
4 violent men as an undercover operator. Part of
5 our training and the way we set up these projects
6 was I never got into a car with anyone, but I had
7 one particular interaction where a man pulled up
8 in front of me and we started to have our
9 conversation through the passenger window, and I
10 was immediately struck by the fact that he was
11 staring straight ahead. He wasn't looking at me
12 but having this conversation and it was all about,
13 "Just get in the car. Just get in the car and
14 we'll figure out the deal." And, of course, for
15 me to be able to prove the charge, I need a
16 conversation about sex for money, so I would say,
17 "Well, I can't get in the car. I need to tell my
18 friend where I'm going. Just what's the deal?"
19 And he kept staring straight ahead and he had a
20 plastic bag on the passenger seat of his car and
21 he was sort of playing with this plastic bag. And
22 the whole thing made me very uncomfortable and I
23 was considering abandoning my attempt to get the
24 conversation to happen. And I took sort of one
25 last stab at it and I said, "Well, you know,

1 just -- he just said, "I'll take care of you,
2 drugs, whatever you want", something to that
3 effect. And I said, "Well, I really need to know
4 what the deal is." And he said, "Okay. 50
5 bucks." And I can't remember for what act. I
6 said, "Okay. I'm just going to go tell my friend.
7 I'll be right back." And so I gave the signal.
8 And just as I gave the signal, I was just moving
9 away from the passenger seat. He reached for
10 me -- reached for my hand, because I'd had my hand
11 kind of on the window, and he reached to grab my
12 hand and I pulled my hand back. And my cover team
13 saw this, so right away I -- I started running
14 away because I thought that would be a reasonable
15 response. I started to run away. I saw our car
16 start to follow him. He took off and subsequently
17 he was arrested and he ended up -- he had a gun on
18 the front seat of the car and he was wanted
19 Canada-wide for a robbery, a revocation of parole
20 for robbery. But that whole interaction, it made
21 me think a lot because, for one thing, I wasn't
22 drug sick. I wasn't high. I wasn't desperate for
23 that \$50. So I was able to make some decisions --

24 Q You had a gun?

25 A I had a gun. You know, I had police officers

1 watching me. You know, I felt pretty comfortable.
2 But even in that context, I couldn't help putting
3 myself there and wondering what those women would
4 be feeling like in that situation. Would they
5 have been -- would they have been abducted. And
6 clearly you had those things happen.

7 Q So if I could just direct this a little bit.

8 A Sure.

9 Q So you had a sense of the vulnerability that these
10 women faced through that experience and other
11 experiences as an undercover officer. Did the
12 women tell you, though, about the kinds of
13 violence that they personally experienced?

14 A Yes, to some degree. I have come to feel that
15 there's a lot of underreporting, not only in
16 telling the police about these -- these events,
17 but in how the women even themselves characterize
18 them. I think some of that is -- I'm not a
19 psychologist, but I think some of it is -- comes
20 from the fact that they have to get back out there
21 the next day. And I think if they were really to
22 internalize some of the violence that had happened
23 to them or to really acknowledge it by retelling
24 it in a -- in a way that really acknowledged their
25 emotions around it, I think it would be very hard

1 for them to get back out there and do what they
2 do.

3 Q In an Odd Squad interview that you participated in
4 in September of 1999, you talked about how the
5 women told you how they feared every day that they
6 would be assaulted or raped or worse. Is that --
7 those are fears that they shared with you?

8 A They did. And -- but there was -- they're very,
9 very strong people in terms of what they've
10 survived, and I think that even with that
11 recounting of that kind of detail there's
12 sometimes a bit of bravado around it, and I think
13 that's partly to try to bolster themselves so they
14 can get back out there and survive.

15 Q What did you understand about how the -- the drug
16 dependency affected their participation in the
17 survival sex trade?

18 A Well, I think -- you know, I can't say
19 percentage-wise, but obviously a large number of
20 the women that we dealt with were drug dependent.
21 Some of them initially weren't. That was a
22 dynamic that I'd come to understand, was that
23 through other issues in their lives they had come
24 to be working in the survival sex trade. And for
25 many of them they recounted to me that they didn't

1 start out addicted, but the day in, day out horror
2 of this work drove them to use drugs to try to
3 self-medicate because it was such a challenging
4 existence.

5 Q We've heard about drug sickness. Is that
6 something you're familiar with?

7 A Yes.

8 Q What did you -- what do you understand that to be?

9 A I understand that to be in withdrawal and needing
10 more drugs.

11 Q And does that increase the women's
12 vulnerabilities?

13 A I think so because my sense of it is there's --
14 there is a level of desperation around that and
15 that, you know -- and some of the women have
16 communicated that to me; that they might do
17 something when they're particularly drug sick,
18 will take a risk or take maybe a dubious job that
19 they might not do if they've just scored or if
20 they're feeling well.

21 Q In your experience as a police officer, is there
22 any other group that is as at risk as these women
23 to violence?

24 A No.

25 Q While working on the Prostitution Task Force and

1 in the Downtown Eastside, did you meet any of the
2 women that would eventually show up later on the
3 missing women list?

4 A Yes. I've met several of them. I had -- I'd had
5 dealings on the task force -- or on the
6 Prostitution Task Force with Sarah de Vries, Cindy
7 Beck, Helen Hallmark, Kerry Koski, Sereena
8 Abotsway, Angela Jardine. Sereena and Angela were
9 the two that I knew the best.

10 Q Can you just tell us a little bit about them, what
11 you knew?

12 A Sereena I had come to know very early in my
13 career. I was a wagon driver for about the first
14 year that I worked in the Downtown Eastside, so I
15 drove the wagon that takes people to jail. And
16 that's the junior -- junior person job. And we
17 were on a hiring freeze and there weren't anymore
18 junior people coming, so I was doing that job for
19 about a year. And I had a particular call where
20 I'd heard another police woman had arrested
21 somebody on a warrant. They needed a wagon to
22 take them to jail. And so I -- so I drove up and
23 it was Sereena Abotsway who had been arrested.
24 And so this police woman didn't -- she didn't
25 really want to stick around. I'm not sure why,

1 but she just said, "Okay. Just take her. I'm
2 done." And so I started a conversation with
3 Sereena. And I had been -- one of the things in
4 the academy is they talked to us a lot about
5 trying to establish relationships with people in
6 the community and with criminals or people with
7 criminal histories to try to groom informants, to
8 try to gather information and build trust. And so
9 when I started talking to Sereena, I thought, you
10 know, we have a good rapport. And I gave her my
11 business card and I asked -- I said, "If you ever
12 hear anything that you think the police should
13 know, give me a call." And she was really cute
14 because she said -- she held the card -- and she
15 was going to jail, and she said, "Constable Lori.
16 Constable Lori." She read my phone number a
17 couple of times. She handed me back the card and
18 she said, "I can't take this with me to jail.
19 They'll think I'm a rat." And she read the phone
20 number to me a couple of times. It was clear to
21 me she'd memorized it. And I took her to jail.
22 And so later any time I saw her on the street,
23 right away, "Constable Lori, hi. How are you?"
24 She was always very warm, very outgoing. And I
25 actually remember the last time I saw her because

1 I had -- I was at the WISH, the Women's Inner City
2 Safe House. I had come out of there one day and
3 she was standing there and she had a rat tucked
4 inside her coat and she said, "Constable Lori,
5 hey." I said, "Hey, Sereena. What have you got
6 there?" And she said, "Oh, it's my pet rat." And
7 I said, "Be careful. Don't let it bite you or
8 anything." "Oh, no. I'm good. I'm good." And I
9 said, Well, are you being careful?" "Yeah. I'm
10 being careful. I'm being really careful." And
11 she pulled out -- she had a copy of the bad date
12 sheet. She said, "I've got my bad date sheet."
13 And I said, Okay. Good", and then later came to
14 learn that she went missing about a week later.
15 And it was funny too because she and I had had
16 quite a lot of interactions. Maybe we'll get into
17 this later, but where people were mistaking her
18 for Angela Jardine. And I've known Angela as well
19 and they had -- Sereena had come to call Angela
20 her sister. In the Downtown Eastside people refer
21 to each other as street sisters a lot. But I
22 think that Angela's disappearance had really hit
23 Sereena very hard and so we would talk quite a lot
24 about Angela before Sereena went missing. So when
25 the two of them went missing, that was for me --

1 not that I didn't think we had a problem, but I
2 knew very, very definitively that if these two
3 women were missing -- these were people who were
4 very much a part of the fabric of the Downtown
5 Eastside, very much a part of the community. They
6 drew all their support and sustenance from that
7 community, and I just -- I couldn't conceive of
8 either one of them voluntarily leaving that
9 community.

10 Q And do you know what -- what year you're talking
11 about right now?

12 A Sorry. I think I'm talking about a lot of years.

13 Q You said -- I mean --

14 A I think it would have been in sort of -- actually,
15 no, because with Sereena it would have been -- I
16 think it was 2001 because I --

17 Q You were off the --

18 A I was off the task force. I was walking past the
19 WISH when I saw her, but I was in Financial Crime
20 at the time and that's when I ran into her.

21 Q One of the things you said, though, was that the
22 women were very much a part of the fabric of the
23 Downtown Eastside. What did you come to know
24 about women being -- and we've heard the word
25 entrenchment here, entrenched in the Downtown

1 Eastside, or another view that we understand was
2 held was transient. What was your view about that
3 at the time?

4 A I certainly -- you know, they all might have times
5 where they -- like anyone, where they might be
6 going to visit someone or to see children outside
7 of the Downtown Eastside, but for the most part my
8 sense was that, you know, these were not women
9 that had the physical ability to get on a plane
10 for two or three hours. They wouldn't have been
11 able to manage without -- without drugs, without
12 some kind of support. Financially that wasn't an
13 option. So I -- certainly I never subscribed to
14 this notion that they were off to Hawaii or
15 Klondike Days or wherever they might go on some
16 kind of circuit. I don't think that was the
17 reality of the survival sex trade.

18 Q Did you observe any change in the conditions that
19 you've described from your time on the
20 Prostitution Task Force and work in the Downtown
21 Eastside in the early nineties to when you
22 returned in 1998 in your role as the missing women
23 investigator?

24 A Well, I think there was a fairly slow evolution in
25 the sex trade heading away from that mid track.

1 There had been that mid track, mid-level track
2 over, as I said, Quebec, Ontario Street. Even
3 Seymour Street downtown used to see sex workers
4 there in the early nineties. That -- it just
5 seemed to become a much more desperate group and a
6 much more vulnerable and disenfranchised group, I
7 think. I -- even in my work in the Strike Force,
8 because we did a lot of surveillance work in the
9 Downtown Eastside, you're certainly able to
10 observe a lot of things. You're in plainclothes
11 and hiding in dumpsters and alleys and things and
12 you see what's -- it had changed a lot even then
13 from my time, you know, on the task force. It had
14 become much more desperate, I thought.

15 Q You said that you spent some time on patrol on the
16 West Side. How was patrol different working the
17 West Side and the Downtown Eastside?

18 A Well, it's very different. The calls are
19 different. The people you deal with are
20 different. And I guess -- I don't know. It's
21 just -- it's a different world literally. The
22 Downtown Eastside, it's very clear that, you know,
23 there's a level of desperation there that doesn't
24 exist on the West Side. They both have different
25 challenges. I probably prefer District 2, the

1 Downtown Eastside, to working in District 4.

2 Q Why is that?

3 A Well, I think the people in District 2 -- and I'm
4 generalizing hugely here, but there's a -- they're
5 real. And that's not to say that people in
6 District 4 aren't real, but you would deal with --
7 I remember one particular -- I had pulled a woman
8 over in District 4 for speeding down Granville
9 Street, and I pulled her over and I walked up to
10 her door. And, you know, it was a nice vehicle.
11 I don't recall what it was. And I just said, "Do
12 you know that you're speeding?" And I hadn't made
13 any kind of decision about a ticket. I usually
14 like to talk to people and if they were -- if they
15 seem to be cognizant of the fact that they were
16 speeding and maybe a little apologetic, I'd be
17 likely to let them go with a warning. But she was
18 yelling at me before I even got to her window, "I
19 have to go to the airport." It was hugely
20 inconveniencing her. And she was cooking down
21 Granville Street at about a hundred kilometres an
22 hour. And she had her daughter in the car and a
23 dog, and she said, "I'm going to get my dog to
24 bite you" and all kinds of stuff. You know, in
25 retrospect I probably should have arrested her for

1 threatening, but I thought I'm not making a bad
2 situation worse. So I wrote her the ticket and
3 off she went. She was on her way to the airport.
4 But that's the kind of interaction -- kind of
5 negative interaction you might have in District 4
6 which you just wouldn't have that sort of
7 interaction in District 2. They're very
8 different. And, you know, I think the police -- I
9 don't think the police are any more respected in
10 either area, but there's just a different feel.

11 Q I want to ask you now some questions about the
12 structure and culture of the department during the
13 late nineties and early 2000. We've heard that
14 the department operated primarily through a
15 paramilitary structure?

16 A Yes.

17 Q And that creates certain lines of authority. And
18 we've heard the chain of command mentioned. Can
19 you tell us about what that means?

20 A Well, to me the chain of command is a reporting
21 structure and a decision-making structure whereby
22 you -- as a constable at the bottom of that chain,
23 I would report to the next person up, which would
24 be a sergeant now. The sergeant would report up
25 to an inspector or staff sergeant. And basically

1 the communication would go up -- you would never,
2 for example, approach the chief directly with
3 something or a superintendent or deputy chief.
4 You wouldn't do that. If you had a concern or --
5 or something that needed to be reported, you would
6 follow that chain. It's a very nebulous kind of
7 thing. I don't think you'd find a lot in the
8 policy and procedure manual about chain of command
9 other than X or Y needs to be reported through the
10 chain of command, but it wouldn't actually, I
11 don't believe, explain to you what it is.

12 Q Yes. You're talking about it being nebulous, but
13 it was also very rigidly followed, wasn't it?

14 A Yes. Very much so. It's very unacceptable to go
15 outside of the chain of command.

16 Q And as I understand what you're saying, that if
17 you had a concern, you would go to your direct
18 supervisor. If you went above that direct
19 supervisor, that would be seen to be subverting
20 the authority of your supervisor?

21 A It could be, yes.

22 Q And if you wanted to appeal a decision or you
23 disagreed with your supervisor in terms of the
24 direction a particular, say, investigation should
25 take, what mechanism is available to you?

1 A Well, there really aren't any. What I would do is
2 obviously first through -- through discussion and
3 through a face-to-face meeting with my sergeant
4 try to discuss expectations, clarify any
5 misunderstandings, you know, informally try to
6 resolve it as best that I could. But aside from
7 that, I don't think there's really anything in
8 place if -- if you were to disagree with your
9 sergeant on anything.

10 Q And just to make this a little more concrete then,
11 so in your -- in your time on the missing women
12 investigation, I appreciate you had different
13 supervisors from time to time, but Sergeant Field
14 was generally your supervisor?

15 A For the most part, yes.

16 Q And if you had a disagreement with her about the
17 way the investigation should be carried out, would
18 it be open to you to go to her supervisor, which I
19 understand would be inspector at the time?

20 A That's right. You could do it. It would be --
21 it's a bit of career suicide to do that. I think
22 it's much better to try to -- certainly in the
23 example of Sergeant Field, I felt we had a very
24 collaborative relationship. I felt she was very
25 open to my input and that she shared many of my

1 beliefs about the investigation. So that wasn't
2 really an issue in terms of just being stonewalled
3 at that level.

4 Q In terms of consulting or getting feedback, that
5 would be just with your direct supervisor, would
6 it, or could you go and consult with people up the
7 chain of command?

8 A Yes. I mean consultation I don't think was a
9 problem or is a problem. I think you can
10 certainly on an informal level do that. I
11 certainly did that at many different times during
12 this investigation. I think the main thing is
13 that no one feels -- certainly if I were to have
14 talked to my inspector or staff sergeant over
15 Sergeant Field, I would make her aware that I'd
16 had that conversation or that I was planning to.
17 No one wants to be blind sided. And I think
18 that's really the important part, is to bear that
19 in mind.

20 Q Is consensus decision making something that's part
21 of this structure?

22 A It wasn't then. I think it's a little better now,
23 but, in honesty, I haven't worked in any Major
24 Crime investigation since this, so I can't say for
25 sure.

1 Q Do the management and executive officers become
2 involved or engaged in operational decisions about
3 investigations?

4 A They do now. They didn't at the time we're
5 speaking of.

6 Q In terms of whether a project should be struck or
7 a task force or how resources should be deployed,
8 who makes those decisions?

9 A I think now -- again, appreciating the fact that I
10 haven't worked in one of these for a while, but my
11 understanding is that now it's more collaborative
12 and would be the -- if you're using a Major Crime
13 example, it would be the inspector in Major Crime,
14 probably the deputy chief of investigations.

15 Q And I'm looking at the time period the late '90s
16 or early 2000s. How did that work?

17 A My impression of what was happening when I was
18 working on this file was that inspectors in Major
19 Crime, the deputy chief, that they were -- if we
20 made them aware of what we were working on, it
21 would be, "Okay. Carry on. Keep up the good
22 work", but not -- they would not be involved in
23 any real hands-on way at all. And I don't believe
24 they were. It was more there was a belief and a
25 trust that, "Okay. Well, you guys know what you

1 need. Carry on."

2 Q What processes followed that as a junior
3 constable? If you see a need for more resources,
4 how do you go about getting them?

5 A Well, this investigation I documented my
6 observations and what I felt was needed and I
7 would send that up the chain, so it would go to
8 Sergeant Field or Sergeant Boyd or whoever was my
9 supervisor.

10 Q If you were denied a resource request, what
11 options are available to you?

12 A My impression was there were no options when I was
13 denied other than to keep asking.

14 Q In terms of the sort of broader investigative
15 strategies, who's involved in that kind of
16 decision making?

17 A I don't really recall aside from among our team
18 when we became a team and prior to that my
19 supervisor and myself. I don't really recall
20 anyone else being involved in any broader
21 strategies.

22 Q If an investigation, as this one did become and
23 was early on a very complex Major Crime,
24 multi-jurisdictional sort of kind of
25 investigation, who makes the decisions about what

1 kind of structure the investigation should take
2 that wouldn't be able to address all of those
3 complexities?

4 A That was just not something that was really
5 conceived of in any way aside from really my own
6 thoughts as the primary investigator in things I
7 would communicate to my sergeant.

8 Q In terms of your thoughts, then, as the primary
9 investigator, how do you communicate those? And
10 the question I'm getting at here is how do you
11 report on that? Are there written reports that
12 you have to make? How regularly do you need to
13 make them?

14 A I wasn't aware of any policy or structure around
15 how to report. My sense was that I was to report
16 when I felt the need and to communicate things
17 that I felt were important, but there was no
18 structure, no framework around reporting or -- it
19 wasn't like I was to give updates monthly. These
20 were all things I did on my own initiative, but
21 there was no structure around that.

22 Q In terms of the ability of a junior constable
23 advocating for something, a particular case or
24 that the investigation should take a particular
25 direction, how -- how much comfort was there for

1 you in doing that?

2 A I felt very little comfort in communicating my
3 thoughts and impressions about this investigation.
4 That was for a variety of reasons. I think one,
5 you know, at seven years, seven and a half years
6 of service, I was effectively working in the
7 Homicide Section where I think probably the most
8 junior people in there were 15 -- 15 years plus
9 and there were many detectives in there with well
10 over 20 years service, very, very experienced
11 detectives who I held in quite high regard. They
12 were sort of the dream team at that time. And so
13 I was very deferential, I guess. I was -- the
14 last thing I wanted to do was come across as a
15 know it all or -- I felt like I was always trying
16 to walk that line and find that balance between
17 being in a meeting and trying to communicate my
18 thoughts, but also being very cognizant that
19 around the table you had a lot of very experienced
20 people with very big egos, some of them; that --
21 let's just say no one was turning to me and
22 saying, "Well, Lori, what do you think?", really
23 aside from Sergeant Field. She probably would
24 have been the only one to really pose that kind of
25 question to me.

1 Q What do you think would have happened if you were
2 at one of those meetings, sounded the alarm bell
3 and stood up and pounded your fist on the table
4 and said, "I think something really serious is
5 going on here and we're not taking the right
6 direction?" What would happen to you?

7 A Well, I mean that's a very good question because
8 that's something I've personally struggled with
9 for thirteen and a half years now. I -- I still
10 maintain the same impression that I had at the
11 time and that's that there was a very fine line, I
12 think, and I felt like I had to walk that line and
13 I think that if I had banged the table and -- and
14 not necessarily literally, but I don't think I
15 would have been taken all that seriously and I
16 think that part of that was that it seemed as
17 though the -- the more experienced people there
18 were around the table, the less appreciation there
19 was that we very well were dealing with a serial
20 killer. It was almost like, you know, you've read
21 too many detective novels. You've seen too many
22 movies, that kind of thing. I was sitting there
23 thinking, well, this is what a serial killer looks
24 like. This is what it's going to -- we're not
25 going to bump into someone with horns here. This

1 is what it looks like. And yet for me to
2 communicate that, I know it's difficult to -- for
3 someone outside of policing and outside of the
4 policing culture, I know it's very hard to
5 understand, but it's just -- it's a very fine line
6 between being dismissed as a bit of a zealot and
7 trying to get your point communicated.

8 Q Did you observe any examples of officers who did
9 step out of the system and repercussions that they
10 might have experienced? And, of course, I'll just
11 be frank. I'm speaking of Detective Inspector
12 Rossmo. We heard from him last week. What did
13 you observe about how he was treated by the
14 department?

15 A Well, that's the example that came to mind for me
16 as well. That was a very complicated situation
17 and I -- but Detective Inspector Rossmo is a very
18 good example of, for one thing, how someone is
19 dismissed if they either bypass the chain of
20 command -- that was, I think, a fairly
21 unprecedented type of promotion. There were many
22 people in senior ranks that didn't even view it as
23 an effective promotion when he went and
24 received -- not went, but when he achieved this
25 detective inspector rank by virtue of his

1 education. So in many -- I think in many eyes it
2 was easy to dismiss him as just a constable. He's
3 just a constable who's punching above his weight.
4 And that obviously got in the way because it
5 really -- you know, he was -- he was saying these
6 things or trying to. And I think you have the
7 added complication in that situation of those
8 people who might have wanted to dismiss him. They
9 were also very -- I think felt very comfortable
10 pointing to what they believed was Detective
11 Inspector Rossmo's motivation for trying to be
12 involved in the case, which they felt wasn't
13 genuine and felt was just a way to advance his own
14 standing within the department, which, you know, I
15 can't speak to whether that was fair or not, but
16 that was the perception. So, you know, my -- my
17 involving Detective Inspector Rossmo in some of
18 the early discussions, I did that knowing --
19 knowing that I was going to -- I was going to get
20 a hard time from some of the people that I
21 consulted with, some of the Homicide people, some
22 of the other investigators because in their view
23 he had so little credibility. But I felt like
24 that's the kind of thing that -- those are the
25 kind of stones we need to not leave unturned. We

1 need to try to use all the resources that we have.
2 And I took that risk knowingly and thought that if
3 anything good were to come of his information,
4 then it's worth the risk.

5 Q We'll get to more on the working group a bit
6 later, but I'm wondering, hearing you give your
7 answer, whether what you saw the response to
8 Detective Inspector Rossmo from -- from
9 management, if that influenced you in any way in
10 terms of reinforcing this view that you had about
11 deference and the culture?

12 A Yes. I understand what you're saying. Yes. I
13 didn't think it was really going to advance my
14 cause to hitch my wagon to Detective Inspector
15 Rossmo's theory or to stand up and say, "Yeah.
16 Detective Inspector Rossmo's right. This is a
17 serial killer." I was a little -- you know, you
18 have to understand that those first meetings were
19 quite early on for me in terms of my own
20 investigation and I was willing to concede that
21 this was a real possibility that that's what we
22 were dealing with, but I also felt like I had a
23 lot more work to do in these individual files to
24 rule some things out before I was going to be able
25 to say conclusively that that's what I believed

1 was happening. I wasn't ready to make that leap.

2 I think I had been there maybe six weeks.

3 Q And the question, I guess, I was getting at is was
4 there any part of you that was thinking that could
5 happen to me if I really pushed this cause? I
6 could get treated that way?

7 A Absolutely. Yes.

8 Q Now, we've also heard about the old guard
9 mentality being quite prevalent in the department
10 at the time. What -- can you tell us about what
11 that means and what that looked like?

12 A Well, I could only speak to that in the context of
13 the -- the understanding of what the sex trade
14 looked like and the fact that many of -- they were
15 mostly -- I think all of our senior management at
16 the time were men and these were mostly men --
17 policemen who had worked in Vice at some stage in
18 their career, but, you know, we're looking at 10,
19 15 years earlier. So it was a very different sex
20 trade when they gained their experience on that
21 sex trade and now we have these people in
22 positions of authority and decision making and
23 they had their view that there was -- you know,
24 there was sort of a mid track, there were escorts,
25 there was a circuit. This whole notion of that

1 was very much based in old past history. It
2 wasn't the reality of the current climate in the
3 Downtown Eastside sex trade. So those people were
4 in those decision making positions and so it was
5 difficult to -- you know, I felt like I was
6 reporting and trying to communicate that these
7 women were not contacting children. They were not
8 contacting family. They weren't picking up
9 cheques. They were not at the Calgary Stampede.
10 They were -- this was a problem. And so that was
11 hard because somehow that message just wasn't
12 getting to, you know, old guard if you call it.
13 You know what? I don't think it was quite so
14 pronounced, but that was definitely a problem and
15 it was even identified to me. Detective Lepine,
16 who came to work on our team in Project Amelia, I
17 had many conversations with him because he had
18 worked in Vice 10 and 15 years earlier. He said,
19 "This is where all these guys are still stuck.
20 This is what they believe and you have that old
21 mentality, but that's not reality anymore." And
22 so it was difficult for me because I'd seen
23 firsthand what the sex trade looked like now and I
24 was trying to report that through all the channels
25 I could. And it's not like I sat in meetings

1 silent, but I would said, "Well, it's not really
2 like that anymore." "Oh, well." And it was -- I
3 think I was somewhat dismissed.

4 Q I want to now ask you some questions about your
5 training before you -- before you arrived in the
6 Missing Persons Unit. So what kind of
7 investigative experience did you have before --
8 before you were transferred in 1998?

9 A Well, as a patrol investigator or patrol
10 constable, I had sort of frontline investigative
11 experience with calls that usually came as a
12 result of 911 calls. Sometimes things would
13 self-generate in the community. You know, I'd
14 worked for everything from, you know, barking dogs
15 up until -- up to attempt murder files.

16 Q Had you ever investigated a homicide before?

17 A No. Never.

18 Q Had you ever been a file co-ordinator of an
19 investigation?

20 A I had in the Strike Force, but that's a very
21 different sort of thing. Essentially you're
22 starting with a target, a surveillance target that
23 you come to know is responsible -- or you believe
24 is responsible for a certain type of crime and so
25 you work up a file. You prepare packages for your

1 team. You gather all the information, the
2 pertinent information that's needed about how this
3 person is committing their crimes, how you locate
4 them, who they associate with, with the goal of
5 being to educate your team so that when everyone
6 goes out as a team to do surveillance on this
7 person, they have an appropriate package. So I
8 had been the file co-ordinator on a couple of
9 files in Strike Force.

10 Q Just to be clear, though, the file co-ordinator
11 for a Strike Force file where the process of
12 surveillance is pretty uniform from case to case,
13 it would be quite different than a file
14 co-ordinator for traditional investigative files
15 that -- a file that would involve managing all
16 sorts of information and dealing with multiple
17 witnesses and trying to identify suspects or
18 targets?

19 A Yes. It's just one very small portion of an
20 investigation the surveillance would be.

21 Q And in terms of -- of doing a criminal analysis,
22 have you had any experience doing that?

23 A No.

24 Q Did you ever have any experience preparing
25 operational plans or investigative strategic plans

1 for major investigations?

2 A No.

3 Q Did you have any experience or training on
4 handling informants or agents?

5 A I had experience with informants. I had developed
6 several informants in patrol. At the time my
7 understanding was that essentially unless someone
8 was to become an agent, there wasn't a lot of
9 reporting or documentation involved aside from
10 what I would have needed for my own charges or my
11 own file. You know, I had a couple different
12 sources gave me information on guns, gave me
13 information on drugs, and those things had come to
14 fruition as far as the information was good. I
15 was able to effect an arrest on charges on
16 different things.

17 Q We understand that informants can have
18 health-related issues around drug addictions or
19 other kind of conditions that need special
20 consideration in terms of how they should be
21 handled. Did you have any experience dealing with
22 informants who had those kinds of issues?

23 A I think all my informants have those kinds of
24 issues.

25 Q And what sort of tools are available to you in

1 handling informants that have drug issues?

2 A Well, if it's something -- if it's a major case or
3 a case that will be going to court where that
4 informant may end up testifying, which if he's an
5 informant he wouldn't be testifying, but if you
6 had a witness -- sorry. I'm not clear. So you're
7 talking about if I have an informant, how would I
8 manage them essentially if they have a drug
9 problem? Is that the question?

10 Q Um-hum.

11 A A lot of patience, I think, is -- is needed. My
12 experience is that things will come up in an
13 informant's life that will often be very sudden,
14 will affect whether you can meet with them on a
15 particular day, whether they're answering their
16 phone if they have one, whether they're at their
17 home if they have one. Everything's a crisis
18 often and so, you know, it's -- things don't
19 happen on the police time line. They will have to
20 happen on the informant's time line.

21 Q And in terms of your undercover work, you talked
22 about doing the john stings. Had you ever been
23 involved in any other kind of undercover
24 operation?

25 A I've done several different things. I've done

1 drug work. I've done work for the Major Crime
2 Section around homicide files. I've played
3 various roles in undercover operations, sort of
4 extraneous roles doing different things to -- I
5 played a radio operator a couple of times to
6 communicate information that a target might hear
7 it's erroneous, that kind of thing.

8 Q Did you ever have any undercover experience where
9 you had to deal with a witness or -- I'm not sure
10 if that's the right term -- a target on a
11 long-term basis, develop a relationship with them
12 and build trust and try to elicit information from
13 them about a crime or were you mostly dealing with
14 sort of isolated -- isolated undercover instants?

15 A Yes. In answer to your first question, no and
16 yes. Mostly sort of short duration, you know,
17 two, three months here and there. We'd maybe get
18 an arrest out of it, that kind of thing.

19 Q Had you made any search warrant applications
20 before you joined the missing women investigation?

21 A Yes.

22 Q How many and what were they for?

23 A I believe two for drug searches.

24 Q So just -- if I could just summarize, you didn't
25 have any training or experience in supervising or

1 investigating a major criminal investigation?

2 A No.

3 Q After you joined the unit, did you request or
4 receive any additional training to assist you in
5 carrying out your responsibilities there?

6 A I began to request the major case management
7 course quite regularly and I would be turned down
8 quite regularly. And I don't think there was
9 anything really untoward there other than the fact
10 that it was quite new. And at the time the only
11 person who'd had that course on our department was
12 Deputy Chief Constable LePard. But I was quite
13 aware that that was something I could have used at
14 the time, but I was well down the list of people
15 who were considered for that.

16 Q How would major case management -- a major case
17 management approach have helped you in your
18 investigation?

19 A Well, knowing now what I know about major case
20 management, I would have been immediately struck
21 by the clear delineation of roles, the triangle
22 structure, which is a team commander, file
23 co-ordinator, lead investigator, and then as you
24 go down the org chart depending on how complex it
25 is, you'll have different roles for victim family

1 management, media, strategic planning, search
2 warrants, affiants, their roles. There are spots
3 for people in all of those different -- different
4 slots in the org chart. And I would have been
5 aware that I was doing all of those roles. I was
6 aware of it. I just didn't know that there was a
7 structure that might have been helpful.

8 Q So in the course of your investigation, you were
9 wearing the hat of all those different roles.
10 Under the case management model it would normally
11 be assigned to different people?

12 A Yes.

13 Q Now, I know we've been sort of highlighting the
14 inexperience that you've had in Homicide and Major
15 Crime investigations. What did you -- what skills
16 do you believe that you brought to the job when
17 you were assigned as the investigator for the
18 missing women investigations?

19 A I was very enthusiastic. I felt a very strong
20 commitment and responsibility to the community. I
21 knew that I had the kind of people skills that I
22 would -- that in the past had been able to allow
23 me to effectively interact with a very diverse
24 group of people. I -- I know what I lacked in --
25 in investigative experience I made up for in -- or

1 I think sort of a counter to that for me was that
2 I was very aware of that lack of experience and I
3 was very receptive to help. I sought out -- I
4 probably drove a lot of the Homicide investigators
5 crazy. I was constantly running things by them,
6 speaking to Sergeant Field about different things,
7 to Staff Sergeant Giles, making sure I was on the
8 right track with some of the thought processes I
9 had as far as information that had started to come
10 in. You know, with Detective Howlett, my first
11 partner, he was very generous and very open to all
12 my questions. But I think one of the main skills
13 is I didn't ever sit there thinking that I -- that
14 I didn't need help. I was very aware that I
15 needed guidance and I think a lot of my instincts
16 were correct, but I needed to know for sure that I
17 was on the right track as far as -- as far as
18 procedure.

19 MS. BROOKS: So I'm going to turn now to the investigation.

20 THE COMMISSIONER: Maybe we'll stop there for the morning
21 break.

22 THE REGISTRAR: The hearing will now recess for 15 minutes.

23 **(PROCEEDINGS ADJOURNED AT 11:04 A.M.)**

24 **(PROCEEDINGS RESUMED AT 11:22 A.M.)**

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

1 MS. BROOKS:

2 Q Detective Constable Shenher, we're moving now to
3 the investigation. And just in terms -- if I
4 could just broadly set out what your involvement
5 was, you -- you were involved as an investigator
6 in the Missing Persons Unit beginning in July of
7 1998?

8 A Yes.

9 Q Then you later became the investigator and a file
10 co-ordinator of the Missing Women Review Team,
11 which was also known as Project Amelia, starting
12 in May of 1999 until you transferred out in
13 November of 2000?

14 A Yes.

15 Q Is there anyone else in the Vancouver Police
16 Department who was involved in the missing women
17 investigations as much as you?

18 A No.

19 Q Now, you, I understand, have read the department's
20 missing women review that was prepared by Deputy
21 Chief LePard?

22 A Yes, I have.

23 MS. BROOKS: And that's marked as Exhibit --

24 THE REGISTRAR: 1.

25 MS. BROOKS:

1 Q 1. And in that he sets out a detailed chronology
2 of the missing women investigation. Did you
3 review that?

4 A Yes, I did.

5 Q And while you may quibble with the odd fact here
6 and there, does it generally accurately set out
7 what happened?

8 A Yes.

9 Q Could you please turn to binder 1, Tab 1? I might
10 just say something about how these briefs are
11 organized for everyone's benefit. The first
12 binder is the "Missing Persons Unit -
13 Investigations" and there's a Tab A, which deals
14 with documents relating to that investigation, and
15 then there's a Tab B, and those are documents
16 relating to Hiscox. And the binder 2 is called
17 "Project Amelia" and those are documents that
18 relate to Project Amelia. So in binder 1 at Tab 1
19 there's -- the first entry is -- relates to your
20 transfer to the Missing Persons Unit. And this is
21 a time line that was prepared by Sergeant Field in
22 July of 2001 where she states that on July 20th
23 you were the successful candidate for the new
24 position. Can you tell us around the -- the
25 circumstances around your transfer to the unit?

1 A Well, at the time I was still with Strike Force
2 and I was -- I had completed a little over two
3 years there, and our inspector there at the time,
4 Peter Ditchfield, came to all of us in the Strike
5 Force, which was -- there was three teams of 10
6 people each. And he advised us that the Strike
7 Force was going to be downsizing from 30 people to
8 20, so effectively from 3 squads to 2. And he
9 advised us that the reason for this was to staff
10 some vacancies in the Major Crime Section that
11 were considered fairly urgent. And so what
12 Inspector Ditchfield put to those of us in the
13 Strike Force was that there was several
14 positions -- I think there were a couple of
15 robbery detective positions, I think three Sex
16 Crime positions, Vice, Drugs, and I think the last
17 one was the Homicide Missing Persons position.
18 And his message to us was that if anyone was
19 interested in these positions, they could come and
20 speak to him. And he hoped that he would receive
21 volunteers for these 10 positions, but if he
22 didn't receive volunteers, then he would assign
23 people to those positions to go to Major Crime.
24 So normally in Strike Force your tenure there is
25 two years and you have an option for a third if

1 all is going well. And I had just started my
2 third year, but I was very ambitious. I had
3 always wanted to work as a homicide detective and
4 my only real concerns around any of that was that
5 I was too junior. So I went to speak with
6 Inspector Ditchfield and I communicated just that
7 to him and asked for his input on whether -- the
8 Missing Persons position, whether I would be
9 appropriate for it. And part of this was -- I was
10 mindful of all those other positions because I
11 think I was pretty close to the most junior person
12 in the Strike Force at the time and so I knew
13 that -- just anecdotally around the squad from
14 when Inspector Ditchfield had spoken to us, I knew
15 that there were other people interested in those
16 positions and they were all far senior to me, so I
17 knew those were effectively not going to be
18 options for me. So I spoke to Inspector
19 Ditchfield and we talked about -- he had a little
20 more information around that Missing Persons
21 position and he told me that there had been a
22 problem identified with missing street-involved
23 women and that they wanted to assign a second
24 detective to that unit to focus on those
25 particular files and to see if there really was

1 indeed an unusual number that were going missing.
2 And I recall very vividly that one of the things
3 he said to me at the time was, he said, "This
4 could very possibly turn into a serial killer
5 investigation." And I remember, Mr. Commissioner,
6 at the time thinking that might be my opportunity,
7 my opportunity to work in Homicide and to work on
8 something quite substantial in terms of
9 experientially and the gravity of the case, and so
10 I asked Inspector Ditchfield, "Do you think I
11 could be successful? Do you think I could" --
12 effectively I wanted to know would I be laughed at
13 for asking for that position with, you know, seven
14 years on the job. And he said, "No. Absolutely
15 you should consider it." And so I said to him,
16 "Well, then I would be interested." And so that's
17 the last I think he and I spoke of it. And I
18 don't think there was -- I know it says applicant,
19 successful applicant. I don't think there was a
20 competition. I think I won that job by
21 acclamation.

22 Q Do you know where Inspector Ditchfield learned
23 that there was the potential for a serial killer
24 investigation?

25 A No, I don't.

1 Q So how does the transfer occur? Do you get sort
2 of a package of information telling you about what
3 your assignment is and some orientation documents,
4 any background briefings? Tell us about that.

5 A No. There's nothing like that. It's basically,
6 "This is your last day at Strike Force. This is
7 going to be your first day in Major Crime."

8 Q Did you go to the unit, then, thinking that you
9 were there to determine if there was a problem or
10 what did you understand your mandate to be?

11 A My understanding was that really nothing really
12 clear -- was clearly communicated to me. My
13 understanding was that it was up to me to figure
14 out what was happening; i.e. was there a problem
15 or -- and it was up to me to just determine what
16 direction we would need to go.

17 Q Did anyone have those kinds of discussions with
18 you that said, "You know, Detective Constable
19 Shenher, you tell us what's going on. Report back
20 to us and then we'll determine a plan for going
21 forward"?

22 A No. I don't recall any conversations like that.
23 I just recall my first day I went -- I went
24 into -- the Missing Women's office is sort of this
25 little small office at 312 Main Street at the time

1 and then there's just a hallway and then you're
2 into the big Homicide office. So I walked down
3 the hall and I went and said hi to Sergeant Field
4 because I had known her previously and I had
5 worked on a serious file with her when she was in
6 Sex Crimes and I was in Strike Force. So I popped
7 down the hall to say hello. And she said, "Oh,
8 are you who we're getting?" And I said, "Yes."
9 And she said, "Oh, that's great." We had
10 obviously had a little small talk and then off I
11 went back to my office to figure out what I was
12 dealing with.

13 Q Did you know anything about why the additional
14 investigator was being assigned to the unit?

15 A Well, my understanding was that Sandy Cameron, the
16 civilian clerk in Missing Persons, had identified
17 a problem and that she had reported it -- I'm not
18 even sure to whom. I think it was to Inspector
19 Biddlecombe, but I wasn't sure. And basically she
20 had seen a spike in numbers of files involving
21 women in the survival sex trade or street-involved
22 women and that she thought it could be a problem.

23 Q Are you finished?

24 A Sure.

25 Q No, no. I wasn't --

1 A The only thing I was going to say was that
2 position -- Missing Persons was -- sort of
3 historically served two purposes. It was either a
4 place for sort of long-serving detective who --
5 detectives -- one detective -- I think there were
6 two boxes. We call them boxes in the org chart
7 there. But normally it was filled by one person
8 and it was often someone who was quite long
9 serving and close to retirement. But it was told
10 to me that it also served a dual purpose; that
11 sometimes people would be assigned in there as
12 sort of a developmental place to go prior to going
13 into Homicide. So my impression was that those
14 two boxes -- the second box was going to be filled
15 by me and my job was to look at the missing women
16 in addition to working on some other missing
17 persons files.

18 Q How did you learn about the communication you just
19 described between Sandy Cameron and Inspector
20 Biddlecombe? Did somebody tell you that before
21 you arrived in the unit?

22 A Somebody told me that there had been a perception
23 of a problem before I went there. I don't think I
24 was -- I don't think at that time I really knew
25 any of the details around it.

1 Q Tell us about the -- the physical space of the
2 unit.

3 A Well, it's quite small. It's probably -- if
4 you -- Mr. Commissioner, if you made your area
5 square, that would essentially be it. It was
6 probably -- probably 8 by 12, the office, and has
7 a little adjunct office for the coroner's liaison
8 detective, which is another position that operates
9 under Missing Persons. So effectively in 8 by 12
10 you've got Sandy Cameron's desk and then myself
11 and Detective Howlett's desks are basically --
12 just abut each other at that.

13 Q It's a very small space?

14 A Small. Yes.

15 Q You can overhear each other on the phone
16 discussing files and things like that?

17 A Yes.

18 Q Now, what was the mandate of the Missing Persons
19 Unit?

20 A I believe it was to locate -- investigate and
21 locate any missing persons reported in the city of
22 Vancouver.

23 Q It did have an investigative function then, did
24 it?

25 A Well, yes. In terms of -- because I know -- as I

1 understand the policy -- the policies around
2 investigating those missing persons, so yes.

3 Q Let's go to the policies then. That's at Tab 3
4 and 4 of binder 1. Can you take us through, using
5 these policies and procedures as a guide, how
6 missing persons reports are taken and then
7 investigated?

8 A Sure. At that time we didn't have E-COMM yet,
9 which is essentially almost a province-wide
10 communications system or Lower Mainland-wide
11 communication system. The communications for the
12 Vancouver Police were actually housed within the
13 Vancouver Police building. So it was called a
14 communications centre. And so a report would
15 come -- so all 911 calls relating to the city of
16 Vancouver would come into that communications
17 centre. So the process was that if someone was to
18 report a missing person through 911, the
19 communications centre would then advise an NCO,
20 which is a noncommissioned officer. That means a
21 sergeant of a patrol squad. They would advise
22 then that they have a missing person report and
23 they would then --

24 Q In every case? Sorry.

25 A Well, no. And that's -- that's where this -- this

1 investigation becomes unique. My understanding of
2 it was that in any -- in any case where there was
3 some recency as far as when the person was
4 actually reported missing -- and that window is
5 fairly small. You have a three-year-old. You saw
6 your three-year-old at the playground and five
7 seconds later they're not there anymore. That
8 would be a situation where there would be
9 extensive investigation. You flood that area with
10 police, hopefully find the three-year-old. Some
11 of them got a little more challenging. You might
12 have someone from -- say a care holder in an old
13 folks home or somewhere like that, someone with
14 dementia who wandered off. Those would still
15 be -- they would be investigated at the patrol
16 level. Now, with some of my files you might have
17 someone who was last seen a year ago. Now they've
18 called 911. And so there really -- there's
19 certainly some avenues of investigation that can
20 be -- that can be explored, but it wouldn't happen
21 at patrol level necessarily.

22 Q So if patrol's going to be deployed, then it turns
23 on the perception -- if a person's taking the
24 report perception of the urgency's assigned to
25 that?

1 A Yes.

2 Q So I'll just let you continue taking us through
3 the process, then, of taking the reports and
4 investigating them.

5 A Right. So if it's one of those situations where
6 there is some urgency or some sense that there is
7 still information or evidence fairly fresh in the
8 community, then patrol would work through that.
9 There's some reporting that needs to be done and
10 one of those things is that they submit a report,
11 a VPD 19 report to the Missing Persons detective.

12 Q Is that found at Tab 5?

13 A I think I'm going to say no. No. That's an
14 actual missing person report. A VPD 19 is -- they
15 don't really exist anymore, but at the time it was
16 a miscellaneous and supplementary report. It's a
17 one-page detailing of investigative steps that
18 might have been taken or something like that. So
19 say a patrol unit or the sergeant would do some
20 work on it. They would make note of it and
21 anything that they thought was relevant or
22 anything that they did, they would report and it
23 would be sent through to the detective in the
24 Major Crime Section in Missing Persons.
25 Usually -- now, one of the things in the policy

1 was that that field sergeant was to -- in deciding
2 whether or not to continue the initial
3 investigation would consult with a duty officer,
4 which is the most senior police officer
5 responsible for patrol in the city, and that was
6 usually kind of a "I'm stopping at this point.
7 Here's why I'm forwarding it", and usually the
8 duty officer would concur or say, "No. I still
9 think you need to do X or Y." So there was that
10 bit of control over that process. I think that
11 aspect of the policy where it's -- consider all
12 pertinent factors such as age, mental and physical
13 condition of the victim, weather, length of
14 absence and time of day, I think that was
15 something where we ultimately changed it when our
16 policy was changed a few years ago, and I think it
17 was to -- to allow for the fact that there could
18 be risk factors in a person's life. I can't
19 remember the exact wording, but --

20 Q But that's where the risk assessment occurs, is
21 it, at this stage?

22 A Yes.

23 Q So after the initial investigation steps were
24 taken --

25 A Exactly.

1 Q -- then there's an assessment of risk about
2 whether someone in homicide or a foul play
3 suspected should take over the file; is that
4 right?

5 A Exactly. And every case is going to have
6 different details that will take it in a different
7 direction.

8 Q And can you confirm that this was the policy that
9 existed at the time that you were working in the
10 unit?

11 A Yes, it was.

12 Q Were any of those steps that you just laid out
13 followed with respect to the missing women?

14 A I believe -- I believe that they were -- I'm not
15 sure if any of them started at the patrol level.
16 My impression is that they didn't because of the
17 time delay, but I know they all came through the
18 communications centre. While there may have been
19 some -- or someone may have called directly to
20 Missing Persons to make a report, and I think
21 that's probably an area where there's some --
22 where there was some misunderstanding.

23 Q Were any of the files handed over to Homicide?

24 A I remember -- I don't remember any of those
25 particular missing women files being handed over.

1 And I stand to be corrected on this, but I had
2 some recollection that possibly Wendy Crawford at
3 some point was being looked at by Homicide, but
4 I'm -- as I said, I stand to be corrected on that,
5 but that's my impression.

6 Q Were you ever under the impression that it would
7 be open to you after you conducted a risk
8 assessment to take your files and walk them down
9 the hall to Homicide?

10 A I wish I had. That would be something I could do
11 if I felt like there was -- there was what I would
12 determine to be fairly compelling evidence and a
13 person and something that needed to be looked at
14 immediately, yes.

15 Q That was an option available to you?

16 A I believe so, yes.

17 Q Did you ever do that?

18 A No. As I said, possibly with the Wendy Crawford
19 file, but I actually think a Homicide investigator
20 came to me and actually asked for that file.

21 Q How are the missing person files organized and
22 managed? Was there a computer database or were
23 they paper files?

24 A There was no computer database. I actually didn't
25 have a computer when I went in there in July of

1 '98. I had to ask quite repeatedly for a
2 computer. I think I got one at the end of August
3 or so. The files were very disorganized. There
4 was essentially a credenza of binders. And you
5 have to appreciate that -- and maybe Detective
6 Inspector Rossmo spoke to this. I don't know.
7 But sort of over the course of a year you'll have
8 two, three thousand people reported missing in the
9 city and by the end of that year if everything
10 sort of goes correctly statistically -- you know,
11 say you've got 3,000. By the end of that year,
12 2,998 will be located. So we didn't have a lot of
13 files that were carried over from year to year.
14 However, the ones that we did have, because there
15 were several and these missing women's files, they
16 were in binders, just legal size black binders and
17 they were not in any particular level of
18 organization, but they were in a credenza.

19 Q How were bring forward systems managed?

20 A There was no bring forward system.

21 Q And you said you were an investigative unit. Were
22 you given equipment to support that such as a car
23 or a cell phone, things like that?

24 A No. We had -- if we needed a car, we would have
25 to go and make prior arrangements with Homicide

1 for the next day or something like that. We had
2 no cell phones. You know, granted cell phones
3 were relatively new then, but we certainly had a
4 cell phone through my whole time in the Strike
5 Force, so it wasn't like it was that new.

6 Q Who was working in the unit when you were
7 transferred? And maybe you can tell us about what
8 their responsibilities were?

9 A My partner in there was Detective Al Howlett and
10 then the coroner's liaison detective was Constable
11 Ed Tempest. He retired fairly soon after I got
12 there. And then Sandy Cameron was the civilian
13 clerk. And when I got there, my -- basically
14 what -- the division of responsibility was that
15 Sandy would -- would deal with all the missing
16 persons reports that came via group homes,
17 because I came to learn that that was a fairly
18 significant amount of work and that every time a
19 juvenile who was living in a group home went
20 missing, there was some sort of -- I don't know if
21 it was a law or a policy from their end, but they
22 were required to report it as missing. So every
23 morning Sandy might have, you know, 20 missing
24 juveniles to deal with and she had her own network
25 of contacts that she would -- she would call and

1 try to end up locating these kids. So that was a
2 significant amount of the work, but it was -- I
3 actually can't remember of my time in there any of
4 those kids not coming back, so that wasn't a
5 problem as far as being a concern. It was just a
6 problem for location. It was kind of
7 administrative. Al and I were responsible for --
8 Detective Howlett. We were responsible for the
9 missing persons reports that would come in that
10 seemed to go beyond that -- basically anything
11 else but those group home missings.

12 Q Was there an agreement between you and him that
13 you were dealing with -- exclusively with the
14 missing women or did you share those files?

15 A He suggested to me from the start that I take the
16 missing women's files, and I had to agree because
17 obviously my hope was to do an analysis to look at
18 them all in their entirety to start looking to see
19 if they were connected or related. We agreed that
20 that's what we would do. Part of that was because
21 he was planning to retire. He was not in very
22 good health. And I actually appreciated that from
23 him because he said, "It makes more sense for you
24 to maintain custody of as many of these files as
25 you can." He hung onto a couple that were

1 relatively active. I think Kerry Koski, he had
2 quite a lot of work that was ongoing with that.
3 Angela Jardine. I can't remember. There might be
4 others. But he -- but that was essentially it.
5 He would take care of new missings or sort of the
6 quote, unquote, everyday missings that would come
7 in and I would deal with these. Having said that,
8 I still -- I still recall in that first year that
9 I did -- I did work on non-missing women related
10 missing persons files sometimes when Detective
11 Howlett was off sick.

12 Q You also had duties as the coroner's liaison, did
13 you?

14 A Yes, I did. The VPD had gone to a four-day work
15 week for a lot of investigators around that time
16 and the coroner's liaison position is effectively
17 just that. When someone dies in the city of
18 Vancouver and there's any police involvement or
19 any need to notify next of kin or property that
20 the police have seized that needs to be then
21 assigned over to relatives, that kind of thing,
22 that coroner's liaison officer is responsible for
23 that. So it's a five-day-a-week job. At some
24 point someone in Major Crime -- it may have been
25 Sergeant Field -- I don't know -- made an

1 arrangement with Constable Tempest so that he
2 could work a four-day week and then Friday would
3 be covered by the detective in the office, which
4 was me. So effectively I was only three-quarter
5 time Missing Persons and one-quarter time
6 Coroner's Liaison until I went to Project Amelia
7 in May of '99.

8 Q Who was supervising the work of the unit?

9 A Well, it was initially Sergeant Field and then
10 when she was assigned to Project Voodoo, it was
11 Sergeant Al Boyd.

12 THE COMMISSIONER: Sergeant who?

13 THE WITNESS: Al Boyd.

14 MS. BROOKS:

15 Q And we understand that she wasn't a full-time
16 supervisor over the unit?

17 A I'm sorry. She was not?

18 Q She wasn't working full time as a supervisor for
19 the unit?

20 A That's right. That was just an additional
21 responsibility. She had Homicide Squad 2, I
22 think, was her squad and then that was -- that
23 was -- the responsibility of that sergeant was
24 also to oversee the Missing Persons Unit.

25 Q What percentage of her time was spent at Homicide

1 over the unit from your perspective?

2 A Well, I can't -- I can't speak to before I came,
3 but when I was there, I would say probably 90,
4 90/10. Sorry. 90 Homicide, 10 with Missing
5 Persons.

6 Q So I'd like to discuss the investigative plan
7 that -- that you developed, if you did, after the
8 transfer. So you've told us that you had some --
9 little direction or instruction about what exactly
10 you were to do there in terms of your mandate.
11 How did you go about developing a plan to
12 investigate the disappearance of the missing
13 women?

14 A Well, when I began, the week that I began was the
15 week that there was one tip that came in. Wayne
16 Leng, who was an associate of Sarah de Vries, he
17 had set up a 1-800 tip line to record information
18 about Sarah -- Sarah's disappearance. And this
19 was unknown to me when I started in there. I
20 believe that was July 27th or 28th. It was
21 literally in my first week. So what happened was
22 someone had called into that line, and it was kind
23 of a raspy voice, and said, "You know, I killed
24 Sarah. There's going to be more, one every
25 Friday." And there was a song playing in the

1 background. And so Wayne Leng audio recorded this
2 off of the 1-800 tip line and then he provided it
3 to the media outlets in town and so this was being
4 played on the radio and on the news, and call the
5 Vancouver Police if you know who this man is. So
6 my first day or two I'm, you know, getting all
7 these calls from people saying, well, that's my
8 landlord, that's my ex-boyfriend. And I had all
9 these persons of interest that I immediately
10 needed to be starting to follow up, which I did.
11 So there really wasn't -- at that point there was
12 no investigative plan. I was really just dealing
13 with these tips coming in.

14 Q So before you even were able to turn your mind to
15 what kind of an investigative strategy you were
16 going to take, you get this tip from what we know
17 is Hiscox?

18 A Well, no. That actually wasn't Hiscox. That's --
19 that's the distinction I want to make. That very
20 first recording, it's subsequently I was able to
21 prove it was a hoax, but it exhausted a lot of
22 investigative energy, and it was actually that --
23 it was all those persons of interests that were
24 coming as a result of that call that I was working
25 on when the Hiscox started to come in.

1 Q Sorry. I understand that. So the hoax tip comes
2 in right away, but seven days later so does this
3 other tip from Hiscox?

4 A I think that was right, yes.

5 MS. BROOKS: So let's talk about the Hiscox tip now. And we've
6 prepared a couple aid-memoires to assist in this
7 part of the examination. There's a time line re
8 the Pickton investigation as a result of Hiscox
9 information and that's counsel's aid-memoire
10 number 1 and there's a summary of contact with
11 William Hiscox and that's counsel aide-memoire
12 number 2. Mr. Commissioner, you should have
13 copies of those. They've also been provided to
14 counsel in advance and extra copies are at the
15 front table. These documents were prepared based
16 on source information that's contained in these
17 briefs. They are just copy typed. There's no
18 added -- there's no narrative that's been provided
19 and the sources are -- the time line are all under
20 Tab B, but it's just a convenient way to move
21 through what happened here, so --

22 THE COMMISSIONER: So this is a summary of her evidence; is
23 that what it is, from her notes?

24 MS. BROOKS: It's from her notes, from Corporal Connor's notes,
25 from different logs just all in one place. So

1 it's just a convenient way of collecting all the
2 information that relates to Hiscox and the
3 subsequent Pickton investigation that resulted, so
4 it's all -- all together in one place. So I would
5 like to have these marked as exhibits.

6 THE COMMISSIONER: All right.

7 THE REGISTRAR: Your first document, the time line, will be
8 marked as Exhibit 79. The second document, the
9 summary of contact with William Hiscox will be 80.
10 The third document, "Overview of Project Amelia
11 Team Members Involvement", will be 81.

12 MS. BROOKS: Sorry, Mr. Giles. I'm not going to enter those.

13 THE REGISTRAR: So we've only marked 79 and 80.

14 (**EXHIBIT 79:** Document entitled "Time Line re:
15 Pickton Investigation as a Result of Hiscox
16 Information")

17 (**EXHIBIT 80:** Document entitled "Summary of
18 Contact with William Hiscox")

19 MS. BROOKS:

20 Q Detective Constable Shenher, you've also had an
21 opportunity to review these two documents?

22 A Yes, I have.

23 MS. TOBIAS: I'm sorry to interrupt my friend. It's Cheryl
24 Tobias for the Government of Canada.

25 THE COMMISSIONER: Sorry. I can't even hear you.

1 THE REGISTRAR: You need to speak up, please.

2 MS. TOBIAS: I'm sorry to interrupt my friend. It's Cheryl
3 Tobias for the Government of Canada. I just have
4 a question about the marking of the time line as
5 an exhibit because I'm not sure that this has
6 been -- I think it's marked as an exhibit proper.
7 I don't think it's been vetted for public
8 consumption yet. Can my friend confirm that? If
9 the commission counsel has vetted it, then I'm
10 perfectly comfortable with it, but I'd like to
11 have that assurance.

12 MS. BROOKS: Our staff has vetted it for personal information.

13 MS. TOBIAS: Thank you.

14 THE COMMISSIONER: Thank you. Yes, Mr. Gratl.

15 MR. GRATL: Mr. Commissioner, I just rise to say I think these
16 documents are very helpful as a guide to the
17 evidence of the witness, but because they are a
18 creation of counsel, I'm not sure that they should
19 be relied on for the truth of their contents.

20 MS. BROOKS: They're just taken directly from the source and
21 these are all business records. I assume -- I
22 can't imagine anyone would have an issue with the
23 source document. It's really just to help you and
24 put everything conveniently in one place.

25 THE COMMISSIONER: They're to help us. Now --

1 MR. GRATL: And I think that was my point, I think, Mr.
2 Commissioner.

3 THE COMMISSIONER: All right.

4 MS. BROOKS:

5 Q Did you have any comments you wanted to make about
6 the document?

7 A Sorry. In general terms or about any specifics?

8 Q Are you comfortable with the accuracy of the copy
9 typing?

10 A Yes. There are a couple things impression-wise
11 that I would probably want to address.

12 Q But those are issues that you have with respect to
13 the entries in the logs themselves?

14 A That's correct.

15 Q So we understand that Hiscox gave his first tip to
16 Wayne Leng and Crimestoppers on July 27th, 1998?

17 A That's my understanding, yes.

18 Q You received both of those tips within that week?

19 A I believe so. I can't remember specifically when,
20 but around that time, yes.

21 Q And I don't want to go over the content of the
22 tips in detail because that's been done before and
23 now it's laid out conveniently on the summary of
24 contacts with William Hiscox, but tell us from
25 your perspective when you received this tip what

1 information was important to you about why this
2 tip was worthy of follow up.

3 A Well, my first thought was that it was very --
4 very compelling information and warranted follow
5 up in the same way that some of these other bits
6 of information have been coming to me. When I had
7 enough to ascertain -- and I can't remember if it
8 was that I took the P & B Salvage information and
9 got the name of Willie Pickton or that I had the
10 name, and I can't remember exactly my process
11 there, but I went -- next door to the Missing
12 Persons office is the Crimestoppers office and
13 they have a PIRS terminal, which is the RCMP
14 record management system, and so I went in there,
15 and because I think I had run Mr. Pickton on CPIC,
16 which is the Canadian Police Information Computer,
17 and I do what's called a level 2 check. I had
18 seen a couple of entries that were stay of
19 proceedings. One was an attempt murder and one
20 was a forcible confinement and I thought that
21 sounded interesting, went into the Crimestoppers
22 office and I ran his name through the PIRS
23 terminal. And I had to get the constable there to
24 show me how to do it. I had never done it before.
25 And the -- I guess we're calling it Anderson file

1 incident came up for me and so -- there's just
2 basically a synopsis in that information. It's
3 not very detailed, but it gave me a case number.
4 I believe it gave me Corporal Connor's name as the
5 investigator. And in reading this little
6 synopsis, it was a sex worker from the Downtown
7 Eastside taken out to Mr. Pickton's property. It
8 was a very brutal fight and that Ms. Anderson was
9 almost killed, and this whole story. Then I felt
10 like that warranted further investigation. So my
11 next step, I think, was to contact Corporal Connor
12 because I wanted to see the file.

13 Q And if I could just back up because those are the
14 steps that you took after you received the tip to
15 learn more about -- about -- about Pickton, but
16 what was it about the tip itself that caused you
17 as the investigator looking into the disappearance
18 of the missing women that was interesting to you?

19 A Well, I mean right away I was struck by a lot. My
20 first thought was this isn't -- this is not the
21 first time someone's done this, this person. I
22 thought -- I thought this is -- you know,
23 obviously my thought was this is the kind of guy
24 we're looking for and this is the kind of thing
25 this might be the only person who's gotten away

1 from him, and so I was thinking in those terms. I
2 certainly didn't think we've got our guy for
3 everybody, but I thought this was extremely
4 compelling to me and I thought this was the kind
5 of information that showed -- that showed someone
6 who would fit our victimology as a victim. It
7 showed someone who had the predisposition to
8 commit this kind of violence. And when I came to
9 read the file -- and I guess we can address this
10 later, but -- I'll stop there, but I felt like
11 this was very compelling.

12 Q Well, could you just -- and I guess I'd just --
13 I'd like you to just be a bit more specific, so
14 maybe you could just reference this Exhibit 80,
15 which is the summary, and just -- and the content
16 of the tip is laid out there, and show us exactly
17 what kind of information made you feel really
18 interested in pursuing this, that you saw some
19 connection to the work that you were doing.

20 A Well, in the tip, you know, the mention obviously
21 of Sarah de Vries because there was a mention that
22 this person -- that Mr. Pickton had killed Sarah,
23 so immediately that was very compelling to me.
24 And the idea that he had a large property and that
25 he had what seemed quite clear to me as the

1 ability to dispose of bodies was something that
2 even in my first couple of days hadn't been lost
3 on me, and that when you -- when I was thinking
4 about these files, I'm thinking, well, could these
5 be drug debts, could these be domestic violence
6 situations, what could these be. All of those
7 things, Mr. Commissioner, speak to bodies being
8 found. And so I was very mindful that we were not
9 findings bodies and my thought was we're not
10 finding bodies because we're dealing with someone
11 or people that have the ability to dispose of
12 them. So when I read this information about the
13 grinder, that kind of thing, I thought bingo.
14 This is the kind of guy we're looking for.

15 Q You said that after you received the tips you went
16 to -- you did the CPIC check, you got his criminal
17 record and then you went to the PIRS terminal.
18 Had you ever used the PIRS terminal before?

19 A No. Constable Malcolm had to show me how do it.

20 Q Did you prepare any sort of background on Robert
21 Pickton at that time, a background profile of him?

22 A I didn't prepare any sort of background really
23 other than, you know, I would have printed out
24 those documents to -- to -- to add to the file,
25 the CPIC and the PIRS and that sort of thing. And

1 I needed the PIRS printout to have Mike Connor's
2 information to be able to contact him, that sort
3 of thing.

4 Q After you receive these tips, do you seek any
5 advice from any of your supervisors about what to
6 do with this information, how to handle this
7 potential informant?

8 A Well, I know that I -- I can't remember if Al
9 Howlett was around that week. My impression was
10 he wasn't, but I'm not positive. But I do
11 remember I did -- I did let Geramy know that I had
12 found this and that I wanted to pursue speaking to
13 Corporal Connor and said I want to ask for that
14 file. I think I even asked her if that was
15 appropriate, to ask for a file, because at that
16 point I wasn't sure sort of what the etiquette was
17 around those kinds of things, and she said, "Go
18 for it. Let me know how it works out" kind of
19 thing.

20 Q And turning to the time line, then, item number 7,
21 you do speak with Corporal Connor. And Corporal
22 Connor's an investigator in the Coquitlam Serious
23 Crime Unit?

24 A That's correct.

25 Q And he's an experienced investigator?

1 A Yes. My impression was he's very experienced.

2 Q Did you know of his reputation or him before you
3 started dealing with him?

4 A I didn't, but I recall some of the Homicide
5 investigators saying that they had known of him
6 and that he had worked on a number of serious
7 crimes and homicides and he was very experienced.

8 Q Did that give you some comfort, knowing that you
9 were dealing with someone very experienced on
10 this -- on this matter?

11 A I wouldn't say necessarily comfort, but in my --
12 in my initial call with him, I felt quite
13 reassured that he was definitely a good person for
14 me to be talking to and that he had far more
15 experience than I did.

16 Q So what did you discuss with him in that -- when
17 you first contacted him?

18 A Well, I don't know if I recall -- or I don't
19 recall specifics, but I do recall we just sort of
20 battered around information together. He told me
21 a lot about what he knew about Mr. Pickton and the
22 Pickton family, the property, some specifics about
23 the Anderson file. I think we just -- you know,
24 it was a sharing of information really.

25 Q Did you tell him that you were interested in this

1 tip because -- because of the missing women issue
2 that you were looking into?

3 A I don't recall specifically, but I'm sure I would
4 have in the introduction, for sure.

5 Q So you do eventually go out and meet Corporal
6 Connor in person?

7 A Yes.

8 Q And that is item 8 on the time line. And at this
9 point you haven't actually spoke to Hiscox yet?

10 A No. That's right.

11 Q And what was decided at that meeting with him
12 about how Hiscox should be handled?

13 A I don't really think we decided anything. It was
14 more -- we were really in a -- kind of a let's get
15 further information sort of stage. I don't think
16 there was any kind of proprietary interest in Mr.
17 Hiscox from either of us. I think we just felt
18 like let's try and make contact with him. I
19 think -- I'm not positive, but I think I left some
20 messages already for Mr. Hiscox and that Wayne
21 Leng had had a conversation and had indicated that
22 Mr. Hiscox should talk to the Vancouver Police.
23 So, you know, that was our initial thought, was
24 that we'd make contact with him, find out what his
25 information was and go from there.

1 Q Now, we've heard from Deputy Chief LePard that
2 there was a sort of distinction in your
3 responsibilities in that you were handling Hiscox
4 as -- as the source, that he was your source, and
5 that Corporal Connor was making investigative
6 decisions about what to do with the information.
7 Can you tell us a bit about that? Is that what
8 you recall?

9 A That's my impression, because my sense all along
10 was that Mr. Pickton's property was in -- was in
11 Corporal Connor's jurisdiction. Corporal Connor
12 had experience with him and had tried to prosecute
13 him on this other -- on the Anderson file and
14 that -- it was very much -- it was a very
15 congenial and very, I think, reciprocal
16 relationship in terms of sharing information, and
17 I think we both were just trying to find what the
18 right path was going to be to deal with this, but
19 I certainly felt like -- I felt like I was in a
20 role where I was providing information and -- I
21 was providing information to someone who was in a
22 position to then deal with it.

23 Q Was it your -- was the agreement, though, that
24 Hiscox was your source, that you had sort of
25 control over him?

1 A At that point, yes, I would say so, yes, again
2 with the idea that I was to make the initial
3 contact and see what was to happen with it.

4 Q Does that change at some point?

5 A Well, I think -- you know, I know in refreshing my
6 memory with this that I recall now that there was
7 a point when Corporal Connor communicated to me
8 that Lisa Yelds was going to be approached one way
9 or the other. And I had -- I had been sort of
10 bouncing around different areas with Corporal
11 Connor. I had thought that given her -- her
12 dislike of police and her reticence to deal with
13 police that maybe the approach was to introduce an
14 undercover operator into -- into her life to try
15 to gather more information as opposed to a direct
16 police contact, because I felt like someone with
17 her background may not be that forthcoming.
18 But -- and it wasn't that we disagreed on that
19 point. That was just me as a fairly inexperienced
20 person thinking that's my sense of her from my
21 source, was that that probably wasn't really going
22 to fly. And so when -- when it seemed from
23 Corporal Connor that they were going to approach
24 Lisa Yelds with or without sort of my consent or
25 however you want to term it, I felt like I had

1 lost a little -- you know, I thought, well, I
2 wasn't uncomfortable, but I thought it was -- it
3 made it clear to me that that's -- that really I
4 don't really have any sort of ownership over him
5 nor do I want it, but that was the way the
6 investigation was going to go. And so I spoke
7 with Hiscox and said, "They're going to talk to
8 her." I was concerned about him. I was concerned
9 that in approaching her, it could burn him with
10 her and that she would know that it was his
11 approach to police that had caused the police to
12 come to her door. I was worried about that.

13 Q So that's an event that happens in mid-October, so
14 up until that point it was always your view that
15 you were going to be dealing with Hiscox and
16 making all the contact with him; is that right?

17 A I didn't feel any sort of permanence around that
18 or future focus at all. In the present time I was
19 dealing with him until such time as I wasn't.
20 That's really how I saw it.

21 Q So just moving through -- through the chronology
22 here, then, before you speak to Hiscox, you
23 interview Ms. Anderson?

24 A That's right.

25 Q And that -- and tell us about how -- how you

1 tracked her down.

2 A I was -- I had been looking for her for a while,
3 you know, obviously in addition to all the other
4 things I was doing, but I had spoken to Dave
5 Dickson to see if maybe he knew her and we'd had
6 different conversations. I felt like she was a
7 very important person to interview. Once I'd read
8 her statement from the file, I was very interested
9 in asking her some different things about --
10 about -- of her experience with Mr. Pickton. I
11 was driving to work one morning -- excuse me --
12 and I heard on the radio that a woman in the
13 Downtown Eastside had -- had stolen a police car
14 and driven it into a pole in Blood Alley, so I was
15 listening to this and then they said her name and
16 that she was in custody. I thought, great. I'm
17 going to talk to her.

18 Q Which was quite serendipitous?

19 A Yes. Very much so. And I can't remember exactly
20 what steps I took to confirm she was at the BC
21 Centre -- the Correctional Centre for Women in
22 Burnaby, but I learned she was there and I made a
23 determination in my own mind to give her a couple
24 of days to -- probably to clean up a little bit
25 and -- you know, if she had injuries, I didn't

1 really know, but I thought that I would go out in
2 a couple of days and interview her and so that's
3 what I did.

4 Q And that's item 13 on the time line and that
5 interview takes place on August 21st of 1998. And
6 did you read the -- you said that you read the
7 Coquitlam file, so you read her statement and --
8 before you interviewed her, did you?

9 A Yes. Most definitely.

10 Q So tell us -- you go to meet her in jail. Tell us
11 a bit about her. What's she like?

12 A I found her very disarming. She was very -- I
13 wasn't sure how receptive she would be to speaking
14 with me and so I -- she was smaller than I thought
15 she would be physically. She's not very big. I
16 don't know why I had that impression, but I did.
17 I just told her, Mr. Commissioner, that I wanted
18 to talk to her because I was investigating missing
19 women and that I thought that -- that I thought
20 that her experience, you know, might be relevant
21 to that investigation. I just thought -- I told
22 her I was very interested in anything she could
23 tell me and any impressions that -- impressions
24 she might have as far as what may have happened to
25 the women. And then I just -- she said sure. She

1 was very open to speaking with me, so we just
2 started talking.

3 Q What did she tell you about her incident with
4 Robert Pickton?

5 A Well, she had told me where she had been picked
6 up, which I think was, I think, Princess and
7 Hastings Street, which was very much in the --
8 what I considered sort of the epicenter of where
9 many of our files -- that small, you know, five or
10 six or eight block -- square block world that I
11 think most of my women lived in, so -- and
12 gravitated around, so right away that was
13 interesting to me. I was trying to also
14 corroborate in my mind the veracity of her earlier
15 statement with what she was telling me because I
16 did have -- I had already known that there was a
17 stay of proceedings in that particular incident
18 and I was very curious about -- about why that
19 didn't go ahead for court. And I'd had a little
20 bit of conversation with Corporal Connor about
21 that and it was his impression it had to do with
22 her credibility as a witness. So I was really --
23 I had that in mind. I wanted to ascertain her
24 credibility myself.

25 Q Did she tell you what she understood about why

1 those proceedings were stayed?

2 A Towards the end of our interview I said, "What
3 happened? Why do you think that this didn't go
4 forward?" And she said, "Well, they told me I
5 wasn't a credible witness." And I said, "Why?"
6 And I remember her exact words. She said, "On
7 account of me being an addict." So I said,
8 "Okay."

9 Q So what did she tell you about -- about her
10 interaction or --

11 A Well, she told me where she was picked up. And
12 one -- one slight discrepancy between her
13 statement to the Coquitlam RCMP and what she told
14 me was she said they had driven out by the
15 Lougheed Highway and I think in the Coquitlam
16 statement I think she had said they took the
17 freeway. At the time I didn't question her on it.
18 I just went with it. And she had said that she
19 had -- they had made a deal, a hundred dollars
20 for, I believe, a blow job or oral sex and --

21 Q Can I just ask you did that seem high to you?

22 A Well --

23 Q Was that inexpensive?

24 A Yes, it did. In my experience, you know, twenty,
25 thirty dollars. I had some -- some of the -- some

1 of the johns that I had dealt with offered five,
2 ten dollars for that, so yeah. I thought -- I
3 thought that was significant. I had asked her
4 too. You know, I said, "Is it unusual for you to
5 go out of the Downtown Eastside or out of
6 Vancouver?" And she'd said, yes, but she was
7 pretty drug sick and hoped to -- she said she just
8 kept thinking a hundred dollars, a hundred
9 dollars, and that was kind of her mantra as she
10 went out there. She told me she started to get
11 kind of a bad feeling about him because he just
12 wasn't very talkative and she had been trying to
13 engage him in conversation. And then she said
14 that every time they would approach a light, if it
15 was a red light that he would -- the vehicle -- he
16 would slow the vehicle down quite a distance
17 before the light. So he was timing a light so
18 that he was never coming to a full stop. And
19 she -- that -- she couldn't tell, she said, if
20 that was because she was growing more uneasy with
21 him or if that was making her feel more uneasy,
22 but she said that was all happening for her. At
23 some point she said she noticed a bra on the floor
24 of the truck and she told me that she --

25 Q Sorry. I missed that. A what?

1 A A bra. And she had told -- then she told me that
2 she had actually initially forgotten that when she
3 spoke to Coquitlam, but that that was something
4 she remembered and that -- that caused her to feel
5 concern as well. She -- so they got to the
6 property. And she said they pulled onto the
7 property and she said his trailer was sort of a
8 ways off of Dominion Road to the north. And she
9 said he pulled up in front of this trailer and she
10 said kind of a utility trailer sort of thing. And
11 she was about to get out and then he stopped her,
12 she said, and he said, "Wait", and he got a piece
13 of plywood. And this wasn't in the original
14 statement, but I found it. The way she was
15 telling me it wasn't something that I didn't think
16 that you would make up. But set this plywood down
17 in sort of the front of the vehicle towards the
18 doorway and then he said, "Okay. Now you can --
19 you can walk in." And she thought that was very
20 strange and so I asked her, I said, "Was it
21 raining? Was it muddy? Was there some reason?"
22 And she said there was no reason; that she puzzled
23 it through herself and she couldn't think of any
24 reason why that was relevant at all and she didn't
25 know what the thought was behind that. And I --

1 to this day I really can't think of what the
2 significance of that was. So she went into the
3 trailer. She described it as very dirty, very
4 unkempt. And they -- I think -- I can't remember.
5 I think that at some point he had suggested that
6 they have intercourse instead of oral sex. She
7 agreed. They were already arguing a little bit
8 about money. She was really not having a great
9 feeling about the whole transaction. And so
10 they -- they did the act and then she asked for
11 the money. He didn't pay her. She told me that
12 she just thought, okay. I just want to get out of
13 here. She asked to use the phone. I think he
14 said no. So she reached for the phone book and
15 she started going through the phone book and she
16 said at that point he grabbed her wrist and
17 slapped a handcuff on her wrist and she said right
18 away she just thought I'm in a fight for my life
19 here. And they struggled. She grabbed a knife,
20 reached around and cut him quite significantly.
21 In her description of the struggle, it went on for
22 quite a significant period of time. She said
23 obviously she can't remember everything because
24 she lost a very significant amount of blood, but
25 she remembers at some point she was at the door

1 and he was sort of in and out of consciousness.
2 She was in and out of consciousness. They got to
3 the door of the trailer and he said, "Okay. You
4 can go." And she remembered thinking, I'm not
5 sure I get to go. And she went to start to go and
6 then he grabbed her again and that's when he
7 stabbed her. She showed me. She said it went in
8 and up. And then she remembers -- she remembered
9 thinking, like, you know, you jerk or whatever
10 word she used, but worse than that and, you know,
11 that you tricked me or you pretended you were
12 going to let me go and you didn't. And she said
13 that was very -- just the manipulation around that
14 really resonated with her, obviously, among the
15 whole event. She got out. She ran to the road.
16 She said she remembered holding her insides
17 basically trying to keep them intact. She got up
18 to the road. She crossed the street, started
19 trying to break in or get some attention at this
20 other residence, which I later came to learn was
21 actually Pickton's aunt's house. And there was no
22 one home and then she ran back out to the road and
23 flagged down a vehicle. There was a man and woman
24 in the vehicle. And I guess she -- she remembered
25 she still had the knife in her hand she said, "I

1 felt" -- she said, "I didn't even know I had the
2 knife in my hand and I was holding it and they
3 were" -- she said, "They said to me they were
4 scared of me and I didn't understand why they were
5 scared of me", and then she realized that she had
6 the knife, so she put it down. And she said she
7 was convinced she was going to die and she wanted
8 them to know she wasn't a bad person and she kept
9 saying, "He was going to kill me. I had to." She
10 thought there would be a way that this would all
11 be turned around and they would -- the police or
12 whoever was involved would think that she had
13 tried to rob him or stab him and she wanted the
14 record straight because she really felt like she
15 was going to die.

16 Q Now, you said that Corporal Connor had told you
17 about the circumstances as he understood them with
18 respect to the stay and that her credibility might
19 be an issue. What assessment did you make about
20 her credibility?

21 A There was nothing in my interactions with her that
22 would have made me question her credibility at
23 all.

24 Q Now, you mentioned that you reviewed the statement
25 from the file before the interview. And if you

1 could just go to binder 1. And this is in the B
2 section of the binder at Tab 6. And if you could
3 go to -- at the bottom left corner there's page
4 numbers and those are the page numbers I'll refer
5 to. And it's page 114. And this is an interview
6 with her and Constable Strachan is asking
7 questions at this point and he's asking her about
8 whether there was a bed set up and she says at the
9 top of page 114 rather out of the blue:

10 No. I know it. I just know there's broads
11 on that property.

12 What makes you think that?

13 I just have a feeling there is. I just have
14 a feeling there's girls on that property
15 somewhere cause there's lots missing from
16 downtown.

17 People that you know?

18 Uh huh.

19 Is there any recently and can you remember
20 any names at all?

21 And then she says she had to go to the -- to the
22 needle exchange.

23 But I just bet you that you'll at least find
24 one anyways if that place was hunted down.
25 But maybe not now cause he's been released,

1 right. He probably got rid of it. You know
2 what I mean?

3 Did you ask her about what she meant by that?

4 A Yes, I did because when I initially told her what
5 I was doing, I knew that she was alive to that, so
6 when she was done recounting her story, I said,
7 "You indicated to Coquitlam that -- that you had
8 felt that there were other women on that
9 property," and I asked her to elaborate on that
10 and she said, "Well, I just -- it makes sense.
11 This is the kind of place and he hasn't done -- he
12 must have done this before." But she -- it was
13 very much in general terms. It was her
14 suspicions. And I asked her, "Was that based on
15 anything specific?" And she said, "Well, no, but
16 look what happened to me." And I had to agree
17 with her. So that was the kind of -- that was my
18 question around that.

19 Q You also knew from the audio tape from Wayne Leng
20 with respect to his conversation with Pickton that
21 Pickton was -- was saying that he wanted to get
22 someone to take her out to the farm so he could
23 take care of it from there. And do you recall
24 that?

25 A Yes, I do.

1 Q And what did you understand that to mean?

2 A I understood that he wanted -- he wanted Ms.
3 Anderson dead. I learned that he blamed her for
4 contracting hepatitis and that he wanted someone
5 to help bring her back out. He didn't think he
6 could convince her to get into a vehicle with him,
7 so he wanted someone to do that for him and that
8 that was his plan, was to kill her.

9 Q Did you speak to Ms. Anderson about that threat?

10 A Yes. Absolutely. I -- I -- towards the end of
11 our interview, I said, "I really think you're the
12 only one who's gotten away from him." And she
13 sort of nodded and said, "I think so too." And I
14 said, "You know that he's trying -- he's been
15 trying to bring you back out to the farm. He
16 wants to kill you." And she said, "Well, no. I
17 didn't know." And I said, "Well, you know, I
18 don't know what your plans are when you leave
19 here, but this might be a -- a really good
20 opportunity for you to clean up or to try to -- to
21 try to make a new start because I'm very
22 concerned." And I expressed my concern. I said,
23 "I'm really worried that you'll go back to the
24 Downtown Eastside because someone" -- I said, "So
25 far it seems like no one has agreed to this

1 proposition that he's made, but", I said, "I'm
2 very, very worried about you." And she said she
3 was -- you know, I mean if I had a dollar for
4 every time I heard this, but she said, "Well, I'm
5 going to get out. I'm going to get clean. I'm
6 going to get my kids back." And all I could do
7 was hope that her hope was genuine, that she could
8 do that.

9 Q Ultimately was the information that you learned
10 from Ms. Anderson helpful to you and important in
11 terms of developing your working theory about what
12 was causing the disappearance of the women?

13 A It was very helpful. I mean it was exactly the
14 kind of scenario that I had envisioned and it was
15 frustrating as well. I was very frustrated, Mr.
16 Commissioner, by -- you know, I didn't -- I've
17 never come to know why these charges were stayed
18 and I'm sure that this commission will find that
19 out, but I found it incredibly frustrating that
20 that was the -- potentially the perception and
21 that her evidence wasn't heard. Part of that was
22 I remember discussing with Corporal Connor this
23 point and he said, you know -- I had learned that
24 medically Ms. Anderson had actually -- had
25 acutally effectively died on the operating room

1 table a couple of times and that she had had no
2 heart rate. And both Corporal Connor and I felt
3 that had she died -- which is as morbid a thought
4 as it is, but had she died, you know, we probably
5 would have had a slam dunk murder conviction
6 without her testimony. And so I was very
7 frustrated with that, but I didn't know all the
8 circumstances around it.

9 Q So just on that point, detective constable, if you
10 could turn to -- actually, it's a new exhibit.
11 Could you put Exhibit 34, Mr. Giles, before the
12 witness? And this was a report that was prepared
13 by an independent expert retained by the
14 commission. Her name is Deputy Chief Jennifer
15 Evans. And she did a review of the investigation.
16 And if you could just turn to page 8-57.

17 A Is there a specific tab that's under? Oh, no.
18 Sorry.

19 Q And for the most part she's very complimentary of
20 your efforts, but there are a couple of places
21 where she suggests further investigative steps
22 should have been pursued and I just would like to
23 give you an opportunity to respond to those. So
24 if you could just turn to that page. And have you
25 read her report?

1 A Yes. Not in huge detail, but I've had a look at
2 it.

3 Q So if you just go to the bottom of page 8-57,
4 you'll see she says -- and this is just up a bit
5 from the bottom paragraph there:

6 Detective Constable Shenher's notes indicated
7 that she left it with her to try to find out
8 from any street girls she may know if anyone
9 has seen Pickton in the area before or since
10 her incident.

11 By the way, did you have any discussions with her
12 about that after you met with her?

13 A I -- I don't -- if you're asking did I direct her
14 to see if she -- is that --

15 Q Well, that seems to be implied here.

16 A Yes. That's not my recollection of my
17 conversation with her, no, not at all.

18 Q Okay. Then next:

19 She was very cooperative and struck me as
20 quite credible and very afraid of Pickton.
21 Her biggest concern was him finding her
22 somehow.

23 And then Deputy Chief Evans expresses this
24 opinion:

25 The concern raised by Victim 97 was a

1 legitimate one which was not pursued by
2 Corporal Connor nor by Constable Shenher with
3 a Crown attorney. During Corporal Connor's
4 interview he advised he spoke to Victim 97 or
5 her mother and relayed this information and
6 warned her that she should be careful if she
7 was in the Downtown Eastside. I believe that
8 this avenue should have been pursued in light
9 of the information that Pickton may have been
10 seeking retribution against this victim.

11 And I just wanted to invite your comments on her
12 opinion there about whether that was an
13 investigative strategy that you considered and
14 thought was viable?

15 A Excuse me. Well, I -- I wholeheartedly agree with
16 her that that should have been explored, and my
17 understanding in my dealings with Corporal Connor
18 was that he knew Ms. Anderson's mother. He'd had
19 interactions with Ms. Anderson. The event had
20 happened and he was the lead investigator. He
21 would take it upon himself to communicate this
22 information to them again and to do anything
23 around that that needed to be done. I left that
24 in his hands. And no -- I guess, if anything, I
25 guess that could have been clear, but that was my

1 impression, was that he was handling that avenue.

2 Q So if you could just turn now to -- we're done
3 with that exhibit -- to the counsel aide-memoire
4 number 2, which is the summary of William Hiscox.
5 This shows that you had a number of discussions
6 with Hiscox between September 2nd of 1998 and
7 August 6th of 1999. Can you just tell us first
8 about Hiscox? What's he like?

9 A He's -- I liked him. I thought he was -- he's a
10 good person. He -- he had a moral compass in a
11 bit of a milieu that really you didn't see a lot
12 of that around this farm and the people that were
13 associated with it, and that's something that
14 struck me about him right away, is that he just --
15 he had a lot going on in his life in terms of
16 different crises, substance abuse problems,
17 domestic violence problems. He had a lot going on
18 and yet he felt it important enough -- you know,
19 he said, "If this is what's happening out here,
20 someone needs to come forward. This needs to
21 stop." He had, I think, a daughter and he said,
22 "If this was my daughter, this is what I would
23 want." And, you know, it was pretty hard to argue
24 with that. He was very clear in his information
25 that it really didn't waver. He was consistent.

1 He was -- he had a sense of right and wrong and he
2 felt like what was happening out here from what he
3 understood was wrong. And so despite the fact
4 that he had a lot of other things that he could
5 concern himself with selfishly, I think that he
6 took this step for no gain of his own. I think
7 that -- you know, he never asked me for money.
8 You know, in what I know of informants, there was
9 often a motivation. I think his only motivation
10 was to do the right thing. And, you know, he
11 didn't come to me and say, "I need -- I need you
12 to pay my phone bill" or, you know, "I'm in
13 trouble here." He didn't ask me for anything
14 ever.

15 Q And in terms of your assessment of his
16 credibility, what did you find?

17 A I felt his information was very compelling. It
18 seemed to mesh with what I was learning and I had
19 no reason to doubt it. You know, was he -- was he
20 an easy person to meet with and get ahold of? No,
21 Mr. Commissioner. He wasn't. But I -- I accepted
22 that as part of the territory and that didn't --
23 that didn't affect my perception of his
24 information at all. I felt like he was very
25 clear. He didn't waver. You know, even if time

1 went by he -- you know, that didn't waver.

2 Q In terms of the information that he was providing
3 you, what was helpful for you in terms of
4 advancing the investigation?

5 A I think just, you know, obviously the information,
6 but I think that --

7 Q What part of the information was useful for you?

8 A Oh, well, I guess to go back, the layout of the
9 farm in terms of the fact that it sounded quite
10 conceivable that the bodies could be disposed of
11 there or hidden, the fact that he had been privy
12 to either thirdhand -- to thirdhand conversations
13 later on about the chipper and these offers to
14 dispose of bodies and help people do that kind of
15 thing. Just his knowledge, the knowledge that he
16 was accumulating about the farm was helpful to me.

17 MS. BROOKS: And maybe, Mr. Commissioner, if you would like to
18 take the break now, we'll come back and talk about
19 the investigative strategies. I'm wondering --
20 I'm obviously in your hands, but if we could come
21 back at 1:45.

22 THE COMMISSIONER: All right. That's fine. Everyone's
23 agreeable to that? Thank you.

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

25 **(PROCEEDINGS ADJOURNED AT 12:31 P.M.)**

(PROCEEDINGS RESUMED AT 1:45 P.M.)

THE REGISTRAR: Order. The hearing is now resumed.

Ms. Brooks: Mr. Commissioner has drawn to my attention a couple of housekeeping matters I have to deal with. On Exhibit 80, which is the summary of contact with William Hiscox, on the second page the dates beginning with September 4th down through to September 16th says the year is 1999. It was, of course, 1998. So counsel can make that change and we've updated the exhibit with Mr. Giles so it will be corrected on the record. And at Tab -- binder 1 at -- under A, Tab 27, there is a handwritten note that I made on the document and it has been inadvertently photocopied in with the materials, so if counsel could just redact that.

THE COMMISSIONER: All right.

MS. BROOKS:

Q Detective Constable Shenher, before the break we talked about -- we were talking about the information that you found was valuable from your dealings with Hiscox and I would like you just to be a bit more specific about how the information you learned from him really fit the circumstances as you understood them in terms of the missing women. So if you could just take us through that

1 briefly in terms of your interviews with him,
2 which I note were on September 2nd, the 18th and
3 then October 15th.

4 A Sure. Well, the initial information that Mr.
5 Hiscox provided me was that Mr. Pickton was a very
6 creepy guy, that he frequented the Downtown
7 Eastside. He often used the services of sex
8 workers, that he had personally offered Mr. Hiscox
9 the use of his grinder if Mr. Hiscox ever wanted
10 to dispose of any bodies. He also through his
11 friend Lisa Yelds, Mr. Hiscox's friend Lisa
12 Yelds -- she had reported to him that she had seen
13 -- she used to clean Mr. Pickton's trailer and she
14 reported that she had seen bloody clothing in
15 bags -- that was the exact wording -- in Mr.
16 Pickton's trailer and that there was women's ID
17 that she believed was -- could have been enough ID
18 for 10 different women. And there was some talk
19 of a purse that had some First Nations
20 significance or insignia on it.

21 Q And sorry. Can I just stop you there?

22 A Sure.

23 Q So in terms of this information so far, then, of
24 course, the grinder, that would be consistent with
25 the fact you didn't have any bodies. You were

1 learning about multiple IDs in purses and that's
2 consistent with the number of women that are going
3 missing. And then you just mentioned that there
4 was a First Nations insignia on one of the pieces
5 of -- of one of the items. And was there First
6 Nations women that were missing as part of that
7 group?

8 A Well, yes. Each of these points that I make I
9 think warranted specific examination and had a
10 specific application to our files and that was
11 my -- so taking all of this information both point
12 by point and in its totality, I felt it was very
13 relevant to our investigation. I immediately
14 thought of Janet Henry as a possible for the purse
15 and I remember speaking to her sister Sandra
16 Gagnon fairly quickly after I received that
17 information, just trying to get a sense of whether
18 she had, you know, a purse that had any sort of
19 First Nation dreamcatcher on it or anything like
20 that. I was just trying to kind of orient myself
21 to who that could be at the time given the women
22 that we had missing at the time.

23 Q Hiscox also told you that Pickton had ordered a
24 bunch of syringes. What did you make of that
25 information?

1 A Yes. That -- I found that very, again, compelling
2 because -- because I felt like that's again not
3 something someone's going to make up and I thought
4 okay. What is the significance? It was six --
5 Lisa Yelds had related this to Hiscox: That there
6 was six syringes -- sorry -- twelve syringes, six
7 clean, meaning never been used before, and six
8 dirty ones. And I -- I really couldn't speculate
9 on why. I remember asking Hiscox, "Why do you
10 think six dirty, six clean," and he had no idea
11 either, but I thought that was --

12 Q That information would have been helpful in terms
13 of the victimology and the drug issues that you
14 understood the women to have?

15 A Well, certainly in general terms just the fact
16 that they were syringes, it made me think right
17 away that Mr. Pickton is either offering these to
18 the women or he's using them in some way, but the
19 fact that half dirty, half clean made me start to
20 think that he was injecting them with something,
21 either some kind of illegal illicit substance or
22 some kind of chemical substance that I really
23 didn't know, but these were some of the things
24 that were going through my mind when I saw that.
25 Sorry. I'll just work through here just to

1 refresh myself. I knew from this information that
2 Mr. Pickton was not an IV drug user, that he
3 had -- that he had -- that Yelds had had some
4 concerns in the past about Pickton. She relayed
5 some stories to Mr. Hiscox about she had dated
6 Pickton in the past. Now they were friends and
7 she had thought that she had been drugged by
8 Pickton at some point. She had recollections of
9 socializing with him and then blacking out and
10 coming to and finding Mr. Pickton fondling her in
11 a sexual way, and she had no recollection. She
12 felt she had been drugged. And I asked Mr. Hiscox
13 if he had asked Ms. Yelds if she had ever
14 questioned Pickton on this and she said she
15 hadn't, but she said there was, you know, sort of
16 a weirdness between them after that, but not
17 enough that made her not be friends with him
18 anymore.

19 Q And what about the fact that he was keeping things
20 like -- or apparently was keeping things like
21 bloody clothing in bags and that there were these
22 women's IDs? What did you understand about that
23 in terms of serial killer or profiles generally?

24 A Well, you know, in relation to your earlier
25 question of a bit about my background and

1 training, I had forgotten to mention I had been to
2 a lot of the VPD Homicide conferences prior to my
3 assignment here and that those conferences usually
4 have investigators from all kinds of
5 investigations around the world that will come and
6 give a case overview of their cases. So I had
7 a -- you know, I had a fairly good grounding in
8 some of the more high-profile investigations
9 around the world when we would get those people in
10 to speak. I had a very, you know, clear
11 understanding of the notion of trophies and that
12 many serial sex offenders as well as serial
13 murderers will keep trophies of their, I guess,
14 conquests, if you will. And so that was something
15 that I was quite cognizant of. Sergeant Field and
16 I, that file I had alluded to earlier that we had
17 worked on when she was in Sex Crimes Unit and I
18 was in Strike Force had a trophy element to it as
19 well. So right away my thought was these were
20 trophies. And I think they were characterized to
21 me as that by Mr. Hiscox, bloody clothing in bags.
22 Like, he keeps them like trophies was the kind of
23 thing that was said. And so my understanding of
24 all that is these are all the kinds of things that
25 we were looking for in trying to substantiate, you

1 know, him as a person of interest.

2 Q So I'd like to ask you some questions now about
3 some of the investigative strategies that were
4 pursued as a result of this information. Now, did
5 you ever prepare a written plan about what to do
6 with this information or some kind of assessment
7 about Hiscox generally? I didn't see anything
8 like that in the documents.

9 A I don't believe so aside from my source log, but
10 no. There wasn't any sort of strategic plan.

11 Q Did you have any consultation with any of your
12 supervisors about what to do with this
13 information?

14 A Well, I'd had certainly some conversations with
15 Sergeant Field, but I had also had some with Staff
16 Sergeant Giles at the time, and some of those were
17 with respect from a source handling perspective.
18 But in terms of where to go forward, I felt
19 that -- I felt that my contact with Corporal
20 Connor and our ongoing communication was
21 essentially the plan at that point.

22 Q Well, in terms of investigative strategies, if you
23 could turn to the first binder under B, Tab 3 at
24 page 11, using the page numbers on the bottom left
25 corner. This is an entry from Corporal Connor's

1 log and dated November 4th, 1998. It's in binder
2 1 under B, Tab 3 and the page number is 11. The
3 log entry is November 4th, 1998. So Corporal
4 Connor notes that you had called him and that you
5 had been speaking with your supervisor, Staff
6 Sergeant Giles, and that you stated that the
7 department was more than willing to provide monies
8 to advance the investigation. And there's a
9 number of areas that are set out there. And maybe
10 you could just go through them with us and what
11 those strategies would involve.

12 A Sure. In my -- in my conversations with Staff
13 Sergeant Giles, I had communicated to him that I
14 felt from my position and knowing my source that
15 the most effective way for us to find out more
16 about what was happening on the farm was to embark
17 on an undercover operation with Lisa Yelds as the
18 target, and I felt that if that could be
19 successfully undertaken, we could get more
20 information on what was happening on the farm.
21 And he agreed with that. I also, you know, had
22 concerns with my source because I felt that I
23 wanted to ensure his safety and that because he
24 was so forthcoming with this information, I wanted
25 to make sure that we were definitely protecting

1 him from any sort of repercussions for him working
2 with us if it were to come to light that he were
3 working with us. And I think -- I don't remember
4 the chronology of this, but that may have also
5 been partially in relation to when the RCMP had
6 indicated that they wanted to go ahead with Yelds
7 sort of with or without my source. I was a little
8 concerned about that and that may have been where
9 that came from or I may have just been --

10 Q That was on October 13th and we'll go over that
11 particular piece.

12 A Okay. Thank you. The FLIR photography, that was
13 an area that we actually looked at quite in depth
14 because my understanding of that technology is
15 that it could -- it could detect heat in the form
16 of animal or live organic organisms, I guess, is
17 probably the best way to describe it. So we
18 thought -- part of my sort of picture in my mind
19 of what might be going on on the farm was that
20 given all the heavy equipment out there, Mr.
21 Pickton could have been digging, you know -- I
22 wondered maybe if he had a bunker, sort of an
23 underground chamber, if you will, where some of
24 the activities might be taking place. I really
25 didn't know. So we thought that might be a way to

1 get kind of an aerial view of the property and see
2 if we had any what they call hot spots, which are
3 essentially showing where there could be organic
4 matter that's -- that's causing -- from what I
5 understand, basically it goes red on this
6 photography.

7 Q Was that carried out?

8 A I believe it was. And I can't recall -- I think
9 that was at Coquitlam's initiation. I'm pretty
10 sure of that. And Staff Sergeant Giles also had
11 suggested to me that perhaps we could work
12 together with Coquitlam to Unsolved -- and
13 approach Unsolved Homicide to see if we could
14 bring them on board to assist.

15 Q Were you deferring to your supervisors for
16 direction about how to do these
17 multi-jurisdictional investigations or was that
18 something that you had experience with in the
19 past?

20 A No. I was absolutely deferring to them. I had no
21 experience with that aside from multi-jurisdiction
22 surveillance.

23 Q And just on that last point, then, because we'll
24 deal with the undercover piece shortly, but if you
25 could go to the next entry in Connor's log below

1 of February 10th, 1999. So this is a few -- three
2 months later. There's a meeting and the -- and
3 Corporal Connor states that:

4 The purpose of this meeting was to determine
5 if any further information had come to light
6 and the viability of continuing the
7 investigation as known to date.

8 And if you flip over to the next page:

9 It was agreed that given the information
10 known it would be unwise at this stage to
11 conduct the investigation without attempting
12 to verify or disprove the information.

13 Do you recall this meeting?

14 A I just want to correct you. I think you said
15 unwise to conduct and it was unwise to conclude,
16 just to be clear.

17 Q Thanks.

18 A I do recall that, yes.

19 Q And at this meeting it's -- UHU says that the
20 information was interesting, but would not be in a
21 position to assist until there was no doubt that
22 this individual was involved in a specific or
23 group of homicides. What did you -- what kind of
24 evidence did they need when they say "no doubt"?

25 A I took that to mean they weren't going to proceed

1 without a body.

2 Q And going down the page, Corporal Connor
3 determines it's necessary to prove that Pickton is
4 in the Downtown Eastside picking up prostitutes
5 and he states that the shortest point between
6 those two points would be to do a photo canvass.
7 Do you recall having discussions about that?

8 A Yes, I do.

9 Q And that was agreed to?

10 A Yes. We agreed to get a team together, several of
11 our investigators, Corporal Connor and a couple of
12 his GIS investigators from Coquitlam in and kind
13 of blitz -- blitz the Downtown Eastside over a
14 night or two that month and -- I think it was that
15 month or the following month to see if we could
16 get any positive identifications of Pickton from
17 his photograph.

18 Q In terms of how that turned out, if you just go
19 back to the time line, which is Exhibit 79, at
20 item 40. Corporal Connor's contacted you and
21 advised you that they can't assist because there's
22 higher priority files, which we understand were --
23 involved a bank robbery, and so you carry out the
24 blitz with just VPD officers; is that right?

25 A That's correct.

1 Q And that is conducted on February 19th and 20th?

2 A That's right.

3 Q So tell us about what you did there.

4 A My recollection of it is not great, but I remember
5 we went out. There was several of us. I couldn't
6 even remember without some notes specifically who,
7 but we showed -- we showed Mr. Pickton's photo to
8 I think 60 or 70 women if I'm not mistaken.

9 Q Where did you get the photo of him?

10 A I think it was one that Corporal Connor provided
11 from -- from the Anderson incident, but I wouldn't
12 be able to say for sure. My recollection, I don't
13 know for sure.

14 Q So you went down to the strolls, did you, and walk
15 around. And what did you ask the women about him?

16 A Just, you know, "Have you ever seen this guy down
17 here? Have you had any dealings with him in the
18 past?" Just any information we could. "Do you
19 recognize him," and that kind of thing.

20 Q Did you tell them why you were asking them?

21 A I think we would have identified ourselves as
22 working on the missing women, because often if you
23 use that as an opener, I found I got better
24 response from the sex workers.

25 Q Were you wearing a uniform?

1 A No. We were all plain clothes, I think -- except,
2 I think, Dave Dickson. I can't remember if he was
3 or not.

4 Q And what was the result?

5 A I don't recall anyone picking him out. That's my
6 recollection of it.

7 Q We understand from Deputy Chief LePard that
8 Dickson's view is that many of the women may not
9 have said that they knew him because they were too
10 afraid to speak out. What do you say about that?

11 A Well, I certainly -- I have that view now in
12 hindsight. I don't recall whether Constable
13 Dickson had that view at the time. He may have,
14 but I don't recall him expressing it.

15 Q And in terms of what you made of that information,
16 if you go down to item 42 on the time line, it
17 states on February 24th, 1999 that you advised
18 Corporal Connor that the Downtown Eastside was
19 canvassed and no one picked out Pickton and that
20 you were inclined to think that Pickton doesn't
21 frequent the East End prostitutes. Do you recall
22 having that discussion with him?

23 A I don't recall the discussion specifically, but I
24 recall having that impression that -- and that
25 was -- I came to that -- you can call it a

1 mind-set, but I started to come to that theory
2 both based on the fact that no one was picking him
3 out but also from the Anderson file, I thought,
4 because he seems to be wanting someone else to go
5 to the Downtown Eastside. I got the impression
6 that he didn't want to go down there anymore and I
7 have some recollection that Mr. Hiscox had said
8 that Pickton was less inclined to go to the
9 Downtown Eastside because he felt he had gotten
10 hepatitis from someone down there, but, like I
11 said, I can't remember specifically.

12 Q But you weren't excluding him in terms of his
13 viability as a suspect on that basis?

14 A No. Absolutely not.

15 Q Did you take any other steps to try to link him to
16 the Downtown Eastside?

17 A Well, I think that I had had him flagged on CPIC
18 for his -- for his -- any checks by police on
19 his -- on his person or his vehicle or anything
20 like that. I had done that.

21 Q Did you ever go to any -- any of the bars? I mean
22 we understand that he went to the Astoria. Did
23 you ever stop in and talk to the bartenders there
24 and ask if they had seen him?

25 A I don't recall ever doing that and it probably

1 would have been a great idea.

2 Q What about going to the SROs where some of these
3 women lived and showing his photos to the manager
4 that worked there? Is that something that was
5 ever done?

6 A That I don't believe was done. Again, it would
7 have probably been helpful.

8 Q Now, I'd like you to look at another comment that
9 Deputy Chief Evans makes, so if you have Exhibit
10 34. If you could go to page 8-71. Perhaps you
11 could also open binder 1 under B, Tab 11. So this
12 is dealing with the value of an offline CPIC
13 search. Can you just tell us what does an offline
14 CPIC search show?

15 A Well, I believe it shows -- it will go back in
16 time and show all the different times that
17 different people or police units ran a person's
18 name through CPIC and it'll give you, you know,
19 usually dates and times. It'll give the terminal.
20 I think it's called OI number, which references a
21 specific CPIC terminal. They're all numbered out
22 of Ottawa and that's -- and that's what it would
23 refer to.

24 Q And under the date 17 March, 1999 Deputy Chief
25 Evans states:

1 Detective Constable Shenher requested an
2 offline CPIC search be conducted on Pickton.
3 She received the results of this query the
4 following day. I would have expected that
5 this would have been done much sooner after
6 receiving information relating to Pickton.

7 Can you tell us why this wasn't done sooner?

8 A Well, other than to say that I was extremely busy;
9 that it was an oversight on my part.

10 Q Was it a tool that you were familiar with at the
11 time?

12 A I knew that there was the ability to do it. I
13 don't think I probably had turned my mind to the
14 value of it at the time.

15 Q And no supervisor or anyone told you about that as
16 a tool?

17 A No.

18 Q And at the bottom of the page she notes that's an
19 excellent investigative strategy.

20 At this point in time if it had been done, it
21 would have revealed contact with the police
22 in the Downtown Eastside, which should have
23 been followed up on.

24 And then on the following page she sets those out
25 and you can see that there's a couple entries

1 there before the photo canvass was conducted on
2 February 17th. And so if this had been done
3 earlier, this might have been the quickest way
4 between the two points that Connor was referring
5 to in terms of placing them in the Downtown
6 Eastside; do you agree with that?

7 A Absolutely. I think that's an oversight on my
8 part.

9 Q Now, in terms of other investigative strategies,
10 we've heard in these proceedings issues around
11 whether a warrant should have been obtained at
12 this point in time after the information was
13 learned from Hiscox and Ms. Anderson. Is that
14 something that you turned your mind to?

15 A I certainly turned my mind to it. My thought from
16 some of my experience was that, first of all, the
17 information that Mr. Hiscox was providing was --
18 the most relevant information was thirdhand
19 through -- through Miss Yelds. I had no sense,
20 nor did Mr. Hiscox, of the recency of the
21 sightings of these items. And my sense had been
22 for a warrant you would need to have some sort of
23 recency for these items to have been seen. I
24 certainly ran -- ran this information by many of
25 my colleagues in the Homicide Section, by Sergeant

1 Field to just, "Do I have enough here? No. I
2 don't think so either," because I really didn't
3 think I did, but I certainly wasn't going to rely
4 on my experience to be the definitive word on
5 that.

6 Q Corporal Connor, did he bring up the idea about --
7 of getting a warrant?

8 A No, he did not.

9 Q If you could go to binder 1 under B, Tab 1 at page
10 7. This deals with the proposed undercover
11 operation with Lisa Yelds. And you've already
12 referenced some of this, but perhaps you could
13 just read your log entry there to refresh your
14 memory and then you can tell us about what kind of
15 an approach was being considered here. If you
16 could just read it out loud.

17 A Oh, I'm sorry. Sure.

18 Source said --

19 Source meaning Hiscox.

20 -- said Lisa Yelds has told him within the
21 past week that Pickton has some "weird things
22 around the house" and this led to her saying
23 he has several women's purses, items of
24 jewelry, and bloody clothing in bags and that
25 her impression is he keeps them as trophies.

1 She told source that she believes Pickton is
2 a serial killer, which again led me to ask if
3 she is afraid, et cetera and source said Lisa
4 Yelds...didn't give a crap and I'd have to
5 know Lisa Yelds to understand why she'd
6 remain friends with a suspected serial
7 killer. Source said it didn't surprise him
8 Lisa Yelds wouldn't be too fazed by Pickton
9 generally, but that she had on some occasions
10 said she had concerns about Willie drugging
11 her in the past and she would be careful
12 around him.

13 Q Okay. If you wouldn't mind, Detective Constable
14 Shenher, reading now from the last paragraph on
15 that page, on the October 13th, 1998 entry,
16 because I think this is the notation where it's
17 considered about the undercover operation.

18 A

19 Tracked source down in Maple Ridge Treatment
20 Centre. Left message for him. He returned
21 my call within an hour. I told him Coquitlam
22 RCMP were asking if there was a Lisa Yelds in
23 my information. Had to say yes. Told him
24 they want to contact her, but wanted to check
25 with me first. I told them I thought it

1 wasn't a good idea and that I wanted to speak
2 to the source first. RCMP gave me the
3 impression they would either talk to her with
4 or without me and source, so I told them --
5 That's a typo there, but I meant to say I.
6 So I told them I'd speak to source and my
7 supervisor and call them back. Source is
8 concerned. Doesn't want us to go to Lisa
9 Yelds and feels he has done enough giving
10 this info to us and does not want his name
11 any further involved. I asked if he was open
12 to me bringing Mike Connor of Coquitlam out
13 to meet with him and he said he would trust
14 whatever I decided and do what I thought was
15 best. I told him I personally felt passing
16 him over to the RCMP was better than them
17 going straight to Lisa Yelds and he agreed.
18 He said he would prefer to be out of this
19 sooner than later. Left it that I'd call him
20 when we were coming out to see him.

21 Do you want me to carry on?

22 Q No. I think that's fine. So here we have the
23 RCMP wants to speak with Lisa Yelds; is that
24 right?

25 A Yes.

1 Q And you're talking to Hiscox about possibly
2 handling -- handing him over to the RCMP?

3 A That's right.

4 Q And so what are -- what's going on here?

5 A Well, I'm still of the mind-set that it's not the
6 right thing to do to approach Lisa Yelds directly,
7 but, again, I'm deferring to Coquitlam and other
8 than my expressing myself in terms of that, you
9 know, my preference is that my -- that this not
10 happen because I think it puts my source in a
11 difficult position, I don't feel that -- you know,
12 I felt like I was still deferring to them and I
13 really didn't feel like it was my ultimate
14 decision to make nor did I really want that
15 decision. I felt like these were people that
16 seemed to know what they were doing. I questioned
17 that decision. I didn't think it was right, but
18 that was -- because I had had some discussions
19 with Mr. Hiscox. He had said to me -- this was
20 sort of a little off the cuff, but he'd said,
21 "Well, I could -- you know, I could bring you," --
22 meaning me -- "I could bring you out and pretend
23 you're my new girlfriend and she would never
24 suspect," meaning Lisa Yelds, and I kind of had to
25 say, "Well, hold on. First of all, that probably

1 wouldn't be me and we've got a lot of things to do
2 before we'd ever get to that point," because that
3 then, in my experience, would have made him an
4 agent and we certainly weren't ready to jump
5 through some of those hoops yet. But he and I had
6 had those conversations and I had thought that was
7 a more viable option, not simply because he'd
8 suggested it, but because I was thinking along the
9 same lines. I didn't think she was in any way
10 someone who was going to sit down and have us in
11 for coffee and tell us the whole story.

12 Q So it was your view that the agent relationship
13 would be preferred over a direct interview with
14 her?

15 A I don't even know if I would have felt qualified
16 to make that decision. However, I think that that
17 should have been explored first over and above
18 the -- just the cold approach to Lisa Yelds.

19 Q And the documents do show that you did then go
20 speak to a supervisor. You spoke to Sergeant
21 Field. And you don't need to go there, but it's
22 at Tab 2, page 25 under binder 1B. And it just
23 says: "Spoke to Sergeant Field. Agreed to meet
24 with Mike Connor," and that you called him and you
25 you arranged to meet with him. So then you do

1 meet with him, and that's on October 15th, 1998.
2 And you can see that in the log at the page that
3 you're at now. What discussions did you have with
4 him at that time?

5 A That was -- we were in the car and had a coffee
6 and had a conversation, and my hope was a
7 couple -- I had a couple of goals with that
8 meeting. One was just for Mr. Hiscox to meet
9 Corporal Connor, for Corporal Connor to get a
10 sense of Mr. Hiscox and his credibility as well.
11 And, you know, in my mind I was thinking that I
12 wanted this introduction to happen because at some
13 point I -- I saw a point where Mr. Hiscox would --
14 if he was going to continue to work with us, it
15 would be with Corporal Connor and it would go that
16 way.

17 Q Were you thinking that this would be a sort of
18 passover meeting where now Corporal Connor would
19 start dealing directly with Hiscox?

20 A No. And, you know, from what I do know about
21 informant handling and I've since come to know,
22 and I know at the time this was my thought as
23 well, was that you want to preserve that
24 relationship. And I thought this was a first
25 introductory meeting, but in my view it was

1 potentially going to lay the foundation for -- for
2 a potential passover down the road.

3 Q And ultimately we know that Lisa Yelds wasn't
4 interviewed until August by Corporal Connor and
5 that no undercover operation was ever carried out
6 with respect to her. What happened with those as
7 potential leads?

8 A I don't know. I don't think I'm aware of what
9 happened.

10 Q So the communication with you and Corporal Connor
11 on that investigative strategy fell off the table?

12 A Yes. I just -- I'd have to refresh myself if
13 there's anything in my notes, but I just don't
14 recall. Off the top of my head I think -- I don't
15 know, I guess, what the reasons were for that.
16 I'm not sure.

17 Q Now, in terms of the -- of the contact with Hiscox
18 coming to an end, the records indicate that from
19 October to August of 1999 there's very little
20 substantive contact with him. And I could just
21 take you to your final contact with him so you can
22 refresh your memory. And that's binder 2.

23 A Sorry. Can I just -- October to August of '99?
24 So you're meaning October, '98 until August, '99?
25 I just want to understand.

1 Q Yes.

2 A Okay. Thanks.

3 Q So in binder 2 at Tab 34 it shows that you left a
4 voice mail for him to call you?

5 A That's right.

6 Q And just to place this in the chronology for you,
7 this was the day after a meeting that the VPD and
8 the RCMP had with -- with UHU with respect to the
9 new information about Pickton that had arisen as a
10 result of the Caldwell tip. And so do you recall
11 why you were calling him at this point?

12 A I do. I was asked in that meeting had I had any
13 recent contact with Hiscox and I said no. And so
14 it was suggested, and I think rightly so, that
15 maybe I'd try and initiate that with him just to
16 see if there was anything new from his end.

17 Q Okay. And if you turn over the next tab at Tab
18 34, it shows that he returned your call, halfway
19 down the page, on August 6th, 1999. And he said
20 that he hadn't seen -- and I guess that's Lisa
21 Yelds, but believed she's still friendly with
22 Pickton since they've been friends for over 17
23 years and that he would call you when he saw her
24 next?

25 A That's right.

1 Q And there's no other indication in the records
2 that there was any further contact with you and
3 him; is that --

4 A That's my recollection, yes.

5 Q And why was there no further contact with him?

6 A Well, two reasons, I guess. One was that in the
7 past he had -- he had shown himself to be someone
8 who would contact me if he had something new.
9 Secondly, I didn't want to push him on it because
10 he was in recovery himself and he had indicated to
11 me at varying times that he was trying to stay
12 away from that -- that world. And so aside from
13 checking in on him fairly regularly, I certainly
14 didn't want to be perceived as directing him back
15 into a place that would potentially reignite his
16 own addiction. I just didn't feel that was
17 responsible either.

18 Q Could you turn to binder 1 and the last tab in the
19 binder, Tab 15? And if you go to the last page,
20 195. This is a report to the board by Sergeant
21 Field on May 15th, 2002. And under Hiscox she
22 says this:

23 Another "john"; associate of Leng; advised
24 Detective Constable Shenher that there was
25 something weird going on at the Pickton farm.

1 And, of course, you've said a lot more than that?

2 A And I want to correct too the characterization of
3 Mr. Hiscox as a john. I never knew him to be a
4 sex trade customer and I think that's -- from
5 everything I know of him, that's inaccurate. I
6 never picked up on that before, but that's just
7 Sergeant Field's misperception, I think.

8 Q

9 Eventually had to be told to stop calling
10 Detective Constable Shenher as it was
11 approaching harassment; was also told to
12 avoid the media as he was a confidential
13 source but has ignored that advice.
14 So leaving aside the fact that this seems to
15 suggest he didn't really provide any meaningful
16 information, what do you say about her remarks
17 that his contact with you was approaching
18 harassment?

19 A I think that's also a mischaracterization. I
20 think she's referring, actually, to Wayne Leng.
21 That would have been adequate with respect to him,
22 not with respect to Mr. Hiscox.

23 Q Thanks. So that's all I want to say and ask you
24 about with respect to Hiscox, but maybe you could
25 just tell us, moving forward into the

1 investigation that you were doing in your position
2 at the unit, how did the information that you
3 learned from Hiscox and Ms. Anderson inform your
4 working theory about what happened to the women
5 and the investigative strategies that you were
6 pursuing?

7 A Well, it was certainly in concert with the
8 impression I had about the kind of individual we
9 were looking for, and throughout -- throughout
10 this investigation, I was very alive to anything
11 that even hinted at being similar to Mr. Pickton
12 or his property or the things that he was doing.

13 Q Did it put the serial killer theory as sort of top
14 priority that you wanted to test?

15 A Yes.

16 Q So now I want to turn to the Missing Women Working
17 Group, and I'm going to start with a memo that you
18 wrote to Acting Inspector Dureau on August 27th,
19 1998. So if you could turn to the first binder.
20 And this is under A now at Tab 12. Are you there?

21 A Yes.

22 Q Acting Inspector Dureau was in place of Inspector
23 Biddlecombe at this time?

24 A That's right.

25 Q Inspector Biddlecombe, I understand, was on leave

1 for the month of August?

2 A Yes.

3 Q So when you're writing this memo on August 27th,
4 you received the Hiscox tips and you've
5 interviewed Anderson?

6 A Yes.

7 Q This is the first memo, as I understand it, from
8 our records that you wrote to your supervisors
9 with respect to your efforts in the missing women
10 investigations?

11 A I believe so, yes.

12 Q So if you turn to page -- I just would like you to
13 start, actually, at page 2, the last paragraph.
14 After you describe your efforts you say:

15 I hope this helps as I understand there has
16 been some discussion as to how this matter
17 should be dealt with and possibly a
18 perception in District 2 that no one has been
19 assigned to this.

20 So what did you understand discussions were going
21 on at this time about the missing women issue?

22 A I don't recall specifically where that impression
23 came from for me, but I think, if I'm correct, it
24 was from Constable Dickson because he was working
25 in the neighbourhood police office in District 2

1 and I've known Constable Dickson for many years
2 and we have a good relationship. And he had been
3 up to my office several times to talk about this
4 problem and to -- you know, I knew he had really
5 his finger on the pulse in that community, so I
6 had wanted to talk with him right from the
7 beginning. So we had been in fairly constant
8 contact and he seemed to indicate to me that --
9 and I don't know if this was an impression he was
10 getting perhaps from Inspector Greer. I don't
11 really know. But the indication was that we
12 weren't doing anything about it. So then when he
13 found out that I had been assigned to try and
14 address this problem, then we talked.

15 Q You said that you understand there's been some
16 discussion. Who did you understand to be involved
17 in those discussions?

18 A Again, this is just my impression. I stand to be
19 corrected on this, but Constable Dickson,
20 Detective Inspector Rossmo, Inspector Greer.

21 Q So discussions that we now know would eventually
22 lead to the formation of the working group?

23 A Yes.

24 Q So I just want to highlight three things from this
25 memo. And I'll just paraphrase. If you need some

1 time to read it, that's fine. But if you turn
2 back to the first page, you point out -- you set
3 out where you're at in the investigation
4 basically. And you state in the third paragraph
5 of the -- of the memo that you're compiling a list
6 of the missing women and you're looking for -- for
7 commonalities essentially. That's the essence of
8 the first two paragraphs there; is that right?

9 A That's right.

10 Q So that's one thing you were doing?

11 A Yes.

12 Q And, secondly, you say that you were considering
13 three explanations for them as a result of some of
14 your preliminary investigations. And, again, I'll
15 just summarize them. And you say that one is that
16 maybe they're not missing, but you say in the
17 middle of the second paragraph:

18 At this point, it seems none of the cases I
19 am investigating would fall into these
20 categories and the victims have gone missing
21 under suspicious circumstances.

22 A I'm sorry. What paragraph was that?

23 Q It's the fourth paragraph.

24 A Yes. Okay. That's right.

25 Q And you said you're trying to determine how many

1 are actually missing or have they just been in
2 detox or jail or pursuing other opportunities and
3 you say unlikely?

4 A That's right.

5 Q And you say that you're suspicious about their
6 disappearance?

7 A Yes.

8 Q And next if you go -- if you go down to the start
9 of the last paragraph there, you state that you're
10 determining whether any of them -- anyone in their
11 lives have had a serious motive to harm them. So
12 another theory that you're working with is whether
13 they could be victims of a single homicide. And
14 who were you thinking of there? Were you thinking
15 of people like pimps and boyfriends and -- what
16 were you thinking of?

17 A Yes. Because I think there were a couple
18 different persons of interest and a couple of the
19 women's files where there had been a threat or a
20 past assault, that kind of thing, you know, drug
21 dealers, pimp types, yes, that kind of thing.

22 Q And then finally the third explanation that you're
23 considering -- and this is reflected in the
24 second-last paragraph of the page and the last
25 sentence:

1 I am not yet in a position to say whether I
2 believe one specific person is responsible,
3 but I do believe we're going to find these
4 cases are related and should be treated as
5 such.

6 And that suggests a serial killer investigation,
7 doesn't it?

8 A Yes.

9 Q Would any investigation plan that you developed in
10 response to these theories that you're working
11 with vary depending on the theory you're pursuing?

12 A Absolutely.

13 Q And maybe you could just sort of describe that a
14 bit for us?

15 A Sure. I think that any one of those three avenues
16 would -- there are some commonalities of
17 investigation in those avenues and then there are
18 some things that you'd obviously do differently,
19 and from very early on in this investigation I
20 think those three avenues in terms of my
21 investigation were operating concurrently. They
22 were threads that were running through the whole
23 thing. And it was really a constant switching of
24 hats from one minute we're looking at an image of
25 burials and we're looking at, you know, people who

1 hadn't been fingerprinted and died in the hospital
2 to, you know, we're looking at Hiscox information
3 to, you know, I'm interviewing, you know, a drug
4 dealer of one of the women who made threats
5 against her, and so just a constant switching of
6 hats and priorities. And, you know, admittedly,
7 it was disorganized because this information was
8 coming in in real time and so it wasn't like we
9 had a large -- a large investigative staff where
10 these 10 people were doing everything with respect
11 to the women dying from non-violent causes. These
12 10 people were solely dedicated to serial killers.
13 These 10 people were solely dedicated to
14 individual single-incident suspects or persons of
15 interest, so -- I don't know if that answers your
16 question. I'm sorry.

17 Q It does and it makes me ask you this. We talked
18 about Sergeant Field supervising this
19 investigation and how her commitment was divided
20 between the missing women investigation and
21 homicide and what I'm hearing you say, would
22 you -- would the investigation have benefitted
23 from some strategic supervisory oversight?

24 A Absolutely, it would have. And, Mr. Commissioner,
25 I think really Sergeant Fields was in as

1 impossible position as I was, I really feel.

2 THE COMMISSIONER: Was impossible to?

3 THE WITNESS: Her position was as impossible as mine was in

4 terms of --

5 THE COMMISSIONER: You say it's impossible because you really

6 had no guidance from anybody?

7 THE WITNESS: That's correct.

8 THE COMMISSIONER: This is the first homicide that you'd ever

9 investigated?

10 THE WITNESS: Yes.

11 THE COMMISSIONER: And nobody who was your superior appeared to

12 have taken any interest in this; is that correct?

13 THE WITNESS: No. I wouldn't characterize it like that.

14 THE COMMISSIONER: Maybe that's an overstatement.

15 THE WITNESS: Yes. No. There was interest, but very little

16 strategic planning, very little -- there was

17 investigative guidance whenever I asked for it,

18 but no one to sit down and say, "Look, let's look

19 at the big picture here. This is -- this is a --

20 this is clearly a problem and we need a direction

21 and we need a joint forces operation or whatever

22 we need."

23 THE COMMISSIONER: You were basically on your own?

24 THE WITNESS: Essentially, yes.

25 THE COMMISSIONER: All right.

1 MS. BROOKS: And just following up on that point, you write
2 this memo to Acting Inspector Dureau and --

3 MR. DELBIGIO: Mr. Commissioner, Greg DelBigio --

4 THE COMMISSIONER: Yes.

5 MR. DELBIGIO: -- for McGuinness. Parts of the witness's
6 testimony on these issues is important and the
7 witness is in examination in chief at the time. I
8 do appreciate that the -- this commission has an
9 ability to clarify questions when that is
10 necessary, but having regard to the issues that
11 are being elicited at this point, might I suggest,
12 with respect, that the witness answer the
13 questions as are posed to her at this stage and
14 perhaps at the end if the -- if the commission
15 requires clarification that questions can then be
16 asked. I'm just a little concerned at this point
17 that there was information being elicited from the
18 witness that might or might not come out in the
19 examination in chief or might or might not be
20 addressed through cross-examination, but it would
21 be preferable for the information to come out
22 through counsel perhaps rather than through the
23 commission.

24 THE COMMISSIONER: Well, I think you're partially correct, with
25 respect, but, you know, this is an inquiry and I'm

1 appointed to make an inquiry here and so I -- you
2 know, I need to know certain things that happened
3 and I -- I expect -- I do know that in a
4 conventional adversarial process that's the way
5 trials are conducted, but I understand your point.

6 Mr. DELBIGIO: Thank you.

7 MS. BROOKS:

8 Q Did you get a response from him to this memo? Did
9 he come and speak with you about the work you were
10 doing?

11 A No. Not that I recall.

12 Q Now, something else that I wanted to ask you about
13 this memo is the second-last paragraph on the
14 second page. You state that you received several
15 anonymous tips generated by the publicity in the
16 Sarah de Vries case which have led to two persons
17 of interest and my follow-up on on this is
18 ongoing. And you don't share any information
19 about the confidential source that you learned.
20 Was that a deliberate omission on your part?

21 A No. I think that that's -- that's implied with
22 one of the two persons of interest, but no. I
23 didn't elaborate.

24 Q But it's not as a result of an anonymous tip?

25 A No. That's right. There was one person of

1 interest from -- I think that surfaced from that
2 anonymous voice on the tape and then I believe --
3 I believe the other one I'm referring to is --
4 with respect to Hiscox is Mr. Pickton. I can't
5 say for sure, but that's my guess.

6 Q Could you turn to Tab 13? This is a list of
7 missing women that was prepared by Constable
8 Dickson to Staff Sergeant MacKay-Dunn of District
9 2 and it's the same date as the memo that you
10 wrote to Acting Inspector Dureau. He gives a list
11 of 35 missing women and 18 unsolved homicides from
12 Vancouver that are still on CPIC. Did you receive
13 this memo?

14 A I did at some point. I don't recall when.

15 Q Were you having discussions with Constable Dickson
16 after you arrived in the unit about the work that
17 he was doing on the missing women issue?

18 A Yes.

19 Q Did he come to speak with you?

20 A Yes, he did on several occasions.

21 Q Did you discuss with him probable theories about
22 what happened to the women?

23 A Yes, I did.

24 Q Did you know about the work that Constable Dickson
25 had done before he created this list?

1 A Yes.

2 Q So after you send the -- the letter to Inspector
3 Dureau, we know that there's a working group
4 that's established to look into the issue and
5 we've heard a lot about that working group from
6 Professor Rossmo, who was here last week, but I
7 just want to ask you some questions about it and
8 get your perspective on things.

9 A Sure.

10 Q So if you could go to Tab 11. And before I ask
11 you about this document, can you tell us when did
12 you first learn that others in the department were
13 looking into whether there was a problem with
14 increased missing women?

15 A I don't recall when I learned that.

16 Q So this is an e-mail that you wrote to Detective
17 Inspector Rossmo on August 26th, 1998. Do you
18 recall what you were responding to in sending him
19 this e-mail?

20 A I don't. I don't recall if -- I don't recall how
21 I came to be writing this e-mail.

22 Q Do you recall having any dealings with Detective
23 Inspector Rossmo before -- before you received
24 this e-mail?

25 A No.

1 Q Before you wrote this e-mail?

2 A No. I don't recall.

3 Q Were you aware of the kind of expertise that he
4 had?

5 A I was, yes.

6 Q What was your view about his real policing
7 experience?

8 A My understanding was that he'd worked a
9 significant period of time in the Downtown
10 Eastside beat. It wasn't my understanding that he
11 had worked in an investigative capacity with
12 respect to criminal investigations, violent
13 criminal investigations. I think he was at VIU at
14 some point. But I had a great deal of regard for
15 his academic -- his academic work.

16 Q In this e-mail you're outlining your preliminary
17 views of the problem. And could you just read for
18 us the main paragraph of the e-mail?

19 A Sure.

20 At this point, it seems two or three of these
21 women met with boyfriends of pimp types with
22 motives to harm them, but I'm starting to
23 feel that the large percentage of these
24 missings are mysterious and likely either a
25 stranger or dealers they owed money to -

1 likely Viets - could be responsible. I know
2 that doesn't narrow it down much, but as I
3 said, I'm still getting familiar with all the
4 files. Obviously, I'm trying to look at who
5 could have their act together enough to be
6 carefully disposing of bodies instead of
7 dumping them as would seem to be more typical
8 of a skids hooker homicide.

9 Q So just a couple things to note then. You do say
10 that but you're starting to feel a large
11 percentage of the missings are mysterious and
12 likely either a stranger or dealers they owe money
13 to is responsible. And so that's -- you're
14 talking about a serial killer there?

15 A Yes.

16 Q And if you go down to the sentence after that
17 paragraph:

18 I'm following up several anonymous tips as
19 well, but nothing substantial as yet has come
20 from those.

21 So we know now, of course, that you did have the
22 Hiscox tips and that you had interviewed Ms.
23 Anderson, so can you tell us why you would say
24 that nothing substantial had come from those yet?

25 A Well, because I wouldn't say that anything

1 substantial in terms of becoming evidence had come
2 from those yet and I was admittedly discreet with
3 Detective Inspector Rossmo, and part of that was
4 again a little bit of that balancing act that I
5 was walking in this position because it was very
6 clear to me that his views were not necessarily
7 welcome in the Major Crime Section and that I did
8 know that there were some people in the section
9 that -- that weren't sure about how discreet he
10 would be with this information and that there was
11 concerns generally about the discretion around our
12 information. So I was being as circumspect with
13 that as I could.

14 Q Now, we know that -- that there was a meeting on
15 September 4th of 1998 about the formation of the
16 working group and, in fact, there was two meetings
17 involving the working group. Do you recall
18 attending those meetings?

19 A I don't recall attending the September 4th one.
20 I'm fairly sure I wasn't there. But I did -- I
21 did attend the next one, the subsequent one.

22 Q So as a result of the first meeting, we know that,
23 in fact, Detective Inspector Rossmo drafted a
24 press release and then a strategic plan. When's
25 the first time that you saw those two documents?

1 A I don't believe I saw those until the second
2 meeting at the end of September.

3 Q So you weren't consulted at all with respect to
4 what should go in that press release, draft press
5 release, or with respect to the working plan?

6 A No. I don't believe I was aware of their
7 existence at all.

8 Q If you just go to Tab 14, there's a copy of the
9 strategic blueprint. And you saw this, then, at
10 the first -- at the meeting that you attended on
11 the 22nd for the first time?

12 A That's correct. Yes.

13 Q And how did the blueprint that he developed -- and
14 if you need a moment to look at it, that's fine --
15 compare to the investigative strategy that you
16 were employing at the time?

17 A Well, I thought it was quite comparable to -- to
18 the direction that we were going and the things
19 that I was covering off. I didn't -- I was a
20 little bit -- a little surprised. I guess I had
21 expected maybe something a little more
22 substantial. I mean I know it's not magic. You
23 can't pull rabbits out of a hat. But I guess I
24 had expected through Detective Inspector Rossmo's
25 work that maybe something more substantial than

1 this would have come from him. And that's not to
2 say that he wasn't helpful. I just -- I felt like
3 these were all avenues that I had already been
4 alive to in my mind as things that we were working
5 toward.

6 Q Okay. And if you go over to the next tab, you'll
7 see that there's a list of -- a contact list of
8 people who are going to be members of the working
9 group. And there's 14 people on that list that
10 are -- that appear to be potential members engaged
11 in the issue. And what I wanted to ask you was
12 you look at the strategic blueprint that Detective
13 Inspector Rossmo's prepared and is it your
14 evidence that you were doing a lot of that work?

15 A Yes.

16 Q And that work needed to be done, did it?

17 A Yes. Absolutely.

18 Q And then he has a list of 14 potential members.
19 And we know that the working group eventually
20 dissolved. And so are you left managing all of
21 the action items that are on the strategic
22 blueprint?

23 A Well, yes, because they were -- they were action
24 items I had already identified in my own files
25 previous to this. Does that make sense?

1 Q Right. And my point is simply that there's an
2 action plan put in place that requires 14 people
3 to carry out and once it's dissolved, it's all on
4 Detective Constable Shenher's shoulders; is that
5 right?

6 A Yes.

7 Q Now, if you go to Tab 16, there's a memo here from
8 Inspector -- to Inspector Greer dated September
9 14th and it's from Inspector Biddlecombe. And he
10 lays out his concerns about the working group and
11 the press release and provides the opinion that he
12 believes them to be unnecessary. Did you have a
13 copy of this memo in advance of the September 22nd
14 meeting?

15 A No.

16 Q Okay. So what happened at the meeting?

17 A Well, I think that -- I don't recall who was
18 chairing, but my recollection was that Inspector
19 Greer and Detective Inspector Rossmo, Constable
20 Dickson, possibly Staff Sergeant MacKay-Dunn -- I
21 can't remember how involved he was, but there was
22 discussion, "Okay. We're getting all this
23 pressure from the community. This is -- this is
24 what we want to do. We think that -- we're sure
25 there's a serial killer. We want to issue this

1 press release." And you know what? I don't
2 recall --

3 Q Sorry. Who's saying that?

4 A What I would call the District 2 contingent
5 really, the people who were outside of Major
6 Crime.

7 Q And Detective Inspector Rossmo?

8 A Yes. And it was very clear to me as a junior
9 member that there was a lot of history in the room
10 and there was a lot of animosity between sort of
11 the Major Crime Section and District 2. And I --
12 it wasn't my sense that it was about this issue,
13 about the missing women, but I didn't -- you know,
14 I really didn't -- couldn't speculate on the scope
15 of the whole feud, if you will.

16 Q Well, what did you understand to be the heart of
17 the disagreement?

18 A I think that Inspector Biddlecombe felt that these
19 files were being investigated in Major Crime,
20 however imperfectly at that time.

21 Q By you?

22 A By me. But that they were a purview of Major
23 Crime; that -- and, again, I don't know all the
24 history, but my sense was Inspector Biddlecombe
25 was viewing it as a bit of a power play to seize

1 hold of something that could boost the profile of
2 geographical profiling and Detective Inspector
3 Rossmo's bid to be able to remain on in his
4 position. I think his contract was coming up for
5 renewal and I think that was -- and I didn't just
6 all get that from the meeting, but that's sort of
7 what I learned later from different people. And
8 so I -- it made sense in the context of the
9 meeting. I know that the District 2 contingent
10 wanted to issue this press release saying there
11 was a possibility we have a serial killer. I know
12 at the time I thought -- I thought it was
13 premature given where my investigation was at that
14 point. I didn't feel like we had exhausted all
15 other avenues. But really in hindsight I don't
16 think there would have been any harm at all in
17 doing it now. My impression was that was sort of
18 a point that perhaps Inspector Biddlecombe wanted
19 to dig his heels in. As I said, I can't speak for
20 him.

21 Q And you've been sort of speculating on what you
22 think various people's motivations were in the
23 positions that they were advancing, but in terms
24 of the actual positions themselves, we understand
25 that there was a group of people that were just --

1 that was just denying that there was a serial
2 killer theory to even explore; is that right?

3 A Somewhat, I think, yes. Yes.

4 Q Now, did anybody at the meeting ask for your views
5 on the matter?

6 A I don't recall. I think there was one point, I
7 think, where Inspector Biddlecombe had asked me if
8 I was completed -- had I completed all my work on
9 these files and I had said no, and that was the
10 extent of it.

11 Q Did you advise the group at this meeting that you
12 had a confidential informant who had come forward
13 with information about a possible serial killer
14 involved in the missing women?

15 A I don't recall. I know I had told Constable
16 Dickson that before, so he was aware of that, but
17 I don't recall whether I brought it up in the
18 meeting.

19 Q So at the end of the meeting how was it understood
20 that the missing women issue was going to be
21 addressed?

22 A I believe it was left -- I believe that Inspector
23 Biddlecombe said, "Lori and Detective Howlett are
24 going to continue working on it and we'll go from
25 there."

1 Q So the fact that the missing -- or the working
2 group had dissolved, what did that mean for you as
3 the only full time -- not even full time, but
4 detective assigned to the files?

5 A Well, I don't -- you know, it's important to
6 understand, Mr. Commissioner, that I didn't
7 understand the working group to be anything at
8 that point other than a group on paper. And
9 that's not to say had there been some indication
10 that this was going to become a task force or
11 something else, then I think I would have felt a
12 loss, but, quite frankly, it was sort of this --
13 this thing that I really wasn't clear what it
14 could actually do for me as an investigator, so I
15 didn't feel like it was really any different. It
16 was kind of status quo.

17 Q I'd just like to explore that a little bit with
18 you though. So the working group is
19 interdisciplinary, right?

20 A I guess -- yes. You could say that.

21 Q It's multi-jurisdictional?

22 A Yes.

23 Q There's the sense of management engagement if it
24 was to go ahead?

25 A Yes.

1 Q There would have been a commitment to exploring
2 the serial killer theory?

3 A Yes.

4 Q There would have been an acknowledgement that
5 there was a problem that had to be addressed?

6 A Yes to all these things, but, yes, theoretically I
7 guess is what I'm trying to say. Theoretically
8 we've got all these people assigned to all these
9 different places and as far as boots on the
10 ground, people working on this file, it was hard
11 for me to see that that working group was going to
12 translate into actual action. I didn't have a lot
13 of faith in that.

14 Q I guess what the question here is did you feel
15 like when the working group dissolved that the
16 investigation was disempowered?

17 A I feel like what should have happened when the
18 working group was dissolved was ownership
19 within -- ownership and leadership within Major
20 Crime to then resource it the way it needed to be
21 resourced, because really it -- you know, when
22 people throw around this Kerrisdale example, if
23 these women were Kerrisdale, if we had 30 missing
24 women from Kerrisdale, we wouldn't get District 4
25 patrol to investigate that. That's not

1 appropriate. The appropriate people to
2 investigate it are the Major Crime Section. And
3 so if you want to use that analogy, then it really
4 wasn't -- it wouldn't have been appropriate for
5 District 2 to investigate it. I almost felt like
6 the working group floated an idea that really was
7 never appropriate. It was never appropriate for
8 that to be the forum by which we investigated
9 these files.

10 THE COMMISSIONER: Never appropriate for the working group to
11 investigate?

12 THE WITNESS: Just -- if we want to view this as -- if we're
13 viewing this as a potential serial killer
14 investigation, then the Major Crime Section should
15 probably be the group that's spearheading it, and
16 so --

17 MS. BROOKS:

18 Q So it wasn't your view that the investigation
19 would have value by adding members from different
20 divisions in the department?

21 A It absolutely would have added value if they were
22 actually added. I guess what I'm saying, there
23 was a lot of things that were going on at that
24 time under Chief Chambers that were on paper and I
25 felt like this was very much a paper squad. And

1 with no disrespect to Detective Inspector Rossmo,
2 I think he could have assisted and he clearly did
3 assist in this file, but it was a bit -- I think
4 it was a bit of a shell game. I don't think it
5 was really going to turn into actual investigators
6 actually doing this work.

7 Q So if I can just paraphrase what I think you're
8 saying, then, is that you're drawing this
9 distinction between the theory of the working
10 group, which in concept you supported, but your
11 view is that in the implementation, you didn't see
12 it working that way; is that what I hear you
13 saying?

14 A Yes. I had no confidence it would actually come
15 to fruition as an investigative unit. And I also
16 felt that what we really needed, we really needed
17 a fully staffed Major Crime investigative team.
18 And if it added some of those people, which very
19 appropriately it should have, great, but I didn't
20 see that group being the one that was going to
21 take the lead on it.

22 Q And there are members of that proposed group,
23 though, that were enthusiastic about the issue.
24 Did they come and consult with you after the group
25 dissolved and check in with you and see how you

1 were doing over the course of the next couple
2 years?

3 A Yes. I had interactions with several of them
4 going forward.

5 Q Who were they?

6 A I spoke quite a lot with Detective McCarl. He
7 became very helpful to me. Sergeant Hovbrender in
8 the Sex Crimes Unit was a constant resource to me
9 as far as me being able to run things by him.
10 He's a very experienced member. He'd actually
11 come to me -- after that meeting he came --
12 followed me back into the Missing Persons office
13 and sat down at my desk and said to me -- gave me
14 the very most sage advice that I think I received,
15 which was -- he sat down and he said, "Lori,
16 document everything. Ask for lots of help. You
17 need to do those things." Okay. So I did.

18 MS. BROOKS: Mr. Commissioner, I'm moving into a new topic now.

19 Did you want to take the afternoon break?

20 THE COMMISSIONER: We'll take the break.

21 THE REGISTRAR: The hearing will now recess for 15 minutes.

22 **(PROCEEDINGS ADJOURNED AT 2:58 P.M.)**

23 **(PROCEEDINGS RESUMED AT 3:17 P.M.)**

24 THE REGISTRAR: Order. This hearing is now resumed.

25 MS. BROOKS:

1 Q Detective Constable Shenher, I understand that
2 there was a couple more names on the list of
3 contacts for the working group of people that you
4 had dealings with after it dissolved that you
5 wanted to tell us about?

6 A Yes. Just in answer to your question, I continued
7 dealing with Detective Inspector Rossmo on a
8 fairly limited basis, but Detective Barry
9 Pickerell I continued to deal with. Obviously
10 Detective Al Howlett was my partner. Sergeant
11 Geramy Field was my sergeant. I continued having
12 conversations with Constable Dickson. Detective
13 Constables Ramos and Payette came to assist us at
14 various points in the investigation with the DISC
15 program. And then Staff Sergeant Davidson from
16 the RCMP Behavioural Science Group I consulted
17 with quite often. Detective McCarl -- Constable
18 McCarl, I suppose, from the Serious Crime Section
19 of the RCMP we continued to liaise with. I don't
20 recall myself working directly with Murray Power
21 and Bill Birnie, but I know other people did.

22 Q Now, I realize that there were -- we realize that
23 there were many investigative steps that were
24 taken and the records show that. We've heard
25 about those. But I want to focus on one strategy

1 that -- that is of particular interest to the
2 commission and the commissioner has stated this,
3 that he's particularly interested in the
4 relationships between the police and the community
5 and also the systemic issues that affected the
6 investigation. So I want to focus on the period
7 of fall of 1998 until May of 1999 before Project
8 Amelia was formed and ask you some questions about
9 how the community was engaged. So -- sorry. I'll
10 just take you through that.

11 A Absolutely.

12 Q We've heard through Professor Rossmo that there
13 are three ways to solve crime and that community
14 is number one. Is that -- is that a view that you
15 share?

16 A I think that's definitely valid, for sure.

17 Q Was that a view that you had during your time as
18 investigator on missing women investigations?

19 A I felt like it was extremely important that we
20 engage the community and I felt like if we didn't,
21 we were going to be operating with one arm behind
22 our back, for sure.

23 Q Did any of your supervisors or Detective Inspector
24 Rossmo himself come and speak to you about using
25 the community as a primary investigative strategy

1 and ways that you might do that to advance the
2 investigation?

3 A Not that I recall it other than that blueprint.
4 The working group blueprint had some mention of
5 it, I think, but that was it.

6 Q So in bringing out this part of your evidence I
7 want to distinguish between informal ways that you
8 engaged the community and then some more formal
9 organized ways. So tell us about how you
10 connected with the community and sought to obtain
11 information from the community in a formal way.

12 A Well, as I've said, because I was wearing so many
13 hats, I couldn't physically go out and do a lot of
14 it myself, so I started to look at ways to engage
15 other officers that had a relationship to the
16 community and Constable Dickson is one that
17 certainly came to mind right away. I used him as
18 much as I could and he was happy to be out there
19 and working and basically, you know, any time we
20 either got a new file or if any new information
21 came up on an existing file where there was
22 something -- someone I wanted him to try to locate
23 or speak to or any of those kinds of things, he
24 was very, very useful on that one-to-one community
25 level. He was also really my -- I think my way in

1 to a lot of these groups in the Downtown Eastside.
2 I think, as we've spoken to earlier, many of them
3 are mistrustful of the police, and I think some
4 with valid reason. So, you know, for instance,
5 Constable Dickson introduced me to Deb Mearns, who
6 was, I believe, the co-ordinator for the
7 neighbourhood policing office. I think in
8 Chinatown if I'm not mistaken. And so I started
9 to have some discussions with her. Judy McGuire,
10 who was -- I'm not sure of her exact title, but
11 she was with the Downtown Eastside Youth
12 Activities Services, DEYAS, and Judy became a very
13 valuable resource to us and the point person in
14 our efforts to -- to collate and collect a lot of
15 that data information to try to automate it and
16 analyse it. Dave was our in roads into WISH.
17 Sorry. When I say "Dave", Constable Dickson. He
18 was -- so I recognized that it was about
19 relationships and I recognized I couldn't just go
20 marching out there, you know, and just said, "I'm
21 this detective working on this case and you all
22 are going to have a relationship with me." I felt
23 like it was a matter -- there needed to be rapport
24 built. It needed to come -- to be shepherded in
25 through by someone that the community trusted, and

1 so I remember having conversations about this with
2 Constable Dickson and that he willingly offered
3 himself to be that liaison for us so that we could
4 get to places that we might not otherwise gain
5 access to.

6 Q So did he make introductions, then, on your behalf
7 to different organizations in the Downtown
8 Eastside like the women's shelters and WISH and
9 aboriginal centres? Were there introductions made
10 in that regard?

11 A Some of them. I just -- you know, obviously the
12 organizations I've mentioned and -- I can't think
13 of others. At that time those organizations, some
14 of them were different than they are now. I'm
15 actually more familiar with some of the ones that
16 exist now than I was with some of them at that
17 time, but Dave certainly -- Constable Dickson
18 would indicate to me the ones that he felt were --
19 would be the most fruitful in terms of us trying
20 to establish a relationship.

21 Q The commission has heard from Elain Allan, who was
22 the co-ordinator of WISH. Was she somebody that
23 you were in touch with?

24 A I don't believe she was there during this time. I
25 don't recall having any dealings with her.

1 Q Now, in terms of the more organized methods of
2 community outreach, we've been able to identify
3 three -- three examples before Project Amelia
4 started, so I'd like to walk you through those.
5 The Carnegie meeting and then the photo canvass
6 and then the reward. So were there any others
7 that you can think of?

8 A I'm sure there are. I just --

9 Q We couldn't find any of the documents, but --

10 A I'm thinking more informally, but I would have to
11 think about that.

12 Q Could you go to binder 1, Tab 20? This is an
13 e-mail that is written by you to Inspector Greer
14 of District 2 -- that's the Downtown Eastside --
15 on February 9th, 1999. What's the purpose of this
16 e-mail?

17 A Well, one of the things I thought would be
18 important was to have a community meeting to --

19 Q Sorry. I misspoke. The date is December 8, 1998.

20 A So one of the things I felt was important to do at
21 this point was to engage the community in terms
22 of -- I guess as a vehicle to try to instill some
23 confidence that we were aware there was a problem;
24 that we were trying to figure it out; that we were
25 hoping to enlist the help of the community and to

1 open the lines of communication so that
2 information could be reported effectively back to
3 us. So I had thought that -- that some type of --
4 some type of information session where people
5 could ask me questions and I could, you know, hand
6 out some cards and sort of be a face for the
7 investigation so if there was information out
8 there that people would know where to send it.
9 And I had been talking to Brock about that, to
10 Staff Sergeant Giles, and so he had -- so
11 subsequent to that, I gather that he had suggested
12 this to Inspector Greer and so I was following up
13 with this e-mail that to just let Inspector Greer
14 know that I was still available to make good on
15 that offer if he wanted me to.

16 Q What response did you get from him?

17 A I don't recall any response, but I do recall that
18 the meeting happened, so --

19 Q And the meeting happens a couple months later, in
20 February?

21 A I believe so, yes.

22 Q Can you turn over to the next tab at Tab 21?

23 There is an agenda, meeting notes from the
24 meeting. Does that help refresh your memory about
25 the meeting?

1 A Yes. I remember the meeting actually fairly well.

2 Q Okay. And just so you know, on the next tab, at
3 Tab 22 there's your presentation notes. Did you
4 stick fairly closely to those notes at the
5 meeting?

6 A Yes, I did.

7 Q So who -- who was at the meeting?

8 A From a police standpoint, I believe Inspector
9 Chris Beach from District 2. Detective Inspector
10 Rossmo, I think, was there. I can't recall if
11 Constable Dickson was there. I think he was, but
12 I stand to be corrected on that. Perhaps Staff
13 Sergeant MacKay-Dunn was there as well. I think
14 he was. There were not a lot of people from the
15 community. I don't remember -- it wasn't a very
16 large room and my recollection is sort of 20
17 people in addition to the law enforcement that was
18 there.

19 Q Were they community leaders or community
20 residents? Were there sex trade workers there?

21 A I don't recall any sex workers there. I do
22 remember, you know, there were people in the
23 community that -- they were interested. They
24 were -- I remember Mark Townsend from the Portland
25 Hotel Society being there. That's -- yes. That's

1 the best of my recollection of that.

2 Q And we have your notes from the presentation you
3 gave, so we can see generally what was said, but
4 perhaps you could just describe for us what you
5 talked about.

6 A Sure. Well, I remember opening with a description
7 of what -- why I was there, what the investigation
8 was, what the problem was, which is that we felt
9 that there was -- there were women going missing
10 and we didn't know why. I reiterated at that
11 point or made sure that I was clear that caution
12 in the community should be used. If anyone was in
13 the sex trade or anything like that to be -- to be
14 vigilant as far as their safety. I really
15 implored -- I remember really imploring them that
16 we are very much indebted to them in terms of we
17 really need their information. We really need
18 their involvement because I remember using the
19 term they were the eyes and ears of the community
20 for us and that it's all well and good to hear
21 things and know things, but if it's not shared
22 with us, we -- we can't act on it. I remember
23 being quite emphatic on that. I explained what we
24 were doing and who was assigned. I explained the
25 challenges of the investigation in terms of just

1 the simple fact that the sex workers were so, so
2 vulnerable and were, I think, a hundred times more
3 likely to be victims of a homicide than a non-sex
4 worker person; that, you know, some of the
5 challenges from an evidentiary perspective as far
6 as trying to nail down date last seen, date versus
7 date reported missing and all those different
8 things that made it difficult for us to do some of
9 the more traditional things in investigations like
10 canvass for witnesses. It was very difficult to
11 canvass for witnesses if we had a several months'
12 span of time that somebody could have gone missing
13 from. So I explained all those kinds of things to
14 them. I made sure that I mentioned Constable
15 Dickson to them as if they didn't feel comfortable
16 coming to me, certainly they could go to Dave and
17 the information would be passed on and that I was
18 very comfortable with whoever they wanted to trust
19 with their information. I went through and
20 explained to them how many -- how many women were
21 actually involved and what we were looking at. I
22 tried to break it down by year, and because I
23 wanted to show the spike in numbers essentially
24 from '95 to '98, that we had that big spike and
25 explain why that was something we were very

1 concerned about. I went through some of the
2 investigative steps we had taken, some of the
3 different cracks that I felt they could fall into
4 in terms of perhaps dying without identification
5 or without fingerprinting and that kind of thing.
6 I kind of explained some of the challenges again.
7 I told them essentially where the investigation's
8 at. You know, I didn't talk about Pickton at all
9 here. Again, I felt that that was very much in my
10 mind something that was under investigation and so
11 I didn't feel it would be appropriate to -- to
12 hint at that in any regard, so I didn't.

13 Q Did you say anything about a serial killer?

14 A I don't recall whether I did or didn't.

15 Q I'm just noticing where we were at on the page
16 196, the last bullet point:

17 Yes, there could be a person or persons
18 preying on these women, but we have yet to
19 uncover any concrete evidence of this.

20 A Yes.

21 Q So you didn't consider at that point the evidence
22 that you had learned about from Hiscox or Anderson
23 to be concrete; is that right?

24 A You know, concrete's a difficult term probably.
25 It's not really -- it sort of explains nothing. I

1 think what I meant by that was we hadn't uncovered
2 anything yet that we could use as evidence to
3 substantiate charges.

4 Q Now, this is the only document we could find that
5 shows there was an organized community meeting at
6 all in the -- throughout the missing women
7 investigations; is that right?

8 A That's my recollection, yes.

9 Q Did anything come out of this meeting? Did you
10 establish any community contacts?

11 A I really can't recall. I'm not sure.

12 Q Did you receive any information from anyone who
13 attended the meeting?

14 A I can't recall that either.

15 Q I understand that the meeting had some impact
16 internally in the department in that it appears
17 that your presentation may have been the first
18 time some of the senior officers became aware of
19 the significance of the problem. Are you aware of
20 that?

21 A I am aware of it now. I wasn't aware of it. I
22 was only aware of it in my preparation for this
23 commission.

24 Q So we saw the e-mail exchange that ensued
25 afterwards where Deputy Chief McGuinness asked:

1 What kind of problem do we have here? We
2 need to discuss the implications of this
3 increase in missing females in the Downtown
4 Eastside. Do we have a problem that we're
5 not addressing?

6 And that was -- you were never copied on those
7 e-mails.

8 A No.

9 Q And if we go to Tab 24. Sorry. My colleague's
10 just showed me at that tab if you go to page 189,
11 it does appear as though you were copied on that
12 e-mail, but --

13 A Yes. I see that there.

14 Q Okay. And a result of this e-mail exchange, if
15 you turn to page 416 under that tab, there's
16 reference to a meeting that occurred on February
17 24th, and this is in an e-mail exchange between
18 Deputy Chief McGuinness and Staff Sergeants Dureau
19 and Giles, Inspector Biddlecombe and Detective
20 Inspector Rossmo. Were you invited to this
21 meeting?

22 A I'm sorry. I'm trying to find that page. I
23 can't --

24 Q It's in Tab 24. It's the third last page of the
25 tab.

1 A I don't have a Tab 24. I have a Tab 25.

2 THE COMMISSIONER: What volume are you in?

3 MS. BROOKS: Volume 1.

4 THE COMMISSIONER: Tab A?

5 THE REGISTRAR: Tab 24.

6 MS. BROOKS:

7 Q Under A at Tab 24 and the page number on the left
8 corner is 416 and it's the third page from the
9 end?

10 A I have pages 189 to 192 in Tab 24. That's all I
11 have.

12 THE COMMISSIONER: That's what I have too.

13 MS. BROOKS:

14 Q Well, anyway, it doesn't matter. There's an
15 e-mail that says that there's going to be a
16 meeting on February 24th and what I'd like to know
17 is if you were invited to that meeting?

18 A I don't recall.

19 Q Well, we heard from Professor Rossmo that at this
20 meeting Inspector Biddlecombe convinced Deputy
21 Chief McGuinness to shut everything down; that
22 there was no problem; that the women just hadn't
23 been found yet. Does that refresh your memory?
24 Do you remember being part of that kind of a
25 meeting?

1 A You'll have to excuse me. I mean I was in so many
2 meetings with so many different people and I
3 just -- I would need a document to refer to.

4 Q Okay. There is no notes from that meeting, so
5 that's fine. So if you -- still staying in that
6 tab, you'll see that at page 192 -- do you have
7 that page? There's a copy of Detective Inspector
8 Rossmo's graph?

9 A Yes.

10 Q And the page before shows that you're forwarded
11 that graph in an e-mail to you on February 13th.
12 Do you recall receiving a copy of the graph?

13 A Yes, I do.

14 Q And this was another outcome of the Carnegie
15 meeting that Rossmo attended and he was able to
16 confirm the numbers based on your presentation at
17 that meeting. Had he ever approached you about
18 getting the numbers before your presentation?

19 A I don't believe so because after the meeting I do
20 remember him speaking with me and I said, "What
21 would be really helpful to me is some sort of
22 epidemiological analysis of how significant this
23 problem was because I hadn't -- all I really had
24 was that anecdotally this was unusual, but I
25 wanted to know if there was something statistical

1 that we could point to.

2 Q So was this graph helpful to you in that regard?

3 A Yes.

4 Q And after he created this graph and it was
5 determined that there did seem to be some
6 statistical significance to this, did he have any
7 discussions with you about how to further the
8 investigation at this stage?

9 A I'm sure we did. I don't recall specifically.

10 Q And the other ways that the community was engaged
11 that we were able to determine was through the
12 photo canvass, and we've talked about that. That
13 occurred on February 19th to 20th. So I won't
14 cover that off again. And, finally, the final
15 step is that -- is the reward and the steps that
16 you took to secure -- to secure that award. So
17 could you go to Tab 29? I'd like to talk about
18 that with you now. And there's a memorandum
19 that's written by you to the Attorney General.
20 Are you there?

21 A Yes.

22 Q So this memorandum, it was prepared by you?

23 A Yes, it was.

24 Q Did you have any input in writing the memorandum?

25 A I don't believe so, no.

1 Q Did anybody review it with you and make comments
2 to you?

3 A I think at some point it went up the chain of
4 command, but I don't recall getting any comments
5 back.

6 Q Who asked you to write the memo?

7 A I don't recall specifically who, but I know it
8 was -- I was told that I was giving a presentation
9 to the Attorney General with a view to inform the
10 Attorney General about who -- about the
11 circumstances of the investigation so that my
12 understanding was that he was contemplating
13 matching the -- the City of Vancouver reward and
14 so it was sort of an informational presentation.

15 Q And in writing these kind of memorandums to the
16 Attorney General where you're outlining the
17 circumstance of the investigation, are there any
18 limits in terms of what you can describe about the
19 investigation?

20 A I'm not aware of anything. If you're asking about
21 policy or anything like that, I'm not aware of
22 anything like that, no.

23 Q So you did go to the meeting?

24 A I did.

25 Q And it was on April 9th?

1 A Yes.

2 Q Did you prepare the memo the same day that you
3 went to the meeting?

4 A No. It was in advance of the meeting. I'm not
5 sure how long in advance.

6 Q What was your view about whether a reward could
7 advance the investigation?

8 A Well, I felt quite strongly it could. I
9 actually -- I had actually been rather frustrated
10 in the conversations around a reward because it
11 had come up in -- sort of around the Major Crime
12 Section and the predominant feeling seemed to be
13 that rewards were rarely successful. They rarely
14 paid out. But I felt in lieu of the Pickton
15 information that we very obviously had people that
16 knew something. We had at that time what I
17 thought was a small number of people who knew
18 something and it turned out we had quite a few
19 more, and I felt like this was exactly the kind of
20 scenario where a reward could be useful and could
21 possibly pay out. And so what I actually did was
22 I had some communications with Maggie de Vries,
23 who was Sarah de Vries's sister, and I basically
24 implored her to lobby for a reward. I told her,
25 "I think this is -- I need you to advocate for

1 this because I am not able from my position to --
2 to make this happen." And so she made her -- I
3 think she made the submission to the police board
4 as a citizen and that's ultimately how the reward
5 came to be. So -- so I would say I was very -- I
6 felt very strongly about -- then that was \$30,000
7 from the City and then hopefully we were going to
8 obtain the other 70 from the AG in order to have a
9 hundred-thousand-dollar reward.

10 Q Aside from Maggie was there anyone else in the
11 department that you were having discussions with
12 about pushing for this reward?

13 A I know I had discussions with Sergeant Field, but
14 I can't recall if she was pro or against it. I
15 don't recall for certain.

16 Q So who -- we don't have notes of the meeting
17 itself, so maybe you can help us out with some
18 details about it. Who was there?

19 A Well, from the policing side it was myself. I
20 think at the time he was a superintendent,
21 Superintendent Gary Bass from the RCMP. I believe
22 he was in charge of their Major Crime Section.
23 Deputy Chief McGuinness from the VPD. Sergeant
24 Boyd at that time was the acting inspector in
25 Major Crime, so Acting Inspector Al Boyd and

1 myself. And then from the Attorney General's
2 office there was the Attorney General, which was
3 Mr. Dosanjh at the time. There was Stephen
4 Stackhouse, who I think may have been his chief of
5 staff. I'm not really sure. There were several
6 other people in attendance that were ministers of
7 various portfolios that are no longer in
8 existence. I think one was -- I think it was
9 called Aboriginal Affairs at the time. I don't
10 think there is one anymore. There was a Women's
11 Affairs minister there at the time, which I don't
12 think exists anymore. A couple of other
13 ministries that I honestly can't recall. So in
14 total exclusive of the police, there were maybe
15 eight or ten people in the room. It was very
16 informal. It was just in the Attorney General's
17 office over at 800 Hornby.

18 Q Did you take any minutes of that meeting?

19 A No. I was giving this presentation, so I wasn't
20 taking minutes.

21 Q When you gave the presentation, were you reading
22 from the memo that you wrote?

23 A No. I think I spoke quite extemporaneously. I
24 think that I actually handed out -- I made 10
25 copies or 12 copies of this and handed it out to

1 everyone and then I just basically spoke off the
2 cuff.

3 Q So the memo wasn't provided in advance of the
4 meeting. You brought it with you?

5 A I believe so, yes. Yes, I did. I handed it out
6 at the meeting.

7 Q And there's a couple statements in this memo that
8 have been raised in these proceedings that I'd
9 like to have you speak to, so if you could go to
10 the second page, which is page 12 in the left-hand
11 corner. And halfway down that page the
12 paragraph -- the third paragraph down reads --
13 well, actually, maybe you could read it for us.

14 A Sure.

15 Q What do you say here?

16 A

17 As I write this report, there is no evidence
18 of a person or persons preying on these
19 women.

20 Q Okay. Could you just stop there?

21 A Sure.

22 Q So we know at this point in time -- it's April,
23 1999. We know that you've had several dealings
24 with Hiscox. We know that you've interviewed
25 Anderson. We know that there's a Pickton

1 investigation being pursued. And this statement
2 seems to suggest that there's no -- well, it says
3 there's no evidence of a person preying on these
4 women. So tell us why that seems to contradict
5 what was actually going on.

6 A Well, I was using the word evidence in what I feel
7 is my strictest interpretation of it, which is
8 evidence that -- that would be -- that would be
9 used in a court to prove -- to prove charges
10 against -- against a suspect, and I didn't feel we
11 had that yet.

12 Q Did you feel it was incumbent on you, though, to
13 share the fact that you did have some information
14 that was pointing towards a specific suspect?
15 Would that have been important to let the Attorney
16 General know about?

17 A I don't think so because my -- my understanding
18 was that -- that -- for one thing, I didn't know
19 who was going to be in that room and I felt that
20 discretion again around this information was of
21 the utmost importance. This was -- this was
22 something that I -- my interpretation of it was
23 that it was still an active investigation on the
24 Coquitlam end and I certainly didn't want to be
25 speaking about it to people that I couldn't

1 confirm discretion -- their discretion around it
2 and I didn't feel like it was relevant to this
3 meeting.

4 Q Who at that meeting from the department's side
5 knew about the Hiscox and Anderson information?

6 A I believe everyone that was there did.

7 Q Nobody said anything about it?

8 A I can't recall whether they did or not. I
9 think -- I'm inclined to think no one did because
10 I think I would have remembered had somebody, but
11 I can't say for sure.

12 Q But just to be clear, at this point in time was it
13 your view that Pickton was a top person of
14 interest or suspect in the missing women
15 investigation?

16 A Absolutely.

17 Q Now, if we just read further down in that
18 paragraph. You know, I think just for the sake of
19 completeness, maybe you could just keep reading on
20 from that last sentence.

21 A Sure.

22 That does not mean that we do not think it is
23 a possibility, only that we have to weigh
24 this with all other possibilities. We cannot
25 investigate a murder without a body,

witnesses, time of crime, scene of crime or suspect and we have none of these things. Only one of these files even contains a person who can say they saw a woman on a corner one minute and she was gone the next - and we cannot even confirm that for certain.

Q So looking, then, at what you're writing here, so "We can't investigate a murder without a body", is that the case?

A If I had that to do over and to write over, I probably would have said it is extremely challenging to investigate a murder without a body or one of the challenges we're presented with is investigating a murder without a body. My intent was never to -- to indicate that because we don't have that we can't investigate. It's a poor choice of words on my part, but I don't believe that that meeting was ever misconstrued. At least, you know, I had an opportunity in my presentation to explain that obviously these were just investigative challenges that we were facing.

Q So you supplemented this, did you, then, when you actually gave your presentation?

A I just know my recollection of it was that -- was that the spirit with which I delivered that

1 information would not have indicated that I
2 thought we were a dead end because we didn't have
3 a body.

4 Q Why did you say "We can't investigate a murder
5 without" -- and then you say "or a suspect and we
6 have none of these things" when at the time you
7 held the view that Pickton was a strong person of
8 interest or would you say a suspect? I'm not sure
9 if you distinguish between those?

10 A I think formally I would distinguish between
11 suspect and person of interest. Again, to me
12 suspect sort of goes in the same -- along the same
13 line as evidence. Those sorts of words to me are
14 leading to somebody that we are preparing charges
15 for court on, and I felt like at that point, in my
16 view, Pickton was a very strong person of
17 interest. We could call him a potential suspect.
18 You know, I felt like we were still looking for
19 those next pieces of information that would start
20 to pull it together.

21 Q So what I understand from what you're saying,
22 then, is what you meant by "We can't investigate a
23 murder without" and then "a suspect and we have
24 none of those things" is that you didn't have
25 anyone that you were preparing a case for charges

1 against at that time?

2 A That's correct.

3 Q What was the outcome of this meeting?

4 A Well, the Attorney General allocated \$70,000 to
5 the reward and I believe that reward became a
6 factor in the investigation.

7 Q Now, did the investigation ever include any
8 proactive strategies to protect the women?

9 A I know that the two constables in New
10 Westminster -- one was Constable Fraser. I can't
11 recall the other one's name -- that they started a
12 registration program for the sex workers there
13 where they collected DNA. They collected
14 next-of-kin information. Basically they were able
15 to put together a little package on each of the
16 women and the women obviously voluntarily took
17 part in that, and the idea was that understanding
18 that the women were going to continue to work, but
19 that this might help us to more quickly
20 investigate any disappearances should they go
21 missing. And I think that that --

22 Q Is that a proactive strategy or --

23 A I guess it depends on how you look at it. I -- I
24 don't recall any, you know, purely proactive
25 strategy, no.

1 Q Was there ever a formal warning that was ever
2 issued to that victim group or the community?

3 A Not that I'm aware of. I think the most formal
4 warning was probably me at the Carnegie.

5 MS. BROOKS: Mr. Commissioner, Mr. Vertlieb has a few comments
6 he wishes to make. I'll need some time tomorrow
7 morning. I think probably two hours.

8 THE COMMISSIONER: All right. Thank you. Yes, Mr. Vertlieb?

9 MR. VERTLIEB: Mr. Commissioner, here's the situation. Based
10 on the estimates we have for cross-examination,
11 there's no way that I'll be able to get agreement
12 from the lawyers on the time estimates they seek.
13 We had always felt that if the detective was here
14 today through Thursday, that would be ample to get
15 you the information you need, and I fear you're
16 going to need to make an order on
17 cross-examination and the time allowed. I don't
18 want to have you consider that yet until I hear
19 from everybody, so I'm going to again ask
20 everyone -- they've been asked more than once --
21 to send us their estimates for cross and then you
22 can tomorrow at the conclusion of Miss Brooks'
23 evidence make an order. I just wanted to tell you
24 that.

25 THE COMMISSIONER: What's the estimate? Sorry. Yes, Mr.

1 Gratl?

2 MR. GRATL: I wonder, Mr. Commissioner, as well if I could ask
3 for an order indicating a sequence of
4 cross-examination.

5 THE COMMISSIONER: Sorry?

6 MR. GRATL: I wonder if we could have an order with respect to
7 the sequence of cross-examination as well.

8 THE COMMISSIONER: A what?

9 MR. GRATL: An order with respect to the sequence, I mean who's
10 going next in terms of cross-examination.

11 THE COMMISSIONER: Oh, the sequence.

12 MR. GRATL: Sequence, yes. To my mind, the Vancouver Police
13 Department and Board lawyers were with Shenher for
14 all the interviews, the LePard interviews and the
15 Evans interview, and then the police union lawyers
16 plus the VPD and VP Board lawyers were with
17 Detective Constable Shenher during her Evans
18 interviews, and so to my mind those would be in
19 the nature of friendly -- what's been described as
20 friendly cross-examination. It would make sense,
21 to my mind, for them to go next.

22 MR. VERTLIEB: We can think about that. And I just wanted to
23 give you the heads up, as it were, that you will
24 need to consider making an order. But everyone
25 needs to get this information to us within the

1 next half hour, please. Thank you, Mr.
2 Commissioner.

3 THE COMMISSIONER: Do you not have estimates from everybody
4 yet?

5 MR. VERTLIEB: No, we don't.

6 MS. TOBIAS: Mr. Commissioner, Cheryl Tobias for the Government
7 of Canada. If I may speak to that briefly. I
8 completely appreciate the position that my learned
9 friends, your counsel, are in. And everyone is
10 doing the best they can, but the same goes with
11 respect to estimates for cross-examination because
12 there are a number of witnesses for whom we have
13 no will says and --

14 THE COMMISSIONER: No what?

15 MS. TOBIAS: Will says. The commission, for example, was not
16 able to get it. And I understand. There is a lot
17 of stuff to go through. But we received these
18 voluminous lists of documents and so forth just
19 over the weekend, so for -- I have to say for
20 myself, and I've indicated that I wished to hear
21 the evidence in direct first before I could make a
22 really informed decision as to cross. So I'm not
23 trying to be difficult and I've indicated that by
24 e-mail this afternoon to my friends, but that is
25 one of the -- I wanted to make sure you were aware

1 that's one of the constraints that we all are
2 working under. So we'll certainly do our best,
3 but that's our situation.

4 THE COMMISSIONER: All right. Thank you.

5 MR. VERTLIEB: Mr. Commissioner, there's no new documents.

6 What Miss Tobias is talking about is our desire to
7 help people by sending out in advance the
8 documents that are going to be referred to. But,
9 anyway, I hear her point. And just so you know,
10 Mr. Hern for the VPD has said one hour, just if
11 that helps. But, anyway, we'll have to sort
12 through that. They'll have to tell us what they
13 want to tell us and then tomorrow you have to
14 consider where you're left.

15 THE COMMISSIONER: I hope I don't have to make an order. I
16 don't want to make an order. I would like -- I
17 would like all of you to agree. But if I'm going
18 to hear something like you need two weeks to
19 cross-examine her, then I'm going to have to make
20 an order.

21 MR. VERTLIEB: Right now there's five days that are allocated
22 for cross, which would carry this witness into
23 next week, and that's not -- that's just not
24 doable. So, anyway, hopefully we'll have some
25 more discussion, but I fear you'll have to make

1 the order you've just adverted to. Thank you.

2 THE COMMISSIONER: Thank you.

3 THE REGISTRAR: The hearing is now adjourned for the day and
4 will resume at 9:30.

5 **(PROCEEDINGS ADJOURNED AT 4:00 P.M.)**

6
7 I hereby certify the foregoing to be
8 a true and accurate transcript of the
9 proceedings transcribed herein to the
10 best of my skill and ability.

11 Kathie Tanaka, Official Reporter
12 UNITED REPORTING SERVICE LTD.

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15
16
17
18
19
20
21
22
23
24
25

INDEX OF PROCEEDINGS

	PAGE
LORI SHENHER (for the Commission)	
In chief by Ms. Brooks	2
Proceedings	183

EXHIBITS

NO.	DESCRIPTION	PAGE
	(EXHIBIT P FOR IDENTIFICATION: Binder of documents entitled "Witness: Shenher, Missing Persons Unit - Investigations)	3
	EXHIBIT Q FOR IDENTIFICATION: Binder of documents entitled "Witness: Shenher, Project Amelia")	3
	EXHIBIT 79: Document entitled "Time Line re: Pickton Investigation as a Result of Hiscox Information")	71
	EXHIBIT 80: Document entitled "Summary of Contact with William Hiscox")	71

<div>\$</div>	<div>18^[1] - 141:11 183^[1] - 1:7 189^[2] - 169:10, 170:10 18th^[1] - 104:2 19^[2] - 59:11, 59:14 192^[2] - 170:10, 171:6 195^[1] - 129:20 196^[1] - 167:16 1991^[3] - 3:23, 4:8, 7:1 1993^[1] - 7:1 1996^[1] - 4:18 1998^[17] - 5:1, 23:22, 40:8, 48:7, 73:16, 85:5, 100:6, 103:9, 110:1, 110:3, 122:15, 126:1, 131:19, 142:17, 145:15, 158:7, 162:19 1999^[12] - 17:4, 48:12, 100:7, 103:8, 113:1, 116:17, 118:24, 127:19, 128:19, 158:7, 162:15, 177:23 19th^[2] - 115:1, 172:13 1:45^[3] - 102:21, 102:24, 103:1 1B^[1] - 125:22</div>	<div>21^[1] - 163:22 21st^[1] - 85:5 22^[1] - 164:3 22nd^[2] - 146:11, 148:13 24^[6] - 169:9, 169:24, 170:1, 170:5, 170:7, 170:10 24th^[3] - 116:17, 169:17, 170:16 25^[2] - 125:22, 170:1 26th^[1] - 142:17 27^[1] - 103:12 27th^[4] - 68:20, 73:16, 131:18, 132:3 28th^[1] - 68:20 29^[1] - 172:17 2:58^[1] - 156:22 2nd^[3] - 8:23, 100:6, 104:2</div>	<div>71^[2] - 2:11, 2:14 79^[6] - 3:2, 71:8, 71:13, 71:14, 114:19, 2:11 79NR^[1] - 2:18</div>	<div>abut^[1] - 56:12 academic^[2] - 143:15 academy^[2] - 3:22, 20:4 acceptance^[1] - 12:10 accepted^[1] - 101:21 access^[2] - 9:20, 161:5 acclamation^[1] - 52:21 account^[1] - 87:7 accumulating^[1] - 102:16 accuracy^[1] - 73:8 accurate^[1] - 187:8 accurately^[1] - 49:6 achieved^[1] - 35:24 acknowledge^[1] - 16:23 acknowledged^[1] - 16:24 acknowledgement^[1] - 153:4 act^[5] - 15:5, 90:10, 144:5, 145:4, 165:22 Acting^[4] - 131:18, 139:2, 141:10, 175:25 acting^[3] - 7:6, 131:22, 175:24 action^[4] - 147:21, 147:23, 148:2, 153:12 active^[2] - 66:1, 178:23 activities^[1] - 111:24 Activities^[1] - 160:12 actual^[4] - 59:14, 150:24, 153:12, 155:5 acutally^[1] - 96:25 add^[1] - 77:24 added^[5] - 36:7, 70:18, 154:21, 154:22, 155:18 addict^[1] - 87:7 addicted^[1] - 18:1 addiction^[1] - 129:16 addictions^[1] - 42:18 adding^[1] - 154:19 addition^[3] - 55:16, 84:3, 164:17 additional^[3] - 45:4, 54:13, 67:20 address^[4] - 32:2, 73:11, 76:9, 133:14 addressed^[3] - 139:20, 151:21, 153:5 addressing^[1] - 169:5</div>
<div>.</div>				
<div>'90s^[1] - 30:15 '91^[1] - 5:15 '93^[1] - 4:8 '95^[1] - 166:24 '96^[1] - 5:15 '98^[3] - 63:1, 127:24, 166:24 '99^[3] - 67:7, 127:23, 127:24 'rat'^[1] - 10:21</div>				
<div>1</div>	<div>1^[18] - 3:15, 48:24, 49:1, 49:9, 49:18, 57:4, 70:10, 93:1, 103:12, 110:2, 118:11, 121:9, 129:18, 162:12, 170:3 1-800^[2] - 68:17, 69:2 10^[10] - 38:18, 39:18, 50:5, 50:21, 68:4, 104:18, 137:10, 137:12, 137:13, 176:24 10:02^[1] - 1:3 10th^[1] - 113:1 11^[4] - 109:24, 110:2, 118:11, 142:10 114^[2] - 93:5, 93:9 11:04^[1] - 47:23 11:22^[1] - 47:24 12^[5] - 56:6, 56:9, 131:20, 176:25, 177:10 12:31^[1] - 102:25 13^[2] - 85:4, 141:6 13th^[3] - 111:10, 122:15, 171:11 14^[4] - 146:8, 147:9, 147:18, 148:2 14th^[1] - 148:9 15^[9] - 4:12, 5:16, 33:8, 38:19, 39:18, 47:22, 129:19, 156:21 15th^[3] - 104:3, 126:1, 129:21 16^[1] - 148:7 16th^[1] - 103:8 17^[2] - 118:24, 128:22 17th^[1] - 120:2</div>	<div>2^[25] - 3:17, 4:4, 24:25, 25:3, 26:7, 49:16, 50:8, 67:21, 70:12, 74:17, 100:4, 125:22, 127:22, 128:3, 132:13, 132:18, 132:25, 141:9, 149:4, 149:11, 150:9, 154:5, 162:14, 164:9, 1:5 2,998^[1] - 63:12 20^[5] - 33:10, 50:8, 64:23, 162:12, 164:16 2000^[3] - 5:24, 26:13, 48:13 2000s^[1] - 30:16 2001^[4] - 6:3, 6:11, 22:16, 49:22 2002^[1] - 129:21 2005^[1] - 6:13 2012^[1] - 1:1 20th^[3] - 49:22, 115:1, 172:13</div>	<div>3^[7] - 7:4, 50:8, 57:3, 109:23, 110:2, 2:5, 2:8 3,000^[1] - 63:11 30^[3] - 1:1, 50:7, 153:23 312^[2] - 8:13, 53:25 34^[4] - 97:11, 118:10, 128:3, 128:18 35^[1] - 141:11 3:17^[1] - 156:23</div>	<div>8^[4] - 56:6, 56:9, 80:8, 162:19 8-57^[2] - 97:16, 98:3 8-71^[1] - 118:10 80^[6] - 71:9, 71:13, 71:17, 76:14, 103:5, 2:14 800^[1] - 176:17 81^[1] - 71:11</div>
	<div>2</div>	<div>4^[7] - 4:14, 25:1, 25:6, 25:8, 26:5, 57:4, 153:24 40^[1] - 114:20 416^[2] - 169:15, 170:8 42^[1] - 116:16 4:00^[1] - 187:5 4th^[5] - 103:7, 110:1, 110:3, 145:15, 145:19</div>	<div>9^[2] - 68:3, 68:4 90/10^[1] - 68:4 911^[4] - 40:12, 57:15, 57:18, 58:18 97^[2] - 98:25, 99:4 9:30^[1] - 187:4 9th^[2] - 162:15, 173:25</div>	
		<div>5^[1] - 59:12 50^[1] - 15:4</div>	<div>A A.M^[3] - 1:3, 47:23, 47:24 abandoning^[1] - 14:23 abducted^[1] - 16:5 ability^[7] - 23:9, 32:22, 77:1, 77:11, 119:12, 139:9, 187:10 able^[22] - 12:15, 14:15, 15:23, 23:11, 24:9, 32:2, 37:24, 42:15, 46:22, 69:14, 69:20, 78:2, 115:12, 150:3, 156:9, 162:2, 171:15, 172:11, 175:1, 182:14, 183:11, 185:16 Aboriginal^[1] - 176:9 aboriginal^[1] - 161:9 Abotsway^[2] - 19:8, 19:23 absence^[1] - 60:14 absolutely^[12] - 38:7, 52:14, 95:10, 112:20, 117:14, 120:7, 136:12, 137:24, 147:17, 154:21, 158:11, 179:16 abuse^[1] - 100:16</div>	
		<div>6^[1] - 93:2 60^[1] - 115:8 6th^[2] - 100:7, 128:19</div>		
		<div>7^[2] - 78:20, 121:10 70^[2] - 115:8, 175:8</div>		

<p>adequate ^[1] - 130:21</p> <p>ADJOURNED ^[4] - 47:23, 102:25, 156:22, 187:5</p> <p>adjourned ^[2] - 102:24, 187:3</p> <p>adjunct ^[1] - 56:7</p> <p>administrative ^[1] - 65:7</p> <p>admittedly ^[2] - 137:6, 145:2</p> <p>advance ^[11] - 36:13, 37:13, 70:14, 110:8, 148:13, 159:1, 174:4, 174:5, 174:7, 177:3, 186:7</p> <p>advancing ^[2] - 102:4, 150:23</p> <p>adversarial ^[1] - 140:4</p> <p>adverted ^[1] - 187:1</p> <p>advice ^[3] - 78:5, 130:13, 156:14</p> <p>advise ^[3] - 57:19, 57:21, 151:11</p> <p>advised ^[6] - 50:6, 50:9, 99:4, 114:21, 116:17, 129:23</p> <p>advocate ^[1] - 174:25</p> <p>advocating ^[1] - 32:23</p> <p>aerial ^[1] - 112:1</p> <p>Affairs ^[2] - 176:9, 176:11</p> <p>affect ^[2] - 43:14, 101:23</p> <p>affected ^[2] - 17:16, 158:5</p> <p>affiants ^[1] - 46:2</p> <p>afraid ^[4] - 14:1, 98:20, 116:10, 122:3</p> <p>afternoon ^[2] - 156:19, 185:24</p> <p>afterwards ^[1] - 168:25</p> <p>AG ^[1] - 175:8</p> <p>age ^[1] - 60:12</p> <p>agenda ^[1] - 163:23</p> <p>agent ^[3] - 42:8, 125:4, 125:12</p> <p>agents ^[1] - 42:4</p> <p>ago ^[2] - 58:17, 60:16</p> <p>agree ^[5] - 65:16, 94:16, 99:15, 120:6, 186:17</p> <p>agreeable ^[1] - 102:23</p> <p>agreed ^[9] - 65:19, 90:7, 95:25, 110:21, 113:9, 114:9, 114:10, 123:17, 125:23</p> <p>agreement ^[3] - 65:12,</p>	<p>81:23, 183:11</p> <p>ahead ^[5] - 14:11, 14:19, 86:19, 111:6, 152:24</p> <p>ahold ^[1] - 101:20</p> <p>aid ^[2] - 70:6, 70:9</p> <p>aid-memoire ^[1] - 70:9</p> <p>aid-memoires ^[1] - 70:6</p> <p>aide ^[2] - 70:11, 100:3</p> <p>aide-memoire ^[2] - 70:11, 100:3</p> <p>airport ^[2] - 25:19, 26:3</p> <p>AI ^[7] - 64:9, 65:7, 67:11, 67:13, 78:8, 157:10, 175:25</p> <p>alarm ^[1] - 34:2</p> <p>alive ^[3] - 94:5, 131:10, 147:4</p> <p>Allan ^[1] - 161:21</p> <p>Alley ^[1] - 84:14</p> <p>alleys ^[1] - 24:11</p> <p>allocated ^[2] - 182:4, 186:21</p> <p>allow ^[2] - 46:22, 60:17</p> <p>allowed ^[2] - 13:7, 183:17</p> <p>alluded ^[1] - 108:16</p> <p>almost ^[5] - 9:17, 34:20, 57:9, 75:9, 154:5</p> <p>ambitious ^[1] - 51:2</p> <p>Amelia ^[12] - 3:7, 3:13, 3:18, 39:16, 48:11, 49:17, 49:18, 67:6, 71:10, 158:8, 162:3, 2:10</p> <p>amount ^[4] - 13:4, 64:18, 65:2, 90:24</p> <p>ample ^[1] - 183:14</p> <p>analogy ^[1] - 154:3</p> <p>analyse ^[1] - 160:16</p> <p>analysis ^[3] - 41:21, 65:17, 171:22</p> <p>Anderson ^[19] - 74:25, 75:8, 79:23, 81:13, 83:23, 95:3, 95:9, 96:10, 96:24, 99:19, 115:11, 117:3, 120:13, 131:3, 132:5, 144:23, 167:22, 177:25, 179:5</p> <p>Anderson's ^[1] - 99:18</p> <p>anecdotally ^[2] - 51:13, 171:24</p> <p>Angela ^[7] - 19:8, 21:18, 21:19, 21:24,</p>	<p>66:3</p> <p>Angela's ^[1] - 21:22</p> <p>animal ^[1] - 111:16</p> <p>animosity ^[1] - 149:10</p> <p>anonymous ^[4] - 140:15, 140:24, 141:2, 144:18</p> <p>answer ^[4] - 37:7, 44:15, 139:12, 157:6</p> <p>answering ^[1] - 43:15</p> <p>answers ^[1] - 137:15</p> <p>anyway ^[4] - 170:14, 186:9, 186:11, 186:24</p> <p>anyways ^[1] - 93:24</p> <p>apologetic ^[1] - 25:16</p> <p>appeal ^[1] - 27:22</p> <p>appear ^[2] - 147:10, 169:11</p> <p>appeared ^[1] - 138:11</p> <p>appearing ^[3] - 1:9, 1:10, 1:18</p> <p>applicant ^[2] - 52:18, 52:19</p> <p>application ^[1] - 105:10</p> <p>applications ^[1] - 44:19</p> <p>applied ^[1] - 6:21</p> <p>appointed ^[1] - 140:1</p> <p>appointment ^[1] - 11:7</p> <p>appreciate ^[4] - 28:12, 63:5, 139:8, 185:8</p> <p>appreciated ^[1] - 65:22</p> <p>appreciating ^[1] - 30:9</p> <p>appreciation ^[1] - 34:18</p> <p>approach ^[12] - 10:7, 12:12, 27:2, 45:17, 82:13, 82:23, 83:11, 88:14, 112:13, 121:15, 124:6, 125:18</p> <p>approached ^[2] - 82:8, 171:17</p> <p>approaching ^[4] - 10:4, 83:9, 130:11, 130:17</p> <p>appropriate ^[10] - 41:7, 51:9, 78:15, 154:1, 154:4, 154:7, 154:10, 167:11</p> <p>appropriately ^[1] - 155:19</p> <p>April ^[3] - 3:23, 173:25, 177:22</p> <p>area ^[10] - 8:15, 8:21, 13:16, 13:22, 26:10,</p>	<p>56:4, 58:9, 61:21, 98:9, 111:13</p> <p>areas ^[2] - 82:10, 110:9</p> <p>argue ^[1] - 100:23</p> <p>arguing ^[1] - 90:7</p> <p>arisen ^[1] - 128:9</p> <p>arm ^[1] - 158:21</p> <p>arranged ^[1] - 125:25</p> <p>arrangement ^[1] - 67:1</p> <p>arrangements ^[1] - 63:25</p> <p>arrest ^[2] - 42:15, 44:18</p> <p>arrested ^[4] - 15:17, 19:20, 19:23, 25:25</p> <p>arrived ^[3] - 40:5, 55:21, 141:16</p> <p>ascertain ^[2] - 74:7, 86:23</p> <p>aside ^[10] - 28:6, 31:17, 32:5, 33:23, 42:9, 109:9, 112:21, 129:12, 130:14, 175:10</p> <p>aspect ^[1] - 60:11</p> <p>assault ^[1] - 135:20</p> <p>assaulted ^[1] - 17:6</p> <p>Assessment ^[1] - 6:17</p> <p>assessment ^[6] - 60:20, 61:1, 62:8, 92:19, 101:15, 109:6</p> <p>assign ^[2] - 50:22, 51:23</p> <p>assigned ^[12] - 46:11, 46:17, 54:14, 55:11, 58:24, 66:21, 67:10, 132:19, 133:13, 152:4, 153:8, 165:24</p> <p>assignment ^[2] - 53:3, 108:3</p> <p>assist ^[9] - 2:5, 13:6, 45:4, 70:6, 112:14, 113:21, 114:21, 155:3, 157:13</p> <p>assisted ^[1] - 155:2</p> <p>associate ^[3] - 41:4, 68:16, 129:23</p> <p>associated ^[1] - 100:13</p> <p>assume ^[1] - 72:21</p> <p>assurance ^[1] - 72:11</p> <p>Astoria ^[1] - 117:22</p> <p>AT ^[8] - 1:3, 47:23, 47:24, 102:25, 103:1, 156:22, 156:23, 187:5</p> <p>attempt ^[3] - 14:23, 40:15, 74:19</p>	<p>attempting ^[1] - 113:11</p> <p>attend ^[1] - 145:21</p> <p>attendance ^[1] - 176:6</p> <p>attended ^[4] - 3:22, 146:10, 168:13, 171:15</p> <p>attending ^[2] - 145:18, 145:19</p> <p>attention ^[2] - 91:19, 103:3</p> <p>attorney ^[1] - 99:3</p> <p>Attorney ^[9] - 172:19, 173:9, 173:10, 173:16, 176:1, 176:2, 176:16, 178:15, 182:4</p> <p>audio ^[2] - 69:1, 94:19</p> <p>August ^[12] - 63:2, 85:5, 100:7, 127:4, 127:19, 127:23, 127:24, 128:19, 131:18, 132:1, 132:3, 142:17</p> <p>aunt's ^[1] - 91:21</p> <p>authority ^[3] - 26:17, 27:20, 38:22</p> <p>automate ^[1] - 160:15</p> <p>available ^[5] - 27:25, 31:11, 42:25, 62:15, 163:14</p> <p>Avenue ^[1] - 8:24</p> <p>avenue ^[2] - 99:8, 100:1</p> <p>avenues ^[6] - 58:19, 136:15, 136:17, 136:20, 147:3, 150:15</p> <p>avoid ^[1] - 130:12</p> <p>award ^[1] - 172:16</p> <p>aware ^[23] - 11:15, 29:15, 30:20, 32:14, 45:13, 46:5, 46:6, 47:2, 47:14, 127:8, 143:3, 146:6, 151:16, 162:23, 168:18, 168:19, 168:21, 168:22, 173:20, 173:21, 183:3, 185:25</p>
B				
<p>background ^[7] - 53:4, 69:1, 77:20, 77:21, 77:22, 82:17, 107:25</p> <p>bad ^[6] - 9:11, 21:11, 21:12, 26:1, 88:11, 92:8</p> <p>bag ^[2] - 14:20, 14:21</p>				

<p>bags [4] - 104:15, 107:21, 108:21, 121:24</p> <p>balance [1] - 33:16</p> <p>balancing [1] - 145:4</p> <p>banged [1] - 34:13</p> <p>bank [1] - 114:23</p> <p>barking [1] - 40:14</p> <p>Barry [1] - 157:8</p> <p>bars [1] - 117:21</p> <p>bartenders [1] - 117:23</p> <p>based [6] - 39:1, 70:15, 94:14, 117:2, 171:16, 183:9</p> <p>basis [4] - 12:6, 44:11, 117:13, 157:8</p> <p>Bass [1] - 175:21</p> <p>battered [1] - 79:20</p> <p>BC [2] - 1:2, 84:20</p> <p>Beach [1] - 164:9</p> <p>bear [1] - 29:18</p> <p>Beat [1] - 7:8</p> <p>beat [1] - 143:10</p> <p>beatings [1] - 9:22</p> <p>became [6] - 31:18, 48:9, 156:7, 160:12, 168:18, 182:5</p> <p>Beck [1] - 19:7</p> <p>become [6] - 24:5, 24:14, 30:1, 31:22, 42:8, 152:10</p> <p>becomes [1] - 58:1</p> <p>becoming [1] - 145:1</p> <p>bed [1] - 93:8</p> <p>began [3] - 45:6, 68:14</p> <p>beginning [3] - 48:6, 103:7, 133:7</p> <p>behalf [2] - 1:10, 161:6</p> <p>Behavioural [1] - 157:16</p> <p>behind [2] - 89:25, 158:21</p> <p>belief [1] - 30:24</p> <p>beliefs [1] - 29:1</p> <p>believes [2] - 122:1, 148:12</p> <p>bell [1] - 34:2</p> <p>below [1] - 112:25</p> <p>benefit [1] - 49:11</p> <p>benefitted [1] - 137:22</p> <p>best [8] - 19:9, 28:6, 111:17, 123:15, 165:1, 185:10, 186:2, 187:10</p> <p>bet [1] - 93:23</p> <p>better [4] - 28:22, 29:22, 115:23,</p>	<p>123:16</p> <p>between [19] - 7:24, 8:23, 33:16, 35:6, 55:19, 65:12, 87:12, 100:6, 107:16, 114:5, 120:4, 137:20, 149:10, 155:9, 158:4, 159:7, 169:17, 181:9, 181:10</p> <p>beyond [1] - 65:10</p> <p>bid [1] - 150:3</p> <p>Biddlecombe [12] - 54:19, 55:20, 131:23, 131:25, 148:9, 149:18, 149:24, 150:18, 151:7, 151:23, 169:19, 170:20</p> <p>big [5] - 33:20, 54:2, 85:15, 138:19, 166:24</p> <p>biggest [1] - 98:21</p> <p>Bill [1] - 157:21</p> <p>bill [1] - 101:12</p> <p>Binder [4] - 3:8, 3:11, 2:5, 2:8</p> <p>binder [21] - 3:15, 3:17, 49:9, 49:12, 49:16, 49:18, 57:4, 93:1, 93:2, 103:12, 109:23, 110:1, 118:11, 121:9, 125:22, 127:22, 128:3, 129:18, 129:19, 131:19, 162:12</p> <p>binders [4] - 2:4, 63:4, 63:16</p> <p>bingo [1] - 77:13</p> <p>Birnie [1] - 157:21</p> <p>bit [25] - 13:11, 16:7, 17:12, 19:10, 28:21, 35:6, 37:5, 60:10, 76:13, 81:7, 84:24, 85:11, 86:20, 90:7, 98:4, 100:11, 103:22, 107:25, 136:14, 145:4, 146:20, 149:25, 152:17, 155:3, 155:4</p> <p>bite [2] - 21:7, 25:24</p> <p>bits [1] - 74:5</p> <p>black [1] - 63:16</p> <p>blacking [1] - 107:9</p> <p>blamed [1] - 95:3</p> <p>blind [1] - 29:17</p> <p>blitz [3] - 114:13, 114:24</p> <p>block [2] - 86:10</p>	<p>blood [1] - 90:24</p> <p>Blood [1] - 84:14</p> <p>bloody [4] - 104:14, 107:21, 108:21, 121:24</p> <p>blow [1] - 87:20</p> <p>blue [1] - 93:9</p> <p>blueprint [6] - 146:9, 146:13, 147:12, 147:22, 159:3, 159:4</p> <p>Blythe [1] - 1:10</p> <p>Board [2] - 184:13, 184:16</p> <p>board [3] - 112:14, 129:20, 175:3</p> <p>bodies [9] - 77:1, 77:7, 77:9, 77:10, 102:10, 102:14, 104:10, 104:25, 144:6</p> <p>body [6] - 114:1, 179:25, 180:8, 180:12, 180:14, 181:3</p> <p>bolster [1] - 17:13</p> <p>book [2] - 90:14, 90:15</p> <p>boost [1] - 150:1</p> <p>boots [1] - 153:9</p> <p>bottom [6] - 26:22, 93:3, 98:3, 98:5, 109:24, 119:18</p> <p>bouncing [1] - 82:10</p> <p>bounded [1] - 8:15</p> <p>box [1] - 55:14</p> <p>boxes [3] - 55:6, 55:14</p> <p>Boyd [5] - 31:8, 67:11, 67:13, 175:24, 175:25</p> <p>boyfriend [1] - 69:8</p> <p>boyfriends [2] - 135:15, 143:21</p> <p>bra [2] - 88:23, 89:1</p> <p>bravado [1] - 17:12</p> <p>break [8] - 13:11, 47:21, 91:19, 102:18, 103:18, 156:19, 156:20, 166:22</p> <p>briefings [1] - 53:4</p> <p>briefly [2] - 104:1, 185:7</p> <p>briefs [3] - 3:15, 49:10, 70:17</p> <p>bring [8] - 63:19, 63:20, 95:5, 95:15, 112:14, 121:6, 124:21, 124:22</p> <p>bringing [2] - 123:12, 159:6</p>	<p>broader [2] - 31:14, 31:20</p> <p>broadly [1] - 48:4</p> <p>broads [1] - 93:10</p> <p>Broadway [1] - 8:24</p> <p>Brock [1] - 163:9</p> <p>BROOKS [30] - 1:20, 2:3, 2:7, 2:9, 3:14, 8:9, 8:11, 47:19, 48:1, 48:23, 48:25, 67:14, 70:5, 70:24, 71:12, 71:19, 72:12, 72:20, 73:4, 102:17, 103:17, 139:1, 140:7, 154:17, 156:18, 156:25, 170:3, 170:6, 170:13, 183:5</p> <p>brooks [1] - 103:3</p> <p>Brooks [1] - 1:5</p> <p>Brooks' [1] - 183:22</p> <p>brought [3] - 46:16, 151:17, 177:4</p> <p>brutal [1] - 75:8</p> <p>bucks [1] - 15:5</p> <p>build [2] - 20:8, 44:12</p> <p>building [2] - 8:13, 57:13</p> <p>built [1] - 160:24</p> <p>bulk [2] - 2:21, 8:14</p> <p>bullet [1] - 167:16</p> <p>bump [1] - 34:25</p> <p>bunch [1] - 105:24</p> <p>bunker [1] - 111:22</p> <p>burials [1] - 136:25</p> <p>burn [1] - 83:9</p> <p>Burnaby [1] - 84:22</p> <p>business [4] - 10:14, 10:18, 20:11, 72:21</p> <p>busy [1] - 119:8</p> <p>BY [1] - 3:14</p> <p>bypass [1] - 35:19</p>	<p>166:10, 166:11, 172:12</p> <p>canvassed [1] - 116:19</p> <p>capacity [2] - 13:2, 143:11</p> <p>car [12] - 14:6, 14:13, 14:17, 14:20, 15:15, 15:18, 25:22, 63:22, 63:24, 84:13, 126:5</p> <p>card [3] - 20:11, 20:14, 20:17</p> <p>cards [1] - 163:6</p> <p>care [4] - 15:1, 58:12, 66:5, 94:23</p> <p>career [3] - 19:13, 28:21, 38:18</p> <p>careful [6] - 21:7, 21:9, 21:10, 99:6, 122:11</p> <p>carefully [1] - 144:6</p> <p>Carnegie [3] - 162:5, 171:14, 183:4</p> <p>carried [5] - 8:12, 28:17, 63:13, 112:7, 127:5</p> <p>carry [6] - 30:21, 31:1, 114:23, 123:21, 148:3, 186:22</p> <p>carrying [1] - 45:5</p> <p>case [21] - 32:23, 36:12, 41:12, 43:2, 43:3, 45:6, 45:16, 45:19, 46:10, 52:9, 57:24, 58:2, 61:5, 75:3, 108:6, 140:16, 160:21, 180:9, 181:25</p> <p>cases [3] - 108:6, 134:18, 136:4</p> <p>categories [1] - 134:20</p> <p>caused [3] - 75:16, 83:11, 89:4</p> <p>causes [1] - 137:11</p> <p>causing [2] - 96:12, 112:4</p> <p>caution [1] - 165:11</p> <p>cell [4] - 63:23, 64:2, 64:4</p> <p>Centre [3] - 84:21, 122:20</p> <p>centre [5] - 4:10, 57:14, 57:17, 57:19, 61:18</p> <p>centres [1] - 161:9</p> <p>certain [5] - 26:17, 40:24, 140:2, 175:15, 180:6</p> <p>certainly [25] - 23:4,</p>
--	--	--	---	---

<p>23:13, 24:9, 28:22, 29:10, 29:11, 29:13, 58:19, 64:3, 76:2, 81:19, 106:15, 109:14, 116:11, 120:15, 120:24, 121:3, 125:4, 129:13, 131:7, 159:17, 161:17, 166:16, 178:24, 186:2</p> <p>certify [1] - 187:7</p> <p>cetera [1] - 122:3</p> <p>chain [11] - 26:18, 26:20, 26:22, 27:6, 27:8, 27:10, 27:15, 29:7, 31:7, 35:19, 173:3</p> <p>chairing [1] - 148:18</p> <p>challenge [1] - 12:2</p> <p>challenges [6] - 24:25, 165:25, 166:5, 167:6, 180:13, 180:21</p> <p>challenging [4] - 13:9, 18:3, 58:11, 180:12</p> <p>chamber [1] - 111:23</p> <p>Chambers [1] - 154:24</p> <p>chance [1] - 2:22</p> <p>change [3] - 23:18, 82:4, 103:10</p> <p>changed [3] - 24:12, 60:15, 60:16</p> <p>channels [3] - 9:24, 10:1, 39:24</p> <p>characterization [1] - 130:2</p> <p>characterize [2] - 16:17, 138:13</p> <p>characterized [1] - 108:20</p> <p>charge [2] - 14:15, 175:22</p> <p>charges [7] - 42:10, 42:15, 96:17, 168:3, 178:9, 181:14, 181:25</p> <p>chart [3] - 45:24, 46:4, 55:6</p> <p>check [5] - 10:9, 74:17, 77:16, 122:24, 155:25</p> <p>checking [1] - 129:13</p> <p>checks [1] - 117:18</p> <p>chemical [1] - 106:22</p> <p>cheques [1] - 39:9</p> <p>Cheryl [3] - 71:23, 72:2, 185:6</p> <p>chief [8] - 27:2, 27:3, 30:14, 30:19, 139:7,</p>	<p>139:19, 176:4, 1:5</p> <p>CHIEF [1] - 3:14</p> <p>Chief [13] - 45:12, 48:21, 81:1, 97:14, 98:23, 116:7, 118:9, 118:24, 154:24, 168:25, 169:18, 170:21, 175:23</p> <p>children [2] - 23:6, 39:7</p> <p>Chinatown [1] - 160:8</p> <p>chipper [1] - 102:13</p> <p>choice [1] - 180:17</p> <p>chose [1] - 7:7</p> <p>Chris [1] - 164:9</p> <p>CHRISTIE [4] - 1:6, 1:9, 1:13, 1:19</p> <p>Christie [2] - 1:7, 1:8</p> <p>chronology [4] - 49:1, 83:21, 111:4, 128:6</p> <p>Cindy [1] - 19:6</p> <p>circling [1] - 13:23</p> <p>circuit [2] - 23:16, 38:25</p> <p>circumspect [1] - 145:12</p> <p>circumstance [1] - 173:17</p> <p>circumstances [6] - 49:25, 92:17, 97:8, 103:23, 134:21, 173:11</p> <p>citizen [1] - 175:4</p> <p>City [3] - 21:1, 173:13, 175:7</p> <p>city [5] - 56:21, 57:15, 60:5, 63:9, 66:17</p> <p>civilian [2] - 54:16, 64:12</p> <p>clarification [1] - 139:15</p> <p>clarify [2] - 28:4, 139:9</p> <p>clarifying [1] - 7:11</p> <p>Clark [1] - 8:16</p> <p>clean [7] - 84:24, 95:20, 96:5, 104:13, 106:7, 106:10, 106:19</p> <p>clear [18] - 20:20, 24:22, 41:10, 43:6, 45:21, 53:12, 76:25, 83:3, 99:25, 100:24, 101:25, 108:10, 113:16, 145:6, 149:8, 152:13, 165:11, 179:12</p> <p>clearly [4] - 16:6, 53:12, 138:20, 155:2</p> <p>clerk [2] - 54:16, 64:13</p> <p>climate [1] - 39:2</p>	<p>close [2] - 51:11, 55:9</p> <p>closely [1] - 164:4</p> <p>clothes [2] - 10:3, 116:1</p> <p>clothing [4] - 104:14, 107:21, 108:21, 121:24</p> <p>co [9] - 10:15, 40:18, 41:8, 41:10, 41:14, 45:23, 48:10, 160:6, 161:22</p> <p>co-operative [1] - 10:15</p> <p>co-ordinator [8] - 40:18, 41:8, 41:10, 41:14, 45:23, 48:10, 160:6, 161:22</p> <p>coat [2] - 13:25, 21:4</p> <p>code [1] - 2:9</p> <p>coffee [2] - 125:11, 126:5</p> <p>cognizant [3] - 25:15, 33:18, 108:15</p> <p>cold [1] - 125:18</p> <p>collaborative [2] - 28:24, 30:11</p> <p>collate [1] - 160:14</p> <p>colleague's [1] - 169:9</p> <p>colleagues [1] - 120:25</p> <p>collect [1] - 160:14</p> <p>collected [2] - 182:13</p> <p>collecting [1] - 71:1</p> <p>comfort [4] - 32:25, 33:2, 79:8, 79:11</p> <p>comfortable [7] - 9:14, 16:1, 36:9, 72:10, 73:8, 166:15, 166:18</p> <p>coming [12] - 19:18, 65:4, 69:13, 69:24, 74:6, 88:18, 107:10, 123:20, 127:18, 137:8, 150:4, 166:16</p> <p>COMM [1] - 57:8</p> <p>command [8] - 26:18, 26:20, 27:8, 27:10, 27:15, 29:7, 35:20, 173:4</p> <p>commander [1] - 45:22</p> <p>comment [2] - 2:25, 118:8</p> <p>comments [5] - 73:5, 99:11, 173:1, 173:4, 183:5</p> <p>commission [10] - 72:9, 96:18, 97:14, 139:8, 139:14, 139:23, 158:2,</p>	<p>161:21, 168:23, 185:15</p> <p>Commission [1] - 1:4</p> <p>commissioner [1] - 158:2</p> <p>COMMISSIONER [46] - 1:5, 1:8, 1:12, 1:18, 2:6, 2:8, 2:12, 2:14, 2:19, 2:25, 8:8, 8:10, 47:20, 67:12, 70:22, 71:6, 71:25, 72:14, 72:25, 73:3, 102:22, 103:16, 138:2, 138:5, 138:8, 138:11, 138:14, 138:23, 138:25, 139:4, 139:24, 154:10, 156:20, 170:2, 170:4, 170:12, 183:8, 183:25, 184:5, 184:8, 184:11, 185:3, 185:14, 186:4, 186:15, 187:2</p> <p>Commissioner [24] - 1:6, 1:16, 2:3, 52:5, 56:4, 70:12, 72:15, 73:2, 77:7, 85:17, 96:16, 101:21, 102:17, 103:3, 137:24, 139:3, 152:6, 156:18, 183:5, 183:9, 184:2, 185:2, 185:6, 186:5</p> <p>commit [1] - 76:8</p> <p>commitment [3] - 46:20, 137:19, 153:1</p> <p>committing [1] - 41:3</p> <p>commonalities [2] - 134:7, 136:16</p> <p>communicate [8] - 32:7, 32:9, 32:16, 33:17, 35:2, 39:6, 44:6, 99:21</p> <p>communicated [6] - 18:16, 35:7, 51:6, 53:12, 82:7, 110:13</p> <p>communicating [2] - 12:3, 33:2</p> <p>communication [8] - 9:24, 10:2, 27:1, 55:18, 57:11, 109:20, 127:10, 163:1</p> <p>communications [8] - 4:10, 57:10, 57:11, 57:14, 57:16, 57:19, 61:18, 174:22</p> <p>community [35] - 7:23, 20:6, 22:5,</p>	<p>22:7, 22:9, 40:13, 46:20, 59:8, 133:5, 148:23, 158:4, 158:9, 158:13, 158:20, 158:25, 159:8, 159:10, 159:11, 159:16, 159:24, 160:25, 162:2, 162:18, 162:21, 162:25, 164:15, 164:19, 164:23, 165:12, 165:19, 168:5, 168:10, 172:10, 183:2</p> <p>comparable [1] - 146:17</p> <p>compare [1] - 146:15</p> <p>compass [1] - 100:10</p> <p>compelling [7] - 62:12, 74:4, 76:4, 76:11, 76:23, 101:17, 106:1</p> <p>competition [1] - 52:20</p> <p>compiling [1] - 134:5</p> <p>complete [1] - 7:7</p> <p>completed [3] - 50:2, 151:8</p> <p>completely [1] - 185:8</p> <p>completeness [1] - 179:19</p> <p>complex [2] - 31:23, 45:24</p> <p>complexities [1] - 32:3</p> <p>complicated [1] - 35:16</p> <p>complication [1] - 36:7</p> <p>complimentary [1] - 97:19</p> <p>component [1] - 8:5</p> <p>Computer [1] - 74:16</p> <p>computer [4] - 62:22, 62:24, 62:25, 63:2</p> <p>concede [1] - 37:20</p> <p>conceivable [1] - 102:10</p> <p>conceive [1] - 22:7</p> <p>conceived [1] - 32:5</p> <p>concept [1] - 155:10</p> <p>concern [9] - 10:19, 27:4, 27:17, 65:5, 89:5, 95:22, 98:21, 98:25, 101:5</p> <p>concerned [8] - 11:12, 83:8, 95:22, 111:8, 123:8, 139:16, 167:1</p> <p>concerns [8] - 11:20,</p>
--	---	--	---	---

11:23, 51:4, 107:4, 110:22, 122:10, 145:11, 148:10 concert [1] - 131:7 conclude [1] - 113:15 conclusion [1] - 183:22 conclusively [1] - 37:25 concrete [3] - 28:10, 167:19, 167:23 concrete's [1] - 167:24 concur [1] - 60:8 concurrently [1] - 136:21 condition [1] - 60:13 conditions [3] - 12:19, 23:18, 42:19 conduct [2] - 113:11, 113:15 conducted [6] - 5:23, 62:7, 115:1, 119:2, 120:1, 140:5 conferences [2] - 108:2, 108:3 confidence [2] - 155:14, 162:23 confidential [4] - 2:11, 130:12, 140:19, 151:12 confinement [1] - 74:20 confirm [6] - 61:8, 72:8, 84:20, 171:16, 179:1, 180:6 congenial [1] - 81:15 connected [2] - 65:19, 159:10 connection [1] - 76:19 Connor [32] - 75:11, 78:13, 78:21, 80:6, 81:5, 81:11, 82:7, 82:11, 82:23, 86:20, 92:16, 96:22, 97:2, 99:2, 99:17, 109:20, 110:4, 113:3, 114:2, 114:11, 115:10, 116:18, 120:4, 121:6, 123:12, 125:24, 126:9, 126:15, 126:18, 127:4, 127:10 Connor's [9] - 70:24, 75:4, 78:1, 78:22, 81:11, 99:3, 109:25, 112:25, 114:20 conquests [1] - 108:14 consciousness [2] -	91:1, 91:2 consensus [1] - 29:20 consent [1] - 82:24 consider [6] - 52:15, 60:11, 167:21, 183:18, 184:24, 186:14 consideration [1] - 42:20 considered [7] - 8:25, 45:15, 50:11, 86:8, 99:13, 121:15, 122:17 considering [4] - 7:5, 14:23, 134:12, 135:23 consistent [3] - 100:25, 104:24, 105:2 Constable [41] - 1:20, 3:19, 20:15, 20:23, 21:4, 45:12, 48:2, 53:18, 64:10, 67:1, 71:20, 93:6, 98:6, 99:2, 103:18, 116:12, 119:1, 122:13, 129:24, 130:10, 132:24, 133:1, 133:19, 141:7, 141:15, 141:24, 148:4, 148:19, 151:15, 157:1, 157:12, 157:17, 159:16, 160:5, 160:17, 161:2, 161:17, 164:11, 166:14, 182:10, 184:17 constable [10] - 20:16, 26:22, 31:3, 32:22, 36:2, 36:3, 40:10, 74:23, 77:19, 97:9 Constables [1] - 157:13 constables [1] - 182:9 constant [4] - 133:7, 136:23, 137:5, 156:8 constantly [1] - 47:5 constraints [1] - 186:1 consult [3] - 29:6, 60:3, 155:24 consultation [2] - 29:8, 109:11 consulted [3] - 36:21, 146:3, 157:16 consulting [1] - 29:4 consumption [1] - 72:8 contact [27] - 9:10, 10:9, 12:13, 70:10,	71:9, 75:11, 78:2, 80:18, 80:24, 82:3, 82:16, 83:16, 103:6, 109:19, 119:21, 122:24, 127:17, 127:20, 127:21, 128:13, 129:2, 129:5, 129:8, 130:17, 133:8, 147:7, 2:15 Contact [1] - 71:18 contacted [2] - 79:17, 114:20 contacting [2] - 39:7, 39:8 contacts [5] - 12:9, 64:25, 73:24, 157:3, 168:10 contained [1] - 70:16 contains [1] - 180:3 contemplating [1] - 173:12 content [2] - 73:21, 76:15 contents [1] - 72:19 context [3] - 16:2, 38:12, 150:8 contingent [2] - 149:4, 150:9 continue [5] - 59:2, 60:2, 126:14, 151:24, 182:18 continued [4] - 157:6, 157:9, 157:11, 157:19 continuing [1] - 113:6 contract [1] - 150:4 contracting [1] - 95:4 contradict [1] - 178:4 control [2] - 60:10, 81:25 convenient [2] - 70:20, 71:1 conveniently [2] - 72:24, 73:23 conventional [1] - 140:4 conversation [12] - 14:9, 14:12, 14:16, 14:24, 20:2, 29:16, 80:21, 86:20, 88:13, 94:20, 98:17, 126:6 conversations [11] - 11:3, 39:17, 53:22, 84:6, 102:12, 109:14, 110:12, 125:6, 157:12, 161:1, 174:10 conviction [1] - 97:5 convince [1] - 95:6	convinced [2] - 92:7, 170:20 cooking [1] - 25:20 cooperative [1] - 98:19 copied [2] - 169:6, 169:11 copies [4] - 70:13, 70:14, 176:25 copy [7] - 21:11, 70:17, 73:8, 146:8, 148:13, 171:7, 171:12 Coquitlam [12] - 78:22, 85:7, 87:13, 87:15, 89:3, 94:7, 112:12, 114:12, 122:21, 123:12, 124:7, 178:24 Coquitlam's [1] - 112:9 corner [6] - 10:24, 93:3, 109:25, 170:8, 177:11, 180:5 corners [1] - 13:16 Coroner's [1] - 67:6 coroner's [5] - 56:7, 64:10, 66:12, 66:16, 66:22 Corporal [36] - 70:24, 75:4, 75:11, 78:13, 78:21, 80:5, 81:5, 81:11, 82:7, 82:10, 82:23, 86:20, 92:16, 96:22, 97:2, 99:2, 99:3, 99:17, 109:19, 109:25, 110:3, 113:3, 114:2, 114:11, 114:20, 115:10, 116:18, 121:6, 126:9, 126:15, 126:18, 127:4, 127:10 correct [15] - 4:2, 4:9, 6:12, 47:16, 73:14, 78:24, 113:14, 114:25, 130:2, 132:23, 138:7, 138:12, 139:24, 146:12, 182:2 corrected [5] - 62:1, 62:4, 103:11, 133:19, 164:12 Correctional [1] - 84:21 correctly [1] - 63:10 corroborate [1] - 86:14 Counsel [1] - 2:2 counsel [10] - 2:21,	70:11, 70:14, 72:9, 72:18, 100:3, 103:9, 103:15, 139:22, 185:9 counsel's [1] - 70:9 counter [1] - 47:1 couple [28] - 20:17, 20:20, 41:8, 42:11, 44:5, 50:14, 65:25, 70:6, 73:10, 74:18, 77:2, 84:23, 85:2, 97:1, 97:20, 103:4, 114:11, 119:25, 126:7, 135:17, 135:18, 144:9, 156:1, 157:2, 163:19, 176:12, 177:7 course [11] - 14:14, 35:10, 45:7, 45:11, 46:8, 63:7, 103:9, 104:24, 130:1, 144:21, 156:1 court [4] - 43:3, 86:19, 178:9, 181:15 cover [2] - 15:12, 172:14 covered [1] - 67:3 covering [1] - 146:19 CPIC [10] - 74:15, 77:16, 77:25, 117:17, 118:12, 118:14, 118:18, 118:21, 119:2, 141:12 cracks [1] - 167:3 crap [1] - 122:4 Crawford [2] - 62:2, 62:18 crazy [1] - 47:5 created [2] - 141:25, 172:4 creates [1] - 26:17 creation [1] - 72:18 credenza [2] - 63:4, 63:18 credibility [8] - 36:23, 86:22, 86:24, 92:18, 92:20, 92:22, 101:16, 126:10 credible [2] - 87:5, 98:20 creepy [1] - 104:6 Crime [29] - 6:10, 22:19, 29:24, 30:12, 30:13, 30:19, 31:23, 44:1, 46:15, 50:10, 50:16, 50:23, 53:7, 59:24, 66:24, 78:23, 145:7, 149:6,
--	---	--	--	---

<p>149:11, 149:19, 149:23, 153:20, 154:2, 154:14, 155:17, 157:18, 174:11, 175:22, 175:25</p> <p>crime [5] - 40:24, 44:13, 158:13, 180:1</p> <p>Crimes [3] - 54:6, 108:17, 156:8</p> <p>crimes [2] - 41:3, 79:7</p> <p>Crimestoppers [3] - 73:16, 74:12, 74:21</p> <p>criminal [6] - 20:7, 41:21, 45:1, 77:16, 143:12, 143:13</p> <p>criminals [1] - 20:6</p> <p>crises [1] - 100:16</p> <p>crisis [1] - 43:17</p> <p>cross [13] - 1:15, 139:20, 183:10, 183:17, 183:21, 184:4, 184:7, 184:10, 184:20, 185:11, 185:22, 186:19, 186:22</p> <p>cross-examination [8] - 139:20, 183:10, 183:17, 184:4, 184:7, 184:10, 184:20, 185:11</p> <p>cross-examine [2] - 1:15, 186:19</p> <p>crossed [1] - 91:18</p> <p>Crown [1] - 99:3</p> <p>cuff [2] - 124:20, 177:2</p> <p>culture [3] - 26:12, 35:4, 37:11</p> <p>curious [1] - 86:18</p> <p>current [1] - 39:2</p> <p>custody [2] - 65:24, 84:16</p> <p>customer [1] - 130:4</p> <p>cut [1] - 90:20</p> <p>cute [1] - 20:13</p>	<p>118:19</p> <p>daughter [3] - 25:22, 100:21, 100:22</p> <p>Dave [6] - 84:4, 116:2, 160:16, 160:17, 161:17, 166:16</p> <p>Davidson [1] - 157:15</p> <p>days [6] - 8:1, 70:2, 77:2, 84:24, 85:2, 186:21</p> <p>Days [1] - 23:15</p> <p>de [6] - 19:6, 68:16, 76:21, 140:16, 174:22, 174:23</p> <p>dead [2] - 95:3, 181:2</p> <p>deal [17] - 14:14, 14:18, 15:4, 24:19, 25:6, 44:9, 64:15, 64:24, 66:7, 81:18, 81:22, 82:12, 87:19, 103:4, 112:24, 143:14, 157:9</p> <p>dealer [1] - 137:4</p> <p>dealers [3] - 135:21, 143:25, 144:12</p> <p>dealing [17] - 9:21, 34:19, 37:22, 41:16, 42:21, 44:13, 54:12, 65:13, 69:12, 77:10, 79:3, 79:9, 83:15, 83:19, 118:12, 126:19, 157:7</p> <p>dealings [8] - 19:5, 99:17, 103:21, 115:17, 142:22, 157:4, 161:25, 177:23</p> <p>deals [2] - 49:13, 121:10</p> <p>dealt [3] - 17:20, 88:1, 132:17</p> <p>Deb [1] - 160:5</p> <p>debts [1] - 77:5</p> <p>December [1] - 162:19</p> <p>decided [3] - 80:11, 80:13, 123:14</p> <p>deciding [1] - 60:1</p> <p>decision [12] - 25:13, 26:21, 27:22, 29:20, 31:16, 38:22, 39:4, 124:14, 124:15, 124:17, 125:16, 185:22</p> <p>decision-making [1] - 26:21</p> <p>decisions [5] - 15:23, 30:2, 30:8, 31:25, 81:6</p> <p>dedicated [2] - 137:12, 137:13</p>	<p>deference [1] - 37:11</p> <p>deferential [1] - 33:13</p> <p>deferring [4] - 112:15, 112:20, 124:7, 124:12</p> <p>definitely [5] - 39:14, 79:13, 85:9, 110:25, 158:16</p> <p>definitive [1] - 121:4</p> <p>definitively [1] - 22:2</p> <p>degree [2] - 12:25, 16:14</p> <p>delay [1] - 61:17</p> <p>DELBIGIO [3] - 139:3, 139:5, 140:6</p> <p>DelBigio [1] - 139:3</p> <p>deliberate [1] - 140:20</p> <p>delineation [1] - 45:21</p> <p>delivered [1] - 180:25</p> <p>dementia [1] - 58:14</p> <p>denied [2] - 31:10, 31:13</p> <p>denying [1] - 151:1</p> <p>Department [4] - 1:14, 3:21, 48:16, 184:13</p> <p>department [13] - 3:25, 4:3, 26:12, 26:14, 35:14, 36:14, 38:9, 45:11, 110:7, 142:12, 154:20, 168:16, 175:11</p> <p>department's [2] - 48:19, 179:4</p> <p>dependency [1] - 17:16</p> <p>dependent [1] - 17:20</p> <p>deployed [2] - 30:7, 58:22</p> <p>depth [1] - 111:13</p> <p>Deputy [12] - 45:12, 48:20, 81:1, 97:14, 98:23, 116:7, 118:9, 118:24, 168:25, 169:18, 170:20, 175:23</p> <p>deputy [3] - 27:3, 30:14, 30:19</p> <p>describe [5] - 111:17, 132:14, 136:13, 165:4, 173:18</p> <p>described [5] - 9:7, 23:19, 55:19, 90:3, 184:19</p> <p>description [3] - 90:21, 165:6, 2:3</p> <p>desire [1] - 186:6</p> <p>desk [2] - 56:10, 156:13</p> <p>desks [1] - 56:11</p> <p>desperate [3] - 15:22,</p>	<p>24:5, 24:14</p> <p>desperation [2] - 18:14, 24:23</p> <p>despite [1] - 101:3</p> <p>detail [3] - 17:11, 73:22, 98:1</p> <p>detailed [2] - 49:1, 75:3</p> <p>detailing [1] - 59:17</p> <p>details [3] - 55:25, 61:6, 175:18</p> <p>detect [1] - 111:15</p> <p>Detective [45] - 1:20, 3:19, 35:11, 35:17, 36:10, 36:17, 37:8, 37:14, 47:10, 48:2, 53:18, 56:11, 63:5, 64:9, 65:8, 66:10, 71:20, 98:6, 103:18, 122:13, 129:24, 130:10, 133:20, 142:16, 142:22, 145:3, 145:23, 146:24, 147:12, 148:4, 148:19, 149:7, 150:2, 151:23, 155:1, 156:6, 157:1, 157:7, 157:8, 157:10, 158:23, 164:9, 169:19, 171:7, 184:17</p> <p>detective [21] - 34:21, 35:25, 37:16, 39:15, 50:15, 51:3, 51:24, 55:4, 55:5, 56:8, 59:11, 59:23, 64:10, 67:3, 97:9, 119:1, 152:4, 157:12, 157:17, 160:21, 183:13</p> <p>detectives [3] - 33:9, 33:11, 55:5</p> <p>determination [1] - 84:23</p> <p>determine [7] - 53:9, 53:15, 53:20, 62:12, 113:4, 134:25, 172:11</p> <p>determined [1] - 172:5</p> <p>determines [1] - 114:3</p> <p>determining [1] - 135:10</p> <p>detox [1] - 135:2</p> <p>develop [3] - 10:4, 12:15, 44:11</p> <p>developed [4] - 42:5, 68:7, 136:9, 146:13</p> <p>developing [2] - 68:11, 96:11</p>	<p>development [1] - 9:18</p> <p>developmental [1] - 55:12</p> <p>DEYAS [1] - 160:12</p> <p>Dickson [19] - 84:5, 116:2, 116:13, 132:24, 133:1, 133:19, 141:8, 141:15, 141:24, 148:20, 151:16, 157:12, 159:16, 160:5, 160:17, 161:2, 161:17, 164:11, 166:15</p> <p>Dickson's [1] - 116:8</p> <p>die [2] - 92:7, 92:15</p> <p>died [4] - 96:25, 97:3, 97:4, 137:1</p> <p>dies [1] - 66:17</p> <p>different [45] - 8:18, 11:18, 24:16, 24:18, 24:19, 24:20, 24:21, 24:24, 26:8, 26:10, 28:12, 29:11, 38:19, 40:21, 41:13, 42:11, 42:16, 43:25, 44:4, 45:25, 46:3, 46:9, 46:11, 47:6, 61:6, 70:25, 82:10, 84:6, 84:9, 100:16, 104:18, 118:16, 118:17, 135:18, 150:7, 152:15, 153:9, 154:19, 161:7, 161:14, 166:7, 167:3, 171:2</p> <p>differently [1] - 136:18</p> <p>difficult [9] - 13:20, 35:2, 39:5, 39:22, 124:11, 166:8, 166:10, 167:24, 185:23</p> <p>difficulty [1] - 10:18</p> <p>dig [1] - 150:19</p> <p>digging [1] - 111:21</p> <p>direct [8] - 16:7, 27:17, 27:18, 29:5, 82:15, 98:13, 125:13, 185:21</p> <p>directing [1] - 129:14</p> <p>direction [9] - 27:24, 32:25, 34:6, 53:16, 61:7, 68:9, 112:16, 138:20, 146:18</p> <p>directly [6] - 27:2, 61:19, 72:20, 124:6, 126:19, 157:20</p> <p>dirty [4] - 90:3, 106:8, 106:10, 106:19</p>
D				
<p>damage [1] - 12:7</p> <p>data [1] - 160:15</p> <p>database [2] - 62:22, 62:24</p> <p>date [9] - 21:11, 21:12, 113:7, 118:24, 141:9, 162:19, 166:6, 166:7</p> <p>dated [3] - 107:5, 110:1, 148:8</p> <p>dates [3] - 9:12, 103:7,</p>				

<p>disagree ^[1] - 28:8</p> <p>disagreed ^[2] - 27:23, 82:18</p> <p>disagreement ^[2] - 28:16, 149:17</p> <p>disappearance ^[6] - 21:22, 68:12, 68:18, 75:17, 96:12, 135:6</p> <p>disappearances ^[1] - 182:20</p> <p>disarming ^[1] - 85:12</p> <p>DISC ^[1] - 157:14</p> <p>discreet ^[2] - 145:2, 145:9</p> <p>discrepancy ^[1] - 87:12</p> <p>discretion ^[4] - 145:11, 178:20, 179:1</p> <p>discuss ^[5] - 28:4, 68:6, 79:16, 141:21, 169:2</p> <p>discussing ^[2] - 56:16, 96:22</p> <p>discussion ^[7] - 28:2, 116:22, 116:23, 132:16, 133:16, 148:22, 186:25</p> <p>discussions ^[16] - 9:10, 36:18, 53:17, 98:11, 100:5, 114:7, 124:18, 126:3, 132:20, 133:17, 133:21, 141:15, 160:9, 172:7, 175:11, 175:13</p> <p>disempowered ^[1] - 153:16</p> <p>disenfranchised ^[1] - 24:6</p> <p>dislike ^[1] - 82:12</p> <p>dismiss ^[2] - 36:2, 36:8</p> <p>dismissed ^[3] - 35:6, 35:19, 40:3</p> <p>disorganized ^[2] - 63:3, 137:7</p> <p>dispose ^[4] - 77:1, 77:11, 102:14, 104:10</p> <p>disposed ^[1] - 102:10</p> <p>disposing ^[1] - 144:6</p> <p>disprove ^[1] - 113:12</p> <p>disrespect ^[1] - 155:1</p> <p>disrupt ^[1] - 10:13</p> <p>dissolved ^[7] - 147:20, 148:3, 152:2, 153:15, 153:18, 155:25, 157:4</p>	<p>distance ^[1] - 88:16</p> <p>distinction ^[3] - 69:19, 81:2, 155:9</p> <p>distinguish ^[3] - 159:7, 181:9, 181:10</p> <p>District ^[19] - 4:4, 4:14, 24:25, 25:1, 25:3, 25:6, 25:8, 26:5, 26:7, 132:18, 132:25, 141:8, 149:4, 149:11, 150:9, 153:24, 154:5, 162:14, 164:9</p> <p>Ditchfield ^[7] - 50:4, 50:12, 51:6, 51:14, 51:19, 52:10, 52:22</p> <p>diverse ^[1] - 46:23</p> <p>diversity ^[1] - 12:9</p> <p>Diversity ^[1] - 6:5</p> <p>divided ^[1] - 137:19</p> <p>division ^[1] - 64:14</p> <p>divisions ^[1] - 154:20</p> <p>DNA ^[1] - 182:13</p> <p>doable ^[1] - 186:24</p> <p>document ^[19] - 2:13, 2:16, 2:18, 3:3, 3:6, 71:7, 71:8, 71:10, 71:14, 71:17, 72:23, 73:6, 103:13, 142:11, 156:16, 168:4, 171:3, 2:11, 2:14</p> <p>documentation ^[1] - 42:9</p> <p>documented ^[1] - 31:5</p> <p>documents ^[21] - 2:15, 2:21, 3:8, 3:12, 49:14, 49:15, 49:17, 53:3, 70:15, 71:21, 72:16, 77:24, 109:8, 125:19, 145:25, 162:9, 185:18, 186:5, 186:8, 2:6, 2:9</p> <p>dog ^[2] - 25:23</p> <p>dogs ^[1] - 40:14</p> <p>dollar ^[2] - 96:3, 175:9</p> <p>dollars ^[5] - 87:19, 87:25, 88:2, 88:8, 88:9</p> <p>domestic ^[2] - 77:5, 100:17</p> <p>Dominion ^[1] - 89:8</p> <p>done ^[23] - 20:2, 43:25, 44:1, 59:9, 73:22, 74:24, 75:21, 94:6, 94:11, 94:12, 99:23, 100:2, 117:20, 118:5, 118:6, 119:5, 119:7, 119:20, 120:2, 123:9, 141:25, 147:16</p> <p>door ^[5] - 25:10, 74:11, 83:12, 90:25, 91:3</p> <p>doorway ^[1] - 89:18</p> <p>Dosanjh ^[1] - 176:3</p> <p>doubt ^[3] - 101:19, 113:21, 113:24</p> <p>down ^[41] - 7:7, 7:9, 10:2, 13:11, 25:8, 25:20, 45:7, 45:14, 45:24, 54:2, 54:7, 62:8, 84:1, 88:16, 89:16, 91:23, 92:6, 93:24, 103:7, 114:2, 115:14, 115:16, 116:16, 117:6, 117:10, 122:19, 125:10, 127:2, 128:19, 135:8, 138:18, 144:2, 144:16, 156:13, 156:15, 166:6, 166:22, 170:21, 177:11, 177:12, 179:17</p> <p>downsizing ^[1] - 50:7</p> <p>Downtown ^[42] - 4:6, 6:22, 6:25, 7:3, 7:9, 7:20, 8:4, 10:20, 11:11, 19:1, 19:14, 21:20, 22:4, 22:23, 22:25, 23:7, 23:20, 24:9, 24:17, 24:22, 25:1, 39:3, 75:6, 84:13, 88:5, 95:24, 99:7, 104:6, 114:4, 114:13, 116:18, 117:5, 117:9, 117:16, 119:22, 120:5, 143:9, 160:1, 160:11, 161:7, 162:14, 169:3</p> <p>downtown ^[2] - 24:3, 93:16</p> <p>draft ^[1] - 146:4</p> <p>drafted ^[1] - 145:23</p> <p>drawing ^[1] - 155:8</p> <p>drawn ^[1] - 103:3</p> <p>dream ^[1] - 33:12</p> <p>dreamcatcher ^[1] - 105:19</p> <p>drew ^[1] - 22:6</p> <p>Drive ^[2] - 8:16, 13:17</p> <p>driven ^[2] - 84:14, 87:14</p> <p>driver ^[1] - 19:13</p> <p>driving ^[1] - 84:11</p>	<p>drove ^[4] - 18:2, 19:15, 19:22, 47:4</p> <p>drug ^[17] - 9:22, 15:22, 17:15, 17:20, 18:5, 18:17, 42:18, 43:1, 43:8, 44:1, 44:23, 77:5, 88:7, 106:13, 107:2, 135:20, 137:3</p> <p>drug-related ^[1] - 9:22</p> <p>drugged ^[2] - 107:7, 107:12</p> <p>drugging ^[1] - 122:10</p> <p>Drugs ^[1] - 50:16</p> <p>drugs ^[7] - 9:21, 12:24, 15:2, 18:2, 18:10, 23:11, 42:13</p> <p>dual ^[1] - 55:10</p> <p>dubious ^[1] - 18:18</p> <p>dumping ^[1] - 144:7</p> <p>dumpsters ^[1] - 24:11</p> <p>dunk ^[1] - 97:5</p> <p>Dunn ^[3] - 141:8, 148:20, 164:13</p> <p>duration ^[1] - 44:16</p> <p>Dureau ^[6] - 131:18, 131:22, 139:2, 141:10, 142:3, 169:18</p> <p>during ^[7] - 7:11, 26:12, 29:11, 99:3, 158:17, 161:24, 184:17</p> <p>duties ^[1] - 66:12</p> <p>duty ^[2] - 60:3, 60:8</p> <p>dying ^[2] - 137:11, 167:4</p> <p>dynamic ^[1] - 17:22</p> <p>dynamics ^[1] - 11:2</p>	<p>drove ^[4] - 18:2, 19:15, 19:22, 47:4</p> <p>drug ^[17] - 9:22, 15:22, 17:15, 17:20, 18:5, 18:17, 42:18, 43:1, 43:8, 44:1, 44:23, 77:5, 88:7, 106:13, 107:2, 135:20, 137:3</p> <p>drug-related ^[1] - 9:22</p> <p>drugged ^[2] - 107:7, 107:12</p> <p>drugging ^[1] - 122:10</p> <p>Drugs ^[1] - 50:16</p> <p>drugs ^[7] - 9:21, 12:24, 15:2, 18:2, 18:10, 23:11, 42:13</p> <p>dual ^[1] - 55:10</p> <p>dubious ^[1] - 18:18</p> <p>dumping ^[1] - 144:7</p> <p>dumpsters ^[1] - 24:11</p> <p>dunk ^[1] - 97:5</p> <p>Dunn ^[3] - 141:8, 148:20, 164:13</p> <p>duration ^[1] - 44:16</p> <p>Dureau ^[6] - 131:18, 131:22, 139:2, 141:10, 142:3, 169:18</p> <p>during ^[7] - 7:11, 26:12, 29:11, 99:3, 158:17, 161:24, 184:17</p> <p>duties ^[1] - 66:12</p> <p>duty ^[2] - 60:3, 60:8</p> <p>dying ^[2] - 137:11, 167:4</p> <p>dynamic ^[1] - 17:22</p> <p>dynamics ^[1] - 11:2</p>	<p>6:22, 6:25, 7:3, 7:9, 7:20, 8:4, 10:20, 11:11, 19:1, 19:14, 21:20, 22:5, 22:23, 23:1, 23:7, 23:21, 24:9, 24:17, 24:22, 25:1, 39:3, 75:7, 84:13, 88:5, 95:24, 99:7, 104:7, 114:4, 114:13, 116:18, 117:5, 117:9, 117:16, 119:22, 120:6, 143:10, 160:1, 160:11, 161:8, 162:14, 169:4</p> <p>easy ^[2] - 36:2, 101:20</p> <p>Ed ^[1] - 64:11</p> <p>educate ^[1] - 41:5</p> <p>education ^[1] - 36:1</p> <p>Edward ^[1] - 1:9</p> <p>effect ^[2] - 15:3, 42:15</p> <p>effective ^[2] - 35:23, 110:15</p> <p>effectively ^[10] - 33:6, 46:23, 50:8, 51:17, 52:12, 56:9, 66:16, 67:4, 96:25, 163:2</p> <p>efforts ^[4] - 97:20, 132:9, 132:14, 160:14</p> <p>egos ^[1] - 33:20</p> <p>eight ^[2] - 86:10, 176:15</p> <p>either ^[16] - 22:8, 26:10, 35:19, 55:3, 80:17, 102:12, 106:11, 106:17, 106:21, 121:2, 123:3, 129:17, 143:24, 144:12, 159:20, 168:14</p> <p>elaborate ^[2] - 94:9, 140:23</p> <p>Elain ^[1] - 161:21</p> <p>element ^[1] - 108:18</p> <p>elicit ^[2] - 44:12, 106:21</p> <p>elicited ^[2] - 139:11, 139:17</p> <p>embark ^[1] - 110:16</p> <p>Emergency ^[1] - 6:14</p> <p>emotions ^[1] - 16:25</p> <p>emphatic ^[1] - 165:23</p> <p>employing ^[1] - 146:16</p> <p>end ^[16] - 43:4, 63:2, 63:9, 63:11, 64:21, 65:1, 87:2, 95:10, 127:18, 128:16, 139:14, 146:2,</p>
---	--	---	---	--

151:19, 170:9, 178:24, 181:2 End ^[1] - 116:21 ended ^[1] - 15:17 energy ^[1] - 69:22 Enforcement ^[1] - 7:8 enforcement ^[1] - 164:17 engage ^[4] - 88:13, 158:20, 159:14, 162:21 engaged ^[5] - 30:2, 147:10, 158:9, 159:8, 172:10 engagement ^[1] - 152:23 enlist ^[1] - 162:25 ensued ^[1] - 168:24 ensure ^[1] - 110:23 enter ^[2] - 2:7, 71:12 entered ^[1] - 2:9 enthusiastic ^[2] - 46:19, 155:23 entirety ^[1] - 65:18 entitled ^[8] - 3:9, 3:12, 71:14, 71:17, 2:6, 2:9, 2:11, 2:14 entrenched ^[1] - 22:25 entrenchment ^[1] - 22:25 entries ^[3] - 73:13, 74:18, 119:25 entry ^[6] - 49:19, 109:25, 110:3, 112:25, 121:13, 122:15 envisioned ^[1] - 96:14 epicenter ^[1] - 86:8 epidemiological ^[1] - 171:22 equipment ^[2] - 63:22, 111:20 erroneous ^[1] - 44:7 escorts ^[1] - 38:24 essence ^[1] - 134:7 essentially ^[14] - 7:25, 40:21, 42:7, 43:8, 56:5, 57:9, 63:4, 66:4, 109:21, 112:3, 134:7, 138:24, 166:23, 167:7 establish ^[4] - 9:13, 20:5, 161:20, 168:10 established ^[1] - 142:4 establishing ^[1] - 10:8 estimate ^[1] - 183:25 estimates ^[5] - 183:10, 183:12, 183:21, 185:3, 185:11	et ^[1] - 122:3 etiquette ^[1] - 78:16 Evans ^[6] - 97:15, 98:23, 118:9, 118:25, 184:15, 184:17 event ^[3] - 83:13, 91:15, 99:19 events ^[1] - 16:16 eventually ^[5] - 19:2, 80:5, 130:9, 133:21, 147:19 everyday ^[1] - 66:6 evidence ^[19] - 59:7, 62:12, 70:22, 72:17, 96:21, 113:24, 145:1, 147:14, 159:6, 167:19, 167:21, 168:2, 177:17, 178:3, 178:6, 178:8, 181:13, 183:23, 185:21 evidentiary ^[1] - 166:5 evolution ^[1] - 23:24 ex ^[1] - 69:8 ex-boyfriend ^[1] - 69:8 exact ^[4] - 60:19, 87:6, 104:15, 160:10 exactly ^[9] - 5:17, 60:25, 61:5, 68:9, 74:10, 76:16, 84:19, 96:13, 174:19 examination ^[13] - 2:5, 70:7, 105:9, 139:7, 139:19, 139:20, 183:10, 183:17, 184:4, 184:7, 184:10, 184:20, 185:11 EXAMINATION ^[1] - 3:14 examine ^[2] - 1:15, 186:19 example ^[7] - 27:2, 28:23, 30:13, 35:15, 35:18, 153:22, 185:15 examples ^[2] - 35:8, 162:3 excellent ^[1] - 119:19 except ^[1] - 116:1 exchange ^[4] - 93:22, 168:24, 169:14, 169:17 excluding ^[1] - 117:12 exclusive ^[1] - 176:14 exclusively ^[1] - 65:13 excuse ^[3] - 84:11, 99:15, 171:1	executive ^[1] - 30:1 exhausted ^[2] - 69:21, 150:14 EXHIBIT ^[8] - 3:8, 3:11, 71:14, 71:17, 2:5, 2:8, 2:11, 2:14 Exhibit ^[7] - 48:23, 71:8, 76:14, 97:11, 103:5, 114:19, 118:9 exhibit ^[5] - 72:5, 72:6, 97:10, 100:3, 103:10 exhibits ^[3] - 2:7, 71:5, 2:1 exist ^[3] - 24:24, 59:15, 161:16 existed ^[1] - 61:9 existence ^[4] - 13:9, 18:4, 146:7, 176:8 existing ^[1] - 159:21 exists ^[1] - 176:12 expect ^[1] - 140:3 expectations ^[1] - 28:4 expected ^[3] - 119:4, 146:21, 146:24 experience ^[28] - 6:25, 12:19, 16:10, 18:21, 38:20, 40:7, 40:11, 41:22, 41:24, 42:3, 42:5, 42:21, 43:12, 44:8, 44:25, 46:25, 47:2, 79:15, 81:12, 84:10, 85:20, 87:24, 112:18, 112:21, 120:16, 121:4, 125:3, 143:7 experienced ^[11] - 13:13, 16:13, 33:10, 33:19, 34:17, 35:10, 78:25, 79:1, 79:7, 79:9, 156:10 experiences ^[3] - 11:17, 12:10, 16:11 experientially ^[1] - 52:9 expert ^[1] - 97:13 expertise ^[1] - 143:3 explain ^[3] - 27:11, 166:25, 180:20 explained ^[6] - 5:12, 165:23, 165:24, 166:13, 166:20, 167:6 explains ^[1] - 167:25 explanation ^[1] - 135:22 explanations ^[1] - 134:13 explore ^[2] - 151:2,	152:17 explored ^[3] - 58:20, 99:16, 125:17 exploring ^[1] - 153:1 expressed ^[1] - 95:22 expresses ^[1] - 98:23 expressing ^[2] - 116:14, 124:8 extemporaneously ^[1] - 176:23 extensive ^[1] - 58:9 extent ^[1] - 151:10 extra ^[1] - 70:14 extraneous ^[1] - 44:4 extremely ^[4] - 76:3, 119:8, 158:19, 180:11 eyes ^[2] - 36:1, 165:19	104:23, 153:9, 156:9, 165:14, 166:5 farm ^[9] - 94:22, 95:15, 100:12, 102:9, 102:16, 110:16, 110:20, 111:19, 129:25 fazed ^[1] - 122:8 fear ^[4] - 14:1, 14:2, 183:15, 186:25 feared ^[1] - 17:5 fearful ^[1] - 11:13 fears ^[1] - 17:7 February ^[10] - 113:1, 115:1, 116:17, 120:2, 162:15, 163:20, 169:16, 170:16, 171:11, 172:13 feedback ^[1] - 29:4 fell ^[1] - 127:11 felt ^[70] - 11:19, 16:1, 28:23, 28:24, 31:6, 32:16, 32:17, 33:2, 33:15, 34:12, 36:9, 36:12, 36:13, 36:23, 37:22, 39:5, 46:19, 62:11, 75:9, 76:10, 79:12, 80:17, 81:19, 82:16, 82:25, 84:6, 92:1, 92:14, 94:8, 97:2, 100:18, 101:2, 101:17, 101:24, 105:12, 106:2, 107:12, 109:18, 109:19, 110:14, 110:18, 110:22, 117:9, 123:15, 124:12, 124:15, 125:15, 147:2, 149:18, 152:11, 154:5, 154:25, 155:16, 158:19, 158:20, 160:22, 161:18, 162:20, 165:8, 167:3, 167:9, 174:8, 174:14, 174:19, 175:6, 178:19, 181:15, 181:18, 183:13 females ^[1] - 169:3 feud ^[1] - 149:15 few ^[5] - 6:8, 60:16, 113:1, 174:18, 183:5 field ^[1] - 60:1 Field ^[19] - 28:13, 28:23, 29:15, 31:8, 33:23, 47:6, 49:21, 54:3, 66:25, 67:9, 108:15, 109:15,
---	---	---	---	--

<p>121:1, 125:21, 125:23, 129:21, 137:18, 157:11, 175:13</p> <p>Field's [1] - 130:7</p> <p>Fields [1] - 137:25</p> <p>fight [2] - 75:8, 90:18</p> <p>figure [4] - 14:14, 53:13, 54:11, 162:24</p> <p>file [32] - 30:18, 40:18, 40:25, 41:8, 41:10, 41:11, 41:13, 41:15, 42:11, 45:22, 48:9, 54:5, 61:3, 62:19, 62:20, 74:25, 75:12, 76:9, 77:24, 78:14, 78:15, 79:23, 81:13, 84:8, 85:7, 92:25, 108:16, 117:3, 153:10, 155:3, 159:20, 159:21</p> <p>files [34] - 37:23, 40:15, 41:9, 41:14, 44:2, 51:25, 54:20, 55:17, 56:16, 58:16, 61:23, 61:25, 62:8, 62:21, 62:23, 63:3, 63:13, 63:15, 65:14, 65:16, 65:24, 66:10, 77:4, 86:9, 105:10, 114:22, 135:19, 144:4, 147:24, 149:19, 151:9, 152:4, 154:9, 180:3</p> <p>filled [2] - 55:7, 55:14</p> <p>final [2] - 127:21, 172:14</p> <p>finally [2] - 135:22, 172:14</p> <p>Financial [2] - 6:10, 22:19</p> <p>financially [1] - 23:12</p> <p>findings [1] - 77:9</p> <p>fine [7] - 34:11, 35:5, 102:22, 123:22, 134:1, 146:14, 171:5</p> <p>finger [1] - 133:5</p> <p>fingerprinted [1] - 137:1</p> <p>fingerprinting [1] - 167:5</p> <p>finished [1] - 54:23</p> <p>First [4] - 104:19, 105:4, 105:5, 105:19</p> <p>first [42] - 2:13, 2:16, 19:13, 28:2, 37:18, 44:15, 47:10, 49:11, 49:19, 53:7, 53:23, 66:8, 68:21, 69:6, 69:20, 71:7, 73:15,</p>	<p>74:3, 75:20, 75:21, 77:2, 79:17, 100:7, 109:23, 120:16, 122:25, 123:2, 124:25, 125:17, 126:24, 131:19, 132:7, 134:2, 134:8, 138:8, 142:12, 145:22, 145:25, 146:10, 146:11, 168:17, 185:21</p> <p>firsthand [1] - 39:23</p> <p>fist [1] - 34:3</p> <p>fit [2] - 76:6, 103:23</p> <p>five [6] - 10:24, 58:6, 66:23, 86:9, 88:1, 186:21</p> <p>five-day-a-week [1] - 66:23</p> <p>flagged [2] - 91:23, 117:17</p> <p>flip [1] - 113:8</p> <p>FLIR [1] - 111:12</p> <p>floated [1] - 154:6</p> <p>flood [1] - 58:9</p> <p>floor [1] - 88:23</p> <p>fly [1] - 82:22</p> <p>focus [4] - 51:24, 83:18, 157:25, 158:6</p> <p>focused [1] - 9:9</p> <p>folks [1] - 58:13</p> <p>follow [7] - 11:4, 15:16, 27:6, 69:10, 74:2, 74:4, 140:17</p> <p>follow-up [1] - 140:17</p> <p>followed [5] - 27:13, 31:2, 61:13, 119:23, 156:12</p> <p>following [6] - 114:15, 119:4, 119:24, 139:1, 144:18, 163:12</p> <p>fondling [1] - 107:10</p> <p>food [1] - 12:24</p> <p>FOR [4] - 3:8, 3:11, 2:5, 2:8</p> <p>Force [19] - 4:20, 7:13, 18:25, 19:6, 23:20, 24:7, 40:20, 41:9, 41:11, 50:1, 50:5, 50:7, 50:13, 50:24, 51:12, 53:6, 54:6, 64:5, 108:18</p> <p>force [6] - 7:15, 19:5, 22:18, 24:13, 30:7, 152:10</p> <p>forces [1] - 138:21</p> <p>forcible [1] - 74:20</p> <p>foregoing [1] - 187:7</p> <p>forgotten [2] - 89:2,</p>	<p>108:1</p> <p>form [1] - 111:15</p> <p>formal [4] - 159:8, 159:11, 183:1, 183:3</p> <p>formally [1] - 181:10</p> <p>formation [2] - 133:22, 145:15</p> <p>formed [1] - 158:8</p> <p>former [1] - 1:13</p> <p>forth [1] - 185:18</p> <p>forthcoming [2] - 82:17, 110:24</p> <p>forum [1] - 154:8</p> <p>forward [9] - 53:21, 63:19, 63:20, 87:4, 100:20, 109:18, 130:25, 151:12, 156:4</p> <p>forwarded [1] - 171:10</p> <p>forwarding [1] - 60:7</p> <p>foul [1] - 61:2</p> <p>foundation [1] - 127:1</p> <p>four [7] - 5:9, 5:18, 8:1, 10:24, 66:14, 67:2</p> <p>four-day [3] - 8:1, 66:14, 67:2</p> <p>fourth [2] - 8:2, 134:23</p> <p>framework [1] - 32:18</p> <p>frank [1] - 35:11</p> <p>frankly [1] - 152:12</p> <p>Fraser [1] - 182:10</p> <p>freeway [1] - 87:17</p> <p>freeze [1] - 19:17</p> <p>frequent [1] - 116:21</p> <p>frequented [2] - 8:22, 104:6</p> <p>fresh [1] - 59:7</p> <p>Friday [3] - 8:3, 67:2, 68:25</p> <p>friend [7] - 14:18, 15:6, 71:23, 72:2, 72:8, 104:11</p> <p>friendly [3] - 128:21, 184:19, 184:20</p> <p>friends [6] - 107:6, 107:17, 122:6, 128:22, 185:9, 185:24</p> <p>front [5] - 14:8, 15:18, 70:15, 89:9, 89:17</p> <p>frontline [1] - 40:10</p> <p>fruitful [1] - 161:19</p> <p>fruition [2] - 42:14, 155:15</p> <p>frustrated [3] - 96:15, 97:7, 174:9</p> <p>frustrating [2] - 96:15, 96:19</p> <p>full [5] - 67:15, 67:18,</p>	<p>88:18, 152:3</p> <p>full-time [1] - 67:15</p> <p>fully [1] - 155:17</p> <p>function [2] - 8:2, 56:23</p> <p>funny [1] - 21:15</p> <p>future [1] - 83:18</p>	<p>25:21</p> <p>graph [5] - 171:8, 171:11, 171:12, 172:2, 172:4</p> <p>Gratl [3] - 2:19, 72:14, 184:1</p> <p>GRATL [7] - 2:20, 72:15, 73:1, 184:2, 184:6, 184:9, 184:12</p> <p>gravitated [1] - 86:12</p> <p>gravity [1] - 52:9</p> <p>great [7] - 54:9, 84:16, 90:8, 115:4, 118:1, 143:14, 155:19</p> <p>Greenspan [1] - 1:9</p> <p>Greer [7] - 133:10, 133:20, 148:8, 148:19, 162:13, 163:12, 163:13</p> <p>Greg [1] - 139:3</p> <p>grinder [3] - 77:13, 104:9, 104:24</p> <p>groom [1] - 20:7</p> <p>ground [1] - 153:10</p> <p>grounding [1] - 108:7</p> <p>group [37] - 18:22, 24:5, 24:6, 37:5, 46:24, 64:16, 64:19, 65:11, 105:7, 113:23, 133:22, 142:3, 142:5, 145:16, 145:17, 147:9, 147:19, 148:10, 150:25, 151:11, 152:2, 152:7, 152:8, 152:18, 153:11, 153:15, 153:18, 154:6, 154:10, 154:15, 155:10, 155:20, 155:22, 155:24, 157:3, 159:4, 183:2</p> <p>Group [2] - 131:17, 157:16</p> <p>groups [1] - 160:1</p> <p>growing [1] - 88:20</p> <p>guard [2] - 38:8, 39:12</p> <p>guess [25] - 10:17, 24:20, 33:13, 38:3, 74:25, 76:9, 76:12, 91:24, 99:24, 99:25, 102:8, 108:13, 111:16, 127:15, 128:20, 129:6, 141:5, 146:20, 146:23, 152:20, 153:7, 153:14, 154:22, 162:22, 182:23</p>
---	---	---	---	---

<p>guidance [3] - 47:15, 138:6, 138:17</p> <p>guide [2] - 57:5, 72:16</p> <p>gun [4] - 13:25, 15:17, 15:24, 15:25</p> <p>guns [2] - 9:20, 42:12</p> <p>guy [5] - 75:23, 76:2, 77:14, 104:6, 115:16</p> <p>guys [2] - 30:25, 39:19</p>	<p>health [2] - 42:18, 65:22</p> <p>health-related [1] - 42:18</p> <p>hear [9] - 20:12, 44:6, 71:25, 155:12, 165:20, 183:18, 185:20, 186:9, 186:18</p> <p>heard [19] - 1:14, 8:18, 18:5, 19:20, 22:24, 26:13, 26:18, 35:12, 38:8, 81:1, 84:12, 96:4, 96:21, 120:10, 142:5, 157:24, 158:12, 161:21, 170:19</p> <p>hearing [11] - 1:4, 9:19, 37:6, 47:22, 47:25, 102:24, 103:2, 137:21, 156:21, 156:24, 187:3</p> <p>heart [2] - 97:2, 149:16</p> <p>heat [1] - 111:15</p> <p>heavy [1] - 111:20</p> <p>heels [1] - 150:19</p> <p>held [4] - 20:14, 23:2, 33:11, 181:7</p> <p>Helen [1] - 19:7</p> <p>hello [1] - 54:7</p> <p>help [14] - 1:17, 16:2, 47:3, 47:14, 72:23, 72:25, 95:5, 102:14, 156:16, 162:25, 163:24, 175:17, 182:19, 186:7</p> <p>helped [1] - 45:17</p> <p>helpful [12] - 46:7, 72:16, 96:10, 96:13, 102:3, 102:16, 106:12, 118:7, 147:2, 156:7, 171:21, 172:2</p> <p>helps [2] - 132:15, 186:11</p> <p>Henry [1] - 105:14</p> <p>hepatitis [2] - 95:4, 117:10</p> <p>hereby [1] - 187:7</p> <p>herein [1] - 187:9</p> <p>Hern [1] - 186:10</p> <p>herself [1] - 89:23</p> <p>hi [2] - 20:23, 54:3</p> <p>hidden [1] - 102:11</p> <p>hiding [1] - 24:11</p> <p>high [4] - 15:22, 33:11, 87:21, 108:8</p> <p>high-profile [1] -</p>	<p>108:8</p> <p>higher [1] - 114:22</p> <p>highlight [1] - 133:24</p> <p>highlighting [1] - 46:13</p> <p>Highway [1] - 87:15</p> <p>himself [6] - 99:21, 101:5, 129:7, 129:10, 158:24, 161:3</p> <p>hindsight [2] - 116:12, 150:15</p> <p>hint [1] - 167:12</p> <p>hinted [1] - 131:11</p> <p>hiring [1] - 19:17</p> <p>Hiscox [66] - 49:16, 69:17, 69:18, 69:25, 70:3, 70:5, 70:8, 70:11, 71:2, 71:9, 71:15, 71:18, 73:15, 73:24, 80:9, 80:12, 80:17, 80:20, 80:22, 81:3, 81:24, 83:7, 83:15, 83:22, 100:4, 100:6, 100:8, 103:6, 103:21, 104:5, 104:8, 104:9, 105:23, 106:5, 106:9, 107:5, 107:12, 108:21, 109:7, 117:7, 120:13, 120:17, 120:20, 121:19, 124:1, 124:19, 126:8, 126:10, 126:13, 126:19, 127:17, 128:13, 129:21, 130:3, 130:22, 130:24, 131:3, 132:4, 137:2, 141:4, 144:22, 167:22, 177:24, 179:5, 2:12, 2:15</p> <p>Hiscox's [1] - 104:11</p> <p>historically [1] - 55:3</p> <p>histories [1] - 20:7</p> <p>history [5] - 5:4, 12:7, 39:1, 149:9, 149:24</p> <p>hit [1] - 21:22</p> <p>hitch [1] - 37:14</p> <p>hoax [2] - 69:21, 70:1</p> <p>hold [2] - 124:25, 150:1</p> <p>holder [1] - 58:12</p> <p>holding [2] - 91:16, 92:2</p> <p>home [5] - 43:17, 58:13, 64:19, 65:11, 91:22</p> <p>homes [1] - 64:16</p>	<p>homicide [9] - 40:16, 44:2, 51:3, 61:2, 135:13, 137:21, 138:8, 144:8, 166:3</p> <p>Homicide [20] - 33:7, 36:21, 46:14, 47:4, 50:17, 52:7, 54:2, 55:13, 61:23, 62:3, 62:9, 62:19, 63:25, 67:21, 67:25, 68:4, 79:4, 108:2, 112:13, 120:25</p> <p>homicides [3] - 79:7, 113:23, 141:11</p> <p>honestly [1] - 176:13</p> <p>honesty [1] - 29:23</p> <p>hooker [1] - 144:8</p> <p>hoops [1] - 125:5</p> <p>hope [6] - 65:17, 96:7, 126:6, 132:15, 186:15</p> <p>hoped [3] - 9:23, 50:20, 88:7</p> <p>hopefully [3] - 58:10, 175:7, 186:24</p> <p>hoping [1] - 162:25</p> <p>Hornby [1] - 176:17</p> <p>horns [1] - 34:25</p> <p>horror [1] - 18:1</p> <p>hospital [1] - 137:1</p> <p>hot [1] - 112:2</p> <p>Hotel [1] - 164:25</p> <p>hour [4] - 25:22, 122:21, 185:1, 186:10</p> <p>hours [2] - 23:10, 183:7</p> <p>House [1] - 21:2</p> <p>house [2] - 91:21, 121:22</p> <p>housed [1] - 57:12</p> <p>housekeeping [1] - 103:4</p> <p>Hovbrender [1] - 156:7</p> <p>Howlett [7] - 47:10, 64:9, 65:8, 66:11, 78:9, 151:23, 157:10</p> <p>Howlett's [1] - 56:11</p> <p>huge [1] - 98:1</p> <p>hugely [2] - 25:4, 25:19</p> <p>hum [1] - 43:10</p> <p>hundred [6] - 25:21, 87:19, 88:8, 166:2, 175:9</p> <p>hundred-thousand-dollar [1] - 175:9</p> <p>hung [1] - 65:25</p> <p>hunted [1] - 93:24</p>	<p>I</p> <p>i.e [1] - 53:14</p> <p>ID [2] - 104:16, 104:17</p> <p>idea [11] - 7:22, 10:7, 11:2, 76:24, 82:2, 106:10, 118:1, 121:6, 123:1, 154:6, 182:17</p> <p>identification [3] - 3:1, 3:2, 167:4</p> <p>Identification [2] - 3:5, 3:7</p> <p>IDENTIFICATION [4] - 3:8, 3:11, 2:5, 2:8</p> <p>identifications [1] - 114:16</p> <p>identified [5] - 39:15, 51:22, 54:16, 115:21, 147:24</p> <p>identify [2] - 41:17, 162:2</p> <p>identifying [1] - 9:16</p> <p>IDs [2] - 105:1, 107:22</p> <p>ignored [1] - 130:13</p> <p>illegal [1] - 106:21</p> <p>image [1] - 136:24</p> <p>imagine [1] - 72:22</p> <p>immediately [6] - 14:10, 45:20, 62:14, 69:9, 76:23, 105:13</p> <p>impact [1] - 168:15</p> <p>imperfectly [1] - 149:20</p> <p>implementation [1] - 155:11</p> <p>implications [1] - 169:2</p> <p>implied [2] - 98:15, 140:21</p> <p>implored [2] - 165:15, 174:24</p> <p>imploing [1] - 165:15</p> <p>importance [1] - 178:21</p> <p>important [12] - 29:18, 32:17, 74:1, 84:7, 96:10, 100:18, 139:6, 152:5, 158:19, 162:18, 162:20, 178:15</p> <p>impossible [4] - 138:1, 138:2, 138:3, 138:5</p> <p>impression [23] - 30:17, 31:12, 34:10, 55:13, 61:16, 62:5, 62:6, 73:10, 78:9, 79:1, 81:9, 85:16, 86:21, 100:1,</p>
---	--	--	---	--

116:24, 117:5, 121:25, 123:3, 131:8, 132:22, 133:9, 133:18, 150:17 impression-wise [1] - 73:10 impressions [3] - 33:3, 85:23 improve [1] - 7:23 IN [1] - 3:14 inaccurate [1] - 130:5 inadvertently [1] - 103:14 incident [6] - 75:1, 86:3, 86:17, 98:10, 115:11, 137:14 inclined [3] - 116:20, 117:8, 179:9 include [1] - 182:7 inconveniencing [1] - 25:20 increase [2] - 18:11, 169:3 increased [1] - 142:14 incredibly [1] - 96:19 incumbent [1] - 178:12 incurred [1] - 12:8 indebted [1] - 165:16 indeed [1] - 52:1 independent [1] - 97:13 INDEX [1] - 1:1 indicate [4] - 127:18, 133:8, 161:18, 180:15 indicated [8] - 80:21, 94:7, 98:6, 111:6, 129:10, 181:1, 185:20, 185:23 indicating [1] - 184:3 indication [3] - 129:1, 133:11, 152:9 individual [5] - 12:6, 37:23, 113:22, 131:8, 137:14 individuals [1] - 12:5 industrial [1] - 13:22 inexpensive [1] - 87:23 inexperience [1] - 46:14 inexperienced [1] - 82:19 influenced [1] - 37:9 info [1] - 123:10 inform [2] - 131:3, 173:9 informal [3] - 29:10, 159:7, 176:16 informally [2] - 28:5, 162:10 informant [8] - 9:18, 10:21, 43:4, 43:5, 43:7, 78:7, 126:21, 151:12 informant's [2] - 43:13, 43:20 informants [9] - 20:7, 42:4, 42:5, 42:6, 42:17, 42:22, 42:23, 43:1, 101:8 Information [3] - 71:16, 74:16, 2:13 information [108] - 2:11, 9:15, 9:25, 12:4, 20:8, 37:3, 41:1, 41:2, 41:16, 42:12, 42:13, 42:14, 44:6, 44:12, 47:9, 51:20, 53:2, 59:7, 68:17, 70:9, 70:16, 71:2, 72:12, 74:1, 74:4, 74:6, 74:8, 75:2, 76:5, 76:17, 77:12, 78:2, 78:6, 79:20, 79:24, 80:15, 80:25, 81:6, 81:16, 81:20, 81:21, 82:15, 96:9, 99:5, 99:9, 99:22, 100:24, 101:17, 101:24, 102:2, 102:5, 102:7, 103:20, 103:22, 104:4, 104:23, 105:11, 105:17, 105:25, 106:12, 107:1, 109:4, 109:6, 109:13, 110:20, 110:24, 113:5, 113:9, 113:12, 113:20, 115:18, 116:15, 119:6, 120:12, 120:17, 120:18, 120:24, 122:23, 128:9, 130:16, 131:2, 137:2, 137:7, 139:17, 139:21, 140:18, 145:10, 145:12, 151:13, 159:11, 159:20, 160:15, 163:2, 163:4, 163:7, 165:17, 166:17, 166:19, 168:12, 174:15, 178:13, 178:20, 179:5, 181:1, 181:19, 182:14, 183:15, 184:25 informational [1] - 173:14 informed [1] - 185:22 initial [6] - 60:2, 60:23, 79:12, 80:23, 82:2, 104:4 initiate [1] - 128:15 initiation [1] - 112:9 initiative [1] - 32:20 injecting [1] - 106:20 injuries [1] - 84:25 Inner [1] - 21:1 input [3] - 28:25, 51:7, 172:24 inquiry [2] - 139:25, 140:1 inside [2] - 5:7, 21:4 insides [1] - 91:16 insignia [2] - 104:20, 105:4 inspector [7] - 26:25, 28:19, 29:14, 30:13, 35:25, 50:3, 175:24 Inspector [57] - 35:11, 35:17, 36:11, 36:17, 37:8, 37:14, 37:16, 50:12, 51:6, 51:14, 51:18, 52:10, 52:22, 54:18, 55:19, 63:6, 131:18, 131:22, 131:25, 133:10, 133:20, 139:2, 141:10, 142:2, 142:17, 142:23, 145:3, 145:23, 146:24, 147:13, 148:8, 148:9, 148:18, 148:19, 149:7, 149:18, 149:24, 150:2, 150:18, 151:7, 151:22, 155:1, 157:7, 158:23, 162:13, 163:12, 163:13, 164:8, 164:9, 169:19, 169:20, 170:20, 171:7, 175:25 inspectors [1] - 30:18 instance [1] - 160:4 instants [1] - 44:14 instead [2] - 90:6, 144:6 instill [1] - 162:22 instincts [1] - 47:15 instruction [1] - 68:9 intact [1] - 91:17 intent [1] - 180:14 interact [1] - 46:23 interacting [1] - 7:20 interaction [7] - 7:19, 14:7, 15:20, 26:4, 26:5, 26:7, 87:10 interactions [8] - 9:7, 11:19, 13:3, 14:3, 21:16, 92:21, 99:19, 156:3 intercourse [1] - 90:6 interdisciplinary [1] - 152:19 interest [15] - 69:9, 80:16, 109:1, 135:18, 137:15, 138:12, 138:15, 140:17, 140:22, 141:1, 158:1, 179:14, 181:8, 181:11, 181:17 interested [9] - 50:19, 51:15, 52:16, 76:18, 79:25, 84:8, 85:22, 158:3, 164:23 interesting [4] - 74:21, 75:18, 86:13, 113:20 interests [1] - 69:23 internalize [1] - 16:22 internally [1] - 168:16 interpretation [2] - 178:7, 178:22 interrupt [2] - 71:23, 72:2 interview [12] - 17:3, 83:23, 84:7, 85:2, 85:5, 87:2, 92:25, 93:5, 95:11, 99:4, 125:13, 184:15 interviewed [5] - 85:8, 127:4, 132:5, 144:22, 177:24 interviewing [1] - 137:3 interviews [4] - 104:1, 184:14, 184:18 intimated [1] - 11:4 introduce [1] - 82:13 introduced [1] - 160:5 introduction [2] - 80:4, 126:12 introductions [2] - 161:6, 161:9 introductory [1] - 126:25 investigate [13] - 56:20, 68:12, 153:25, 154:2, 154:5, 154:11, 179:25, 180:8, 180:12, 180:16, 181:4, 181:22, 182:20 investigated [6] - 40:16, 57:7, 58:15, 138:9, 149:19, 154:8 investigating [6] - 45:1, 57:2, 59:4, 85:18, 134:19, 180:14 investigation [73] - 27:24, 28:12, 28:17, 29:1, 29:12, 29:24, 31:5, 31:22, 31:25, 32:1, 32:24, 33:3, 37:20, 40:19, 41:20, 44:20, 45:1, 45:18, 46:8, 47:19, 48:3, 49:2, 49:14, 52:5, 52:24, 58:1, 58:9, 58:19, 60:3, 60:23, 70:8, 71:3, 75:10, 83:6, 85:21, 97:15, 102:4, 105:13, 110:8, 113:7, 113:11, 131:1, 131:10, 134:3, 136:6, 136:9, 136:17, 136:19, 136:21, 137:19, 137:20, 137:22, 150:13, 153:16, 154:14, 154:18, 157:14, 158:6, 159:2, 163:7, 165:7, 165:25, 167:10, 172:8, 173:11, 173:17, 173:19, 174:7, 178:1, 178:23, 179:15, 182:6, 182:7 Investigation [2] - 71:15, 2:12 investigation's [1] - 167:7 investigations [17] - 5:23, 30:3, 30:14, 42:1, 46:15, 46:18, 48:17, 108:5, 108:8, 112:17, 132:10, 134:14, 143:12, 143:13, 158:18, 166:9, 168:7 Investigations [6] - 2:17, 3:4, 3:10, 3:17, 49:13, 2:7 investigative [33] - 31:14, 40:7, 40:10, 41:14, 41:25, 46:25, 56:23, 59:17, 63:21, 68:6, 69:12, 69:15,				
--	--	--	--	--

69:22, 81:5, 97:21, 99:13, 102:19, 109:3, 109:22, 119:19, 120:9, 127:11, 131:5, 137:9, 138:17, 143:11, 146:15, 155:15, 155:17, 157:23, 158:25, 167:2, 180:21 investigator ^[17] - 23:23, 32:6, 32:9, 40:9, 45:23, 46:17, 48:5, 48:9, 54:14, 62:19, 75:5, 75:17, 78:22, 78:25, 99:20, 152:14, 158:18 investigators ^[8] - 36:22, 47:4, 66:15, 79:5, 108:4, 114:11, 114:12, 155:5 invite ^[1] - 99:11 invited ^[2] - 169:20, 170:17 involve ^[2] - 41:15, 110:11 involved ^[19] - 30:2, 30:22, 31:15, 31:20, 36:12, 42:9, 43:23, 48:5, 48:16, 51:22, 54:21, 92:12, 113:22, 114:23, 123:11, 133:16, 148:21, 151:14, 166:21 involvement ^[3] - 48:4, 66:18, 165:18 Involvement ^[1] - 71:11 involving ^[3] - 36:17, 54:20, 145:17 isolated ^[2] - 44:14 issue ^[13] - 29:2, 72:22, 80:1, 92:19, 132:21, 141:17, 142:4, 147:11, 148:25, 149:12, 150:10, 151:20, 155:23 issued ^[1] - 183:2 issues ^[11] - 17:23, 42:18, 42:22, 42:24, 43:1, 73:12, 106:13, 120:10, 139:6, 139:10, 158:5 it'll ^[2] - 118:18, 118:19 item ^[5] - 78:20, 80:8, 85:4, 114:20, 116:16 items ^[6] - 105:5,	120:21, 120:23, 121:23, 147:21, 147:24 itself ^[2] - 75:16, 175:17 IV ^[1] - 107:2 J jail ^[7] - 19:15, 19:22, 20:15, 20:18, 20:21, 85:10, 135:2 Janet ^[1] - 105:14 January ^[1] - 1:1 Jardine ^[3] - 19:8, 21:18, 66:3 Jennifer ^[1] - 97:14 jerk ^[1] - 91:9 jewelry ^[1] - 121:24 job ^[10] - 10:16, 18:18, 19:16, 19:18, 46:16, 52:14, 52:20, 55:15, 66:23, 87:20 john ^[4] - 8:6, 43:22, 129:23, 130:3 John ^[2] - 1:11, 8:9 johns ^[3] - 9:17, 13:3, 88:1 joined ^[3] - 3:25, 44:20, 45:3 joint ^[1] - 138:21 Judy ^[2] - 160:9, 160:12 July ^[7] - 5:1, 48:6, 49:22, 62:25, 68:20, 73:16 jump ^[1] - 125:4 junior ^[9] - 19:16, 19:18, 31:2, 32:22, 33:8, 51:5, 51:11, 149:8 jurisdiction ^[2] - 81:11, 112:21 jurisdictional ^[3] - 31:24, 112:17, 152:21 juvenile ^[1] - 64:19 juveniles ^[1] - 64:24 K Kathie ^[1] - 187:11 keep ^[5] - 30:21, 31:13, 91:17, 108:13, 179:19 keeping ^[2] - 107:19, 107:20 keeps ^[2] - 108:22, 121:25 kept ^[3] - 14:19, 88:8, 92:8	Kerrisdale ^[3] - 153:22, 153:23, 153:24 Kerry ^[2] - 19:7, 66:1 kids ^[3] - 65:1, 65:4, 96:6 kill ^[3] - 92:9, 95:8, 95:16 killed ^[3] - 68:23, 75:9, 76:22 killer ^[18] - 34:20, 34:23, 37:17, 52:4, 52:23, 107:23, 122:2, 122:7, 131:13, 136:6, 144:14, 148:25, 150:11, 151:2, 151:13, 153:2, 154:13, 167:13 killers ^[1] - 137:12 kilometres ^[1] - 25:21 kin ^[2] - 66:19, 182:14 kind ^[67] - 9:22, 9:24, 15:11, 17:11, 23:12, 23:16, 25:13, 26:4, 27:6, 31:15, 31:24, 32:1, 33:24, 34:22, 36:24, 36:25, 40:6, 42:19, 43:23, 44:7, 44:18, 46:21, 60:6, 65:6, 66:21, 68:22, 69:15, 75:23, 75:24, 76:4, 76:8, 76:17, 77:13, 77:14, 78:18, 80:14, 80:16, 88:9, 88:11, 89:10, 94:11, 94:17, 96:14, 102:14, 105:20, 106:21, 106:22, 108:22, 109:6, 112:1, 113:23, 114:12, 115:19, 121:14, 124:24, 131:8, 135:20, 135:21, 143:3, 152:16, 167:5, 167:6, 169:1, 170:24, 173:15, 174:19 kinds ^[14] - 9:7, 11:1, 13:6, 13:12, 16:12, 25:24, 42:22, 42:23, 53:17, 78:17, 108:4, 108:24, 159:23, 166:13 Klondike ^[1] - 23:15 knife ^[4] - 90:19, 91:25, 92:2, 92:6 knowing ^[5] - 36:18, 36:19, 45:19, 79:8,	110:14 knowingly ^[1] - 37:2 knowledge ^[2] - 102:15 known ^[8] - 21:18, 48:11, 54:4, 79:5, 86:16, 113:7, 113:10, 133:1 Koski ^[2] - 19:7, 66:1 L lack ^[1] - 47:2 lacked ^[1] - 46:24 laid ^[3] - 61:12, 73:23, 76:16 landlord ^[1] - 69:8 large ^[8] - 7:18, 17:19, 76:24, 137:9, 143:23, 144:10, 164:16 last ^[22] - 14:25, 20:25, 33:14, 35:12, 50:16, 52:17, 53:6, 58:17, 112:23, 122:14, 129:18, 129:19, 132:13, 135:9, 135:24, 140:13, 142:6, 166:6, 167:16, 169:24, 179:20 late ^[2] - 26:13, 30:15 laughed ^[1] - 52:12 law ^[2] - 64:21, 164:17 lawyers ^[4] - 183:12, 184:13, 184:15, 184:16 lay ^[1] - 127:1 layout ^[1] - 102:8 lays ^[1] - 148:10 lead ^[4] - 45:23, 99:20, 133:22, 155:21 leaders ^[1] - 164:19 leadership ^[1] - 153:19 leading ^[1] - 181:14 leads ^[1] - 127:7 leap ^[1] - 38:1 learn ^[7] - 13:12, 21:14, 55:18, 64:17, 75:15, 91:20, 142:12 learned ^[15] - 12:18, 13:14, 52:22, 84:22, 95:3, 96:9, 96:23, 103:23, 120:13, 131:3, 140:19, 142:15, 150:7, 167:22, 185:8 learning ^[2] - 101:18, 105:1	least ^[2] - 93:23, 180:19 leave ^[5] - 6:1, 6:3, 36:25, 95:18, 131:25 leaving ^[2] - 22:8, 130:14 led ^[3] - 121:22, 122:2, 140:16 left ^[13] - 80:19, 93:3, 98:7, 99:23, 109:24, 122:20, 123:19, 128:3, 147:20, 151:22, 170:7, 177:10, 186:14 left-hand ^[1] - 177:10 legal ^[1] - 63:16 legitimate ^[2] - 11:20, 99:1 Leng ^[7] - 68:16, 69:1, 73:16, 80:21, 94:19, 129:23, 130:20 length ^[1] - 60:13 LePard ^[5] - 45:12, 48:21, 81:1, 116:7, 184:14 Lepine ^[1] - 39:15 less ^[2] - 34:18, 117:8 letter ^[2] - 3:5, 142:2 level ^[12] - 12:7, 18:14, 24:1, 24:23, 29:3, 29:10, 58:16, 58:21, 61:15, 63:17, 74:17, 159:25 liaise ^[1] - 157:19 Liaison ^[1] - 67:6 liaison ^[8] - 7:23, 9:6, 56:7, 64:10, 66:12, 66:16, 66:22, 161:3 lieu ^[1] - 174:14 life ^[7] - 13:20, 43:13, 60:18, 82:14, 90:18, 100:15 light ^[7] - 88:14, 88:15, 88:17, 99:8, 111:2, 113:5 likely ^[5] - 25:17, 143:24, 144:1, 144:12, 166:3 limited ^[1] - 157:8 limits ^[1] - 173:18 Line ^[2] - 71:14, 2:11 line ^[20] - 33:16, 34:11, 34:12, 35:5, 43:19, 43:20, 49:21, 68:17, 68:22, 69:2, 70:7, 70:19, 71:7, 72:4, 78:20, 80:8, 85:4, 114:19, 116:16, 181:13 lines ^[3] - 26:17,
---	--	---	--	---

<p>125:9, 163:1 link [1] - 117:15 Lisa [20] - 82:8, 82:24, 104:11, 106:5, 110:17, 121:11, 121:20, 122:3, 122:5, 122:8, 122:22, 123:8, 123:17, 123:23, 124:6, 124:24, 125:18, 127:3, 128:20 list [11] - 19:3, 45:14, 134:5, 141:6, 141:10, 141:25, 147:7, 147:9, 147:18, 157:2 listening [1] - 84:15 lists [1] - 185:18 literally [3] - 24:21, 34:14, 68:21 live [1] - 111:16 lived [2] - 86:11, 118:3 lives [4] - 12:20, 13:8, 17:23, 135:11 living [1] - 64:19 lobby [1] - 174:24 locate [4] - 41:3, 56:20, 56:21, 159:22 located [1] - 63:12 locating [1] - 65:1 location [1] - 65:6 log [6] - 109:9, 110:1, 110:3, 112:25, 121:13, 126:2 logs [2] - 70:25, 73:13 lonely [1] - 13:19 long-serving [1] - 55:4 long-term [1] - 44:11 look [14] - 12:5, 12:6, 55:15, 65:17, 94:16, 98:1, 118:8, 138:18, 142:4, 144:4, 146:14, 147:12, 159:14, 182:23 Look [1] - 138:18 looked [6] - 38:11, 38:14, 39:23, 62:3, 62:13, 111:13 looking [20] - 5:4, 14:11, 30:15, 38:18, 65:18, 75:17, 75:24, 77:14, 80:2, 84:2, 108:25, 131:9, 134:6, 136:24, 136:25, 137:2, 142:13, 166:21, 180:7, 181:18 looks [2] - 34:23, 35:1</p>	<p>Lori [9] - 1:20, 1:24, 20:15, 20:16, 20:23, 21:4, 33:22, 151:23, 156:15 LORI [2] - 1:22, 1:4 loss [1] - 152:12 lost [3] - 77:2, 83:1, 90:24 loud [1] - 121:16 Lougheed [1] - 87:15 low [2] - 8:19, 9:3 low-track [2] - 8:19, 9:3 Lower [1] - 57:10 LTD [1] - 187:12</p>	<p>man [3] - 14:7, 69:5, 91:23 manage [2] - 23:11, 43:8 managed [2] - 62:22, 63:19 management [11] - 30:1, 37:9, 38:15, 45:6, 45:16, 45:17, 45:20, 46:1, 46:10, 74:14, 152:23 manager [1] - 118:3 managing [2] - 41:15, 147:20 mandate [5] - 7:15, 7:17, 53:10, 56:18, 68:10 manipulation [1] - 91:13 mantra [1] - 88:9 manual [1] - 27:8 Maple [1] - 122:19 March [2] - 6:3, 118:24 marching [1] - 160:20 Mark [1] - 164:24 marked [11] - 2:16, 2:18, 3:3, 3:5, 3:6, 3:7, 48:23, 71:5, 71:8, 71:13, 72:6 marking [1] - 72:4 matching [1] - 173:13 materials [1] - 103:15 matter [6] - 79:10, 112:4, 132:16, 151:5, 160:23, 170:14 matters [1] - 103:4 McCarl [3] - 156:6, 157:17, 157:18 McGuinness [1] - 168:25 McGuinness [4] - 139:5, 169:18, 170:21, 175:23 McGuire [1] - 160:9 mean [15] - 22:13, 29:8, 34:7, 75:19, 94:2, 95:1, 96:3, 96:13, 113:25, 117:21, 146:22, 152:2, 171:1, 179:22, 184:9 meaning [5] - 106:7, 121:19, 124:22, 124:24, 127:24 meaningful [1] - 130:15 means [3] - 26:19, 38:11, 57:20 meant [5] - 12:22,</p>	<p>94:3, 123:5, 168:1, 181:22 Mearns [1] - 160:5 mechanism [1] - 27:25 media [3] - 46:1, 69:3, 130:12 medically [1] - 96:24 medicate [1] - 18:3 meet [10] - 19:1, 43:14, 80:5, 85:10, 101:20, 123:13, 125:23, 125:25, 126:1, 126:8 meeting [60] - 28:3, 33:17, 80:11, 113:2, 113:4, 113:13, 113:19, 126:8, 126:18, 126:25, 128:7, 128:12, 145:14, 145:22, 146:2, 146:10, 148:14, 148:16, 150:6, 150:9, 151:4, 151:11, 151:18, 151:19, 156:11, 162:5, 162:18, 163:18, 163:19, 163:23, 163:24, 163:25, 164:1, 164:5, 164:7, 168:5, 168:9, 168:13, 168:15, 169:16, 169:21, 170:16, 170:17, 170:20, 170:25, 171:4, 171:15, 171:17, 171:19, 173:23, 174:3, 174:4, 175:16, 176:18, 177:4, 177:6, 179:3, 179:4, 180:18, 182:3 meetings [6] - 34:2, 37:18, 39:25, 145:16, 145:18, 171:2 member [2] - 149:9, 156:10 members [6] - 1:13, 147:8, 147:10, 147:18, 154:19, 155:22 Members [1] - 71:11 memo [17] - 131:17, 132:3, 132:7, 133:25, 134:5, 139:2, 140:8, 140:13, 141:9, 141:13, 148:7, 148:13, 173:6,</p>	<p>174:2, 176:22, 177:3, 177:7 memoire [3] - 70:9, 70:11, 100:3 memoires [1] - 70:6 memorandum [3] - 172:18, 172:22, 172:24 memorandums [1] - 173:15 memorized [1] - 20:21 memory [5] - 82:6, 121:14, 127:22, 163:24, 170:23 men [4] - 13:23, 14:4, 38:16 mental [1] - 60:12 mentality [2] - 38:9, 39:21 mention [4] - 76:20, 76:21, 108:1, 159:4 mentioned [6] - 11:10, 26:18, 92:24, 105:3, 161:12, 166:14 mesh [1] - 101:18 message [3] - 39:11, 50:18, 122:20 messages [1] - 80:20 met [3] - 19:4, 98:12, 143:21 methods [1] - 162:1 mid [6] - 8:25, 23:25, 24:1, 38:24, 83:13 mid-level [1] - 24:1 mid-October [1] - 83:13 mid-track [1] - 8:25 middle [1] - 134:17 might [39] - 9:12, 9:15, 11:4, 11:21, 13:3, 18:16, 18:19, 23:4, 23:5, 23:15, 26:5, 35:10, 36:8, 44:6, 46:7, 49:9, 52:6, 58:11, 58:16, 59:18, 64:23, 66:3, 75:25, 85:20, 85:24, 92:18, 95:19, 111:19, 111:24, 111:25, 120:3, 139:11, 139:18, 139:19, 159:1, 161:4, 182:19 Mike [3] - 78:1, 123:12, 125:24 milieu [1] - 100:11 mind [21] - 29:19, 35:15, 69:14, 84:23, 86:14, 86:23, 106:24, 111:18, 117:1, 119:13,</p>
---	---	---	--	--

<p>120:14, 120:15, 122:13, 124:5, 126:11, 147:4, 159:17, 167:10, 184:12, 184:18, 184:21</p> <p>mind-set [2] - 117:1, 124:5</p> <p>mindful [3] - 11:1, 51:10, 77:8</p> <p>mine [1] - 138:3</p> <p>minister [1] - 176:11</p> <p>ministers [1] - 176:6</p> <p>ministries [1] - 176:13</p> <p>minute [2] - 136:24, 180:5</p> <p>minutes [4] - 47:22, 156:21, 176:18, 176:20</p> <p>miscellaneous [1] - 59:16</p> <p>mischaracterization [1] - 130:19</p> <p>misconstrued [1] - 180:18</p> <p>misperception [1] - 130:7</p> <p>Miss [4] - 1:8, 120:19, 183:22, 186:6</p> <p>missed [1] - 88:25</p> <p>missing [72] - 5:23, 19:3, 21:14, 21:24, 21:25, 22:3, 23:22, 28:11, 44:20, 46:18, 48:16, 48:20, 49:2, 51:22, 52:1, 55:15, 55:16, 56:21, 57:2, 57:6, 57:18, 57:22, 58:4, 59:14, 61:13, 61:25, 62:21, 63:8, 63:15, 64:15, 64:20, 64:22, 64:23, 65:9, 65:14, 65:16, 66:9, 66:10, 68:12, 75:18, 80:1, 85:18, 93:15, 103:24, 105:3, 105:6, 105:22, 115:22, 132:9, 132:21, 134:6, 134:16, 134:20, 135:1, 137:20, 141:7, 141:11, 141:17, 142:14, 149:13, 151:14, 151:20, 152:1, 153:23, 158:18, 165:9, 166:7, 166:12, 168:6, 169:3, 179:14, 182:21</p>	<p>Missing [29] - 2:17, 3:4, 3:9, 3:16, 5:1, 5:22, 40:6, 48:6, 48:10, 49:12, 49:20, 50:17, 51:8, 51:20, 53:24, 54:16, 55:2, 56:9, 56:18, 59:11, 59:24, 61:20, 67:5, 67:24, 68:4, 74:11, 131:16, 156:12, 2:6</p> <p>missings [5] - 65:11, 66:5, 66:6, 143:24, 144:11</p> <p>misspoke [1] - 162:19</p> <p>mistaken [3] - 5:10, 115:8, 160:8</p> <p>mistaking [1] - 21:17</p> <p>mistrustful [1] - 160:3</p> <p>misunderstanding [1] - 61:22</p> <p>misunderstandings [1] - 28:5</p> <p>model [1] - 46:10</p> <p>Module [1] - 7:4</p> <p>moment [1] - 146:14</p> <p>money [10] - 10:13, 12:23, 13:4, 14:16, 90:8, 90:11, 101:7, 143:25, 144:12</p> <p>monies [1] - 110:7</p> <p>month [4] - 114:14, 114:15, 132:1</p> <p>monthly [1] - 32:19</p> <p>months [6] - 4:12, 5:16, 6:8, 44:17, 113:2, 163:19</p> <p>months' [1] - 166:11</p> <p>moral [1] - 100:10</p> <p>morbid [1] - 97:3</p> <p>morning [5] - 1:6, 47:20, 64:23, 84:11, 183:7</p> <p>most [15] - 9:3, 13:22, 23:7, 28:15, 33:7, 51:11, 60:4, 85:9, 86:11, 97:19, 110:15, 120:18, 156:14, 161:19, 183:3</p> <p>mostly [4] - 38:15, 38:16, 44:13, 44:16</p> <p>mother [2] - 99:5, 99:18</p> <p>motivation [3] - 36:11, 101:9</p> <p>motivations [1] - 150:22</p> <p>motive [1] - 135:11</p> <p>motives [1] - 143:22</p> <p>move [1] - 70:20</p>	<p>movies [1] - 34:22</p> <p>moving [5] - 15:8, 48:2, 83:21, 130:25, 156:18</p> <p>MR [13] - 2:20, 72:15, 73:1, 139:5, 183:9, 184:2, 184:6, 184:9, 184:12, 184:22, 185:5, 186:5, 186:21</p> <p>MS [39] - 1:6, 1:9, 1:13, 1:19, 1:20, 2:3, 2:7, 2:9, 3:14, 8:9, 8:11, 47:19, 48:1, 48:23, 48:25, 67:14, 70:5, 70:24, 71:12, 71:19, 71:23, 72:2, 72:12, 72:13, 72:20, 73:4, 102:17, 103:17, 139:1, 140:7, 154:17, 156:18, 156:25, 170:3, 170:6, 170:13, 183:5, 185:6, 185:15</p> <p>muddy [1] - 89:21</p> <p>multi [4] - 31:24, 112:17, 112:21, 152:21</p> <p>multi-jurisdiction [1] - 112:21</p> <p>multi-jurisdictional [3] - 31:24, 112:17, 152:21</p> <p>multiple [2] - 41:16, 105:1</p> <p>murder [9] - 40:15, 74:19, 97:5, 179:25, 180:8, 180:12, 180:14, 181:4, 181:23</p> <p>murderers [1] - 108:13</p> <p>Murray [1] - 157:20</p> <p>must [1] - 94:12</p> <p>mysterious [2] - 143:24, 144:11</p> <p>myth [1] - 11:21</p> <p style="text-align: center;">N</p> <p>nail [1] - 166:6</p> <p>name [10] - 1:23, 74:9, 74:10, 74:22, 75:4, 84:15, 97:14, 118:18, 123:10, 182:11</p> <p>names [2] - 93:20, 157:2</p> <p>narrative [1] - 70:18</p> <p>narrow [1] - 144:2</p> <p>Nation [1] - 105:19</p>	<p>Nations [3] - 104:19, 105:4, 105:6</p> <p>nature [1] - 184:19</p> <p>NCO [1] - 57:19</p> <p>nebulous [2] - 27:6, 27:12</p> <p>necessarily [4] - 34:14, 58:21, 79:11, 145:6</p> <p>necessary [2] - 114:3, 139:10</p> <p>need [40] - 13:4, 13:5, 14:15, 14:17, 15:3, 31:1, 31:3, 32:12, 32:16, 36:25, 37:1, 42:19, 47:14, 53:16, 60:9, 66:19, 72:1, 101:11, 113:24, 120:22, 125:21, 133:25, 138:20, 138:21, 138:22, 140:2, 146:14, 156:17, 165:17, 169:2, 171:3, 174:25, 183:6, 183:15, 183:16, 184:24, 186:18</p> <p>needed [21] - 10:12, 19:21, 27:5, 31:6, 41:2, 42:10, 43:11, 47:15, 47:16, 62:13, 63:24, 69:10, 78:1, 99:23, 147:16, 153:20, 155:16, 160:23, 160:24</p> <p>needing [1] - 18:9</p> <p>needle [1] - 93:22</p> <p>needs [6] - 27:9, 59:9, 66:20, 100:20, 184:25</p> <p>negative [4] - 11:16, 11:17, 12:8, 26:5</p> <p>neighbourhood [2] - 132:25, 160:7</p> <p>network [1] - 64:24</p> <p>never [18] - 10:25, 14:6, 23:13, 27:1, 40:17, 74:24, 88:18, 96:17, 101:7, 106:7, 124:23, 130:3, 130:6, 154:7, 154:10, 169:6, 180:15</p> <p>new [15] - 45:10, 49:23, 64:3, 64:5, 66:5, 95:21, 97:10, 124:23, 128:9, 128:16, 129:8, 156:18, 159:20, 186:5</p>	<p>New [1] - 182:9</p> <p>news [1] - 69:4</p> <p>next [26] - 1:20, 2:7, 16:21, 26:23, 64:1, 66:19, 74:11, 75:11, 98:18, 112:25, 113:8, 128:17, 128:24, 135:8, 145:21, 147:6, 156:1, 163:22, 164:2, 180:5, 181:19, 182:14, 184:10, 184:21, 185:1, 186:23</p> <p>next-of-kin [1] - 182:14</p> <p>nice [1] - 25:10</p> <p>night [1] - 114:14</p> <p>nineties [4] - 7:12, 23:21, 24:4, 26:13</p> <p>NO [1] - 2:3</p> <p>nobody [2] - 138:11, 179:7</p> <p>non [3] - 66:9, 137:11, 166:3</p> <p>non-missing [1] - 66:9</p> <p>non-sex [1] - 166:3</p> <p>non-violent [1] - 137:11</p> <p>noncommissioned [1] - 57:20</p> <p>none [4] - 134:18, 180:2, 181:6, 181:24</p> <p>normally [3] - 46:10, 50:24, 55:7</p> <p>north [2] - 8:17, 89:8</p> <p>notation [1] - 122:16</p> <p>note [4] - 59:20, 103:13, 104:2, 144:9</p> <p>notes [14] - 70:23, 70:24, 98:6, 110:4, 115:6, 119:18, 127:13, 163:23, 164:3, 164:4, 165:2, 171:4, 175:16</p> <p>nothing [6] - 53:5, 53:11, 92:21, 144:19, 144:24, 167:25</p> <p>noticed [1] - 88:23</p> <p>noticing [1] - 167:15</p> <p>notify [1] - 66:19</p> <p>notion [3] - 23:14, 38:25, 108:11</p> <p>novels [1] - 34:21</p> <p>November [6] - 4:1, 5:15, 5:24, 48:13, 110:1, 110:3</p> <p>NR [2] - 2:9, 3:2</p> <p>number [19] - 17:19,</p>
---	---	--	--	---

<p>20:16, 20:20, 52:1, 70:10, 70:12, 75:3, 78:20, 79:6, 100:4, 100:5, 105:2, 110:2, 110:9, 118:20, 158:14, 170:7, 174:17, 185:12</p> <p>numbered [1] - 118:21</p> <p>numbers [7] - 54:20, 93:4, 109:24, 166:23, 171:16, 171:18</p>	<p>officer [8] - 3:25, 16:11, 18:21, 57:20, 60:3, 60:4, 60:8, 66:22</p> <p>officers [7] - 11:18, 15:25, 30:1, 35:8, 114:24, 159:15, 168:18</p> <p>Official [1] - 187:11</p> <p>offline [3] - 118:12, 118:13, 119:2</p> <p>often [9] - 11:11, 13:16, 43:13, 43:18, 55:8, 101:9, 104:7, 115:22, 157:17</p> <p>OI [1] - 118:20</p> <p>old [8] - 38:8, 39:1, 39:12, 39:20, 58:5, 58:6, 58:10, 58:12</p> <p>omission [1] - 140:20</p> <p>once [3] - 84:7, 148:3, 183:20</p> <p>one [94] - 10:19, 10:22, 12:12, 13:14, 14:2, 14:7, 14:24, 15:21, 20:3, 21:2, 22:8, 22:21, 25:7, 29:13, 29:17, 30:10, 31:22, 33:4, 33:21, 33:24, 34:2, 35:18, 41:19, 43:16, 43:17, 47:12, 50:17, 52:2, 55:5, 55:7, 59:5, 59:10, 59:17, 59:25, 63:2, 67:5, 68:15, 68:24, 70:25, 71:4, 72:24, 74:19, 82:8, 84:11, 87:12, 91:22, 93:24, 95:12, 95:25, 99:1, 105:4, 105:5, 115:10, 116:19, 117:2, 126:8, 129:6, 132:18, 134:10, 134:15, 136:2, 136:15, 136:24, 137:4, 138:18, 140:22, 140:25, 141:3, 145:19, 145:21, 151:6, 155:20, 157:25, 158:14, 158:21, 159:16, 159:24, 162:17, 162:20, 176:8, 176:10, 178:18, 179:9, 180:3, 180:5, 180:13, 182:10, 185:25, 186:1, 186:10</p> <p>one's [1] - 182:11</p>	<p>one-page [1] - 59:17</p> <p>one-quarter [1] - 67:5</p> <p>one-to-one [1] - 159:24</p> <p>ones [4] - 63:14, 106:8, 161:15, 161:18</p> <p>ongoing [3] - 66:2, 109:20, 140:18</p> <p>Ontario [2] - 8:23, 24:2</p> <p>open [9] - 9:23, 28:18, 28:25, 47:11, 62:7, 86:1, 118:11, 123:11, 163:1</p> <p>opener [1] - 115:23</p> <p>opening [2] - 10:1, 165:6</p> <p>operated [1] - 26:14</p> <p>operates [1] - 56:8</p> <p>operating [3] - 96:25, 136:21, 158:21</p> <p>operation [6] - 43:24, 110:17, 121:11, 122:17, 127:5, 138:21</p> <p>operational [2] - 30:2, 41:25</p> <p>Operational [1] - 6:14</p> <p>operations [1] - 44:3</p> <p>operative [1] - 10:15</p> <p>operator [5] - 13:1, 13:19, 14:4, 44:5, 82:14</p> <p>opinion [3] - 98:24, 99:12, 148:11</p> <p>opportunities [1] - 135:2</p> <p>opportunity [6] - 52:6, 52:7, 71:21, 95:20, 97:23, 180:19</p> <p>opposed [1] - 82:15</p> <p>option [4] - 23:13, 50:25, 62:15, 125:7</p> <p>options [3] - 31:11, 31:12, 51:18</p> <p>oral [2] - 87:20, 90:6</p> <p>order [15] - 1:4, 47:25, 103:2, 156:24, 175:8, 183:16, 183:23, 184:3, 184:6, 184:9, 184:24, 186:15, 186:16, 186:20, 187:1</p> <p>ordered [1] - 105:23</p> <p>ordinator [8] - 40:18, 41:8, 41:10, 41:14, 45:23, 48:10, 160:6, 161:22</p>	<p>org [3] - 45:24, 46:4, 55:6</p> <p>organic [2] - 111:16, 112:3</p> <p>organisms [1] - 111:16</p> <p>organization [1] - 63:18</p> <p>organizations [3] - 161:7, 161:12, 161:13</p> <p>organized [5] - 49:11, 62:21, 159:9, 162:1, 168:5</p> <p>orient [1] - 105:20</p> <p>orientation [1] - 53:3</p> <p>original [1] - 89:13</p> <p>otherwise [2] - 9:13, 161:4</p> <p>Ottawa [1] - 118:22</p> <p>ourselves [1] - 115:21</p> <p>outcome [2] - 171:14, 182:3</p> <p>outgoing [1] - 20:24</p> <p>outlets [1] - 69:3</p> <p>outlining [2] - 143:16, 173:16</p> <p>outreach [1] - 162:2</p> <p>outside [5] - 23:6, 27:15, 35:3, 149:5</p> <p>overhear [1] - 56:15</p> <p>oversee [1] - 67:24</p> <p>oversight [3] - 119:9, 120:7, 137:23</p> <p>overstatement [1] - 138:14</p> <p>overt [1] - 10:7</p> <p>overview [1] - 108:6</p> <p>Overview [1] - 71:10</p> <p>owe [1] - 144:12</p> <p>owed [1] - 143:25</p> <p>own [12] - 32:5, 32:20, 36:13, 37:19, 42:10, 42:11, 64:24, 84:23, 101:6, 129:16, 138:23, 147:24</p> <p>ownership [3] - 83:4, 153:18, 153:19</p>	<p>93:9, 97:16, 97:24, 98:3, 103:6, 109:24, 110:2, 113:8, 114:2, 118:10, 119:18, 119:24, 121:9, 122:15, 125:22, 126:2, 128:19, 129:19, 132:12, 132:13, 134:2, 135:24, 140:14, 167:15, 169:10, 169:15, 169:22, 169:24, 170:7, 170:8, 171:6, 171:7, 171:10, 177:10, 177:11, 1:3</p> <p>pages [1] - 170:10</p> <p>paid [1] - 174:14</p> <p>paper [4] - 62:23, 152:8, 154:24, 154:25</p> <p>paragraph [15] - 98:5, 122:14, 132:13, 134:4, 134:17, 134:22, 134:23, 135:9, 135:24, 140:13, 143:18, 144:17, 177:12, 179:18</p> <p>paragraphs [1] - 134:8</p> <p>paramilitary [1] - 26:15</p> <p>paraphrase [2] - 133:25, 155:7</p> <p>parole [1] - 15:19</p> <p>part [28] - 13:22, 14:4, 22:4, 22:5, 22:22, 23:7, 28:15, 29:18, 29:20, 34:16, 38:4, 51:9, 65:20, 70:7, 96:21, 97:19, 101:22, 102:7, 105:6, 111:18, 119:9, 120:8, 140:20, 145:3, 159:6, 170:24, 180:17, 182:17</p> <p>partially [2] - 111:5, 139:24</p> <p>participated [1] - 17:3</p> <p>participation [1] - 17:16</p> <p>particular [15] - 9:11, 9:20, 14:7, 19:19, 25:7, 27:24, 32:23, 32:24, 43:15, 51:25, 61:25, 63:17, 86:17, 111:11, 158:1</p> <p>particularly [2] - 18:17, 158:3</p>
<p>O</p> <p>object [1] - 2:23</p> <p>objections [1] - 2:14</p> <p>observations [1] - 31:6</p> <p>observe [4] - 23:18, 24:10, 35:8, 35:13</p> <p>obtain [2] - 159:10, 175:8</p> <p>obtained [1] - 120:11</p> <p>obviously [22] - 1:16, 10:22, 12:7, 17:19, 28:2, 36:4, 54:10, 65:17, 75:23, 76:20, 84:3, 90:23, 91:14, 102:5, 102:20, 136:18, 144:4, 157:9, 161:11, 174:15, 180:20, 182:16</p> <p>occasions [2] - 122:9, 141:20</p> <p>occur [1] - 53:1</p> <p>occurred [2] - 169:16, 172:13</p> <p>occurs [1] - 60:20</p> <p>October [8] - 83:13, 104:3, 111:10, 122:15, 126:1, 127:19, 127:23, 127:24</p> <p>odd [1] - 49:5</p> <p>Odd [1] - 17:3</p> <p>OF [1] - 1:1</p> <p>offenders [1] - 108:12</p> <p>offer [1] - 163:15</p> <p>offered [3] - 88:1, 104:8, 161:2</p> <p>offering [1] - 106:17</p> <p>offers [1] - 102:13</p> <p>office [16] - 53:24, 53:25, 54:2, 54:11, 56:6, 56:7, 67:3, 74:12, 74:22, 132:25, 133:3, 156:12, 160:7, 176:2, 176:17</p>			<p>P</p> <p>P.M [5] - 102:25, 103:1, 156:22, 156:23, 187:5</p> <p>package [3] - 41:7, 53:2, 182:15</p> <p>packages [1] - 40:25</p> <p>PAGE [1] - 2:3</p> <p>page [42] - 59:17, 93:3, 93:4, 93:5,</p>	

<p>partly ^[1] - 17:13</p> <p>partner ^[3] - 47:11, 64:9, 157:10</p> <p>parts ^[1] - 139:5</p> <p>passed ^[1] - 166:17</p> <p>passenger ^[3] - 14:9, 14:20, 15:9</p> <p>passing ^[1] - 123:15</p> <p>passover ^[2] - 126:18, 127:2</p> <p>past ^[12] - 7:3, 22:18, 39:1, 46:22, 107:4, 107:6, 112:19, 115:18, 121:21, 122:11, 129:7, 135:20</p> <p>path ^[1] - 81:18</p> <p>patience ^[1] - 43:11</p> <p>patrol ^[21] - 4:4, 4:14, 5:6, 5:10, 5:18, 6:25, 7:6, 7:12, 24:15, 24:16, 40:9, 42:6, 57:21, 58:15, 58:21, 59:8, 59:19, 60:5, 61:15, 153:25</p> <p>patrol's ^[1] - 58:22</p> <p>pay ^[3] - 90:11, 101:12, 174:21</p> <p>Payette ^[1] - 157:13</p> <p>paying ^[1] - 12:24</p> <p>peers ^[1] - 11:9</p> <p>Pender ^[1] - 8:17</p> <p>people ^[72] - 17:9, 19:15, 19:18, 20:5, 20:6, 21:17, 21:20, 22:3, 24:19, 25:3, 25:5, 25:14, 29:6, 33:8, 33:20, 34:17, 35:22, 36:8, 36:20, 36:21, 38:21, 39:3, 45:14, 46:3, 46:11, 46:21, 46:24, 50:6, 50:7, 50:23, 51:15, 55:11, 63:8, 69:7, 77:11, 93:17, 100:12, 102:14, 108:9, 118:17, 124:15, 135:15, 136:25, 137:10, 137:12, 137:13, 145:8, 147:8, 147:9, 148:2, 149:5, 150:7, 150:25, 153:8, 153:10, 153:22, 154:1, 155:18, 157:3, 157:21, 163:4, 163:8, 164:14, 164:17, 164:22, 171:2, 174:15, 174:17,</p>	<p>176:6, 176:15, 178:25, 186:7</p> <p>people's ^[1] - 150:22</p> <p>perceived ^[4] - 10:20, 11:12, 12:1, 129:14</p> <p>percentage ^[5] - 7:18, 17:19, 67:25, 143:23, 144:11</p> <p>percentage-wise ^[1] - 17:19</p> <p>perception ^[8] - 11:16, 36:16, 55:22, 58:23, 58:24, 96:20, 101:23, 132:18</p> <p>perfectly ^[1] - 72:10</p> <p>perhaps ^[11] - 9:21, 112:11, 118:10, 121:12, 133:10, 139:14, 139:22, 150:18, 164:12, 165:4, 167:4</p> <p>period ^[4] - 30:15, 90:22, 143:9, 158:6</p> <p>permanence ^[1] - 61:17</p> <p>person ^[38] - 9:20, 19:16, 26:23, 41:3, 41:7, 45:11, 51:11, 55:7, 57:18, 57:22, 58:3, 59:14, 62:13, 62:21, 75:21, 75:25, 76:22, 79:13, 80:6, 82:20, 84:7, 92:8, 100:10, 101:20, 109:1, 117:19, 136:2, 140:25, 160:13, 166:4, 167:17, 177:18, 178:3, 179:13, 180:4, 181:7, 181:11, 181:16</p> <p>person's ^[3] - 58:23, 60:18, 118:17</p> <p>personal ^[1] - 72:12</p> <p>personally ^[4] - 16:13, 34:8, 104:8, 123:15</p> <p>persons ^[15] - 55:17, 56:21, 57:2, 57:6, 64:16, 65:9, 66:10, 69:9, 69:23, 135:18, 137:14, 140:16, 140:22, 167:17, 177:18</p> <p>Persons ^[26] - 2:17, 3:4, 3:9, 3:16, 5:2, 5:22, 40:6, 48:6, 49:12, 49:20, 50:17, 51:8, 51:20, 54:16, 55:2, 56:9, 56:18, 59:11, 59:24, 61:20,</p>	<p>67:5, 67:24, 68:5, 74:12, 156:12, 2:7</p> <p>perspective ^[5] - 68:1, 73:25, 109:17, 142:8, 166:5</p> <p>perspectives ^[1] - 13:14</p> <p>pertinent ^[2] - 41:2, 60:12</p> <p>pet ^[1] - 21:6</p> <p>Peter ^[1] - 50:4</p> <p>phone ^[10] - 20:16, 20:19, 43:16, 56:15, 63:23, 64:4, 90:13, 90:14, 90:15, 101:12</p> <p>phones ^[2] - 64:2</p> <p>photo ^[6] - 114:6, 115:7, 115:9, 120:1, 162:5, 172:12</p> <p>photocopied ^[1] - 103:14</p> <p>photograph ^[1] - 114:17</p> <p>photography ^[2] - 111:12, 112:6</p> <p>photos ^[1] - 118:3</p> <p>physical ^[3] - 23:9, 56:1, 60:12</p> <p>physically ^[2] - 85:15, 159:13</p> <p>picked ^[4] - 86:5, 87:11, 116:19, 130:6</p> <p>Pickerell ^[1] - 157:9</p> <p>picking ^[4] - 39:8, 114:4, 116:5, 117:2</p> <p>Pickton ^[49] - 70:8, 71:3, 71:15, 74:9, 74:15, 75:15, 76:22, 77:21, 79:21, 79:22, 84:10, 86:4, 94:20, 94:21, 98:9, 98:20, 99:9, 104:5, 105:23, 106:17, 107:2, 107:4, 107:6, 107:8, 107:10, 107:14, 111:21, 114:3, 114:16, 116:19, 116:20, 117:8, 119:2, 119:6, 121:21, 122:1, 122:8, 128:9, 128:22, 129:25, 131:11, 141:4, 167:8, 174:14, 177:25, 179:13, 181:7, 181:16, 2:12</p> <p>Pickton's ^[6] - 75:7, 81:10, 91:21, 104:13, 104:16, 115:7</p>	<p>picture ^[2] - 111:18, 138:19</p> <p>piece ^[3] - 89:12, 111:11, 112:24</p> <p>pieces ^[2] - 105:4, 181:19</p> <p>pimp ^[2] - 135:21, 143:21</p> <p>pimps ^[1] - 135:15</p> <p>PIRS ^[6] - 74:13, 74:22, 77:17, 77:18, 77:25, 78:1</p> <p>place ^[14] - 28:8, 55:4, 55:12, 70:25, 71:4, 72:24, 85:5, 93:24, 94:11, 111:24, 128:6, 129:15, 131:22, 148:2</p> <p>places ^[3] - 97:20, 153:9, 161:4</p> <p>placing ^[1] - 120:5</p> <p>plain ^[2] - 10:3, 116:1</p> <p>plainclothes ^[1] - 24:10</p> <p>plan ^[12] - 53:20, 68:6, 68:11, 69:12, 95:8, 109:5, 109:10, 109:21, 136:9, 145:24, 146:5, 148:2</p> <p>plane ^[1] - 23:9</p> <p>planning ^[4] - 29:16, 46:1, 65:21, 138:16</p> <p>Planning ^[1] - 6:14</p> <p>plans ^[3] - 41:25, 95:18</p> <p>plastic ^[2] - 14:20, 14:21</p> <p>play ^[2] - 61:2, 149:25</p> <p>played ^[3] - 44:2, 44:5, 69:4</p> <p>playground ^[1] - 58:6</p> <p>playing ^[3] - 13:7, 14:21, 68:25</p> <p>plus ^[2] - 33:8, 184:16</p> <p>plywood ^[2] - 89:13, 89:16</p> <p>point ^[58] - 9:10, 35:7, 60:6, 62:3, 66:24, 69:11, 73:1, 78:16, 80:9, 82:1, 82:4, 82:7, 82:19, 83:14, 88:23, 90:5, 90:16, 90:25, 93:7, 96:23, 97:9, 105:11, 105:12, 107:8, 109:21, 112:23, 114:5, 119:20, 120:12, 125:2, 126:13, 128:11, 134:2, 134:18,</p>	<p>139:1, 139:11, 139:16, 140:5, 141:14, 143:14, 143:20, 148:1, 150:14, 150:18, 151:6, 152:8, 160:13, 162:21, 165:11, 167:16, 167:21, 172:1, 173:3, 177:22, 179:12, 181:15, 186:9</p> <p>pointing ^[2] - 36:10, 178:14</p> <p>points ^[4] - 105:8, 114:6, 120:4, 157:14</p> <p>pole ^[1] - 84:14</p> <p>police ^[39] - 3:22, 7:24, 8:13, 9:10, 9:16, 10:21, 11:14, 11:18, 12:8, 15:25, 16:16, 18:21, 19:20, 19:24, 20:12, 26:8, 26:9, 43:19, 58:10, 60:4, 66:18, 66:20, 82:12, 82:13, 82:16, 83:11, 84:13, 92:11, 117:18, 118:17, 119:21, 132:25, 158:4, 160:3, 164:8, 175:3, 176:14, 184:15</p> <p>Police ^[9] - 1:13, 3:21, 48:15, 57:12, 57:13, 69:5, 74:16, 80:22, 184:12</p> <p>policemen ^[1] - 38:17</p> <p>policies ^[3] - 57:1, 57:3, 57:5</p> <p>policing ^[5] - 35:3, 35:4, 143:6, 160:7, 175:19</p> <p>policy ^[9] - 27:8, 32:14, 57:1, 59:25, 60:11, 60:16, 61:8, 64:21, 173:21</p> <p>poor ^[1] - 180:16</p> <p>popped ^[1] - 54:6</p> <p>portfolios ^[1] - 176:7</p> <p>portion ^[1] - 41:19</p> <p>Portland ^[1] - 164:24</p> <p>pose ^[1] - 33:24</p> <p>posed ^[1] - 139:13</p> <p>position ^[21] - 14:3, 49:24, 50:17, 51:8, 51:21, 52:13, 55:2, 56:8, 66:16, 81:22, 110:14, 113:21, 124:11, 131:1, 136:1, 138:1, 138:3,</p>
--	--	--	---	--

<p>145:5, 150:4, 175:1, 185:8</p> <p>positions [12] - 38:22, 39:4, 50:14, 50:15, 50:16, 50:19, 50:21, 50:23, 51:10, 51:16, 150:23, 150:24</p> <p>positive [4] - 10:22, 78:10, 80:19, 114:16</p> <p>possibilities [1] - 179:24</p> <p>possibility [3] - 37:21, 150:11, 179:23</p> <p>possible [2] - 105:14, 151:13</p> <p>possibly [7] - 52:4, 62:2, 62:18, 124:1, 132:17, 148:20, 174:21</p> <p>potential [8] - 52:23, 78:7, 127:2, 127:7, 147:10, 147:18, 154:13, 181:17</p> <p>potentially [3] - 96:20, 127:1, 129:15</p> <p>pounded [1] - 34:3</p> <p>Power [1] - 157:20</p> <p>power [1] - 149:25</p> <p>predisposition [1] - 76:7</p> <p>predominant [1] - 174:12</p> <p>predominantly [2] - 8:20, 10:6</p> <p>prefer [2] - 24:25, 123:18</p> <p>preferable [1] - 139:21</p> <p>preference [1] - 124:9</p> <p>preferred [1] - 125:13</p> <p>preliminary [2] - 134:14, 143:16</p> <p>premature [1] - 150:13</p> <p>preparation [1] - 168:22</p> <p>prepare [5] - 40:25, 77:20, 77:22, 109:5, 174:2</p> <p>prepared [9] - 2:4, 48:20, 49:21, 70:6, 70:15, 97:12, 141:7, 147:13, 172:22</p> <p>preparing [3] - 41:24, 181:14, 181:25</p> <p>present [1] - 83:18</p> <p>presentation [11] - 164:3, 165:2, 168:17, 171:16, 171:18, 173:8, 173:14, 176:19, 176:21, 180:20,</p>	<p>180:23</p> <p>presented [2] - 12:2, 180:13</p> <p>preserve [1] - 126:23</p> <p>press [6] - 145:24, 146:4, 148:11, 149:1, 150:10</p> <p>pressure [1] - 148:23</p> <p>pretend [1] - 124:22</p> <p>pretended [1] - 91:11</p> <p>pretty [6] - 16:1, 41:12, 51:11, 88:7, 100:23, 112:9</p> <p>prevalent [1] - 38:9</p> <p>previous [1] - 147:25</p> <p>previously [1] - 54:4</p> <p>preying [3] - 167:18, 177:18, 178:3</p> <p>primarily [1] - 26:14</p> <p>primary [3] - 32:6, 32:8, 158:25</p> <p>Princess [1] - 86:6</p> <p>printed [1] - 77:23</p> <p>printout [1] - 78:1</p> <p>priorities [1] - 137:6</p> <p>priority [2] - 114:22, 131:14</p> <p>privacy [1] - 11:9</p> <p>privy [2] - 9:13, 102:11</p> <p>pro [1] - 175:14</p> <p>proactive [3] - 182:8, 182:22, 182:24</p> <p>probable [1] - 141:21</p> <p>problem [27] - 22:1, 29:9, 39:10, 39:14, 43:9, 51:22, 53:9, 53:14, 54:17, 54:22, 55:23, 65:5, 65:6, 133:4, 133:14, 138:20, 142:13, 143:17, 153:5, 162:23, 165:8, 168:19, 169:1, 169:4, 170:22, 171:23</p> <p>problems [4] - 7:22, 9:11, 100:16, 100:17</p> <p>procedure [2] - 27:8, 47:18</p> <p>procedures [1] - 57:5</p> <p>proceed [1] - 113:25</p> <p>proceedings [6] - 74:19, 86:17, 87:1, 120:10, 177:8, 187:9</p> <p>PROCEEDINGS [9] - 1:3, 47:23, 47:24, 102:25, 103:1, 156:22, 156:23, 187:5, 1:1</p> <p>Proceedings [1] - 1:7</p>	<p>process [6] - 41:11, 57:17, 59:3, 60:10, 74:10, 140:4</p> <p>processes [2] - 31:2, 47:8</p> <p>Professor [3] - 142:6, 158:12, 170:19</p> <p>profile [3] - 77:21, 108:8, 150:1</p> <p>profiles [1] - 107:23</p> <p>profiling [1] - 150:2</p> <p>program [2] - 157:15, 182:12</p> <p>Project [13] - 3:6, 3:12, 3:17, 39:16, 48:11, 49:17, 49:18, 67:6, 67:10, 71:10, 158:7, 162:3, 2:9</p> <p>project [1] - 30:6</p> <p>projects [1] - 14:5</p> <p>promotion [3] - 7:5, 35:21, 35:23</p> <p>pronounced [1] - 39:14</p> <p>proper [1] - 72:6</p> <p>property [12] - 66:19, 75:7, 76:24, 79:22, 81:10, 89:6, 89:7, 93:11, 93:14, 94:9, 112:1, 131:12</p> <p>proposed [2] - 121:10, 155:22</p> <p>proposition [1] - 96:1</p> <p>proprietary [1] - 80:16</p> <p>prosecute [1] - 81:12</p> <p>prostitutes [2] - 114:4, 116:21</p> <p>Prostitution [4] - 7:13, 18:25, 19:6, 23:20</p> <p>protect [1] - 182:8</p> <p>protecting [1] - 110:25</p> <p>protection [1] - 13:24</p> <p>prove [5] - 14:15, 69:21, 114:3, 178:9</p> <p>provide [2] - 110:7, 130:15</p> <p>provided [6] - 69:2, 70:13, 70:18, 104:5, 115:10, 177:3</p> <p>provides [1] - 148:11</p> <p>providing [4] - 81:20, 81:21, 102:2, 120:17</p> <p>province [1] - 57:9</p> <p>province-wide [1] - 57:9</p> <p>psychologist [1] - 16:19</p> <p>public [1] - 72:7</p> <p>publicity [1] - 140:15</p>	<p>pull [2] - 146:23, 181:20</p> <p>pulled [7] - 14:7, 15:12, 21:11, 25:7, 25:9, 89:6, 89:9</p> <p>pulse [1] - 133:5</p> <p>punching [1] - 36:3</p> <p>purely [1] - 182:24</p> <p>purpose [3] - 55:10, 113:4, 162:15</p> <p>purposes [1] - 55:3</p> <p>purse [3] - 104:19, 105:14, 105:18</p> <p>purses [2] - 105:1, 121:23</p> <p>pursue [1] - 78:12</p> <p>pursued [5] - 97:22, 99:1, 99:8, 109:4, 178:1</p> <p>pursuing [4] - 76:18, 131:6, 135:2, 136:11</p> <p>purview [1] - 149:22</p> <p>push [1] - 129:9</p> <p>pushed [1] - 38:5</p> <p>pushing [1] - 175:12</p> <p>put [8] - 3:1, 50:12, 72:24, 92:6, 97:11, 131:13, 148:2, 182:15</p> <p>puts [1] - 124:10</p> <p>putting [1] - 16:2</p> <p>puzzled [1] - 89:22</p>	<p>66:2, 76:25, 79:12, 84:18, 88:16, 90:20, 90:22, 98:20, 102:9, 108:15, 111:13, 146:17, 152:12, 156:6, 157:17, 165:23, 174:8, 174:18, 176:23</p> <p>quo [1] - 152:16</p> <p>quote [1] - 66:6</p>
R				
<p>rabbits [1] - 146:23</p> <p>radio [3] - 44:5, 69:4, 84:12</p> <p>raining [1] - 89:21</p> <p>raised [2] - 98:25, 177:8</p> <p>Ramos [1] - 157:13</p> <p>ran [7] - 22:20, 74:22, 91:15, 91:22, 118:17, 120:24</p> <p>rank [1] - 35:25</p> <p>ranks [1] - 35:22</p> <p>raped [1] - 17:6</p> <p>rapport [2] - 20:10, 160:23</p> <p>rarely [2] - 174:13</p> <p>raspy [1] - 68:23</p> <p>rat [4] - 11:12, 20:19, 21:3, 21:6</p> <p>rate [1] - 97:2</p> <p>rather [3] - 93:9, 139:22, 174:9</p> <p>RCMP [12] - 74:13, 87:13, 111:5, 122:22, 123:2, 123:16, 123:23, 124:2, 128:8, 157:16, 157:19, 175:21</p> <p>re [3] - 70:7, 71:14, 2:11</p> <p>reached [5] - 15:9, 15:10, 15:11, 90:14, 90:20</p> <p>read [17] - 20:16, 20:19, 34:20, 48:19, 76:9, 77:12, 84:7, 85:6, 85:7, 97:25, 121:13, 121:16, 134:1, 143:17, 177:13, 179:17</p> <p>reading [4] - 75:5, 122:14, 176:21, 179:19</p> <p>reads [1] - 177:12</p> <p>ready [2] - 38:1, 125:4</p> <p>real [9] - 11:25, 12:9, 25:5, 25:6, 30:23,</p>				
Q				
<p>qualified [1] - 125:15</p> <p>quarter [2] - 67:4, 67:5</p> <p>Quebec [2] - 8:22, 24:2</p> <p>query [1] - 119:3</p> <p>questioned [2] - 107:14, 124:16</p> <p>questions [13] - 3:20, 6:24, 26:11, 40:4, 47:12, 93:7, 109:2, 139:9, 139:13, 139:15, 142:7, 158:8, 163:5</p> <p>quibble [1] - 49:5</p> <p>quick [1] - 11:2</p> <p>quickest [1] - 120:3</p> <p>quickly [4] - 10:10, 12:22, 105:16, 182:19</p> <p>quite [35] - 10:10, 21:16, 21:23, 33:11, 37:19, 38:9, 39:13, 41:13, 45:7, 45:8, 45:10, 45:12, 52:8, 55:8, 56:3, 63:1,</p>				

<p>37:21, 51:4, 137:8, 143:6</p> <p>reality [6] - 11:22, 11:24, 13:8, 23:17, 39:2, 39:21</p> <p>realize [2] - 157:22</p> <p>realized [1] - 92:5</p> <p>really [90] - 12:3, 15:3, 16:21, 16:23, 16:24, 19:25, 20:13, 21:10, 21:22, 28:1, 28:7, 29:2, 29:18, 31:17, 31:19, 32:4, 32:5, 33:22, 33:24, 34:4, 36:5, 37:13, 38:5, 40:1, 45:9, 51:25, 53:11, 55:24, 58:18, 59:15, 69:11, 69:12, 72:23, 76:17, 77:22, 79:24, 80:13, 80:14, 82:21, 83:3, 83:4, 83:20, 85:1, 86:22, 90:1, 90:8, 91:14, 92:14, 95:11, 95:19, 95:23, 100:11, 100:25, 103:23, 106:8, 106:22, 111:24, 121:2, 124:13, 124:14, 130:15, 133:4, 133:11, 136:23, 137:25, 138:1, 138:5, 149:5, 149:14, 150:15, 152:13, 152:15, 153:21, 154:3, 154:6, 155:5, 155:16, 159:25, 165:14, 165:15, 165:17, 167:25, 168:11, 171:21, 171:23, 176:5, 185:22</p> <p>reason [6] - 50:9, 89:21, 89:22, 89:24, 101:19, 160:4</p> <p>reasonable [1] - 15:14</p> <p>reasons [3] - 33:4, 127:15, 129:6</p> <p>reassured [1] - 79:13</p> <p>receive [6] - 45:4, 50:20, 50:22, 78:4, 141:12, 168:12</p> <p>received [13] - 2:21, 35:24, 73:18, 73:25, 75:14, 77:15, 105:16, 119:3, 132:4, 140:14, 142:23, 156:14, 185:17</p>	<p>receiving [2] - 119:6, 171:12</p> <p>recency [3] - 58:3, 120:20, 120:23</p> <p>recent [1] - 128:13</p> <p>recently [1] - 93:19</p> <p>receptive [2] - 47:3, 85:13</p> <p>recess [2] - 47:22, 156:21</p> <p>reciprocal [1] - 81:15</p> <p>recognize [1] - 115:19</p> <p>recognized [2] - 160:18, 160:19</p> <p>recollection [13] - 62:2, 98:16, 107:11, 115:4, 115:12, 116:6, 117:7, 129:4, 148:18, 164:16, 165:1, 168:8, 180:24</p> <p>recollections [1] - 107:8</p> <p>RECONVENED [1] - 1:3</p> <p>record [5] - 68:17, 74:14, 77:17, 92:14, 103:11</p> <p>recorded [1] - 69:1</p> <p>recording [1] - 69:20</p> <p>records [5] - 72:21, 127:18, 129:1, 132:8, 157:24</p> <p>recounted [1] - 17:25</p> <p>recounting [2] - 17:11, 94:6</p> <p>recovery [1] - 129:10</p> <p>red [2] - 88:15, 112:5</p> <p>redact [1] - 103:15</p> <p>redacted [1] - 2:10</p> <p>refer [4] - 21:20, 93:4, 118:23, 171:3</p> <p>reference [2] - 76:14, 169:16</p> <p>referenced [1] - 121:12</p> <p>references [1] - 118:20</p> <p>referred [1] - 186:8</p> <p>referring [4] - 3:15, 120:4, 130:20, 141:3</p> <p>reflected [1] - 135:23</p> <p>refresh [6] - 107:1, 121:13, 127:12, 127:22, 163:24, 170:23</p> <p>refreshing [1] - 82:5</p> <p>regard [6] - 33:11, 139:10, 143:14, 161:10, 167:12, 172:2</p>	<p>regardless [1] - 11:25</p> <p>REGISTRAR [19] - 1:4, 1:23, 1:25, 2:2, 2:13, 2:16, 3:2, 47:22, 47:25, 48:24, 71:7, 71:13, 72:1, 102:24, 103:2, 156:21, 156:24, 170:5, 187:3</p> <p>registration [1] - 182:12</p> <p>regular [1] - 12:13</p> <p>regularly [4] - 32:12, 45:7, 45:8, 129:13</p> <p>reignite [1] - 129:15</p> <p>reinforcing [1] - 37:10</p> <p>reiterated [1] - 165:10</p> <p>relate [1] - 49:18</p> <p>related [7] - 9:22, 11:17, 42:18, 65:19, 66:9, 106:5, 136:4</p> <p>relates [2] - 49:19, 71:2</p> <p>relating [4] - 49:14, 49:16, 57:15, 119:6</p> <p>relation [2] - 107:24, 111:5</p> <p>Relations [1] - 6:6</p> <p>relationship [13] - 7:24, 9:14, 10:8, 12:16, 28:24, 44:11, 81:16, 125:12, 126:24, 133:2, 159:15, 160:22, 161:20</p> <p>relationships [4] - 10:5, 20:5, 158:4, 160:19</p> <p>relatively [2] - 64:3, 66:1</p> <p>relatives [1] - 66:21</p> <p>relayed [2] - 99:5, 107:4</p> <p>release [6] - 145:24, 146:4, 146:5, 148:11, 149:1, 150:10</p> <p>released [1] - 93:25</p> <p>relevant [7] - 1:16, 59:21, 85:20, 89:24, 105:13, 120:18, 179:2</p> <p>relied [1] - 72:19</p> <p>rely [1] - 121:3</p> <p>remain [2] - 122:6, 150:3</p> <p>remarks [1] - 130:16</p> <p>remember [39] - 15:5, 20:25, 25:7, 52:5, 60:19, 61:24, 65:3,</p>	<p>66:3, 73:19, 74:7, 74:10, 78:8, 78:11, 84:19, 87:6, 90:4, 90:23, 93:19, 96:22, 105:15, 106:9, 111:3, 115:4, 115:6, 116:2, 117:11, 148:21, 161:1, 164:1, 164:15, 164:22, 164:24, 165:6, 165:15, 165:18, 165:22, 170:24, 171:20</p> <p>remembered [6] - 89:4, 91:4, 91:8, 91:16, 91:24, 179:10</p> <p>remembers [2] - 90:25, 91:8</p> <p>renewal [1] - 150:5</p> <p>rent [1] - 13:5</p> <p>repeat [1] - 10:9</p> <p>repeatedly [1] - 63:1</p> <p>repercussions [2] - 35:9, 111:1</p> <p>report [22] - 26:23, 26:24, 32:11, 32:15, 39:24, 53:19, 57:14, 57:18, 57:22, 58:24, 59:10, 59:11, 59:14, 59:16, 59:22, 61:20, 64:22, 97:12, 97:25, 129:20, 177:17</p> <p>reported [10] - 27:5, 27:9, 54:17, 56:21, 58:4, 63:8, 104:12, 104:14, 163:2, 166:7</p> <p>Reporter [1] - 187:11</p> <p>reporting [5] - 26:20, 32:18, 39:6, 42:9, 59:9</p> <p>REPORTING [1] - 187:12</p> <p>reports [5] - 32:11, 57:6, 59:3, 64:16, 65:9</p> <p>reputation [1] - 79:2</p> <p>request [3] - 31:10, 45:3, 45:6</p> <p>requested [1] - 119:1</p> <p>require [1] - 11:4</p> <p>required [1] - 64:22</p> <p>requires [2] - 139:15, 148:2</p> <p>rescind [1] - 3:2</p> <p>residence [1] - 91:20</p> <p>residents [2] - 11:11, 164:20</p> <p>resolve [1] - 28:6</p> <p>resonated [1] - 91:14</p> <p>resource [4] - 31:10,</p>	<p>153:20, 156:8, 160:13</p> <p>resourced [1] - 153:21</p> <p>resources [3] - 30:7, 31:3, 37:1</p> <p>respect [21] - 61:13, 73:12, 92:18, 94:20, 109:17, 127:6, 128:8, 130:21, 130:22, 130:24, 132:9, 137:10, 139:12, 139:25, 141:4, 143:12, 146:3, 146:5, 184:6, 184:9, 185:11</p> <p>respected [1] - 26:9</p> <p>respectful [2] - 10:15, 11:8</p> <p>respond [1] - 97:23</p> <p>responding [1] - 142:18</p> <p>response [7] - 15:15, 37:7, 115:24, 136:10, 140:8, 163:16, 163:17</p> <p>responsibilities [3] - 45:5, 64:8, 81:3</p> <p>responsibility [4] - 46:20, 64:14, 67:21, 67:23</p> <p>responsible [10] - 40:23, 40:24, 60:5, 65:7, 65:8, 66:22, 129:17, 136:2, 144:1, 144:13</p> <p>Result [2] - 71:15, 2:12</p> <p>result [10] - 40:12, 69:24, 70:8, 109:4, 116:4, 128:10, 134:13, 140:24, 145:22, 169:14</p> <p>resulted [1] - 71:3</p> <p>results [1] - 119:3</p> <p>resume [1] - 187:4</p> <p>RESUMED [3] - 47:24, 103:1, 156:23</p> <p>resumed [4] - 1:4, 47:25, 103:2, 156:24</p> <p>retained [1] - 97:13</p> <p>retelling [1] - 16:23</p> <p>reticence [1] - 82:12</p> <p>retire [1] - 65:21</p> <p>retired [1] - 64:11</p> <p>retirement [1] - 55:9</p> <p>retribution [1] - 99:10</p> <p>retrospect [1] - 25:25</p> <p>returned [4] - 6:5, 23:22, 122:20, 128:18</p>
---	---	---	--	--

<p>revealed [1] - 119:21 review [6] - 2:23, 48:20, 49:3, 71:21, 97:15, 173:1 Review [1] - 48:10 reviewed [1] - 92:24 revocation [1] - 15:19 reward [12] - 162:6, 172:15, 173:13, 174:6, 174:10, 174:20, 174:24, 175:4, 175:9, 175:12, 182:5 rewards [1] - 174:13 rid [1] - 94:1 Ridge [1] - 122:19 rightly [1] - 128:14 rigidly [1] - 27:13 rise [1] - 72:15 risk [8] - 18:18, 18:22, 37:2, 37:4, 60:18, 60:20, 61:1, 62:7 Road [1] - 89:8 road [4] - 91:15, 91:18, 91:22, 127:2 roads [1] - 160:16 rob [1] - 92:13 robbery [4] - 15:19, 15:20, 50:15, 114:23 Robert [2] - 77:20, 86:4 role [4] - 9:6, 13:7, 23:22, 81:20 roles [7] - 44:3, 44:4, 45:21, 45:25, 46:2, 46:5, 46:9 room [6] - 12:24, 96:25, 149:9, 164:16, 176:15, 178:19 rooted [1] - 11:23 Rossmo [21] - 35:12, 35:17, 36:17, 37:8, 63:6, 133:20, 142:6, 142:17, 142:23, 145:3, 145:23, 148:19, 149:7, 155:1, 157:7, 158:12, 158:24, 164:10, 169:20, 170:19, 171:15 Rossmo's [7] - 36:11, 37:15, 37:16, 146:24, 147:13, 150:3, 171:8 rule [1] - 37:24 run [3] - 15:15, 74:15, 156:9 running [3] - 15:13, 47:5, 136:22</p>	<p style="text-align: center;">S</p> <p>S-h-e-n-h-e-r [1] - 2:1 Safe [1] - 21:2 safety [3] - 8:5, 110:23, 165:14 sage [1] - 156:14 sake [1] - 179:18 Salisbury [1] - 13:17 Salvage [1] - 74:8 Sandra [1] - 105:15 Sandy [6] - 54:15, 55:19, 56:10, 64:12, 64:15, 64:23 Sarah [8] - 19:6, 68:16, 68:18, 68:24, 76:21, 76:22, 140:16, 174:23 Sarah's [1] - 68:18 sat [3] - 39:25, 156:13, 156:15 Saturday [1] - 2:22 saw [17] - 15:13, 15:15, 20:22, 20:25, 22:19, 37:7, 58:5, 76:18, 83:20, 106:24, 126:13, 128:23, 145:25, 146:1, 146:9, 168:24, 180:4 scared [2] - 92:4, 92:5 scenario [2] - 96:14, 174:20 scene [1] - 180:1 Science [1] - 157:16 scope [1] - 149:14 score [1] - 13:5 scored [1] - 18:19 search [5] - 44:19, 46:1, 118:13, 118:14, 119:2 searches [1] - 44:23 seat [3] - 14:20, 15:9, 15:18 second [11] - 2:18, 51:23, 55:14, 71:8, 103:6, 134:17, 135:24, 140:13, 140:14, 146:1, 177:10 second-last [2] - 135:24, 140:13 secondly [2] - 129:9, 134:12 seconds [1] - 58:7 section [2] - 93:2, 145:8 Section [14] - 6:6, 6:15, 33:7, 44:2, 50:10, 59:24,</p>	<p>120:25, 145:7, 149:11, 154:2, 154:14, 157:18, 174:12, 175:22 secure [2] - 172:16 see [30] - 11:6, 12:14, 23:6, 24:3, 24:12, 31:3, 51:25, 65:18, 75:12, 82:3, 84:5, 98:4, 98:14, 100:11, 109:7, 112:1, 112:13, 114:15, 119:25, 123:20, 126:2, 128:16, 147:7, 153:11, 155:11, 155:20, 155:25, 165:3, 169:13, 171:6 seeing [1] - 7:16 seek [3] - 1:15, 78:4, 183:12 seeking [1] - 99:10 seem [4] - 25:15, 87:21, 144:7, 172:5 seize [1] - 149:25 seized [1] - 66:20 self [2] - 18:3, 40:13 self-generate [1] - 40:13 self-medicate [1] - 18:3 selfishly [1] - 101:5 send [4] - 31:7, 142:2, 163:8, 183:21 sending [2] - 142:18, 186:7 senior [5] - 35:22, 38:15, 51:16, 60:4, 168:18 sense [21] - 11:22, 16:9, 18:13, 23:8, 32:15, 59:6, 65:23, 81:9, 82:20, 94:10, 101:1, 105:17, 120:19, 120:21, 126:10, 147:25, 149:12, 149:24, 150:8, 152:23, 184:20 sent [1] - 59:23 sentence [3] - 135:25, 144:16, 179:20 September [11] - 7:3, 17:4, 100:6, 103:7, 103:8, 104:2, 145:15, 145:19, 146:2, 148:8, 148:13 sequence [5] - 184:3, 184:7, 184:9, 184:11, 184:12</p>	<p>Sereena [11] - 19:7, 19:8, 19:12, 19:23, 20:3, 20:9, 21:5, 21:19, 21:23, 21:24, 22:15 serendipitous [1] - 84:18 Sergeant [34] - 28:13, 28:23, 29:15, 31:8, 33:23, 47:6, 47:7, 49:21, 54:3, 66:25, 67:9, 67:11, 67:12, 108:15, 109:15, 109:16, 110:6, 110:13, 112:10, 120:25, 125:20, 125:23, 129:20, 130:7, 137:18, 137:25, 141:8, 148:20, 157:10, 157:15, 163:10, 164:13, 175:13 sergeant [16] - 7:5, 7:6, 26:24, 26:25, 28:3, 28:9, 29:14, 32:7, 57:21, 59:19, 60:1, 67:23, 156:7, 157:11, 175:23 Sergeants [1] - 169:18 serial [21] - 34:19, 34:23, 37:17, 52:4, 52:23, 107:23, 108:12, 122:2, 122:6, 131:13, 136:6, 137:12, 144:14, 148:25, 150:11, 151:1, 151:13, 153:2, 154:13, 167:13 Serious [2] - 78:22, 157:18 serious [4] - 34:4, 54:5, 79:6, 135:11 seriously [1] - 34:15 served [2] - 55:3, 55:10 SERVICE [1] - 187:12 service [3] - 3:21, 33:6, 33:10 services [1] - 104:7 Services [1] - 160:12 serving [2] - 55:4, 55:9 session [1] - 163:4 set [10] - 14:5, 48:4, 49:6, 68:17, 89:16, 93:8, 110:9, 117:1, 124:5, 134:2 sets [2] - 49:1, 119:24 seven [4] - 33:5,</p>	<p>52:13, 70:2 several [16] - 19:4, 42:6, 43:25, 50:13, 63:15, 114:10, 115:5, 121:23, 133:3, 140:14, 141:20, 144:18, 156:3, 166:11, 176:5, 177:23 sex [34] - 7:19, 7:24, 8:3, 8:18, 8:22, 9:4, 10:11, 10:24, 12:22, 14:16, 17:17, 17:24, 23:17, 23:25, 24:3, 38:13, 38:19, 38:21, 39:3, 39:23, 54:21, 75:6, 87:20, 90:6, 104:7, 108:12, 115:24, 130:4, 164:20, 164:21, 165:13, 166:1, 166:3, 182:12 Sex [4] - 50:15, 54:6, 108:17, 156:8 sexual [1] - 107:11 Seymour [1] - 24:3 shadows [1] - 13:21 share [5] - 9:15, 65:14, 140:18, 158:15, 178:13 shared [3] - 17:7, 28:25, 165:21 sharing [2] - 79:24, 81:16 sheet [2] - 21:12 shell [1] - 155:4 shelters [1] - 161:8 Shenher [22] - 1:21, 1:24, 2:16, 3:3, 3:6, 3:9, 3:12, 3:19, 48:2, 53:19, 71:20, 99:2, 103:18, 119:1, 122:14, 129:24, 130:10, 157:1, 184:13, 184:17, 2:6, 2:9 SHENHER [2] - 1:22, 1:4 Shenher's [2] - 98:6, 148:4 shepherded [1] - 160:24 short [1] - 44:16 shortest [1] - 114:5 shortly [1] - 112:24 shoulders [1] - 148:4 show [9] - 19:2, 74:24, 76:16, 77:19, 118:14, 118:16, 125:19, 157:24,</p>
--	--	---	---	---

166:23 showed [7] - 76:5, 76:7, 91:7, 115:7, 169:10 showing [2] - 112:3, 118:3 shown [1] - 129:7 shows [6] - 100:5, 118:15, 128:3, 128:18, 168:5, 171:10 shut [1] - 170:21 sick [4] - 15:22, 18:17, 66:11, 88:7 sickness [1] - 18:5 side [2] - 175:19, 179:4 Side [5] - 4:16, 8:23, 24:16, 24:17, 24:24 sided [1] - 29:17 sightings [1] - 120:21 signal [2] - 15:7, 15:8 significance [5] - 90:2, 104:20, 106:4, 168:19, 172:6 significant [7] - 64:18, 65:2, 88:3, 90:22, 90:24, 143:9, 171:22 significantly [1] - 90:20 silent [1] - 40:1 similar [1] - 131:11 simple [1] - 166:1 simply [2] - 125:7, 148:1 single [2] - 135:13, 137:14 single-incident [1] - 137:14 singled [1] - 10:25 sister [3] - 21:20, 105:15, 174:23 sisters [1] - 21:21 sit [3] - 47:13, 125:10, 138:18 sitting [1] - 34:22 situated [1] - 9:4 situation [7] - 16:4, 26:2, 35:16, 36:7, 58:8, 183:9, 186:3 situations [2] - 59:5, 77:6 six [8] - 38:2, 86:10, 106:4, 106:6, 106:7, 106:10 size [1] - 63:16 skids [1] - 144:8 skill [1] - 187:10 skills [3] - 46:15, 46:21, 47:12	slam [1] - 97:5 slapped [1] - 90:17 slight [1] - 87:12 slots [1] - 46:4 slow [2] - 23:24, 88:16 small [9] - 41:19, 53:25, 54:10, 56:3, 56:13, 56:14, 58:5, 86:9, 174:17 smaller [1] - 85:14 socializing [1] - 107:9 Society [1] - 164:25 solely [2] - 137:12, 137:13 solve [1] - 158:13 someone [33] - 9:21, 23:6, 34:25, 35:3, 35:18, 42:7, 55:8, 57:17, 58:12, 58:13, 58:17, 61:2, 61:19, 66:17, 66:24, 68:22, 76:5, 76:7, 77:10, 79:9, 81:21, 82:16, 94:22, 95:4, 95:7, 95:24, 100:20, 117:4, 117:10, 125:10, 129:7, 159:22, 160:25 sometimes [5] - 12:5, 17:12, 40:12, 55:11, 66:10 somewhat [2] - 40:3, 151:3 somewhere [2] - 58:13, 93:15 song [1] - 68:25 soon [1] - 64:11 sooner [3] - 119:5, 119:7, 123:19 Sorry [1] - 71:25 sorry [27] - 22:12, 43:6, 57:24, 67:17, 68:4, 70:1, 71:12, 71:23, 72:2, 73:7, 88:25, 97:18, 104:21, 106:6, 106:25, 121:17, 127:23, 134:22, 137:16, 149:3, 158:9, 160:17, 162:19, 169:9, 169:22, 183:25, 184:5 sort [72] - 10:7, 10:14, 11:7, 14:21, 14:24, 22:14, 26:6, 31:14, 31:24, 33:12, 38:24, 40:10, 40:21, 42:25, 44:3, 44:14, 44:16, 46:13, 47:1, 53:1,	53:24, 55:2, 55:4, 55:12, 63:7, 63:10, 64:20, 66:5, 77:20, 77:22, 77:25, 78:2, 78:16, 79:19, 80:15, 81:2, 81:24, 82:9, 82:24, 83:4, 83:17, 86:8, 89:7, 89:10, 89:17, 91:1, 95:13, 105:18, 107:15, 109:10, 111:1, 111:7, 111:18, 111:22, 120:22, 124:20, 126:17, 131:13, 136:13, 149:10, 150:6, 150:17, 150:21, 152:12, 163:6, 164:16, 167:25, 171:21, 173:14, 174:11, 181:12, 186:11 sorts [2] - 41:16, 181:13 sought [2] - 47:3, 159:10 sounded [3] - 34:2, 74:21, 102:9 source [26] - 9:18, 70:16, 72:20, 72:23, 81:4, 81:24, 82:21, 109:9, 109:17, 110:14, 110:22, 111:7, 121:18, 121:19, 122:1, 122:3, 122:7, 122:19, 123:2, 123:4, 123:6, 123:7, 124:10, 130:13, 140:19 sources [2] - 42:12, 70:19 south [1] - 8:17 space [2] - 56:1, 56:13 span [1] - 166:12 speaking [10] - 30:5, 35:11, 47:6, 78:12, 85:13, 86:1, 105:15, 110:5, 171:20, 178:25 spearheading [1] - 154:15 special [1] - 42:19 specific [11] - 7:16, 76:13, 94:15, 97:17, 103:22, 105:9, 105:10, 113:22, 118:21, 136:2, 178:14 specifically [8] -	73:19, 80:3, 115:6, 116:23, 117:11, 132:22, 172:9, 173:7 specifics [3] - 73:7, 79:19, 79:22 speculate [2] - 106:8, 149:14 speculating [1] - 150:21 speeding [3] - 25:8, 25:12, 25:16 spell [1] - 1:25 spent [3] - 7:19, 24:15, 67:25 spike [3] - 54:20, 166:23, 166:24 spirit [1] - 180:25 spoken [3] - 51:14, 84:4, 160:2 spots [2] - 46:2, 112:2 Squad [2] - 17:3, 67:21 squad [4] - 51:13, 57:21, 67:22, 154:25 squads [1] - 50:8 square [2] - 56:5, 86:10 SROs [1] - 118:2 stab [2] - 14:25, 92:13 stabbed [1] - 91:7 Stackhouse [1] - 176:4 staff [6] - 26:25, 29:14, 50:9, 72:12, 137:9, 176:5 Staff [11] - 47:7, 109:15, 110:5, 110:12, 112:10, 141:8, 148:20, 157:15, 163:10, 164:12, 169:18 staffed [1] - 155:17 stage [7] - 3:1, 38:17, 60:21, 80:15, 113:10, 139:13, 172:8 Stampede [1] - 39:9 stand [5] - 37:15, 62:1, 62:4, 133:18, 164:12 standing [3] - 13:21, 21:3, 36:14 standpoint [1] - 164:8 staring [2] - 14:11, 14:19 start [13] - 3:20, 15:16, 18:1, 65:15, 65:18, 91:5, 95:21, 106:19, 126:19, 131:17, 132:13, 135:8,	181:19 started [22] - 4:3, 6:13, 14:8, 15:13, 15:15, 20:2, 20:9, 47:9, 51:1, 61:15, 68:19, 69:25, 79:3, 86:2, 88:10, 90:15, 91:18, 117:1, 159:14, 160:8, 162:4, 182:11 starting [5] - 40:22, 48:11, 69:10, 143:22, 144:10 state [4] - 1:23, 134:4, 135:9, 140:14 statement [8] - 84:8, 85:7, 86:15, 87:13, 87:16, 89:14, 92:24, 178:1 statements [1] - 177:7 states [5] - 49:22, 113:3, 114:5, 116:17, 118:25 statistical [2] - 171:25, 172:6 statistically [1] - 63:10 status [1] - 152:16 stay [4] - 74:18, 86:17, 92:18, 129:11 stayed [3] - 5:22, 87:1, 96:17 staying [1] - 171:5 step [4] - 35:9, 75:11, 101:6, 172:15 Stephen [1] - 176:3 steps [10] - 59:17, 60:23, 61:12, 75:14, 84:20, 97:21, 117:15, 157:23, 167:2, 172:15 stick [2] - 19:25, 164:4 still [18] - 34:9, 39:19, 50:1, 58:14, 59:7, 60:8, 66:8, 91:25, 124:5, 124:12, 128:21, 141:12, 144:3, 163:14, 171:5, 178:23, 181:18 stings [3] - 8:6, 8:9, 43:22 stolen [1] - 84:13 stones [1] - 36:25 stonewalled [1] - 29:2 stood [1] - 34:3 stop [9] - 7:2, 47:20, 76:10, 88:18, 100:21, 104:21, 117:23, 130:9, 177:20 stopped [1] - 89:11
---	---	--	--	--

<p>stopping ^[1] - 60:6</p> <p>stories ^[1] - 107:5</p> <p>story ^[3] - 75:9, 94:6, 125:11</p> <p>Strachan ^[1] - 93:6</p> <p>straight ^[4] - 14:11, 14:19, 92:14, 123:17</p> <p>strange ^[1] - 89:20</p> <p>stranger ^[2] - 143:25, 144:12</p> <p>strategic ^[9] - 41:25, 46:1, 109:10, 137:23, 138:16, 145:24, 146:9, 147:12, 147:21</p> <p>strategies ^[9] - 31:15, 31:21, 102:19, 109:3, 109:22, 110:11, 120:9, 131:5, 182:8</p> <p>strategy ^[9] - 69:15, 99:13, 119:19, 127:11, 146:15, 157:25, 158:25, 182:22, 182:25</p> <p>Street ^[11] - 8:14, 8:15, 8:17, 8:22, 8:23, 24:2, 24:3, 25:9, 25:21, 53:25, 86:7</p> <p>street ^[6] - 20:22, 21:21, 51:22, 54:21, 91:18, 98:8</p> <p>street-involved ^[2] - 51:22, 54:21</p> <p>strictest ^[1] - 178:7</p> <p>Strike ^[15] - 4:20, 24:7, 40:20, 41:9, 41:11, 50:1, 50:4, 50:6, 50:13, 50:24, 51:12, 53:6, 54:6, 64:4, 108:18</p> <p>stroll ^[3] - 8:19, 8:25, 9:3</p> <p>strolls ^[3] - 8:18, 10:3, 115:14</p> <p>strong ^[4] - 17:9, 46:19, 181:7, 181:16</p> <p>strongly ^[2] - 174:8, 175:6</p> <p>struck ^[6] - 14:10, 30:6, 45:20, 75:19, 98:19, 100:14</p> <p>structure ^[11] - 26:12, 26:15, 26:21, 29:21, 32:1, 32:14, 32:18, 32:21, 45:22, 46:7</p> <p>struggle ^[1] - 90:21</p> <p>struggled ^[2] - 34:8, 90:19</p>	<p>stuck ^[1] - 39:19</p> <p>stuff ^[2] - 25:24, 185:17</p> <p>submission ^[1] - 175:3</p> <p>submit ^[1] - 59:10</p> <p>subscribed ^[1] - 23:13</p> <p>subsequent ^[3] - 71:3, 145:21, 163:11</p> <p>subsequently ^[2] - 15:16, 69:20</p> <p>substance ^[3] - 100:16, 106:21, 106:22</p> <p>substantial ^[6] - 52:8, 144:19, 144:24, 145:1, 146:22, 146:25</p> <p>substantiate ^[2] - 108:25, 168:3</p> <p>substantive ^[1] - 127:20</p> <p>subverting ^[1] - 27:19</p> <p>successful ^[4] - 49:23, 52:11, 52:19, 174:13</p> <p>successfully ^[1] - 110:19</p> <p>sudden ^[1] - 43:13</p> <p>suggest ^[3] - 130:15, 139:11, 178:2</p> <p>suggested ^[6] - 65:15, 90:5, 112:11, 125:8, 128:14, 163:11</p> <p>suggests ^[2] - 97:21, 136:6</p> <p>suicide ^[1] - 28:21</p> <p>summarize ^[2] - 44:24, 134:15</p> <p>summary ^[7] - 70:10, 70:22, 71:9, 73:23, 76:15, 100:4, 103:5</p> <p>Summary ^[2] - 71:17, 2:14</p> <p>Sunday ^[1] - 2:22</p> <p>Superintendent ^[1] - 175:21</p> <p>superintendent ^[2] - 27:3, 175:20</p> <p>superior ^[1] - 138:11</p> <p>supervising ^[3] - 44:25, 67:8, 137:18</p> <p>supervisor ^[15] - 27:18, 27:19, 27:20, 27:23, 28:14, 28:18, 29:5, 31:9, 31:19, 67:16, 67:18, 110:5, 119:15, 123:7, 125:20</p> <p>supervisors ^[6] -</p>	<p>28:13, 78:5, 109:12, 112:15, 132:8, 158:23</p> <p>supervisory ^[1] - 137:23</p> <p>supplementary ^[1] - 59:16</p> <p>supplemented ^[1] - 180:22</p> <p>support ^[3] - 22:6, 23:12, 63:22</p> <p>supported ^[1] - 155:10</p> <p>suppose ^[1] - 157:18</p> <p>surfaced ^[1] - 141:1</p> <p>surname ^[1] - 1:25</p> <p>surprise ^[1] - 122:7</p> <p>surprised ^[1] - 146:20</p> <p>surveillance ^[9] - 4:22, 5:7, 5:20, 24:8, 40:22, 41:6, 41:12, 41:20, 112:22</p> <p>survival ^[7] - 9:4, 10:11, 12:22, 17:17, 17:24, 23:17, 54:21</p> <p>survive ^[1] - 17:14</p> <p>survived ^[1] - 17:10</p> <p>suspect ^[12] - 117:13, 124:24, 178:10, 178:14, 179:14, 180:2, 181:5, 181:8, 181:11, 181:12, 181:17, 181:23</p> <p>suspected ^[2] - 61:3, 122:6</p> <p>suspects ^[2] - 41:17, 137:14</p> <p>suspicious ^[1] - 94:14</p> <p>suspicious ^[2] - 134:21, 135:5</p> <p>sustenance ^[1] - 22:6</p> <p>switching ^[2] - 136:23, 137:5</p> <p>sworn ^[2] - 1:22, 3:25</p> <p>synopsis ^[2] - 75:2, 75:6</p> <p>syringes ^[4] - 105:24, 106:6, 106:16</p> <p>system ^[5] - 35:9, 57:10, 57:11, 63:20, 74:14</p> <p>systemic ^[1] - 158:5</p> <p>systems ^[1] - 63:19</p>	<p>110:2, 118:11, 121:9, 125:22, 128:3, 128:17, 129:19, 131:20, 141:6, 142:10, 146:8, 148:7, 162:12, 163:22, 164:3, 169:9, 169:24, 170:1, 170:4, 170:5, 170:7, 170:10, 172:17</p> <p>tab ^[10] - 97:17, 128:17, 129:18, 147:6, 163:22, 164:2, 169:10, 169:15, 169:25, 171:6</p> <p>table ^[7] - 33:19, 34:3, 34:13, 34:18, 70:15, 97:1, 127:11</p> <p>talkative ^[1] - 88:12</p> <p>Tanaka ^[1] - 187:11</p> <p>tape ^[2] - 94:19, 141:2</p> <p>target ^[5] - 40:22, 44:6, 44:10, 110:18</p> <p>targets ^[1] - 41:18</p> <p>Task ^[4] - 7:13, 18:25, 19:6, 23:20</p> <p>task ^[6] - 7:15, 19:5, 22:18, 24:13, 30:7, 152:10</p> <p>team ^[11] - 15:12, 31:17, 31:18, 33:12, 39:16, 41:1, 41:5, 41:6, 45:22, 114:10, 155:17</p> <p>Team ^[3] - 7:8, 48:10, 71:11</p> <p>teams ^[1] - 50:5</p> <p>technology ^[1] - 111:14</p> <p>Tempest ^[2] - 64:11, 67:1</p> <p>ten ^[2] - 88:2, 176:15</p> <p>tenure ^[1] - 50:24</p> <p>term ^[6] - 10:21, 44:10, 44:11, 82:25, 165:19, 167:24</p> <p>terminal ^[6] - 74:13, 74:23, 77:17, 77:18, 118:19, 118:21</p> <p>terms ^[58] - 9:6, 9:16, 12:2, 12:23, 17:9, 27:23, 29:2, 29:4, 30:6, 31:14, 32:8, 32:22, 37:10, 37:19, 41:21, 42:20, 43:21, 48:3, 52:8, 56:25, 68:10, 73:7, 76:1, 81:16, 94:13, 96:11,</p>	<p>100:15, 101:15, 102:2, 102:3, 102:9, 103:24, 104:1, 104:23, 106:12, 106:15, 107:23, 109:18, 109:22, 114:18, 116:15, 117:12, 120:5, 120:9, 124:8, 127:17, 136:20, 138:4, 145:1, 150:23, 161:19, 162:1, 162:21, 165:16, 165:25, 167:4, 173:18, 184:10</p> <p>territory ^[1] - 101:22</p> <p>Terry ^[1] - 1:10</p> <p>test ^[1] - 131:14</p> <p>testifying ^[2] - 43:4, 43:5</p> <p>testimony ^[2] - 97:6, 139:6</p> <p>THE ^[75] - 1:4, 1:5, 1:8, 1:12, 1:18, 1:23, 1:24, 1:25, 2:1, 2:2, 2:6, 2:8, 2:12, 2:13, 2:14, 2:16, 2:19, 2:25, 3:2, 8:8, 8:10, 47:20, 47:22, 47:25, 48:24, 67:12, 67:13, 70:22, 71:6, 71:7, 71:13, 71:25, 72:1, 72:14, 72:25, 73:3, 102:22, 102:24, 103:2, 103:16, 138:2, 138:3, 138:5, 138:7, 138:8, 138:10, 138:11, 138:13, 138:14, 138:15, 138:23, 138:24, 138:25, 139:4, 139:24, 154:10, 154:12, 156:20, 156:21, 156:24, 170:2, 170:4, 170:5, 170:12, 183:8, 183:25, 184:5, 184:8, 184:11, 185:3, 185:14, 186:4, 186:15, 187:2, 187:3</p> <p>themselves ^[6] - 11:14, 13:15, 16:17, 17:13, 73:13, 150:24</p> <p>theoretically ^[2] - 153:6, 153:7</p> <p>theories ^[2] - 136:10, 141:21</p>
---	---	---	--	--

<p>theory ^[10] - 37:15, 96:11, 117:1, 131:4, 131:13, 135:12, 136:11, 151:2, 153:2, 155:9</p> <p>they've ^[6] - 17:9, 18:19, 58:17, 70:13, 128:22, 183:20</p> <p>thinking ^[19] - 34:23, 38:4, 47:13, 52:6, 53:8, 76:1, 77:3, 77:4, 82:20, 88:8, 91:4, 91:9, 125:8, 126:11, 126:17, 135:14, 135:16, 162:10</p> <p>third ^[8] - 50:25, 51:2, 71:10, 134:4, 135:22, 169:24, 170:8, 177:12</p> <p>thirdhand ^[3] - 102:12, 120:18</p> <p>thirteen ^[1] - 34:9</p> <p>thirty ^[1] - 87:25</p> <p>thoughts ^[4] - 32:6, 32:8, 33:3, 33:18</p> <p>thousand ^[2] - 63:8, 175:9</p> <p>threads ^[1] - 136:22</p> <p>threat ^[2] - 95:9, 135:19</p> <p>Threat ^[1] - 6:17</p> <p>threatening ^[1] - 26:1</p> <p>threats ^[1] - 137:4</p> <p>three ^[19] - 8:1, 23:10, 44:17, 50:5, 50:15, 58:5, 58:6, 58:10, 63:8, 67:4, 113:1, 133:24, 134:13, 136:15, 136:20, 143:20, 158:13, 162:3</p> <p>three-quarter ^[1] - 67:4</p> <p>three-year-old ^[3] - 58:5, 58:6, 58:10</p> <p>throughout ^[3] - 131:9, 168:6</p> <p>throw ^[1] - 153:22</p> <p>Thursday ^[1] - 183:14</p> <p>ticket ^[2] - 25:13, 26:2</p> <p>timing ^[1] - 88:17</p> <p>tip ^[17] - 68:15, 68:17, 69:2, 69:16, 70:1, 70:3, 70:5, 73:15, 73:25, 74:2, 75:14, 75:16, 76:16, 76:20, 80:1, 128:10, 140:24</p> <p>tips ^[9] - 69:13, 73:18, 73:22, 77:15, 78:4,</p>	<p>132:4, 140:15, 144:18, 144:22</p> <p>title ^[1] - 160:10</p> <p>TOBIAS ^[5] - 71:23, 72:2, 72:13, 185:6, 185:15</p> <p>Tobias ^[4] - 71:24, 72:3, 185:6, 186:6</p> <p>today ^[2] - 6:19, 183:14</p> <p>together ^[7] - 71:4, 79:20, 112:12, 114:10, 144:5, 181:20, 182:15</p> <p>tomorrow ^[4] - 11:6, 183:6, 183:22, 186:13</p> <p>took ^[12] - 14:24, 15:16, 20:21, 37:2, 74:8, 75:14, 84:20, 87:16, 101:6, 113:25, 172:16, 182:16</p> <p>tool ^[3] - 9:18, 119:10, 119:16</p> <p>tools ^[1] - 42:25</p> <p>top ^[4] - 93:9, 127:14, 131:13, 179:13</p> <p>topic ^[1] - 156:18</p> <p>total ^[2] - 5:9, 176:14</p> <p>totality ^[1] - 105:12</p> <p>touch ^[1] - 161:23</p> <p>toward ^[1] - 147:5</p> <p>towards ^[4] - 87:2, 89:17, 95:10, 178:14</p> <p>town ^[1] - 69:3</p> <p>Townsend ^[1] - 164:24</p> <p>track ^[9] - 8:19, 8:25, 9:3, 23:25, 24:1, 38:24, 47:8, 47:17</p> <p>tracked ^[2] - 84:1, 122:19</p> <p>trade ^[15] - 8:19, 10:11, 17:17, 17:24, 23:17, 23:25, 38:13, 38:20, 38:21, 39:3, 39:23, 54:21, 130:4, 164:20, 165:13</p> <p>traditional ^[2] - 41:14, 166:9</p> <p>trailer ^[7] - 89:7, 89:9, 89:10, 90:3, 91:3, 104:13, 104:16</p> <p>training ^[8] - 7:4, 7:7, 14:5, 40:5, 42:3, 44:25, 45:4, 108:1</p> <p>transaction ^[1] - 90:9</p> <p>transcribed ^[1] - 187:9</p> <p>transcript ^[1] - 187:8</p>	<p>transfer ^[4] - 49:20, 49:25, 53:1, 68:8</p> <p>transferred ^[7] - 4:20, 5:1, 5:5, 6:10, 40:8, 48:12, 64:7</p> <p>transient ^[1] - 23:2</p> <p>translate ^[1] - 153:12</p> <p>treated ^[3] - 35:13, 38:6, 136:4</p> <p>Treatment ^[1] - 122:19</p> <p>trials ^[1] - 140:5</p> <p>triangle ^[1] - 45:21</p> <p>tricked ^[1] - 91:11</p> <p>tried ^[5] - 10:16, 10:22, 81:12, 92:13, 166:22</p> <p>trophies ^[5] - 108:11, 108:13, 108:20, 108:22, 121:25</p> <p>trophy ^[1] - 108:18</p> <p>trouble ^[1] - 101:13</p> <p>truck ^[1] - 88:24</p> <p>true ^[1] - 187:8</p> <p>trust ^[5] - 20:8, 30:25, 44:12, 123:13, 166:18</p> <p>trusted ^[1] - 160:25</p> <p>trusting ^[1] - 12:16</p> <p>truth ^[1] - 72:19</p> <p>try ^[23] - 9:13, 12:13, 17:13, 18:2, 20:7, 20:8, 28:4, 28:5, 28:22, 37:1, 44:12, 65:1, 80:18, 82:14, 95:20, 95:21, 98:7, 117:15, 128:15, 133:13, 159:22, 160:15, 162:22</p> <p>trying ^[28] - 20:5, 33:15, 33:17, 35:7, 36:6, 36:11, 39:6, 39:24, 41:17, 81:17, 86:13, 88:12, 91:17, 91:19, 95:14, 95:15, 105:17, 105:20, 108:25, 129:11, 134:25, 144:4, 153:7, 161:19, 162:24, 166:6, 169:22, 185:23</p> <p>tucked ^[1] - 21:3</p> <p>turn ^[19] - 47:19, 49:9, 52:4, 69:14, 97:10, 97:16, 97:24, 100:2, 109:23, 128:17, 129:18, 131:16, 131:19, 132:12, 134:1, 141:6, 155:5, 163:22, 169:15</p> <p>turned ^[7] - 45:7,</p>	<p>92:11, 114:18, 119:13, 120:14, 120:15, 174:18</p> <p>turning ^[2] - 33:21, 78:20</p> <p>turns ^[1] - 58:22</p> <p>twelve ^[1] - 106:6</p> <p>twenty ^[1] - 87:24</p> <p>two ^[34] - 2:3, 4:24, 5:5, 5:6, 5:20, 7:9, 13:14, 19:9, 21:25, 22:2, 23:10, 44:17, 44:23, 50:2, 50:25, 55:3, 55:6, 55:14, 63:8, 69:6, 71:21, 114:6, 114:14, 120:4, 129:6, 134:8, 140:16, 140:22, 143:20, 145:16, 145:25, 182:9, 183:7, 186:18</p> <p>type ^[4] - 35:21, 40:24, 163:3, 163:4</p> <p>typed ^[1] - 70:17</p> <p>types ^[2] - 135:21, 143:21</p> <p>typical ^[1] - 144:7</p> <p>typing ^[1] - 73:9</p> <p>typo ^[1] - 123:5</p>	<p>127:5</p> <p>underground ^[1] - 111:23</p> <p>underreporting ^[1] - 16:15</p> <p>understood ^[9] - 10:10, 12:21, 86:25, 92:17, 95:2, 101:3, 103:24, 106:14, 151:19</p> <p>undertaken ^[1] - 110:19</p> <p>uneasy ^[2] - 88:20, 88:21</p> <p>Unger ^[1] - 1:11</p> <p>uniform ^[4] - 7:19, 10:6, 41:12, 115:25</p> <p>union ^[1] - 184:15</p> <p>unique ^[1] - 58:1</p> <p>Unit ^[17] - 2:17, 3:4, 3:9, 3:16, 5:2, 5:22, 6:17, 40:6, 48:6, 49:12, 49:20, 56:19, 67:24, 78:23, 108:17, 156:8, 2:7</p> <p>unit ^[19] - 5:5, 45:3, 49:25, 51:24, 53:8, 54:14, 55:21, 56:2, 59:19, 61:10, 63:21, 64:6, 67:8, 67:16, 67:19, 68:1, 131:2, 141:16, 155:15</p> <p>UNITED ^[1] - 187:12</p> <p>units ^[1] - 118:17</p> <p>unkempt ^[1] - 90:4</p> <p>unknown ^[1] - 68:19</p> <p>unless ^[1] - 42:7</p> <p>unlikely ^[1] - 135:3</p> <p>unnecessary ^[1] - 148:12</p> <p>unprecedented ^[1] - 35:21</p> <p>unquote ^[1] - 66:6</p> <p>unreported ^[1] - 9:12</p> <p>Unsolved ^[2] - 112:12, 112:13</p> <p>unsolved ^[1] - 141:11</p> <p>untoward ^[1] - 45:9</p> <p>unturned ^[1] - 36:25</p> <p>unusual ^[3] - 52:1, 88:4, 171:24</p> <p>unwise ^[3] - 113:10, 113:15</p> <p>up ^[59] - 11:4, 14:5, 14:7, 15:17, 19:2, 19:22, 25:9, 26:23, 26:24, 27:1, 29:6, 30:21, 31:7, 34:3, 37:15, 39:8, 40:15, 40:25, 43:4, 43:12,</p>
---	---	--	--	--

<p>46:25, 53:13, 53:15, 65:1, 68:17, 69:10, 72:1, 74:2, 74:5, 75:1, 75:13, 83:14, 84:24, 86:6, 87:11, 89:9, 89:16, 91:8, 91:17, 93:8, 95:20, 98:4, 106:3, 114:4, 119:23, 121:6, 130:6, 133:3, 139:1, 140:17, 144:18, 150:4, 151:17, 159:21, 163:12, 173:3, 174:11, 184:23</p> <p>updated [1] - 103:10</p> <p>updates [1] - 32:19</p> <p>urban [1] - 11:21</p> <p>urgency [1] - 59:6</p> <p>urgency's [1] - 58:24</p> <p>urgent [1] - 50:11</p> <p>useful [3] - 102:7, 159:24, 174:20</p> <p>user [1] - 107:2</p> <p>utility [1] - 89:10</p> <p>utmost [1] - 178:21</p>	<p>184:22, 185:5, 186:5, 186:21</p> <p>vetted [3] - 72:7, 72:9, 72:12</p> <p>via [1] - 64:16</p> <p>viability [2] - 113:6, 117:13</p> <p>viable [2] - 99:14, 125:7</p> <p>Vice [3] - 38:17, 39:18, 50:16</p> <p>victim [5] - 45:25, 60:13, 76:6, 99:10, 183:2</p> <p>Victim [2] - 98:25, 99:4</p> <p>victimology [2] - 76:6, 106:13</p> <p>victims [3] - 134:20, 135:13, 166:3</p> <p>Victoria [2] - 13:17</p> <p>Viets [1] - 144:1</p> <p>view [24] - 23:1, 23:2, 35:22, 36:22, 37:10, 38:23, 83:14, 112:1, 116:8, 116:11, 116:13, 125:12, 126:25, 143:6, 154:12, 154:18, 155:11, 158:14, 158:17, 173:9, 174:6, 179:13, 181:7, 181:16</p> <p>viewing [2] - 149:25, 154:13</p> <p>views [3] - 143:17, 145:6, 151:4</p> <p>vigilant [1] - 165:14</p> <p>violence [8] - 9:12, 13:13, 16:13, 16:22, 18:23, 76:8, 77:5, 100:17</p> <p>violent [4] - 9:17, 14:4, 137:11, 143:12</p> <p>virtue [1] - 35:25</p> <p>visit [1] - 23:6</p> <p>VIU [1] - 143:13</p> <p>vividly [1] - 52:2</p> <p>voice [3] - 68:23, 128:4, 141:2</p> <p>volume [2] - 170:2, 170:3</p> <p>voluminous [1] - 185:18</p> <p>voluntarily [2] - 22:8, 182:16</p> <p>volunteers [2] - 50:21, 50:22</p> <p>Voodoo [1] - 67:10</p> <p>VP [1] - 184:16</p>	<p>VPD [9] - 59:11, 59:14, 66:14, 108:2, 114:24, 128:7, 175:23, 184:16, 186:10</p> <p>Vries [5] - 19:6, 68:16, 76:21, 140:16, 174:22</p> <p>Vries's [1] - 174:23</p> <p>vulnerabilities [1] - 18:12</p> <p>vulnerability [1] - 16:9</p> <p>vulnerable [2] - 24:6, 166:2</p>	<p>weeks [3] - 7:10, 38:2, 186:18</p> <p>weigh [1] - 179:23</p> <p>weight [1] - 36:3</p> <p>weird [2] - 121:21, 129:25</p> <p>weirdness [1] - 107:16</p> <p>welcome [1] - 145:7</p> <p>Wendy [2] - 62:2, 62:18</p> <p>west [1] - 8:15</p> <p>West [5] - 4:16, 8:23, 24:16, 24:17, 24:24</p> <p>Westminster [1] - 182:10</p> <p>whereby [1] - 26:21</p> <p>who'd [1] - 45:11</p> <p>whole [10] - 14:22, 15:20, 38:25, 64:4, 75:9, 90:9, 91:15, 125:11, 136:22, 149:15</p> <p>wholeheartedly [1] - 99:15</p> <p>wide [3] - 15:19, 57:9, 57:10</p> <p>William [7] - 70:11, 71:9, 71:18, 73:24, 100:4, 103:6, 2:15</p> <p>Willie [2] - 74:9, 122:10</p> <p>willing [2] - 37:20, 110:7</p> <p>willingly [1] - 161:2</p> <p>window [4] - 14:9, 15:11, 25:18, 58:4</p> <p>wise [2] - 17:19, 73:10</p> <p>wish [1] - 62:10</p> <p>WISH [5] - 21:1, 22:19, 160:16, 161:8, 161:22</p> <p>wished [1] - 185:20</p> <p>wishes [1] - 183:6</p> <p>withdrawal [1] - 18:9</p> <p>witness [12] - 1:20, 2:5, 43:6, 44:9, 72:17, 86:22, 87:5, 97:12, 139:7, 139:12, 139:18, 186:22</p> <p>Witness [7] - 2:16, 3:3, 3:6, 3:9, 3:12, 2:6, 2:9</p> <p>WITNESS [10] - 1:24, 2:1, 67:13, 138:3, 138:7, 138:10, 138:13, 138:15, 138:24, 154:12</p> <p>witness's [1] - 139:5</p>	<p>witnesses [5] - 41:17, 166:10, 166:11, 180:1, 185:12</p> <p>woman [6] - 19:20, 19:24, 25:7, 84:12, 91:23, 180:4</p> <p>women [97] - 5:23, 7:21, 9:8, 10:4, 10:10, 11:10, 11:13, 11:16, 12:1, 12:3, 12:11, 12:14, 13:13, 13:15, 13:21, 16:3, 16:10, 16:12, 16:17, 17:5, 17:20, 18:15, 18:22, 19:2, 19:3, 22:3, 22:22, 22:24, 23:8, 23:22, 28:11, 39:7, 44:20, 46:18, 48:16, 48:20, 49:2, 51:23, 54:21, 54:22, 55:15, 61:13, 61:25, 65:14, 66:9, 68:13, 75:18, 80:1, 85:19, 85:25, 86:11, 94:8, 96:12, 103:25, 104:18, 105:2, 105:6, 105:21, 106:14, 106:18, 115:8, 115:15, 115:22, 116:8, 118:3, 131:4, 132:9, 132:21, 134:6, 137:4, 137:11, 137:20, 141:7, 141:11, 141:17, 141:22, 142:14, 143:21, 149:13, 151:14, 151:20, 153:23, 153:24, 158:18, 165:9, 166:20, 167:18, 168:6, 170:22, 177:19, 178:4, 179:14, 182:8, 182:16, 182:18</p> <p>Women [3] - 48:10, 84:21, 131:16</p> <p>women's [9] - 12:19, 18:11, 63:15, 65:16, 104:16, 107:22, 121:23, 135:19, 161:8</p> <p>Women's [3] - 21:1, 53:24, 176:10</p> <p>won [1] - 52:20</p> <p>wonder [2] - 184:2, 184:6</p> <p>wondered [1] - 111:22</p> <p>wondering [3] - 16:3, 37:6, 102:19</p>
<p style="text-align: center;">V</p>				
<p>vacancies [1] - 50:10</p> <p>valid [2] - 158:16, 160:4</p> <p>valuable [2] - 103:20, 160:13</p> <p>value [4] - 118:12, 119:14, 154:19, 154:21</p> <p>Vancouver [15] - 1:2, 1:13, 3:21, 48:15, 56:22, 57:12, 57:13, 57:16, 66:18, 69:5, 80:22, 88:6, 141:12, 173:13, 184:12</p> <p>Vanessa [1] - 1:6</p> <p>variety [1] - 33:4</p> <p>various [5] - 12:8, 44:3, 150:22, 157:14, 176:7</p> <p>vary [1] - 136:11</p> <p>varying [1] - 129:11</p> <p>vehicle [9] - 25:10, 88:15, 88:16, 89:17, 91:23, 91:24, 95:6, 117:19, 162:22</p> <p>veracity [1] - 86:14</p> <p>verify [1] - 113:12</p> <p>versus [1] - 166:6</p> <p>Vertlieb [2] - 183:5, 183:8</p> <p>VERTLIEB [5] - 183:9,</p>	<p>184:22, 185:5, 186:5, 186:21</p> <p>vetted [3] - 72:7, 72:9, 72:12</p> <p>via [1] - 64:16</p> <p>viability [2] - 113:6, 117:13</p> <p>viable [2] - 99:14, 125:7</p> <p>Vice [3] - 38:17, 39:18, 50:16</p> <p>victim [5] - 45:25, 60:13, 76:6, 99:10, 183:2</p> <p>Victim [2] - 98:25, 99:4</p> <p>victimology [2] - 76:6, 106:13</p> <p>victims [3] - 134:20, 135:13, 166:3</p> <p>Victoria [2] - 13:17</p> <p>Viets [1] - 144:1</p> <p>view [24] - 23:1, 23:2, 35:22, 36:22, 37:10, 38:23, 83:14, 112:1, 116:8, 116:11, 116:13, 125:12, 126:25, 143:6, 154:12, 154:18, 155:11, 158:14, 158:17, 173:9, 174:6, 179:13, 181:7, 181:16</p> <p>viewing [2] - 149:25, 154:13</p> <p>views [3] - 143:17, 145:6, 151:4</p> <p>vigilant [1] - 165:14</p> <p>violence [8] - 9:12, 13:13, 16:13, 16:22, 18:23, 76:8, 77:5, 100:17</p> <p>violent [4] - 9:17, 14:4, 137:11, 143:12</p> <p>virtue [1] - 35:25</p> <p>visit [1] - 23:6</p> <p>VIU [1] - 143:13</p> <p>vividly [1] - 52:2</p> <p>voice [3] - 68:23, 128:4, 141:2</p> <p>volume [2] - 170:2, 170:3</p> <p>voluminous [1] - 185:18</p> <p>voluntarily [2] - 22:8, 182:16</p> <p>volunteers [2] - 50:21, 50:22</p> <p>Voodoo [1] - 67:10</p> <p>VP [1] - 184:16</p>	<p>VPD [9] - 59:11, 59:14, 66:14, 108:2, 114:24, 128:7, 175:23, 184:16, 186:10</p> <p>Vries [5] - 19:6, 68:16, 76:21, 140:16, 174:22</p> <p>Vries's [1] - 174:23</p> <p>vulnerabilities [1] - 18:12</p> <p>vulnerability [1] - 16:9</p> <p>vulnerable [2] - 24:6, 166:2</p>	<p>weeks [3] - 7:10, 38:2, 186:18</p> <p>weigh [1] - 179:23</p> <p>weight [1] - 36:3</p> <p>weird [2] - 121:21, 129:25</p> <p>weirdness [1] - 107:16</p> <p>welcome [1] - 145:7</p> <p>Wendy [2] - 62:2, 62:18</p> <p>west [1] - 8:15</p> <p>West [5] - 4:16, 8:23, 24:16, 24:17, 24:24</p> <p>Westminster [1] - 182:10</p> <p>whereby [1] - 26:21</p> <p>who'd [1] - 45:11</p> <p>whole [10] - 14:22, 15:20, 38:25, 64:4, 75:9, 90:9, 91:15, 125:11, 136:22, 149:15</p> <p>wholeheartedly [1] - 99:15</p> <p>wide [3] - 15:19, 57:9, 57:10</p> <p>William [7] - 70:11, 71:9, 71:18, 73:24, 100:4, 103:6, 2:15</p> <p>Willie [2] - 74:9, 122:10</p> <p>willing [2] - 37:20, 110:7</p> <p>willingly [1] - 161:2</p> <p>window [4] - 14:9, 15:11, 25:18, 58:4</p> <p>wise [2] - 17:19, 73:10</p> <p>wish [1] - 62:10</p> <p>WISH [5] - 21:1, 22:19, 160:16, 161:8, 161:22</p> <p>wished [1] - 185:20</p> <p>wishes [1] - 183:6</p> <p>withdrawal [1] - 18:9</p> <p>witness [12] - 1:20, 2:5, 43:6, 44:9, 72:17, 86:22, 87:5, 97:12, 139:7, 139:12, 139:18, 186:22</p> <p>Witness [7] - 2:16, 3:3, 3:6, 3:9, 3:12, 2:6, 2:9</p> <p>WITNESS [10] - 1:24, 2:1, 67:13, 138:3, 138:7, 138:10, 138:13, 138:15, 138:24, 154:12</p> <p>witness's [1] - 139:5</p>	<p>witnesses [5] - 41:17, 166:10, 166:11, 180:1, 185:12</p> <p>woman [6] - 19:20, 19:24, 25:7, 84:12, 91:23, 180:4</p> <p>women [97] - 5:23, 7:21, 9:8, 10:4, 10:10, 11:10, 11:13, 11:16, 12:1, 12:3, 12:11, 12:14, 13:13, 13:15, 13:21, 16:3, 16:10, 16:12, 16:17, 17:5, 17:20, 18:15, 18:22, 19:2, 19:3, 22:3, 22:22, 22:24, 23:8, 23:22, 28:11, 39:7, 44:20, 46:18, 48:16, 48:20, 49:2, 51:23, 54:21, 54:22, 55:15, 61:13, 61:25, 65:14, 66:9, 68:13, 75:18, 80:1, 85:19, 85:25, 86:11, 94:8, 96:12, 103:25, 104:18, 105:2, 105:6, 105:21, 106:14, 106:18, 115:8, 115:15, 115:22, 116:8, 118:3, 131:4, 132:9, 132:21, 134:6, 137:4, 137:11, 137:20, 141:7, 141:11, 141:17, 141:22, 142:14, 143:21, 149:13, 151:14, 151:20, 153:23, 153:24, 158:18, 165:9, 166:20, 167:18, 168:6, 170:22, 177:19, 178:4, 179:14, 182:8, 182:16, 182:18</p> <p>Women [3] - 48:10, 84:21, 131:16</p> <p>women's [9] - 12:19, 18:11, 63:15, 65:16, 104:16, 107:22, 121:23, 135:19, 161:8</p> <p>Women's [3] - 21:1, 53:24, 176:10</p> <p>won [1] - 52:20</p> <p>wonder [2] - 184:2, 184:6</p> <p>wondered [1] - 111:22</p> <p>wondering [3] - 16:3, 37:6, 102:19</p>

<p>word ^[4] - 22:24, 91:10, 121:4, 178:6</p> <p>wording ^[2] - 60:19, 104:15</p> <p>words ^[3] - 87:6, 180:17, 181:13</p> <p>worker ^[3] - 8:4, 75:6, 166:4</p> <p>workers ^[12] - 7:19, 7:25, 8:22, 9:4, 10:24, 24:3, 104:8, 115:24, 164:20, 164:21, 166:1, 182:12</p> <p>works ^[1] - 78:18</p> <p>world ^[5] - 24:21, 86:10, 108:5, 108:9, 129:12</p> <p>worried ^[3] - 83:12, 95:23, 96:2</p> <p>worse ^[3] - 17:6, 26:2, 91:10</p> <p>worth ^[1] - 37:4</p> <p>worthy ^[1] - 74:2</p> <p>wrist ^[2] - 90:16, 90:17</p> <p>write ^[4] - 139:1, 173:6, 177:17, 180:10</p> <p>writing ^[5] - 132:3, 142:21, 172:24, 173:15, 180:7</p> <p>written ^[4] - 32:11, 109:5, 162:13, 172:19</p> <p>wrote ^[7] - 26:2, 131:18, 132:8, 141:10, 142:16, 143:1, 176:22</p>	<p>122:8, 122:22, 123:9, 123:17, 123:23, 124:6, 124:24, 125:18, 127:3, 128:21</p> <p>Yelds...didn't ^[1] - 122:4</p> <p>yelling ^[1] - 25:18</p> <p>Youth ^[1] - 160:11</p>
	<p style="text-align: center;">Z</p> <p>zealot ^[1] - 35:6</p>
Y	
<p>year ^[17] - 4:1, 19:14, 19:19, 22:10, 51:2, 58:5, 58:6, 58:10, 58:17, 63:7, 63:9, 63:11, 63:13, 66:8, 103:8, 166:22</p> <p>years ^[22] - 4:24, 5:6, 5:9, 5:18, 5:20, 11:18, 22:12, 33:5, 33:8, 33:10, 34:9, 38:19, 39:18, 50:3, 50:25, 52:14, 60:16, 128:23, 133:1, 156:2</p> <p>Yelds ^[23] - 82:8, 82:24, 104:11, 104:12, 106:5, 107:3, 107:13, 110:17, 111:6, 120:19, 121:11, 121:20, 122:5,</p>	