

Commission of Inquiry
Into the Wrongful
Conviction of David Milgaard
before
THE HONOURABLE MR. JUSTICE
EDWARD P. MacCALLUM

Transcript of Proceedings

and

Testimony before the Commission
sitting at the
Radisson Hotel at
Saskatoon, Saskatchewan

On Monday, June 6th, 2005

Volume 48

Inquiry Proceedings



Commission Staff:

<i>Mr. Douglas C. Hodson,</i>	Commission Counsel
<i>Mr. Jordan Hardy, Esq.,</i>	Assistant Commission Counsel
<i>Ms. Candace D. Congram,</i>	Executive Director
<i>Ms. Sandra Boswell,</i>	Document Manager
<i>Ms. Kara Isabelle,</i>	Document Assistant

Support Staff:

<i>Ms. Irene Beitel,</i>	Clerk to the Commission
<i>Ms. Karen Hinz, CSR, and</i>	Official Q.B. Court Reporters
<i>Mr. Don Meyer, RPR, CSR,</i>	
<i>Mr. Hugh Esson,</i>	Security Officer
<i>Mr. Tony Fitzpatrick,</i>	Inland Audio Technician



Appearances:

Mr. Hersh Wolch, Q.C., **for** Mr. David Milgaard
Mr. James Lockyer, Esq., **for** Ms. Joyce Milgaard
Ms. Lana Krogan, **for** Government of Saskatchewan
Ms. Catherine Knox, **for** Mr. T.D.R. (Bobs) Caldwell
Mr. Garrett Wilson, Q.C., **for** Mr. Serge Kujawa
Mr. John Beckman, Q.C., **for** the Saskatoon Police Service
Mr. Aaron Fox, Q.C., **for** Mr. Eddie Karst
Mr. Bruce Gibson and Ms. Rochelle Wempe, **for** the RCMP
Mr. David Frayer, Q.C., **for** Minister of Justice
 (Canada), The Hon. Irwin Cotler
Mr. Alexander Pringle, Q.C., **for** Justice Calvin Tallis
 (Retired)



INDEX OF PROCEEDINGS

DESCRIPTION:

PAGE:

JOSEPH PENKALA, CONTINUED

- BY MR. HODSON

9136



1 Transcript of Proceedings

2 (Reconvened at 1:00 p.m.)

3 COMMISSIONER MacCALLUM: Good afternoon.

4 JOSEPH PENKALA, continued:

5 BY MR. HODSON:

6 Q Good afternoon Mr. Penkala. Last Thursday, just
7 prior to us breaking, I had asked you a question
8 about, if we could call up 324874, and we had
9 looked at a different version of this document.
01:03 10 When we adjourned I was going through this with
11 you and this version of the document, you will see
12 it has 'Identification Copy' at the top, correct?

13 A Yes.

14 Q And I believe this is a copy that was obtained
01:03 15 from your binders or your materials that you
16 provided to us a couple of months ago; correct?

17 A Yes.

18 Q And I had asked you on Thursday to look at that
19 document and if you could advise the Commission
01:03 20 whether your version of this document was a, what
21 appeared to be a photocopy or an actual carbon
22 copy, an original to the extent that it was a
23 carbon at the time this document was typed; do you
24 understand what I am asking?

01:04 25 A Yes.



1 Q And did you have a chance to examine that
2 document?

3 A I did, and it is a carbon.

4 Q So can we conclude from that, Mr. Penkala, that
01:04 5 the document in your binder would have been one of
6 the copies prepared back in, I think, May of 1969
7 when this document was typed up?

8 A I don't know the date, but yes.

9 Q And, presumably, there would have been other
01:04 10 copies of that document given to other people; is
11 that fair?

12 A That's presumable, yes.

13 Q If we could then just recap where we were at when
14 we adjourned last Thursday and I think you had
01:04 15 told us about at least more than one brainstorming
16 session, as I think you called them, in early to
17 mid-May of 1969, is that correct, about the Gail
18 Miller murder?

19 A Yes. Basically these meetings took place from the
01:04 20 actual discovery of the Miller murder and
21 continued on, basically, until charges were
22 eventually laid.

23 Q Right. And then I took you to a specific meeting
24 of May 16th, 1969 that was set out in Inspector
01:05 25 Riddell's report of May 21 where he talked about



1 there being a meeting with Superintendent Wood,
2 Lieutenant Penkala, Lieutenant Short, Staff
3 Sergeant Edmondson and Inspector Riddell, and we
4 were talking about that meeting you will recall?

01:05 5 A Yes.

6 Q And I think you -- your evidence was that, at that
7 meeting, you reviewed the evidence to date about
8 David Milgaard's involvement in the Gail Miller
9 murder; is that correct?

01:05 10 A Yes.

11 Q And it was at that meeting that there was a
12 decision to bring in a polygraph operator to
13 interview Wilson and John?

14 A Umm, I would assume that that was the meeting
01:05 15 where that was decided.

16 Q Yeah?

17 A I would like to make a clarification. I think
18 there's some suggestion that this document that's
19 on the screen was used at that particular time,
01:06 20 and I'm not quite so certain that that document
21 was available at that particular meeting.

22 Q Okay. And what causes you to say that?

23 A Just the nature of the content of that document.
24 There seems to be, there seems to be issues there
01:06 25 that were somewhat established after that May 16th



1 meeting.

2 Q Okay. And what are, what are those that -- are
3 you able to identify those?

4 A I would have to go over it again, but --

01:06 5 Q I'll go through this with you. And, actually,
6 where we ended off last day was -- and I'll go to
7 this in a moment -- we were looking at the summary
8 of Nichol John's evidence, and there is one
9 statement in there that does not appear from any
01:06 10 of the documents. Assuming that the documents
11 contained all the information prepared prior to
12 that date, was there anything else in the
13 document, Mr. Penkala, that caused you to think it
14 wasn't used at the May 16th meeting?

01:07 15 A If I, if I could just go over it, I can maybe
16 single it out. I did make a note of it when I
17 examined it for the purpose of --

18 Q Sure?

19 A -- determining whether it was a carbon copy or
01:07 20 not.

21 Q Well why don't we, we can bring up the other
22 version of that document, it's 006799 I think was
23 the version we were using, and I will get back to
24 your point about whether or not this was prepared
01:07 25 at the May 16th meeting or not, but I think you



1 had also told us that there were other
2 brainstorming sessions or meetings of the
3 executive and other investigating officers prior
4 to May 16th about the Gail Miller murder?

01:08 5 A Yes. Yes, there were.

6 Q Now if you could just move this front page to the
7 left-hand side of the screen and go to page 2 of
8 that document, please. Actually, if you could
9 have the second page on the left-hand side,
01:08 10 please, and on the right-hand side if you could
11 call up document 009254, please. And if you take
12 a look, and on the right-hand side, that's the
13 April 18th, '69 police report, I believe, of
14 Detective Karst. If you take a look at the left
01:09 15 you will see where it has Nichol John, the Nichol
16 John statement, it has a reference to page 355; do
17 you see that?

18 A Yes.

19 Q And that corresponds with -- oh, I can't get it,
01:09 20 on the right, on the right-hand side of the -- no,
21 it's not working. On the right-hand side of the
22 document you will see, the top right-hand corner,
23 it's got 355 --

24 A I see that, yes.

01:09 25 Q -- as a page number. And we have, and we will be



1 hearing other evidence, Mr. Penkala, that the
2 police reports were numbered sequentially with
3 page numbers by, I believe it may have been Jack
4 Ward or somebody else, but we will be hearing
01:09 5 evidence on that, and if you actually go through
6 the document on the left-hand side and these page
7 numbers, they will correspond with the actual page
8 number on a police report. So we could call up,
9 if we see there page 374 up, on the right-hand
01:10 10 side, you could call up 009261 and you will see,
11 on the left-hand side, this information has got
12 page 374, Wilson, Cadrain, Milgaard blood group;
13 and then if you could just call out, and you will
14 see here page 374 on the top right-hand corner,
01:10 15 and blood group B for Wilson, you will see that
16 reference there?

17 A Yes.

18 Q So it would appear that this, the document on the
19 left, the summary document, that it's four pages
01:10 20 summarizing information contained in the police
21 files up to a certain date; would you agree with
22 that?

23 A Yes, that, that looks like it's the way it
24 happened, yes.

01:11 25 Q And then if we could just go back, you could just



1 go back to the left-hand document on the screen,
2 please. And I believe, Mr. Penkala, when we go
3 through this, at least based on our checks it
4 appears that every reference to a page number and
01:11 5 to a statement number refers to a police report or
6 a witness statement that predates mid-May of 1969,
7 if you can accept that for a moment, and as well
8 if you can go to page -- to the fifth page of this
9 document, you will see at the bottom, if you can
01:11 10 just call that out, please, this talks about a
11 suggestion of bringing John, Wilson and Cadrain in
12 for a polygraph. And I think, last week, you told
13 us that that would indicate to you that this would
14 have predated at least May 23rd, '69 when Roberts
01:12 15 came in and interviewed Wilson and John; is that
16 correct?

17 A Yes.

18 Q So if I -- maybe we'll go through the document.
19 And you indicated there are some things in here
01:12 20 that you believe came to light or suggest that
21 they were after May 23rd?

22 A Umm, that's the kind of general impression I have
23 got from looking at it again this weekend, and I'm
24 sorry that I didn't make a note of it.

01:12 25 Q Okay.



1 A So I would have to go through it to associate with
2 my thoughts.

3 Q Well we'll go through, yeah, we can go through
4 parts of this and maybe try and identify some of
01:12 5 those. If we could just go back to the first
6 page, please, and I think we covered much of this
7 on Thursday. The first page, the (V1)- rape file
8 and the Miller file that had reference to the
9 blood group, etcetera, those all, I think, were in
01:13 10 April of '69; is that correct?

11 A Yes.

12 Q And then we talk about the frozen lumps of snow,
13 the secretor, the hair, the wool toque, the human
14 blood on the toque, wallet in the snow, the brown
01:13 15 fibre, I believe that's all done in April of '69
16 or prior; correct?

17 A I would suggest it was, yes.

18 Q Statement 9, Marie Indyk, she gave her statement I
19 believe on February the 5th of '69, and a summary
01:13 20 from the police report there; do you see that?

21 A Yes.

22 Q Henry Diewold gave his statement I believe on
23 January -- well he didn't give a statement, he
24 talked to the police I think on January 31, '69;
01:14 25 and Simon Doell, I think his statement as well was



1 in February or March of '69. Do you have any
2 reason to believe that that --

3 A No, no.

4 Q -- was post-May '69?

01:14 5 A No.

6 Q Okay. We'll go to the next page, please, and we
7 had started to go through this last Thursday, and
8 I think I had asked you the question -- if we can
9 just go through, and I can call up her March 11th
01:14 10 statement if we need to -- but in that statement
11 it talks about, if you look at the March 11th of
12 '69 statement and the August 18th, '69 police
13 report that I showed you a moment earlier, that
14 talks about the interview with Nichol John. I
01:14 15 think, if you compare the two, that everything
16 stated here in this summary can be found either in
17 the statement, the written statement of March
18 11th, '69, or the police report of April 18th,
19 '69, except for this statement here that says:

01:15 20 "- Admits seeing nurse (looked like
21 nurse) near funeral home. Asked
22 directions."

23 And is that something, Mr. Penkala, that caused
24 you some concern about when this was prepared?

01:15 25 A I'm -- I think that possibly there appears to have



1 been another statement taken from Nichol John, and
2 I don't think I was aware of that statement,
3 whereas I did see a statement that was eventually
4 taken from her and I think that was in, in May,
01:15 5 which was after the meeting, and I think that's
6 where my, that's where my concerns started to fall
7 into wondering about this.

8 **Q** Now are you talking about the post-polygraph, the
9 post-meeting-with-Roberts statement?

01:16 10 **A** Yes. Because I did, in my collection of reports,
11 I did have a copy of her statement.

12 **Q** Right. And in that May 24th, '69 statement Nichol
13 John makes a number of incriminating statements,
14 including that she saw David Milgaard kill or stab
01:16 15 Gail Miller, or words to that --

16 **A** That's the statement, yes.

17 **Q** Now, if this document that we're looking at on the
18 screen was prepared after Nichol John gave the May
19 24th, '69 statement, would you not expect this
01:15 20 summary to include a reference to her saying I
21 witnessed the murder?

22 **A** Yes, very much so, yes.

23 **Q** And so from that, and again, Mr. Penkala, I'm just
24 trying to find out if there's any way you can
01:15 25 assist us in determining when and under what



1 circumstances this document was prepared.

2 A I appreciate that and I understand what the
3 objective of this exercise is. The unfortunate
4 part is that I do not recall this particular
01:16 5 statement at the time and yet most of the
6 information, that there was obviously information
7 that had been discussed at that meeting.

8 Q Right. And you had a carbon copy of it on your
9 files; correct, this document?

01:16 10 A I'm not sure when I received the carbon copy.

11 Q So if we just get back to this statement, if we
12 accept for the moment that everything else under
13 Nichol John, there's some reference either in her
14 March 11th statement or the April 18th police
01:16 15 report, other than admits seeing nurse, that
16 bullet, are you able to help us as to how that may
17 have -- let me ask it this way. Is it possible or
18 were you aware that at some time prior to May
19 16th, '69 the police may have got further
01:16 20 information from Nichol John that didn't find its
21 way into a police report and wasn't in a
22 statement?

23 A I would have no way of knowing.

24 Q Would that be a possibility? I mean, did that
01:17 25 happen, Mr. Penkala, where police who interviewed



1 witnesses maybe had further information than what
2 was reflected in the statement or the police
3 report and maybe hadn't documented it?

4 A That certainly could happen, yes.

01:17 5 Q And did you have experiences with officers where
6 that did happen?

7 A I can't think of any specifics, but it's quite a
8 natural type of situation that does occur from
9 time to time because of the intent of
01:17 10 investigators to get information and often the
11 information doesn't seem to relate until after
12 other information is received, so --

13 Q Now, we do know that the statement that was taken
14 March 11th, '69 was taken by Inspector Riddell of
01:17 15 the RCMP and in the Commission's records there's
16 no Saskatoon City Police investigation report
17 dealing with that conversation and that the
18 interview of, I think it was April 14th, '69, but
19 it's reflected in the April 18th report by
01:18 20 Detective Karst, does not indicate that a
21 statement was taken from Nichol John on that day,
22 but it does contain information from the
23 interview, so those are the two sources listed and
24 I guess are you able to tell us whether there
01:18 25 would be any further information?



1 A I'm not in a position to do that.

2 Q Now, this comment here, let's talk again, and I
3 want to focus on mid May, '69, I want to focus on
4 the time period prior to Inspector Roberts coming
01:18 5 in, and the police, we know the police interviewed
6 Wilson and John I think starting on May 21st, 22nd
7 and then the 23rd they were with Roberts, okay,
8 that's what the reports suggest.

9 A Yes.

01:18 10 Q And what I want to talk about is what information
11 or what knowledge you had prior to that time,
12 okay, prior to any information that was obtained
13 sort of May 21 to 24, '69, okay, and I guess to
14 ask you the question, this would seem to be a
01:19 15 fairly significant piece of information, would it
16 not, Mr. Penkala, that Nichol John says admits
17 seeing nurse near funeral home, asked directions,
18 given that Gail Miller was a nurse dressed in a
19 nursing uniform and her body was found near a
01:19 20 funeral home?

21 A Without a question, yes.

22 Q And do you recall this item here being discussed
23 in May, '69 before Roberts came in?

24 A I have no recollection of that.

01:19 25 Q Now, if we can just scroll down to the bottom half



1 of that page, it talks about Albert Cadrain.
2 Statement 74 and 75 listed here are his March 2nd,
3 and March 5th, '69 report and did you, I think
4 you've told us you did not last week, but did you
01:20 5 have any dealings at all with Albert Cadrain in
6 this investigation?

7 A None whatsoever. All of the information relative
8 to Cadrain would have come to me via investigators
9 or through reports that I might have read.

01:20 10 Q And do you recall any discussion with the officers
11 about Albert Cadrain's credibility or about his
12 version of facts?

13 A No.

14 Q Now, again if we could just go through this, I
01:20 15 think you told us last week that at the May 16th,
16 '69 meeting, and in fact at an earlier meeting,
17 you said that you and Lieutenant Short went in to
18 convince Jack Wood that Milgaard should be a prime
19 suspect; is that correct?

01:21 20 A Well, I'm not so sure that we specifically
21 indicated the prime suspect aspect. We were
22 looking for and didn't have anyone to connect with
23 the murder investigation and yet the name of
24 Miller -- or of Milgaard, Wilson and Nichol John
01:21 25 came up and under the circumstances the



1 coincidence of that having occurred at
2 approximately the same time that the murder
3 supposedly occurred, that wasn't sufficiently
4 covered in our estimation and we were, we had
01:21 5 suggested that we should return and look at those
6 three people again and see what they could offer.

7 Q I thought on Thursday, and I could be wrong, that
8 you told us that you believed, and I think the
9 words were either "a" prime or "the" prime suspect
01:22 10 in May of 1969, in your view that David Milgaard
11 was that?

12 A Well, I think it's how you interpret suspect and I
13 kind of recall that conversation.

14 Q Yes.

01:22 15 A I suppose it would be suspect, but I think it was
16 more a situation that the information wasn't fully
17 known and it looked like an avenue that had to be
18 explored.

19 Q Okay. I would have thought that when we talked
01:22 20 about this in May, that Jack Wood had to be
21 convinced that Milgaard should be pursued and I
22 thought you had told us that you and Lieutenant
23 Short were of the view that Milgaard was, and I
24 think the words were prime suspect.

01:22 25 A Well, if you are going to play on the word



1 suspect, that's possibly how it came across, but I
2 don't think at that point there was sufficient
3 information to make him a prime suspect as you
4 have suggested.

01:23 5 Q Prior to Art Roberts coming in and prior to the
6 interviews around that date, so prior to May 21,
7 1969, did you think David Milgaard was a prime
8 suspect?

9 A I'm not sure because of your suggestion prime
01:23 10 suspect. I think that that was an avenue that had
11 to be explored to establish either one way or
12 another, that was basically my version or my view
13 of what took place, and when we approached
14 Superintendent Wood we suggested that this could
01:23 15 not be left as it was because the, my recollection
16 was that they were going to ignore that
17 completely.

18 Q Okay. So let's focus on the meeting with
19 Superintendent Wood. At that time are you telling
01:24 20 us that, and when you say "they" I believe you are
21 referring to Wood and/or the police or the
22 detectives, were not even going to pursue the
23 Milgaard as a suspect; is that what you are
24 telling us?

01:24 25 A That was the impression that I had, yes.



1 Q So you and Lieutenant Short went to him and said,
2 'Lookit, I think you are wrong, I think he should
3 stay on our radar screen as a suspect, there's
4 information there that we need to pursue and we
01:24 5 should pursue it.' Is that fair?

6 A That's fair, and that's the way investigations are
7 carried out, you pursue your lines until you
8 exhaust them one way or another. That was the
9 intent.

01:24 10 Q So at the time of your meeting with Superintendent
11 Wood, are you telling us that what he needed to be
12 persuaded of was that sort of not to eliminate
13 Milgaard as a suspect, to keep him on the radar
14 screen with the police?

01:25 15 A That's a better way of putting it, yes.

16 Q And then when we go to May 16th with the meeting
17 with Riddell, Wood, Short and Edmondson --

18 A Yes.

19 Q -- what was the situation there about whether or
01:25 20 not you viewed David Milgaard as the prime
21 suspect?

22 A Well, I think it was somewhat a continuation of
23 what we've just covered, is that there was
24 something there and it had to be examined.

01:25 25 Q If we could call up, please, 250609, go to the



1 next page, please, and we went through this on
2 Thursday, this is the May 21 report of Inspector
3 Riddell and it talks about May 16th, if we could
4 call out paragraph 3, and it talks about the
01:26 5 meeting which you indicated you were present, and
6 then scroll down to paragraph 4, and I believe you
7 told us last day that this, you agreed with how
8 Riddell characterized the discussion and it says:

9 "After a great deal of discussion it was
01:26 10 agreed that David Milgaard could be
11 considered as the prime suspect in this
12 case and that further efforts should be
13 made to eliminate or implicate him in
14 this offence."

01:26 15 If I can pause there. Does that accurately
16 reflect what was discussed on May 16th, '69 and
17 was that your view at the time?

18 A Well, in a general sense. That report of course
19 is Mr. Riddell's report.

01:26 20 Q Yes.

21 A But I would suggest that the whole point of the
22 conversation in that meeting was to examine the
23 issues relative to Wilson, Nichol John and
24 Milgaard being in Saskatoon at approximately the
01:27 25 time of the murder.



1 Q Right.

2 A And of course my involvement, I had very little to
3 do with the actual investigations as carried out
4 by the detectives. I attended the scene, I
01:27 5 provided the information from the scene at these
6 meetings, but there was much information there
7 that I, at that point, would have not probably
8 been aware of, but I was present at the meeting,
9 there's no question about that.

01:27 10 Q I think you told us last week that you would have,
11 and correct me if I'm wrong, please, that you
12 would have reviewed the file and learned of
13 information from others, so although you may not
14 have had firsthand knowledge of the fruits of the
01:27 15 investigation, you were aware of them by either
16 reading reports or hearing verbal reports from
17 other officers; is that fair?

18 A That's correct, yes.

19 Q And I think you told us, and please correct me if
01:28 20 I'm wrong, that you would have had a pretty good
21 understanding of what information or evidence the
22 investigation to this date had resulted in; in
23 fact, I think you told us that the document we
24 were just going through was basically a summary of
01:28 25 what the police had, if I can call it that, on



1 David Milgaard as a suspect to that point.

2 A That's correct. I don't have recollection of the
3 summary at that meeting, but the information, I do
4 recall that that's the kind of information that
01:28 5 was involved in the discussions at various
6 meetings.

7 Q On May 16th, '69, at this meeting did you believe
8 that David Milgaard was responsible for the murder
9 of Gail Miller?

01:28 10 A I can't say that, I really can't say that. I'm
11 more concerned that David Milgaard hadn't been
12 excluded and eliminated and that that aspect had
13 to be verified and checked out.

14 Q Okay.

01:29 15 A And that's a typical investigational approach to
16 all situations.

17 Q So it says here that efforts should be made to
18 eliminate or implicate him in this offence. Would
19 that reflect your view at the time then?

01:29 20 A Of course, yes.

21 Q And just back here where Riddell uses the word 'he
22 could be considered as the prime suspect', did you
23 share that view at the time?

24 A Very difficult for me to answer that. That's
01:29 25 actually his words. I would suggest that the



1 purpose of the continuation in that direction was
2 to either establish a connection or simply exhaust
3 it so that those people would no longer be
4 suspects in the terms of a normal investigation
01:29 5 into a crime that had occurred.

6 Q Okay. And you didn't have any other people who
7 you considered suspects at that time; is that
8 correct?

9 A I have no knowledge that there were any other
01:30 10 suspects.

11 Q And I may have touched on this last week, but I'll
12 ask you again, what about at this time, May 16th,
13 '69, what about the theory that the perpetrator of
14 the (V1)- and (V2)----- sexual assaults may also
01:30 15 be the killer of Gail Miller based upon the
16 similarities of those offences and the murder, you
17 remember us talking about that?

18 A Yes.

19 Q And was there any discussion about that on May
01:30 20 16th, '69, about that avenue being pursued for a
21 suspect?

22 A I don't have recollections of that.

23 Q Now if we could go back to 006799 and, Mr.
24 Penkala, are you able to, and I thought we had
01:31 25 covered this last week, but please correct me if



1 I'm wrong, I thought that you had said that the
2 information in this summary document would be
3 information that you had or were aware of from
4 various sources at or about May 16th, '69, in that
01:31 5 time frame?

6 A Generally, yes.

7 Q So then if we go through then, if we can go to the
8 next page, please, I take it you would have been
9 aware then, generally at least, maybe even
01:31 10 specifically, about what Albert Cadrain had been
11 saying about the matter?

12 A Yes.

13 Q And I take it that -- just looking here, I don't
14 think there is any reference to seeing blood, it
01:32 15 is referenced to changing clothes. Were you aware
16 in May of '69 that Albert Cadrain had said that he
17 saw blood on Milgaard's clothes that morning?

18 A I'm sure I was aware through some means. I'm not
19 sure how.

01:32 20 Q And would that be something in your mind that
21 contributed to your thought that David Milgaard
22 was a suspect?

23 MR. LOCKYER: Three lines down.

24 BY MR. HODSON:

01:32 25 Q Did I miss it? Oh, sorry, thank you, I thought



1 that should be in there.

2 "- Clothing changed - both alleged to
3 have blood stains."

4 So that is something you would have known at the
01:32 5 time then?

6 A I would have known of that element, yes.

7 Q Is that a factor then in your conclusion at that
8 time or your thinking that Milgaard should still
9 be a suspect?

01:32 10 A Oh, very obviously, yes.

11 Q And why is that?

12 A Well, it all points towards some connection, some
13 circumstances that would be consistent with the
14 crime that we were investigating that had not yet
01:33 15 been established other than by word of a witness,
16 a supposed witness.

17 Q Next page, please. And then there's some comments
18 here:

19 "- Everyone alleged afraid of Milgaard."
01:33 20 Is that something that would have caused you to
21 consider Mr. Milgaard to be a suspect?

22 A And it was circumstances that would certainly play
23 into the hands of an investigator and required
24 verifying I suppose.

01:33 25 Q Now, there's a reference here that says:



1 "- Karst and Lieutenant Short told by
2 Cadrain that Milgaard had wanted to get
3 a gun and if he would help him get rid
4 of (murder?) John and Wilson. This was
01:34 5 on January 31st."

6 Would you have been aware of that at the time, in
7 May of 1969?

8 A Yes.

9 Q And tell us how that would have fit into your
01:34 10 thinking of David Milgaard as a suspect?

11 A Well, again it strengthens the suspicions that
12 David Milgaard would have been somehow connected
13 with the murder.

14 Q Was there any steps to -- I mean, I take it that f
01:34 15 what is stated here is that Milgaard was planning
16 to murder John and Wilson based on what Cadrain
17 had said. Is that how you took it?

18 A I'm not in a position to suggest because I wasn't
19 there when that, those comments were made, if they
01:34 20 were made directly to Karst and Short, I'm not
21 sure, but somewhere down the line that information
22 was relayed I imagine to most investigators
23 involved in this file.

24 Q And do I take it from that that the motive in
01:35 25 'getting rid of John and Wilson ' is because they



1 may have been witnesses; is that how you took
2 that?

3 A Oh, that's a normal, natural conclusion, yes.

4 Q So this information was a factor in your
01:35 5 decision-making or your thoughts about whether or
6 not David Milgaard should be pursued further as a
7 suspect?

8 A Sure.

9 Q Would you have at this time or would anybody raise
01:35 10 a question saying 'lookit, is this Cadrain guy
11 credible, I mean, is this story about the gun and
12 the murder true?'

13 A My recollection of Cadrain at that time was that
14 he was a credible witness. I had no experience
01:35 15 with him, I never met him, I didn't take any
16 statements from him, so all my information was
17 secondhand, and I don't recall anybody suggesting
18 that, but I would suggest that investigators would
19 always be conscious of the fact that, you know, is
01:36 20 this a credible witness and I had faith in the two
21 people that are mentioned here that they would
22 look at that aspect, can we believe this chap.

23 Q So in your role in this, Mr. Penkala, then you
24 would be relying upon other officers and you would
01:36 25 either know or assume that they would have taken



1 steps to check the story and the credibility
2 generally, just generally?

3 A Of course.

4 Q And then it goes on to say:

01:36 5 "- Wilson, John, Milgaard out of money
6 on arrival in Saskatoon."

7 Where if anywhere did that fit into your thinking
8 about Mr. Milgaard as a suspect?

9 A Well, it also fits in in a very similar way as
01:36 10 what we've been reviewing in the last few minutes,
11 it all points towards some further requirement to
12 look at the presence of Wilson, Nichol John and
13 Milgaard being in Saskatoon on the day of the
14 murder.

01:37 15 Q And the fact that they may have been out of money
16 on their arrival, how does that make him more of a
17 suspect or a suspect in the murder of Gail Miller?

18 A Well, it appears, my recollection is that there
19 was mention of discussions, that they needed money
01:37 20 and that they would go for the handbag of Miller
21 while she was on the street.

22 Q Do you know if that information, you would have
23 had that by May 16th, '69 or is that possibly
24 something you learned later?

01:37 25 A It's very difficult for me to help you in that



1 regard simply because I was kind of a peripheral
2 person on this issue, and while I sat in on these
3 meetings and was offered the opportunity to
4 listen, make comments, assist wherever it was
01:38 5 properly, wherever it was appropriate, but at the
6 same time I could only offer those things that I
7 found at the scene of the crime because I was at
8 the scene of the crime, the aspects concerning the
9 autopsy which I was present at, those would be the
01:38 10 issues that would be sought from me in this type
11 of a meeting.

12 Q And I appreciate, Mr. Penkala, your direct
13 involvement in the matter, which you have told us
14 about, however you have also told us that you were
01:39 15 present at a number of meetings with other senior
16 officers where these matters were discussed and so
17 what I am looking for is your recollections,
18 observations, personal knowledge or knowledge of
19 what was discussed and what was in the minds of
01:40 20 the police at the time. And I appreciate that in
21 some cases you were not directly involved, but if
22 you observed that or you have heard discussions
23 about it or were informed, I mean it's important
24 for you to tell us that. Okay?

01:40 25 A Well obviously these issues were all, at some



1 point, discussed. There is no question about
2 that.

3 Q We then go down, and again I think this document
4 has been described as a summary of information
01:40 5 from the police file to a date I believe in
6 mid-May or early May of '69 relating to David
7 Milgaard as a suspect; how would this information
8 from -- and that should be Celine Cadrain, it
9 says:

01:40 10 "- knows Milgaard and her opinion is
11 that he has no respect for women."

12 Would that be something that would cause you to
13 think of him more as a suspect than others would?

14 A It would be a continuing circumstance, yes.

01:41 15 Q And can you explain why and how that would be?

16 A I have some recollection of, I think, Nichol John
17 commenting about David Milgaard's lack of respect
18 for women. And, of course, that would be an
19 issue, again, which is a circumstance that would,
01:41 20 would relate to the kind of a crime we were
21 investigating.

22 Q And would then, if I can call it the type of
23 person or the nature of the suspect, if I can call
24 it that -- or let me rephrase it. Is what you are
01:41 25 telling us that when you have a suspect, the



1 police will go and make an assessment of the
2 character and reputation and things, and that
3 might influence your thinking?

4 A Oh, of course.

01:41 5 Q And so if someone, I think you are saying here
6 that he has no respect for women according to
7 Celine Cadrain, would that sort of be a checkmark
8 in the suspect's side that says 'okay, that's more
9 information that might cause us to say he's a
01:42 10 suspect'?

11 A It's yet another circumstance, yes.

12 Q But, in and of itself, would you agree that that
13 doesn't mean a suspect would have committed a
14 murder?

01:42 15 A No.

16 Q And again if we can scroll down, please, to Sharon
17 Williams, and there is a statement and a report,
18 and I believe she was the girlfriend or friend of
19 David Milgaard's at the time, and there's
01:42 20 discussion there; and would that fall into the
21 same category as the information from Nichol John
22 about sort of a witness' assessment of David
23 Milgaard's treatment of them?

24 A It would be in the same light, yes.

01:43 25 Q There's mention of use of drugs, and I think that



1 that's also in the reports elsewhere; would that
2 have influenced your thinking of David Milgaard as
3 a suspect, the fact that either he had or was
4 using drugs or was a user of drugs at or about
01:43 5 this time?

6 A Yes. I think, I think that's something that would
7 probably be quite an influence in an
8 investigation. Drug addictions is often the root
9 cause of crime and I think every investigator,
01:43 10 every police officer, knows that.

11 Q And so that would cause you to view an individual
12 who was a drug user as more of a suspect than
13 perhaps someone who was not?

14 A Yes, it's certainly another circumstance.

01:44 15 Q If you could then go down to the Danchuks, and are
16 you familiar with Wally and Sandra Danchuk and
17 their statements at the time?

18 A No, I'm not.

19 Q They, I think the record shows that the vehicle
01:44 20 that Milgaard, Wilson and John were in got stuck
21 behind their alley, and they were with the
22 Danchuks' and in their home or in their vehicle
23 for I think approximately an hour or thereabouts,
24 and sometime, I think Wally Danchuk in his
01:44 25 statement said they arrived at 7:40 a.m. until



1 about, and I think the other evidence is that the
2 Milgaard vehicle then got to Cadrain's at 9:00.
3 And the Danchuks' statements, and in fact their
4 evidence in the proceedings were that they did not
01:44 5 notice any blood on David Milgaard's clothing, and
6 then again I'm summarizing, but I think they said
7 they did not notice anything unusual about him,
8 and said that he was polite, and sort of nothing
9 out of the ordinary. Now would that fact suggest
01:45 10 to you that perhaps Mr. Milgaard should be -- that
11 that would be exculpatory towards Mr. Milgaard?
12 A No, not -- I don't think so. I think it's just,
13 it's just another phase within the time frame of
14 Mr. Milgaard's presence in Saskatoon. I think a
01:45 15 detective would look at that and say 'well how
16 does this fit into the time frame'. I don't see
17 anything, anything in that last identified issue
18 that would pay any particular concern to the crime
19 itself.
01:45 20 Q It --
21 A Other than the time frame.
22 Q So --
23 A It would put, it would put, it would put Milgaard
24 and company within a certain time frame which is
01:46 25 somewhat consistent with the murder of Gail



1 Miller.

2 Q So, and I think the time frame of the murder of
3 Gail Miller would have been let's say 6:45 a.m. to
4 7:00 a.m., somewhere in there, is that -- Mr.
01:46 5 Commissioner, I don't mean to give evidence, I'm
6 just trying to give a sense, and I think various
7 --

8 A That's my understanding. My understanding was
9 that she caught the bus in the morning and,
01:46 10 supposedly, it was a 7:00 bus.

11 Q So in that time frame, plus or minus 15 minutes,
12 would have been the time, it wasn't before 6:45
13 a.m., was that -- that seems to be what the record
14 reflects; is that right?

01:46 15 A That's correct, yes.

16 Q And so you are telling us the fact that the
17 Milgaard vehicle was at the Danchuks' at 7:40 a.m.
18 would be important to you because the timing
19 would, if he would have been at Danchuks' at 7:00
01:46 20 a.m. then, would that have caused you some
21 concern?

22 A Yes, I think that would have been looked at
23 differently. If it was 7:00 o'clock, it would
24 certainly start spreading the possibility of that
01:47 25 particular group of people being in the vicinity,



1 immediate vicinity of the murder.

2 Q Now were you aware that, prior to being at the
3 Danchuks', that the Milgaard vehicle, if I can
4 call it that, attended at the Trav-a-leer motel on
01:47 5 22nd Street and, I believe, Circle Drive?

6 A I have some recollection of seeing that somewhere
7 along the line, yes.

8 Q That's, and I think the statements are at some
9 type after 7:00 a.m. or some time frame after 7:00
01:47 10 a.m.; would that have influenced your thinking as
11 well?

12 A Well it would have all been part of the entire
13 picture, and this is basically what the efforts
14 would be, to establish a picture, a consistent
01:47 15 picture, and either -- umm -- either provide
16 information which connects with the murder or does
17 not connect with the murder.

18 Q Yeah.

19 A And these are the, these are the methods that
01:48 20 investigators use to pursue perpetrators of crime.

21 Q And if we go back, and I think you told us that
22 the fact that when Milgaard arrived at the Cadrain
23 house, the fact that he had blood on his clothes
24 was incriminating or of concern, is that fair?

01:48 25 A Well obviously blood, under the circumstances of



1 this investigation, would have been a concern.

2 Q And his behaviour, in the fact that I think Nichol
3 John said he was acting queer that morning or
4 words to that effect, and was in a hurry; do you
01:48 5 recall hearing about that?

6 A Yes, I have recollections of learning that as
7 well.

8 Q So that you would look at his behaviour after the
9 time of the murder and ask yourself whether that
01:49 10 might be incriminating; is that fair?

11 A Absolutely.

12 Q So when we go to the Danchuks, who I think you
13 would agree that he would have seen them prior to
14 seeing anybody else that morning other than
01:49 15 Mr. Rasmussen at the Trav-a-leer, but certainly
16 before he went to Cadrain's, correct, is that your
17 understanding of the facts?

18 A That's my general understanding of the facts, yes.

19 Q And the fact that Wally and Sandra Danchuk say
01:49 20 they didn't notice any blood on his clothes and
21 they didn't notice any unusual behaviour; would
22 that not influence your thinking, or would that
23 influence your thinking at all?

24 A If I was, if I was weighing all the circumstances
01:49 25 and the evidence, if that were my responsibility



1 obviously I would take those things into account,
2 very much so.

3 Q And would that tend to be information that might
4 tend to say that he should be considered less of a
01:50 5 suspect?

6 A Well that, that's, that's one way of putting it.

7 Q Well I would like to know what -- how you viewed
8 it, sir.

9 A Well I think I have to make it clear, I was not a
01:50 10 prime investigator in this situation and I, I have
11 a little difficulty in providing you information
12 which is related on the basis of things that I
13 heard and read out of reports. It's, it's very
14 difficult for me to associate what I would have
01:50 15 done under those circumstances when I really
16 didn't have anything to do with that. I am only
17 reflecting on what, even though I believe these
18 accounts, I'm only reflecting on what other people
19 have established and I think it's quite unfair for
01:50 20 me to comment in a very positive way on these
21 issues suggesting this and suggesting that.

22 Q I'm simply looking, Mr. Penkala, for your
23 knowledge at the time. Let me go over this again.
24 I think, would it be fair to say that there was
01:51 25 not one police officer who was all-knowing with



1 personal knowledge of all facts of the
2 investigation; is that fair?

3 A Yes.

4 Q Direct knowledge?

01:51 5 A Yes.

6 Q And that it was a collaboration of a number of
7 police officers doing a number of tasks in the
8 investigation?

9 A Yes.

01:51 10 Q And a number of brainstorming sessions amongst
11 senior and other officers talking about what was
12 found, what ought to be done, what ought to be
13 pursued, who should be a suspect, who should be
14 eliminated, etcetera?

01:51 15 A Yes.

16 Q And that you participated in many of those in your
17 capacity as the lieutenant in charge of the
18 identification division?

19 A Yes.

01:51 20 Q And you had occasion to contribute to some of
21 those sessions and give your views as to what you
22 thought, what you observed?

23 A Yes.

01:51 24 Q And you had an opportunity to hear what others
25 said about what they learned, what they observed,



1 and what they thought?

2 A Yes.

3 Q That is what I am looking for, Mr. Penkala, your
4 recollection of those things. And I appreciate
01:52 5 your -- you have told us your role in the
6 investigation, and I guess I am looking for, when
7 we talk about the Danchuks, was that something
8 that you would have heard other officers discuss,
9 or would you have discussed it with them, such as
01:52 10 'how does this fit in'?

11 A Well at this, you know, at this stage and the time
12 frame I don't, I don't have any recollection of
13 what kind of discussions occurred at the meeting.
14 This is, I think, 35 years after the -- and I
01:52 15 certainly didn't make any notes at that meeting.

16 Q Okay.

17 A So, you know, it's -- it's -- you know, I'm not,
18 I'm not sure just, just what, what it is that is
19 expected of me in regards to this.

01:52 20 I know one thing. When a case
21 is prepared and all the evidence is arranged, that
22 evidence has to pass the test of acceptability in
23 a criminal proceeding, then it has -- that is
24 presented before a Court and the Court decides the
01:53 25 guilt or the innocence. And I view it, as I think



1 all policemen do, that that's the proof, that is
2 really the proof, when you gather the information,
3 present it before the Court. And even before you
4 present it before a Court you have the
01:53 5 availability of a legal mind that will examine it,
6 and I'm thinking about the Crown prosecutor, who
7 will examine this and assist you in advising you
8 whether there is sufficient grounds to proceed
9 with a criminal charge. And I guess that's where
01:53 10 I have got my hang-up in this method of presenting
11 evidence, I have presented evidence many times,
12 but it was always in a criminal court.

13 Q And this, Mr. Penkala, is an Inquiry, we're trying
14 to find out what happened, and to the extent that
01:54 15 you were there and involved and have knowledge and
16 information that will assist us, that is what I am
17 trying to ask and ascertain.

18 And where I started down this
19 path was from Inspector Riddell's report that
01:54 20 indicated you were at a meeting of May 16th, '69,
21 and the report says the conclusion of those
22 present, or words to that effect, was that David
23 Milgaard was the prime suspect and that
24 arrangements should be made to have Wilson and
01:54 25 John and Cadrain come in to be polygraphed. And



1 what I am asking you about is what you, and to the
2 extent that you can tell us other police officers,
3 would have had by way of information that caused
4 you and others to reach the conclusion that he was
01:54 5 a prime suspect at the time, and just your
6 information, just your knowledge and information,
7 Mr. Penkala, nothing more.

8 A Okay.

9 Q You understand?

01:54 10 A Yes, I think so.

11 Q If we could go down just to the bottom, here, I
12 think it's a reference to May 6th, '69. And it
13 says:

14 "- S/S Paynter cannot say siliva test
01:55 15 for secretor is positive.

16 - If cloth used for sample had soap in
17 fiber it could destroy ABO antogens."

18 Do you recall those discussions with Paynter at
19 the time?

01:55 20 A Yes. There was always a question whether the
21 sample to establish whether David Milgaard was a
22 secretor or not, and that was -- seemed to always
23 be a question, is that the method used to
24 establish whether he was a secretor was in
01:55 25 question. And I spoke to Staff Sergeant Paynter,



1 and I believe it was by telephone, and these were
2 some of the issues that were brought forward, so
3 there was an unknown there.

4 Q If we could go to the next page, please. And it
01:56 5 appears that the Red Cross was interviewed:

6 "- Cannot say siliva test is positive as
7 insufficient knowledge available on
8 subject.

9 - Suggests seimen test to be certain in
01:56 10 this case."

11 Do you recall that being discussed by anybody at
12 the time, getting a semen test from Mr. Milgaard?

13 A I recall that somewhere in the, in the
14 information, it was a suggestion to. I don't, I
01:56 15 don't know if that was ever pursued. I had -- I
16 didn't -- I wasn't party to the Betty Ann Smyth
17 conversation and I was, I was already aware of the
18 general information that the method of testing for
19 secretor was not adequate the way it was done, or
01:57 20 not sufficient enough to establish positive
21 conditions.

22 Q And in the last comment, here, it says:

23 "- Lt. Short and Det. Karst

24 - Father of Milgaard made statement to

01:57 25 effect that he was not surprised and had



1 suspected something like this might
2 happen."

3 Now do you recall what that might have related
4 to?

01:57 5 A Again, other than somewhere in my involvement in a
6 very general sense, I believe that Detective Short
7 and Karst had visited Mr. Milgaard, and I think
8 there was conversation that took place, and that's
9 basically my understanding of that.

01:57 10 Q Is it, what's reflected in this document, is that
11 your understanding of what was discussed?

12 A Umm, yes.

13 Q And, again, I want to know back in May 16th, or
14 thereabouts, 1969; did that information that you
01:58 15 have, about what David Milgaard's father had said
16 to Short and Karst, was that a factor at all?

17 A It's certainly a factor but I don't, I have no
18 recollection whether that, specifically, was
19 raised at that meeting or not, I -- I have no
01:58 20 knowledge.

21 Q Now if we can go to the next page, please, which
22 is titled Summary at the top, and I think you told
23 us last day when we looked at this that you were
24 not the author of this document; is that correct?

01:58 25 A Well I, at times I thought I might have been, and



1 I -- the more I examined it, I was quite convinced
2 that I was not the author of it.

3 Q And what's --

4 A The content of it, of course, is the general
01:58 5 content that we have been reviewing in the last
6 while.

7 Q And --

8 A And I certainly agree with that.

9 Q Certainly agree with what?

01:59 10 A With the content of this summary.

11 Q And so, when you say you agree with it, this
12 summary would have been information that would
13 have been discussed at your May 16th meeting and
14 prior meetings?

01:59 15 A At, at the various meetings, parts of it or all of
16 it would have been discussed, I -- I --

17 Q So can you tell us then, Mr. Penkala, that this
18 document, and the contents of it, would have been
19 some of the things that the police officers
01:59 20 discussed and debated in deciding what courses of
21 action to pursue in the investigation; is that
22 fair?

23 A Yes.

24 Q And I believe I had told you last week, and I
01:59 25 think Raymond Mackie may have been the fellow who



1 authored this, do you recall dealing with
2 Mr. Mackie on this at all?

3 A I'm sure that I dealt with Detective Mackie,
4 Detective Sergeant Mackie, on different occasions,
01:59 5 but I don't have a specific recollection.

6 Q And we touched on this earlier, about the
7 suggestion at the bottom about getting John,
8 Wilson and Cadrain to be polygraphed, and I think
9 you told us that this would have been prepared,
02:00 10 then, prior to May 23rd, '69; is that correct?

11 A I -- it would have obviously been prepared prior
12 to that, yes.

13 Q Was this type of document commonly prepared by
14 officers, Mr. Penkala, in investigations?

02:00 15 A It's not an unusual approach to summarizing the
16 facts and conditions and circumstances that an
17 investigator has. It's an excellent way of
18 providing the investigators, because there's
19 usually more than one, in seeing all the relative
02:00 20 issues, and the fact that some, some elements have
21 to be examined. And literally what an
22 investigator would do, he would pick up on that
23 tangent and investigate it out to its fullest,
24 exhaust it, and either confirm its relationship or
02:01 25 establish that it is no longer relative to that,



1 and then it's dropped, and then you go on with the
2 next one. That's a very standard, required method
3 of investigations, and I think most investigators
4 approach it on that basis. So, under the
02:01 5 circumstances, summarization of facts and
6 circumstances is an ideal way to start. It's like
7 an inventory of what you have got.

8 Q Well what about theories, would it also be common
9 to put down 'here's what might have happened' or
02:01 10 'it might have happened this way or that way' and
11 'here's what may have happened' as a theory?

12 A Of course the theory part always comes in, again
13 it's the facts and circumstances that either
14 support the theory or eliminate the theory, and
02:02 15 theories are constantly brought forward. But they
16 do have -- they don't have anything to do with
17 deciding the suspicions against the person or the
18 guilt against the person, it simply is a method of
19 setting up your facts and circumstances, and
02:02 20 showing you a pathway and a direction to go.

21 Q Just go back to the main document, and I'll go
22 through this with you, but it appears, Mr.
23 Penkala, that this summary would be facts,
24 circumstances, theories or thoughts that tended to
02:02 25 show David Milgaard as the killer of Gail Miller;



1 is that fair?

2 A I think so, yes.

3 Q And would there also be a listing of things that
4 might exculpate him, in other words 'here's some
02:02 5 things that tend to show that he either didn't or
6 couldn't have', or would exculpate him?

7 A There could very well be things there, but that
8 would be an obligation and a responsibility on
9 those that are investigating to exhaust those
02:03 10 circumstances to ensure, one way or another.

11 Q And I guess my question is, though, would -- and
12 we'll go through this, and I don't believe there's
13 anything in here that says that would sort of be
14 on the other side, saying 'here are some
02:03 15 exculpatory facts', and I'm wondering if that's --
16 and we'll have a chance to ask Mr. Mackie that but
17 I'm just --

18 A Yes.

19 Q You said it was common to write these things out.
02:03 20 In your sort of experience would you sort of list
21 off, on the other side, 'here's all the things
22 that tend to exculpate a suspect'?

23 A Certainly, yes.

24 Q So if we could just go through these -- and again,
02:03 25 Mr. Penkala, I appreciate that you were not



1 directly involved in investigating these matters,
2 but I think you have told us that you would have
3 had knowledge of the content of this summary from
4 other sources and that they would have been
02:04 5 discussed while you were present at various
6 brainstorming sessions; is that fair?

7 A That's fair, yes.

8 Q And what I am looking for is your recollection or
9 observations about those and to tell us what you
02:04 10 thought at the time; okay?

11 A Okay.

12 Q So, number 1:

13 "- Milgaard alleges he could not find
14 Cadrain's house even though he lived
02:04 15 there a few days."

16 Okay. Can you tell us what that is driving at?

17 A I --

18 Q Or perhaps I should -- sorry, the second one maybe
19 goes with that, and then I'll have you answer it:

02:04 20 "- On his travels he seems to have no
21 problem finding any particular address
22 to obtain drugs or other things he
23 wants."

24 A In the information that I had heard through
02:04 25 various means, is that he had lived at the Cadrain



1 house for several days, and of course that is a
2 circumstance that would indicate that explanations
3 would have to be made to establish why he was
4 having difficulty finding the address when he was
02:05 5 within a block and a half of that address.

6 Q Okay. When you say 'when he was within a block
7 and a half of that address' on -- when are you
8 referring to?

9 A That's relative to the crime scene.

02:05 10 Q And, at this time, what information did you have
11 that Mr. Milgaard was at or near the crime scene?

12 A Umm, the statements, the statements that were
13 eventually given, their -- the fact that they were
14 in the city, somewhere along the line there was
02:05 15 information that, that Milgaard and company were
16 in the vicinity of the -- the -- of that portion
17 of Saskatoon.

18 Q So would these first two points be where the
19 police would be doubting his explanation -- or
02:06 20 their, Wilson, John, and Milgaard's explanation
21 about getting lost and --

22 A I would think so, yes.

23 Q And when -- and then it says:

24 "- From where some articles were found
02:06 25 it would appear that possibly no lights



1 on at Cadraains house when the three
2 first arrived from Regina or shortly
3 after, therefore, they did not call at
4 the house.

02:06 5 - All were out of funds and may have
6 gone driving with a view to getting
7 money."

8 And I take it the articles here would have been
9 the wallet, Gail Miller's wallet?

02:06 10 A Yes, her wallet was found in the vicinity of the
11 Cadrain address.

12 Q And, again, would this be, then, a theory or an
13 idea as opposed to circumstances?

14 A I think, at this stage, it was obviously a theory.

02:06 15 Q And, again:

16 "- All were out of funds and may have
17 gone driving with a view to getting
18 money."

19 Would that, again, be a --

02:07 20 A Theory.

21 Q -- possible theory? And then it goes on to say:

22 "- On seeing nurse (Miller) she was
23 approached on pretence of getting
24 directions with a view to stealing her
02:07 25 purse."



1 Would that be a theory?

2 A It would a theory, yes.

3 Q And then it says:

4 "- This would be around funeral home
5 which would coincide with statements of
6 Nichol John - Diewolf seeing lights in
7 alley - Doell saying Miller took bus at
8 Avenue N."

9 And, again, we touched on this earlier:

10 "... coincide with statements of Nichol
11 John";

12 do you recall, Mr. Penkala, prior to Nichol
13 John's statement to Mr. Roberts, do you recall
14 Nichol John telling the police that she was
15 around the funeral home that morning of the
16 murder?

17 A It seems to me there was some information, but I
18 wasn't specifically involved, and all I'm doing is
19 just generalizing and what I understood.

20 Q Yes. The fact that -- let's assume, let's talk
21 May 16th, and this is before Nichol John has given
22 her second statement and before Ron Wilson has
23 given his second statement; so you understand the
24 time frame, right?

25 A Yes.



1 Q The fact that at that time Nichol John would have
2 said that 'we saw a nurse near a funeral home',
3 that would be important information, would it not,
4 in the investigation?

02:08 5 A Oh, very, very much so, yes.

6 Q And the fact that it's in this document, Mr.
7 Penkala, I'm trying to understand if you can help
8 us out as to whether it was information known by
9 the police at the time, before Ms. John said that
02:08 10 in her statement on May 24th?

11 A Well I -- that might have been the issue that I, I
12 talked about before, because I know that the
13 statement that is specific from Nichol John was
14 taken after the May 16th meeting, and I'm not sure
02:09 15 what information was gained and gathered from
16 interviews with Nichol John which occurred at the
17 hands of the RCMP and I think maybe some of the
18 Saskatoon detectives that had travelled to Regina,
19 so, again, it's one of these situations that this
02:09 20 information had been hopped, hopped down, and
21 I don't, I don't know the specifics of where it
22 originated.

23 Q Did you -- are you able to tell us whether you
24 believed, at this time, that Nichol John had given
02:09 25 a statement or information prior to May 16th?



1 A No, I --

2 Q Is that --

3 A I had never seen a statement from Nichol John
4 until the statement that was given by her I think
02:09 5 on the 24th of May.

6 Q Yes, okay.

7 A And I have a copy of that, I eventually ended up
8 with a copy of that.

9 Q It also goes on to say:

02:10 10 "- Doell saying Miller took bus at
11 Avenue N."

12 And I touched on this last week. She lived on
13 Avenue O and there was a bus stop on Avenue O and
14 there was some debate, for lack of a better word,
02:10 15 to whether she would be going to the O -- Avenue
16 O or Avenue N bus stop; and am I reading this
17 correct that this theory or thought had her going
18 to the Avenue N bus stop?

19 A Well I suspect that this information came as a
02:10 20 result of detectives being asked to question all
21 those people that might have been associated with
22 the victim, and that's where that information
23 would have come from, and obviously that was
24 brought forward. And of course at what point I
02:10 25 was aware of this, I'm not certain, but I was at



1 some point through this thing aware of these
2 conditions.

3 Q Then it goes on to say:

4 "- Wilson appears to be driver of car,
02:10 5 therefore, Milgaard would leave car to
6 get purse - having seen Miller closer
7 his sex drive takes over and he forces
8 her down alley to where she was found."

9 Now, would that be a theory?

02:10 10 A Sounds like a theory to me, yes.

11 Q Do you recall that being discussed?

12 A Not specifically, but obviously it was.

13 Q And then it says:

14 "- Nichol John knows or suspects results
02:10 15 and leaves car, runs west on 20th Street
16 in 1400 block and is girl seen by Indyk
17 at St. Mary Church. At this point she
18 changes her mind about saying anything
19 and goes north on Avenue "O" where she
02:10 20 meets car again."

21 Can you help us understand what this refers to?

22 A This again sounds to me like something that came
23 of that statement that was eventually obtained
24 from Nichol John, the statement that I actually
02:11 25 saw, and my recollection is that reference to this



1 is made in that statement.

2 Q But at this time, at this time, Mr. Penkala, this
3 is a statement or a theory that's made prior to
4 Nichol John saying that and in her first statement
02:11 5 of March 11th, '69 she did not reference leaving
6 the car.

7 A I would assume that that person at St. Mary's
8 church had made, had revealed that there was, that
9 there was someone in the vicinity and I would
02:11 10 suggest that on the basis of that this theory was
11 hatched.

12 Q So just on that point, I think Marie Indyk says I
13 saw someone that morning around seven or 7:10
14 a.m., or somewhere in the vicinity, would this be
02:12 15 the case of the policeman saying okay, well, that
16 must have been or could have been Nichol John that
17 she saw, therefore, maybe Nichol John ran out of
18 the car?

19 A Yeah, that would be a legitimate way to theorize,
02:12 20 yes.

21 Q Would this process be trying to take the existing
22 facts and trying to fit, saying okay, here's what
23 we know that people have told us, let's try and
24 think what could have happened that morning in
02:12 25 that vicinity that fits with what we already know



1 and trying to explain what you already know?

2 A Well, obviously that's a method that's used in
3 investigating crimes. When you have certain
4 information you dwell on that information and try
02:12 5 and establish it as I explained previously and you
6 either establish it or you eliminate it.

7 Q It then goes on to say:

8 "- Milgaard after murder returns to car
9 with boot and sweater (car possibly
02:13 10 followed down lane) to which Wilson
11 objects to and as a result are buried in
12 the snow."

13 Now, would that be a theory?

14 A Yeah, it would have to be a theory by my
02:13 15 understanding of the facts at that point.

16 Q And at that time you -- in fact, you found the
17 boot, didn't you, in the snow?

18 A No, I did not.

19 Q That was Harper. But you knew at this time that
02:13 20 the boot and sweater were buried in the vicinity;
21 is that right?

22 A I knew that, yes.

23 Q So again is that a case of taking a known fact,
24 that you found the boot and sweater and trying to
02:13 25 see how it might fit with what happened with the



1 Milgaard, Wilson and John vehicle that morning?

2 A Yes.

3 Q And it says:

4 "- Purse thrown in garbage on way
02:13 5 through alley from Avenue "N" to "O" -
6 possibly when Nichol John returns to car
7 and is picked up."

8 Again, would that be a theory?

9 A I would suggest it was a theory because I believe
02:14 10 the victim's purse was found in an alley in a
11 garbage can.

12 Q And then it says:

13 "- Wallet and touque are in car and when
14 Milgaard gets keys from Wilson at
02:14 15 Cadraains to put suitcase in car, he
16 disposes of touque and wallet at this
17 time.

18 - Nichol John says Milgaard wore a dark
19 touque which she has not seen since
02:14 20 January 31st."

21 And again would that be a theory?

22 A I would think under these circumstances it would
23 be a theory, yes.

24 Q And in fact at this time you knew you had found
02:14 25 the wallet in the snow near Cadraains' house and a



1 toque with blood on it next door to Cadraains '
2 house; is that right?

3 A Yes.

4 Q So would that be a case of trying to fit what are
02:14 5 known facts to what may have happened that morning
6 with these three people?

7 A Yes.

8 Q And then it says:

9 "- Milgaard has removed wallet from
02:15 10 purse at scene and retains it without
11 Wilson or Nichol John knowing he
12 obtained it.

13 - He may have been intent on keeping the
14 purse and it is put in garbage after
02:15 15 Wilson looks for money in it, and at
16 that time Nichol John returns to car."

17 Again, would that be --

18 A It has to be theory again.

19 Q Then the last bullet:

02:15 20 "- Or did Wilson and Milgaard both
21 become involved in theft of purse and
22 Milgaard --"

23 Sorry, I can't --

24 "-- intent on rape assaults and murders
02:15 25 Gail Miller.



1 Wilson has purse, goes through
2 it and puts it in the garbage can while
3 waiting on Milgaard who he is aware is
4 raping Miller."

02:15 5 Would that have been a theory at the time?

6 A I think in the circumstance it would have been a
7 theory, yes.

8 Q And in that scenario and that theory, that would
9 have Ron Wilson involved in the murder wouldn't
02:15 10 it?

11 A With that type of theory, yes.

12 Q And I believe I asked you last week, I'll ask you
13 again, do you recall whether you thought Ron
14 Wilson was a suspect in this case, whether you
02:16 15 thought he was involved in the murder in any way
16 of Gail Miller?

17 A I don't specifically recall discussing it, but
18 there was some evidence. Eventually we found out
19 that Wilson was of a different blood group --

02:16 20 Q Yes.

21 A -- which would have excluded him, so under those
22 circumstances, if he were involved, it would be in
23 a -- as an accomplice as opposed to being the
24 actual person, that would be my assessment.

02:16 25 Q So is it fair to take from this document, Mr.



1 Penkala, that in mid March, 1969 before Art
2 Roberts came out to interview Wilson and John,
3 that one theory the police were looking at was
4 that, just as stated here, that Wilson may have
02:17 5 been involved in the theft and that Milgaard
6 committed the rape and murder?

7 A Well, one could conclude that, yes.

8 Q And then if we can just scroll down to
9 suggestions, it says:

02:17 10 "- Nichol John, Wilson and Cadrain be
11 brought to Saskatoon where with all
12 present the true story can be obtained
13 even if hypnosis or polygraph are
14 necessary."

02:17 15 And at this time, when you say the true story,
16 did you have a view that what you had heard from
17 Wilson, John and Cadrain to that point had not
18 been the true story?

19 A Well, not verified.

02:17 20 Q And what do you mean by verified?

21 A Well, these situations that were identified here
22 today and that have been learned throughout the
23 investigation were not all established to the
24 point that they were hard facts, so an
02:18 25 investigator would be interested in establishing



1 some of these issues and, as I see by this entire
2 picture, some of it had to deal with the evidence
3 of people that were involved; for example, the
4 evidence of Wilson, the evidence of Nichol John,
02:18 5 the evidence of David Milgaard.

6 Q Okay. Now, I think prior to this point, Wilson,
7 John and Milgaard had given statements to the
8 police about their travels that morning and I
9 believe, certainly in the case of Wilson and John,
02:18 10 they indicated that Milgaard could not have
11 committed the murder, I think they said that he
12 wasn't out of their sight for more than a couple
13 of minutes, and Milgaard in his statement denied
14 committing the murder and being away from them.
02:19 15 Was it a case, at that time did you say, okay, we
16 don't believe that that happened?

17 A Oh, I'm sure, I'm sure that the circumstances, the
18 other circumstances did not support that
19 explanation.

02:19 20 Q The other circumstances didn't support what
21 explanation?

22 A The known facts that we had as a result of the
23 investigation of the murder did not support the
24 statements that were made by Wilson and Nichol
02:19 25 John.



1 Q In what way?

2 A Well, again, I find myself in a situation, I
3 wasn't there, I'm simply relating the knowledge
4 that I learned through other people and it's very
02:19 5 difficult for me to isolate and suggest specifics
6 in regards to that, but obviously on their first
7 encounter with Wilson and Nichol John, they didn't
8 learn very much about their visit to Saskatoon.

9 Q And so prior to meeting with Mr. Roberts, I think
02:20 10 Wilson and John both had given statements to the
11 effect that Milgaard was not apart from them and
12 did not have an opportunity to commit the murder;
13 after being interviewed by Roberts, they gave
14 statements that said he was away from them and in
02:20 15 fact further incriminating statements.

16 A In generalities, that's my understanding, yes.

17 Q And so my question is was there anybody there with
18 the police saying, okay, well, Wilson and John may
19 be telling the truth in their first statement to
02:20 20 the police in early March of '69?

21 A I have no recollections dwelling on that aspect of
22 it.

23 Q But would it be fair to say, Mr. Penkala, that the
24 police at this time in mid May of '69, and when I
02:21 25 say police, generally based on what you observed



1 and what you took out of the meetings you were
2 involved in, that the sense was that Wilson and
3 John were not telling the truth when they had
4 given their story to date about the events of the
02:21 5 morning of January 31, '69?

6 A I think that would be a fair assessment, yes.

7 Q Now, there's talk here about hypnosis and do you
8 recall any discussion about hypnotizing John,
9 Wilson or Cadrain at this time?

02:21 10 A I have no recollection of that, but that is not an
11 unusual aspect and it often occurred where you had
12 difficulty establishing through witnesses that
13 hypnosis would be turned to as a means of
14 assisting the investigation. Polygraph was
02:22 15 relatively new and while its purpose would be
16 basically to verify or disprove statements that
17 were made by witnesses, that would be the purpose
18 for the polygraph.

19 Q And so back in 1969, I think your words were it
02:22 20 was common, is that right, to conduct hypnosis to
21 assist in an investigation?

22 A Not necessarily common, but it was used.

23 Q And who did the hypnosis?

24 A There were psychiatrists within our jurisdiction
02:22 25 that would do that.



1 Q So give me an example with John, Wilson or
2 Cadrain, it says here hypnosis or polygraph. How
3 would you use hypnosis with John, Wilson or
4 Cadrain to assist in the investigation?

02:22 5 A Well, if a witness was having difficulty
6 remembering what had occurred, the hypnotist would
7 attempt to take that witness into a state where
8 the witness might be able to recall more
9 accurately the results of what supposedly has left
02:23 10 her memory or his memory.

11 Q Now, we have heard evidence, and we'll hear more,
12 about Art Roberts' interview of Wilson and John
13 and the polygraph. Are you aware or do you recall
14 any discussion about whether or not Art Roberts
02:23 15 was asked to conduct hypnosis of either Wilson or
16 John?

17 A I don't have any specific knowledge of that
18 request being made of Mr. Roberts or the Calgary
19 police department, but protocol would have called
02:23 20 for the arrangement through the chief to the chief
21 of the Calgary Police Department for the
22 assistance of Mr. Roberts.

23 Q Right, and we'll be getting that, to that in a
24 moment. And we know that he came out and
02:24 25 conducted a polygraph exam of Ron Wilson and we



1 have some reports on that, but my question is as
2 to whether or not you knew whether hypnosis was
3 discussed with Roberts or whether there was any
4 discussion to hypnotize either Wilson or John?

02:24 5 A I don't have any specific knowledge of it.

6 Q And it says here that Cadrain also be brought to
7 Saskatoon and there doesn't appear to be anything
8 in the records or any of the evidence to date that
9 suggests Albert Cadrain was either asked to or did
02:24 10 he submit to a polygraph or did he participate in
11 the interviews of May 21 to 24, '69. Are you
12 aware, able to help us out as to why he was not a
13 part of that review?

14 A No, but it certainly -- it certainly is a sound
02:25 15 approach in light of the fact that he had a lot to
16 contribute to this particular investigation.

17 Q If the facts establish, Mr. Penkala, that Cadrain,
18 Albert Cadrain did not undergo polygraph and was
19 not interviewed around May 21 to 24, that time
02:25 20 frame when Wilson and John were interviewed by the
21 police and then by Inspector Roberts, can you tell
22 us why he would not have been included in that
23 process?

24 A I have no idea.

02:25 25 Q And then at the bottom:



1 "- Milgaard be located and a sperm
2 sample be obtained if possible."

3 And I take it that related to the secretor issue;
4 is that fair?

02:25 5 A That would be a fair assessment, yes.

6 Q At this time, Mr. Penkala, based on what you had,
7 the information you had, and I'm talking about the
8 A secretor issue, in your view, as the ident
9 officer, had the -- we know, we heard evidence
02:26 10 about the frozen lumps of snow indicating that the
11 donor was from an A secretor and you told us about
12 what results you got on David Milgaard's blood and
13 saliva test. At this point in your mind had you
14 felt that that was enough to eliminate him as a
02:26 15 suspect or was it consistent with him being a
16 suspect?

17 A No, the circumstances, as I recall them, were not
18 positively established and I recall discussing it
19 with Dr. Emson and seeking his expertise on the
02:26 20 issue. There were some issues that had arose as a
21 result of the discussion. As a matter of fact, I
22 had suggested to Bruce Paynter that he should talk
23 directly to Dr. Emson which might help establish a
24 positive approach to establishing whether the
02:27 25 person was a secretor or not a secretor.



1 Q And I'll go through those in a moment. Just
2 before we leave this document, this summary that
3 we've gone through, Mr. Penkala, would you agree
4 that this would set out facts, circumstances and
02:27 5 theories that would point to David Milgaard as the
6 person responsible for the murder of Gail Miller?

7 A Yes, I think that's fair, yes.

8 Q And again, were there at this time any exculpatory
9 facts, circumstance or theories that were being
02:27 10 considered by the police?

11 A Not any that I'm aware of. I think everything was
12 kind of not established. Some of them may have
13 been, but they were not at that point, not
14 established.

02:28 15 Q What about the -- you told us last week about the
16 theory that the person who committed the (V1)- and
17 (V2)----- rapes was also the person who committed
18 the Gail Miller murder. Do you recall that
19 theory?

02:28 20 A Yes.

21 Q Would that not be an exculpatory set of, on
22 exculpatory theory, if I can call it that?

23 A Well, it could be in my estimation, but I think I
24 mentioned this before, rapes are often, often the
02:28 25 attack of rape is often done in a very similar



1 manner and of course I assumed that there was no
2 direct connection between David Milgaard and the
3 rapes, that those rape investigations were just
4 simply set aside. It's not unusual that a rapist
02:29 5 use a knife. As a matter of fact, that same year
6 I investigated a murder which involved, I think it
7 was more of a domestic situation, but the death
8 was caused by stabbing, slashes to the neck which
9 is very similar to the Gail Miller murder and it
02:29 10 was in no way related to the previous sex attacks
11 that, the rape attacks that we had, it was a -- I
12 believe in that situation it was a domestic
13 situation that resulted in a death, yet a knife
14 was used, stab marks were in the body in a similar
02:29 15 fashion to go with what I witnessed on the Miller
16 victim, even slashes at the throat, and the point
17 I'm making is that simply because there are
18 similarities, it doesn't necessarily mean it's the
19 same author or the same perpetrator that caused
02:30 20 the crime.

21 Q I appreciate that, but I think you told us last
22 week when we went through your February 5 report
23 to the RCMP and your February 27th report, that
24 there was a number of similarities, in particular,
02:30 25 the undressing and the coat. You recall us going



1 through that?

2 A Yes.

3 Q And I take it, and I guess my question is in mid
4 May of '69 when this summary is prepared, would
02:30 5 you have at that time said, okay, well, if it is
6 Mr. Milgaard, then our theory of the rapes and the
7 murder being connected must be wrong or not
8 proven; is that --

9 A Well, my recollection of that submission to the
02:31 10 RCMP was that I was providing information which I
11 believe was the purpose of them possibly assisting
12 us with giving us names of suspects because at
13 that time we didn't have any suspects concerning
14 the murder, nor the rapes.

02:31 15 Q But I think in those reports, Mr. Penkala, you
16 expressed the view that there are many
17 similarities between the murder and the previous
18 rapes and words to the effect that it's maybe the
19 same assailant?

02:31 20 A Well, I'm sure that that conclusion could have
21 come to, but yes.

22 Q I think those were your words, or words to that
23 effect.

24 A Yup. My purpose in that report was basically to
02:31 25 alert the national police system that we were



1 looking for a person that would be capable of rape
2 and murder.

3 Q At this time, in mid May of '69, did any police
4 officer say, 'Hang on a minute here, what about
02:32 5 these two rapes, they are similar to the murder,
6 it might be the same person, if it is then Mr.
7 Milgaard would be excluded as a suspect,' or words
8 to that effect?

9 A I don't know. I'm sure that the investigators
02:32 10 would have taken that into consideration.

11 Q Do you -- on that point, do you recall hearing
12 about an assault that took place on the morning of
13 the murder? It was reported I think to have
14 happened at 7:07 a.m. on Avenue H, it's (V4)----
02:32 15 (V4)--- was the name, who reported to the police
16 that evening that an individual had I think
17 knocked her books and put his hand up her dress or
18 something like that. Do you remember hearing
19 about that at the time of the investigation?

02:32 20 A I didn't hear about it at the time of the
21 investigation. I eventually did learn of it, but
22 not at the time of the immediate investigation.

23 Q And when you heard about it, would that have been
24 after Mr. Milgaard had been convicted or at --

02:33 25 A I suspect it would have been after the Milgaard



1 conviction.

2 Q So it wasn't something you were aware of during
3 the course of these meetings in May of '69?

4 A I don't recall that coming up at the meeting.

02:33 5 Q If we could call up the next page of this
6 document, please, it's a map, and I think you told
7 us that this is your drawing?

8 A Yes, it is.

9 Q And can you tell us what the purpose of the
02:33 10 drawing was?

11 A Well, it's a very rough diagram describing the
12 approximate crime scene of the Miller murder.

13 Q And do you know what this -- was this prepared by
14 you at one of these meetings or do you remember
02:33 15 how it came about?

16 A I suspect that it was, somebody had asked me at
17 one of these meetings and that I had taken a piece
18 of paper and diagrammed it to show what I knew
19 because I had been at the scene.

02:34 20 COMMISSIONER MacCALLUM: Mr. Hodson, is
21 this a good time to break?

22 MR. HODSON: Sure.

23 COMMISSIONER MacCALLUM: 15 minutes,
24 please.

02:34 25 *(Adjourned at 2:35 p.m.)*



1 (Reconvened at 2:56 p.m.)

2 BY MR. HODSON:

3 Q Mr. Penkala, I would now like to turn to the May
4 22nd, 23rd, 24th time period with Inspector
02:56 5 Roberts. Would you have known that Mr. Roberts
6 was being brought in, were you part of that
7 decision, or did someone else make it?

8 A I wasn't part of the decision of bringing Mr
9 Roberts in, but I did meet with Mr. Roberts
02:56 10 sometimes during that period of time.

11 Q And what do you recall of that meeting?

12 A Basically that he was visiting, a visiting police
13 officer, and I knew he was there in regards to the
14 Miller murder investigation, and I recall meeting
02:57 15 him, and I think it was the only time that I ever
16 did meet him.

17 Q Do you know if that was before or after he had met
18 with Wilson and John?

19 A Oh, I'm quite certain it was before.

02:57 20 Q I'll show you a report in a moment that may
21 assist. Had you had experience with polygraphs
22 before this occasion -- or, well, had you been
23 involved in cases where polygraph had been used
24 prior to this occasion?

02:57 25 A No, I had not.



1 Q And had you heard of Art Roberts by reputation
2 before he was brought in, or did you know anything
3 about him?

4 A No, I had not.

02:57 5 Q If we could call up 182656, please, it's the May
6 29, 1969 report of Detective Mackie. Thank you.
7 025176 -- and for the record I think I called up
8 the wrong number, is that 025176, so that's doc.
9 ID 025176 -- if you could just call out the
02:59 10 bottom, please. And as I said, this is Raymond
11 Mackie's report of May 29th, and it says:

12 "At approx. 10:00 PM, ...",

13 and this would be on the night of May 22nd:

14 "... I proceeded to the Cavalier Hotel
02:59 15 where Supt. Wood, Lt. Penkala and I
16 interviewed Insp. Roberts of Calgary
17 Police, in regards to this file, so that
18 he would be able to interrogate Ron
19 Wilson and Nichol John for us on the
02:59 20 23rd."

21 Does that sound like the meeting that you would
22 have been at, Mr. Penkala?

23 A No doubt.

24 Q And do you recall anything of your discussion with
02:59 25 him?



1 A No, unfortunately I don't. I would suspect that I
2 was filling in those known facts that I was in
3 possession of.

4 Q Okay. And you don't have a recollection, you are
02:59 5 assuming, or --

6 A I'm assuming, I'm assuming that that was my
7 involvement.

8 Q So it has there Superintendent Wood, Ray Mackie
9 and you, and it says here that 'interviewed him in
03:00 10 regards to the file so he would be able to
11 interrogate Wilson and John'; are you telling us
12 that you would have provided him with information
13 that would assist him with what he was doing on
14 the 23rd?

03:00 15 A Yes, that's quite possible.

16 Q Now the next day, May 23rd, '69, Mr. Roberts
17 interviewed Ron Wilson and Nichol John at the
18 Cavalier Hotel; do you recall if you were present
19 at the Cavalier Hotel that day when he conducted
03:00 20 the interviews?

21 A That was on the 23rd?

22 Q Yes?

23 A No, I don't believe I was there, I have -- I don't
24 recall, but I'm quite certain I wasn't there.

03:00 25 Q You were not there?



1 A I was not there.

2 Q And are you aware of Mr. Rusty Chartier's evidence
3 about being in the room next to the hotel room
4 where Inspector Roberts interviewed Wilson and
03:00 5 John, and setting up the hidden microphone, are
6 you aware of --

7 A I was here and I heard his testimony, yes.

8 Q Yes. And were you aware of, at that time, of the
9 fact that Mr. Chartier was -- had set up this
03:01 10 listening device --

11 A No.

12 Q -- in the interview room?

13 A I was never aware that there was a listening
14 device involved in that particular incident.

03:01 15 Q Was that a practice at the time, to listen in on
16 interviews, police interviews with witnesses,
17 and/or record them?

18 A I can't -- I don't really know, I -- I wasn't
19 involved in that area of investigations and really
03:01 20 didn't have too much experience in that regard, so
21 I can't tell you for sure. I'm sure that there
22 were situations where recordings were taken. I
23 know that, later on, you simply put the recorder
24 right, right in front of the witness and recorded
03:02 25 it that way, but in those days there might have



1 been surreptitious recordings.

2 **Q** And did you become aware, I think the evidence
3 shows that on May 23rd Ron Wilson gave a statement
4 and on May 24th he gave a second statement and
03:02 5 Nichol John also gave a statement that contained a
6 number of incriminating pieces of evidence
7 suggesting that Mr. Milgaard had committed the
8 murder, do you recall becoming aware of those
9 statements or that information?

03:02 10 **A** Yes. I'm not quite sure when, but I eventually
11 had received copies of those statements that were
12 taken, and I acquainted myself from the actual
13 statements of Wilson and of Nichol John.

14 **Q** And that would be, what, within a few days after
03:03 15 that; are you able to help, tell us?

16 **A** It's very difficult to say at this stage of the
17 game. I, I assumed that I probably was advised of
18 the, of the information that was obtained from
19 these two witnesses, probably very shortly after
03:03 20 the interrogation that took place.

21 **Q** Okay. And were you involved in any way in the
22 interviews of either Ron Wilson or Nichol John on
23 May 23rd or 24th, 1969?

24 **A** No.

03:03 25 **Q** There is some evidence that Nichol John spent one



1 or two nights at the Saskatoon Police station in a
2 holding cell, or a cell, and I'm wondering, Mr.
3 Penkala, whether you can help us out; was that
4 something that was common at the time, to have
03:04 5 witnesses stay in the cells?

6 A I don't know if it was a common practice, but
7 there were situations where witnesses, for some
8 reason or other or maybe because they preferred to
9 stay at the police station, they were provided
03:04 10 lodging for the night. I don't know how common it
11 was but it, it does -- it did happen from time to
12 time.

13 Q Umm, presumably, I think the record shows that Mr.
14 Milgaard was charged around the end of May and
03:04 15 then arrested, I think -- and I'll show you a
16 report in a moment that indicates that you met
17 with him on June 2nd for his -- for identification
18 purposes. Would there have been a decision made
19 in there, after the May 24th statements of Wilson
03:04 20 and John, a decision made by the police to charge
21 David Milgaard?

22 A I would assume that that was when that was --

23 Q Okay?

24 A Yes.

03:05 25 Q And do you know who would have made that decision



1 on behalf of the police, if anyone?

2 A I would not know specifically who it was.

3 Q What would be the normal practice, in this case,
4 as far as laying a charge for murder?

03:05 5 A The -- my understanding is that when you have an
6 imminent arrest for murder, you would review your
7 evidence with the Crown attorney who would assist
8 you in looking at the aspects of your evidence and
9 actually support your approach, and then you would
03:05 10 call for a warrant. In this case there was a
11 warrant called for, and that warrant was
12 distributed on a Canada-wide basis, as a matter of
13 fact I wrote to the RCMP Crime Index indicating
14 that there was a warrant, outstanding warrant.

03:06 15 Q Do you have any recollection of meeting with the
16 prosecutor, I believe Mr. Caldwell would have been
17 the fellow, at this time to discuss whether
18 charges ought to be laid?

19 A I don't have any recollections of meeting with him
03:06 20 concerning the charges. I obviously met with him
21 prior to the preliminary and, of course,
22 eventually the trial.

23 Q I could call up a document 106679, please, which
24 is a June 2nd, 1969 report of Mr. Penkala. And
03:06 25 this is your report of June 2nd, it refers to



1 fingerprinting Mr. Milgaard, and then it says:

2 "There were no difficulties encountered
3 during the process. Milgaard refused to
4 sign any forms, he talked continuously,
03:06 5 mostly denying the accusation and
6 maintaining that he is not responsible
7 for the murder."

8 Does that record what you recall happening on
9 that day, Mr. Penkala?

03:07 10 A Yes.

11 Q And then it goes on to say:

12 "Milgaard displayed a very keen interest
13 in any conversation which did not
14 involve him, even to the point of
03:07 15 putting his ear to the door to hear what
16 was being discussed on the opposite
17 side."

18 What does that refer to?

19 A Well that was, in my opinion was an unusual -- of
03:07 20 course he was denying constantly in regards to the
21 charge that he was being processed for, but --

22 Q Well, was that unusual?

23 A No, I -- you know, most, most people that are
24 charged with serious offences either do not speak
03:07 25 or deny, that's been my experience. But in this



1 case he seemed to be quite interested in
2 everything around him, and particularly
3 discussions that he was hearing through the door,
4 because we were in a, in an identification room
03:08 5 where there was a door between it and a corridor
6 on the other side.

7 Q And then if we could just scroll down here, it
8 talks about obtaining a pair of white undershorts
9 from David Milgaard as an exhibit, packaged and
03:08 10 sealed for delivery to the Crime Detection
11 Laboratory; do you recall that?

12 A Yes.

13 Q And what was the purpose of that?

14 A Again, it would be to support some of the evidence
03:08 15 that we already had, it would -- it could possibly
16 be used to establish whether he was a secretor or
17 not.

18 Q And so would that be the purpose of getting the
19 undershorts, then, to see if there was physical
03:08 20 evidence that might assist you in determining his
21 secretor status?

22 A And substantiating what we already had, yes.

23 Q If we could go to 105534, please. And this is a
24 June 2nd, 1969 letter to the Crime Detection
03:09 25 Laboratory from you, and if we could just call out



1 the body of the letter, please. And it appears
2 you are resubmitting, at the request of Staff
3 Sergeant Paynter, the Exhibit I, which are the two
4 vials from the frozen lumps of snow, and Exhibit
03:09 5 U, which is the saliva sample from David Milgaard;
6 correct?

7 A Yeah.

8 Q And so do you know why those were being sent back
9 to Mr. Paynter?

03:09 10 A I can only surmise that it was, it was relative to
11 this issue of being a secretor or not a secretor.

12 Q Yeah. If we could call up 324695, please. And
13 this is a letter dated June 2nd, 1969 and it's
14 from Dr. Emson, we'll see when we turn to the next
03:10 15 page, to you. Do you recall getting this letter
16 from Mr. -- or from Dr. Emson?

17 A Yes.

18 Q And, in fact, this copy of the letter you provided
19 to us a couple of months ago with your documents;
03:10 20 is that correct?

21 A Yes, yes.

22 Q And the words at the top:

23 "Return to me

24 Joe."

03:10 25 Do you know; is that your writing?



1 A It is, yes.

2 Q And do you know when that would have been put on
3 there?

4 A I don't know. Obviously, I had shared that with
03:10 5 someone and asked them to return it to me, yes.

6 Q In the documents that the Commission received from
7 the various parties we did not receive, at least
8 to the best of our review, a copy of this letter.
9 Do you know if this letter would have been on the
03:10 10 Gail Miller murder file at the time?

11 A Usually when, when they are attached to the case
12 file, the case number is somehow put on it. I do
13 not see a case number on it so there is a good
14 oppor -- there is a good chance that this document
03:11 15 never did reach the main file. There would be a
16 number of reasons for that, or could be other
17 reasons for it, whether it was significant and
18 relative; these are all things that I would
19 suggest that this should have gone on the main
03:11 20 file.

21 Q Are you able to, do you recall what you would have
22 done with this letter or where it would have gone
23 or whether copies were made?

24 A No, not at this stage. I'm not even sure whether
03:11 25 I sent a copy of this letter to Bruce Paynter in



1 --

2 Q Yeah?

3 A At the Crime Detection Laboratory.

4 Q I will be showing you a letter in a moment, and it
03:11 5 appears that you did the next day, but we'll get
6 to that in a moment. So if we could just go
7 through this, and this is Dr. Emson's reply back,
8 he says:

9 "... in response to your telephone
03:11 10 inquiry of today's and earlier dates
11 ...",

12 and then he outlines the problems posed as
13 follows:

14 "A specimen of semen found at the scene
03:12 15 of a rape-murder has been identified as
16 coming from a person with blood group A,
17 of secretor status. In other words,
18 this person as well as possessing the
19 group A antigen on the red cells of his
03:12 20 blood, also secretes this antigen in
21 body fluids. This is a well known
22 phenomenon and will occur in
23 approximately 80% of persons of blood
24 group A.

03:12 25 I understand further that a



1 suspect in this case has been blood
2 grouped and found to be blood group A,
3 but tests of his saliva for secretion of
4 the antigen A have been negative,
03:12 5 putting him into the non-secretor
6 class."

7 If I can pause there, am I correct that the
8 suspect here would be David Milgaard?

9 A Yes.

03:12 10 Q Now Dr. Emson says that the tests of his saliva
11 have put him into the non-secretor class; is that
12 correct?

13 A Yes.

14 Q And if you can scroll down a bit.

03:12 15 A Dr. Emson did not do the test, he was advised of
16 the test.

17 Q And I'm sorry, I -- maybe there isn't a
18 distinction here, but I thought you had told us
19 when the test failed to show the antigen, the
03:13 20 saliva test, I think you said that -- that it was
21 inconclusive, or words to that effect, that it
22 didn't necessarily mean he was a non-secretor, it
23 just meant that it didn't establish that he was a
24 secretor; am I summarizing what you told us last
03:13 25 week correctly?



1 A That's right, but I was just prompting on this
2 issue, because I was wondering whether you were
3 interpreting that Dr. Emson had did -- done the
4 test on the --

03:13 5 Q Oh no, no, no.

6 A Okay.

7 Q But it appears, here, that what Dr. Emson is
8 saying to you is that the suspect is in the
9 non-secretor class?

03:13 10 A Yes.

11 Q And would that -- is that what you viewed Mr.
12 Milgaard at the time?

13 A I shared that information with Dr. Emson when I
14 received my first indication from the Crime
03:13 15 Detection Laboratory.

16 Q And I guess my question is, Mr. Penkala, at the
17 time did you think David Milgaard was a
18 non-secretor, or that he could have been a
19 secretor but the test was inconclusive?

03:14 20 A I think my, my view was that, because it was an
21 inconclusive test, that I wasn't prepared to
22 accept it one way or the other, especially,
23 especially with the knowledge that 80 percent of
24 the people within that blood category are
03:14 25 secretors. That's the way I understood it at the



1 time.

2 Q And then Dr. Emson goes on to say:

3 "This is certainly an apparent anomaly.
4 However, there is one answer that occurs
03:14 5 to me as a possibility. The specimen of
6 semen had been frozen and thawed several
7 times before it was examined for the
8 group A antigen. This process will
9 certainly disrupt red cells, and
03:14 10 frequently disrupt other cells of the
11 body. This may result in the release of
12 group A antigen held within the cells of
13 a non-secretor person, and not normally
14 secreted into the body fluids. It is a
03:15 15 possibility that such a process
16 involving disruption of body cells,
17 might release enough of the group A
18 antigen into semen which had been frozen
19 and thawed a number of times to give a
03:15 20 positive test for the A antigen."

21 And am I correct in reading that, and that Dr.
22 Emson is saying there is an answer that occurs to
23 be a possibility that maybe the frozen lump of
24 snow really is a non-secretor, and that the
03:15 25 freezing and thawing may have released a Group A



1 antigen; is that what you understood him to be
2 saying?

3 A Yes. He literally put even more doubt on the
4 initial test of whether the specimen was from a
03:15 5 secretor or a non-secretor.

6 Q Okay, and then he goes on to say:

7 "I have looked up this problem
8 in the references available to me and
9 can find no indication that it has been
03:15 10 considered this way before. There are
11 several possible lines of approach.

12 It is possible that there may
13 be persons with anomalies of secretion,
14 in that group A substance is present in
03:16 15 one body fluid but not another. However
16 I know of no recorded case."

17 And then he goes on to say, outline a test, find
18 a volunteer donor and basically reenact what
19 happened; is that fair?

03:16 20 A Yes, yes.

21 Q Did -- do you know if that was ever done?

22 A I don't know for a fact, but I don't think it was
23 done.

24 Q And then he also goes on to say 'make inquiries of
03:16 25 someone more expert in the field than ourselves'



1 and suggests the Ontario Centre For Forensic
2 Sciences in Toronto; do you know if anybody
3 followed up on that?

4 A No, but that was probably why I referred Dr.
03:16 5 Emson's information to Bruce Paynter, so that --
6 and I would think that Bruce Paynter would, would
7 pursue that in the appropriate manner.

8 Q If we could call up 324697, please. And this is a
9 letter June 3, '69 to the RCMP, Staff Sergeant
03:17 10 Paynter, and you say:

11 "I am forwarding you copies of Dr.
12 Emson's letter to me for your
13 information."

14 And you will see the first paragraph, if you
03:17 15 could just scroll up, refers to Dr. Emson's
16 suggestions. So it appears, from this, that you
17 would have sent --

18 A Yes.

19 Q -- Dr. Emson's letter on to the RCMP?

03:17 20 A That's right, yes.

21 Q Now this letter, Mr. Penkala, has the two file
22 numbers, 641 is Gail Miller and 138 is the RCMP
23 lab number; is that correct?

24 A 138 I think is their lab number.

03:17 25 Q Yes, would --



1 A 641 is the Miller number, and that would obviously
2 -- should have been on the main file.

3 Q Right. And I believe, based on our review of what
4 we received, that a copy of this letter was not in
03:18 5 the documents when the Commission received them
6 last year, and again, do you have any explanation
7 as to why a copy of this letter may not have been
8 on the police files at least when we received
9 them?

03:18 10 A I have no idea, no.

11 Q If we could go to 105536, please, and this is Thor
12 Kleiv's report of June 4th, and you'll see that on
13 June 3rd he attended at the RCMP lab and turned
14 over the frozen lumps of snow, the Milgaard
03:18 15 saliva, and a pair of men's white shorts received
16 from Penkala on June 2nd; is that correct?

17 A Yes.

18 Q And then if we can go to 105, I think it's 535,
19 it's not a very good copy but this is, I think,
03:19 20 your letter of June 3rd to the lab, if we could
21 just call out this portion. And that's, again,
22 your transmittal letter to the RCMP lab sending a
23 pair of men's white shorts, and the purpose is to
24 examine the white shorts:

03:19 25 "... for presence of seminal stains and



1 if present conduct analysis to determine
2 blood group."

3 Is that correct?

4 A Yes.

03:19 5 Q So you are trying to find out whether there's
6 anything in the seized shorts to identify whether
7 or not Mr. Milgaard is a secretor?

8 A That's right.

9 Q If we could just go to 009304 for a moment,
03:19 10 please, and this is a letter you wrote to the
11 crime index requesting criminal records,
12 fingerprints, and photographs of Wilson, John, and
13 Cadrain, and it's dated June 20th, 1969. I'm just
14 wondering what, what the purpose of that would be?

03:20 15 A Umm, generally what we -- people that we deal
16 with, we like to know whether they have any, any
17 criminal records, and that would be the purpose.
18 I am -- I'm just not certain why it was done so
19 late in the investigation.

03:20 20 Q Okay. But it was something that was done
21 routinely; is that fair?

22 A Oh yes.

23 Q If we could call up 105559, please.

24 A I should point out that there may have been other
03:20 25 methods of getting this information, which may



1 have given an instant response, and then followed
2 up for the documentation.

3 Q So you are saying it's possible that the police
4 knew --

03:21 5 A Investigators might have had this information
6 prior to this request.

7 Q And would that be a phone call to the RCMP or
8 something of that nature?

9 A It could be that way, yes.

03:21 10 Q If we could call up 105559, you will recall June
11 3rd of '69 you sent the undershorts to the lab, I
12 believe this is the reply August 12th, '69. If we
13 could just call out the top part, it appears that
14 -- and I think we heard evidence about this before
03:21 15 -- that Constable Dyck in Regina went and took
16 some items from Ron Wilson's car; do you remember
17 that happening?

18 A Umm, I have some knowledge but also in a very
19 general sense, because I wasn't there.

03:21 20 Q Right. And I think we heard evidence that his car
21 was checked on May 29th and certain items were
22 sent to the lab, and that appears what the first
23 part of this is dealing with; is that fair?

24 A Pardon me?

03:22 25 Q And that's what, that's what the first part of



1 this report is dealing with, is what was given to
2 the RCMP by Constable Dyck from the Regina City
3 Police; correct?

4 A That's, that's what it appears, yes.

03:22 5 Q And then, if you could scroll down to number 2,
6 and this talks about the exhibits received from
7 Thor Kleiv, being again I1 and I2 being the frozen
8 lumps of snow, U1 being the Milgaard sample of
9 saliva -- next page -- U2 being the second sample
03:22 10 of saliva, and we see W, one pair of men's
11 undershorts; correct?

12 A Yes.

13 Q And then the purpose is:

14 "To conduct a serological examination on
03:22 15 Exhibits AA to HH, ...",
16 which is the Wilson vehicle, and again the two
17 frozen lumps of snow, the two saliva tests, and
18 the men's undershorts; correct?

19 A Yes, right, yes.

03:23 20 Q And if we go down to the conclusion, and it says:

21 "A positive result was obtained with a
22 presumptive test for blood in Exhibit:
23 I1 - one sample of liquid."

24 Now it's my understanding that this test was
03:23 25 different than the test for the A antigen, this



1 was a test for the presence of blood, is that
2 correct?

3 A That's what it, that's what it's suggesting here.
4 Now I'm not sure what I asked for when I -- if my
03:23 5 letter was here, what I asked for, if I in fact
6 even made up that letter. There is a possibility
7 that I did not give the instructions for this
8 examination.

9 Q Fair enough. Did you understand that there was a
03:23 10 difference between testing for the A antigen in a
11 bodily substance versus testing for the presence
12 of blood?

13 A Yes, I -- I would have assumed that, that you
14 could tell it's blood, but not necessarily grouped
03:24 15 it, yes.

16 Q So that -- and again I'm looking for your
17 understanding, we'll hear evidence from
18 Mr. Paynter later -- but that the testing for
19 blood would be a different test than testing for
03:24 20 the A antigen, or were they the same thing?

21 A Umm, of course I'm not in a position to know that.

22 Q I appreciate that, and I should have asked --

23 A And I know in, when I took the sample to the Red
24 Cross for a preliminary test on the blood sample
03:24 25 of David Milgaard, the technician there withdrew a



1 small amount of blood from the vial and she
2 followed a process and was able to establish that
3 it was of the A grouping.

4 Q No, that's fair enough, I'm just looking --

03:25 5 A And that would be the extent of my knowledge on
6 serology.

7 Q And so again in Exhibit I1, being the frozen lump
8 of snow, a positive result was obtained with a
9 presumptive test for blood, no blood was found on
03:25 10 exhibits AA to HH, which are the items taken from
11 Wilson's vehicles, and then it says:

12 "Human seminal fluid was found on
13 exhibits:

14 EE - one pair of men's undershorts.",
03:25 15 and I think those were taken from Wilson's car,
16 and Exhibit W, being the pair of shorts that were
17 received from Mr. Milgaard; and do you know if
18 any testing was then done on that seminal fluid
19 to see if it could be identified for secretor
03:25 20 status?

21 A Well I would suggest that that's almost a natural
22 process. If you could establish, if you could
23 establish the blood grouping, you would obviously
24 assume that the depositor would have been a
03:26 25 secretor. This report only suggests that seminal



1 fluid was found, it doesn't suggest what it was
2 analysed for.

3 Q And I don't believe -- well, again we don't have
4 any, at least I wasn't able to locate any reports
03:25 5 on that, we'll hear from Mr. Paynter about what
6 was done. Would it be fair to say, Mr. Penkala,
7 that at the time of Mr. Milgaard's trial, do you
8 recall if there had been a test that confirmed
9 that Mr. Milgaard was an A secretor?

03:26 10 A I eventually was aware that Mr. Milgaard was a
11 secretor, but just at what point -- I suspect I
12 didn't learn of that until far later when Mr.
13 Milgaard's wrongful conviction was being brought
14 forward.

03:26 15 Q After -- again, this time after Mr. Milgaard was
16 arrested and this issue of the secretor status,
17 would you have been involved further on that or
18 would that be something that Mr. Paynter would
19 have dealt with or who do you recall being the
03:26 20 players in reviewing this issue of secretor status
21 of Mr. Milgaard and linking it to the frozen lumps
22 of snow?

23 A At what stage are we talking?

24 Q After Mr. Milgaard was arrested, so June, after
03:27 25 you get the pair of undershorts and you send it



1 off. I think the preliminary hearing was in late
2 August of '69 and the trial was in January of
3 1970.

4 A Yes.

03:27 5 Q And I'm just wondering what role you may have
6 played in dealing with this secretor issue, if I
7 can call it that.

8 A I have really no recollection of dealing with that
9 at that point because as time progressed and this
03:27 10 went on, I think after Mr. Milgaard was released
11 from custody, that investigations were called for
12 and tests were conducted, and whether they were
13 conducted by the crime laboratory in Regina or
14 not, I don't know.

03:27 15 Q Okay. If I can call up -- I take it -- now, you
16 had referred earlier to the fact that you would
17 have had some discussions with the prosecutor Mr.
18 Caldwell in connection with the preliminary
19 hearing and trial; is that correct?

03:28 20 A Oh, no doubt. I don't have recollections of it,
21 but that's the standard, usual process.

22 Q If I could call up 009426, please, and I believe
23 these are Mr. Caldwell's notes, or certainly notes
24 from his file, and I think the date is August the
03:28 25 12th, '69 which would put it I think a week or so



1 before the preliminary hearing. It's got Joe P,
2 who I'm assuming is you, and if I could just go
3 down to a note here at the bottom, and do you
4 recall talking to Mr. Caldwell on or about this
03:29 5 date, Mr. Penkala?

6 A I think that's consistent with the date of the
7 preliminary hearing which was immediately after
8 that, yes.

9 Q Right. And what Mr. -- what appears in the notes
03:29 10 anyways, it says:

11 "Must also establish he's a secretor.
12 Took saliva test - they proved he was
13 not a secretor - asked lab to retest.
14 Paynter got exhibits back - examined
03:29 15 further - and has now found there was
16 actual blood in the sperm."

17 I'm just wondering if you recall any discussion
18 with Mr. Caldwell about that subject?

19 A I don't recall the discussion with Mr. Caldwell,
03:29 20 but I do recall that possibility with Dr. Emson
21 and possibly Staff Sergeant Paynter which would
22 explain why a non-secretor would, where you could
23 establish a blood grouping within a non-secretor.
24 I think this was all just speculation and I don't
03:30 25 recall discussing this with Mr. Caldwell, but, you



1 know, it's possible that I did, I just don't
2 remember, can't possibly remember.

3 Q And again what do you recall about whether there
4 was a difference between finding A antigens in the
03:30 5 fluids versus actual blood?

6 A That was a possibility that was raised in some
7 situations apparently, a person may have what's
8 referred to as a strain and raw blood would be
9 found within the semen. That was my understanding
03:30 10 of this kind of progression into this whole
11 question.

12 Q If I could call up 025629, please, and this is a
13 report, I believe, authored by Elmer Ullrich, and
14 we'll be hearing from him, Mr. Penkala, and I
03:31 15 think this is a Court brief or a summary of
16 can-says, or whatever you want to call it, for
17 potential witnesses at the preliminary hearing.
18 Are you familiar with this document or this type
19 of document being prepared?

03:31 20 A Yes. That was kind of a standard process in
21 dealing with cases that went to the Attorney
22 General or to the Crown prosecutor for
23 prosecuting.

24 Q And what did you understand the process to be as
03:31 25 to what the police would give to the prosecutor



1 relating to a file that was going to Court?

2 A Mr. Ullrich would have been the case preparation
3 officer, he would have examined all the
4 documentation that came across his desk relative
03:32 5 to the proposed charges, and he would have
6 arranged the evidence in a summarized form to
7 assist the Crown prosecutor in making a decision
8 whether they should proceed with charges and later
9 if the charges were proceeded with, also a guide
03:32 10 for the presentation of evidence before the Court.

11 Q And do you have any personal knowledge as to what
12 may have been given by the city police to Mr.
13 Caldwell in the Gail Miller case?

14 A Only by documents like this.

03:32 15 Q Right. Would it be the practice, as you
16 understood it at the time, to give the entire
17 police file to the prosecutor?

18 A Oh, I don't think there's any question about that.
19 Everything that was available would be shared with
03:33 20 the Crown prosecutor. I'm not aware of any
21 situation where -- some issues are obviously not
22 related, you wouldn't complicate a situation by
23 involving documentation that has absolutely
24 nothing to do with a case, but at the same time,
03:33 25 if that documentation was called for, it would be



1 produced.

2 Q And do you know, and from your own experience then
3 as to whether there was a practice at the time, as
4 to what would be provided to the prosecutor?

03:33 5 A Generally everything, everything that's known
6 would be, and that's why the case preparations
7 officer was involved. He worked closely with the
8 Crown prosecutors, he took direction from the
9 Crown prosecutors and he had access to all the
03:34 10 documentation and the review of documentation from
11 investigators.

12 Q If we could call up 008059, and this is the
13 transcript of the evidence you provided at Mr.
14 Milgaard's preliminary hearing, and can you
03:34 15 confirm for us, Mr. Penkala, that the evidence you
16 gave at the David Milgaard preliminary hearing and
17 trial and at Larry Fisher's preliminary hearing
18 and trial, that you would have provided truthful
19 evidence to the best of your recollection at the
03:34 20 time?

21 A Yes.

22 Q If we could go to 008061 and just at the bottom
23 question and answer, you would have been asked:

24 "Q What was the situation surrounding the
03:35 25 body, what was the area like?



1 And you said:

2 "A The area in the vicinity of the body was
3 deep snow and this snow was trampled in
4 approximately a 10 foot diameter around
03:35 5 the body. The snow was stained and
6 trampled and extended to the travel
7 portion of the laneway.

8 Q And what did the stains appear to be to
9 the naked eye?

03:35 10 A The stains appeared to be blood."
11 So this would have been your evidence given about
12 six months after your attendance at the scene; is
13 that fair?

14 A Yes.

03:35 15 Q And does that accurately describe what you would
16 have observed the morning of the murder?

17 A Yes.

18 Q If we could go to page 008078, and I believe
19 Mr. Tallis is cross-examining you about the saliva
03:36 20 sample you obtained from Mr. Milgaard in April of
21 '69, and you answer:

22 "A And the saliva sample was in connection
23 with the establishing of this blood
24 group and I myself am not knowledgeable
03:36 25 in this field. It was a request of the



1 lab and with the request I sought his
2 co-operation and got it."

3 And is that what would have happened, Mr.
4 Penkala?

03:37 5 A Yes.

6 Q And would that have been then Mr. Paynter who
7 would have asked you to get the saliva sample?

8 A Yes.

9 Q And at page 008082, please, and I won't go through
03:37 10 all of this, but you are asked questions about
11 inspecting the lane way for traffic and whether
12 there was a vehicle in the area and I take it that
13 that would have been -- well, it was six months
14 after you had been there -- that would have been
03:37 15 an accurate description of what you did that
16 morning?

17 A No question.

18 Q And in fact if you go down to question 54:

19 "Q And I take it then that apart from the
03:38 20 tramping around, that is the packed snow
21 in the immediate area of the body, you
22 couldn't tie in any of the other marks
23 in the snow with the scene, so to speak?

24 A That's correct."

03:38 25 So based on your inspection that morning, apart



1 from the area of the body and any articles that
2 belonged to Gail Miller, and I guess the knife
3 and the knife handle, there was nothing else in
4 the vicinity in the snow in the travelled
03:38 5 portions that gave you any clues as to what may
6 have happened that morning?

7 A No.

8 Q And 008085, please, right at the top, you talk
9 about the area being trampled:

03:39 10 "... the clothing the victim was wearing
11 was matted with snow, which indicated to
12 me that there had been a tussle right
13 there in that area ..."

14 And that would have been your view based on the
03:39 15 observations you made of the crime scene?

16 A That's right.

17 Q And again to page 008086, this is Mr. Tallis
18 asking you the question:

19 "Q And I take it this may be summarizing
03:39 20 what has been said earlier, but I take
21 it on the basis of your observations of
22 the clothes and what not there, it was
23 quite obvious to you as an investigating
24 officer that this girl had been stabbed
03:39 25 in the back a number of times and when



1 this stabbing took place she must have
2 had her coat on but yet her dress down.

3 A Yes."

4 I think that's, you told us last week, was your
03:39 5 view at the time?

6 A Yes.

7 Q If you could call up document 177176, please?
8 This is your evidence at the trial which started
9 in January of 1970. Do you recall, Mr. Penkala,
03:40 10 hearing about the names Craig Melnyk and George
11 Lapchuk and a motel reenactment incident at or
12 about the time of trial?

13 A I'm aware of that. Just when I learned of that
14 I'm not certain, but I certainly, in a general
03:40 15 sense, I did know that eventually.

16 Q Were you involved in any way in getting those
17 statements or following up on that?

18 A No.

19 Q And page 177218, please, again this is
03:41 20 cross-examination of you at the trial, Mr. Tallis
21 asked you:

22 "Q And now I take it that you weren't able
23 to see anything which would indicate a
24 dragging of a body?

03:41 25 A I didn't see any, no.



1 Q Or pulling of a body, whichever way you
2 want to call it?

3 A No."

4 And I take it that's what you would have observed
03:42 5 the morning of January 31 when you inspected the
6 scene?

7 A Yes.

8 Q If I could call up 105537, and this is a report of
9 January 30, 1970 of Thor Kleiv and there's just a
03:42 10 reference to the knife at the bottom, and it says:

11 "The knife found at 12:30 p.m. February
12 28, 1969 at the scene was turned over to
13 Constable Ian Oliver at 9:20 a.m.
14 January 28, 1970 upon instructions from
03:42 15 Mr. Caldwell, agent for Attorney
16 General."

17 And I had asked you last week about -- I believe
18 this has been referred to as the bone-handled
19 hunting knife. Do you have any knowledge as to
03:42 20 why that knife was turned back to Constable
21 Oliver?

22 A No, and I have no knowledge of it at all in terms
23 of having been found.

24 Q Now, Mr. Milgaard was convicted on January 31,
03:43 25 1970. On February 20th, 1970 a young lady by the



1 name of (V5)-- (V5)---, who was 17 years old at
2 the time, was sexually assaulted near Avenue V and
3 20th Street. Do you recall hearing about that at
4 the time or were you involved in any way in that
5 to your recollection?

03:43

6 A I have no recollection of hearing about that at
7 that particular -- during that investigation of
8 the Miller murder. I did learn at a later date,
9 and I'm not certain just when, about the incident,
10 but not at the time.

03:43

11 Q When you say later, are we talking many years
12 later as part of the review steps that were being
13 taken or are we talking a couple of months or a
14 year later?

03:44

15 A I think that it was probably a lot later, after
16 the trial of David Milgaard and his convictions.
17 Obviously you move on to other issues and there
18 had been no reason for people to bring it to my
19 attention any further.

03:44

20 Q Would it be fair to say that you would have
21 learned of the (V5)-- (V5)--- assault through
22 efforts taken by David Milgaard to review his
23 conviction; in other words, it was in connection
24 with what they were doing, reviewing his
25 conviction that you would have learned of that as

03:44



1 opposed to part of the day-to-day police
2 activities?

3 A I would think that that's how I learned of that,
4 yes.

03:44 5 Q Now, in October of 1970 Larry Fisher was arrested
6 in Winnipeg for two sexual assaults in Winnipeg
7 and gave statements confessing to two sexual
8 assaults in Saskatoon, being the (V3)----- and
9 (V5)-- (V5)--- matters, on or about October 22nd,
03:45 10 1970. Were you aware at that time of the fact
11 that Mr. Fisher had confessed or admitted to two
12 of those rapes?

13 A No.

14 Q Or sexual assaults?

03:45 15 A No, I was not.

16 Q And I believe the evidence or the documents
17 suggest that Inspector Nordstrom and Detective
18 Karst went to Winnipeg in October of 1970 and took
19 a statement from Larry Fisher while he was in
03:45 20 custody. Were you aware of that at the time?

21 A Not at the time. I later learned that that was
22 the case.

23 Q And when you later learned of it, was it in
24 connection with, if I can call it, the reopening
03:45 25 of the Milgaard conviction or steps taken by the



1 Milgaards to reopen the investigation, if I can
2 call it that?

3 A I would think so, but I really don't have a
4 specific recollection of when I learned that.

03:46 5 Q Would it be a number of years after 1970 that you
6 would have learned of that or in and around that
7 time?

8 A Well, I would think it was a number of years
9 after, yes.

03:46 10 Q And at the time you would have been still the
11 lieutenant in charge of identification; is that
12 correct?

13 A I did get transferred to some other duties in 1970
14 and I was taken from ident and I think I served in
03:46 15 the patrol division as a relieving duty officer.

16 Q Would there be anything unusual in your view with
17 Detective Karst being a detective and Inspector
18 Nordstrom from morality going to Winnipeg to take
19 the statement from Larry Fisher in October of
03:46 20 1970?

21 A No, not really, no.

22 Q Were you aware of other occasions where Detective
23 Karst would be sent away to take statements from
24 other -- or from witnesses and/or suspects?

03:47 25 A Not specific cases. I do recall that Detective



1 Karst was considered a very good investigator,
2 capable investigator, and often he was selected to
3 do these things simply because he was competent at
4 what he did and it wasn't a surprise to me that he
03:47 5 was assigned the task of going to Winnipeg.

6 Q And would there be anything unusual about him
7 going instead of a morality officer?

8 A I don't really know. If he were familiar with the
9 facts of those cases, and I would assume that he
03:47 10 was, it wouldn't really matter. He would probably
11 have access to the files and he would have the
12 information that's required.

13 Q Would there be anything unusual about Inspector
14 Nordstrom going on such a trip to get a statement?

03:48 15 A Well, Inspector Nordstrom was the officer in
16 charge of morality, so a person could assume that
17 he was an appropriate person to go and he was an
18 inspector, so he would have the ability to use his
19 rank as a means to request and seek information.

03:48 20 Q Now, we also know from the documents and other
21 evidence that Larry Fisher was charged I think at
22 the end of December, 1970 with the assault of
23 (V1)-, (V2)----- and (V5)--- and the attempted
24 assault of (V3)----- and then in December of 1971
03:48 25 he pled guilty to those charges in Regina. Were



1 you aware at that time that Mr. Fisher had been
2 convicted of the (V1)- and (V2)----- rapes?

3 A No.

4 Q And is that something that, again given your
03:49 5 involvement in the Gail Miller investigation and
6 the identifying the similarities with the (V1)-
7 and (V2)----- rapes, is that something that you
8 would have followed up on after the Gail Miller
9 investigation was done to see what may have
03:49 10 happened with those?

11 A Well, not necessarily. David Milgaard at that
12 point had been convicted of the offence and in the
13 life of a policeman there's never a shortage of
14 cases that have to be dealt with and life goes on
03:49 15 and investigators have to continue, so there are
16 always new challenges for investigators and I'm
17 not surprised that that issue would never come to
18 light again other than the fact those
19 investigators that were dealing with those rapes
03:50 20 initially would obviously still have concerns and
21 some were those alleged rapes, or rapes would have
22 been outstanding files.

23 Q And I think you told us you have no recollection
24 of learning of Mr. Fisher's convictions. Would it
03:50 25 be a practice in the police force to advise



1 officers when a conviction is obtained or when a
2 case is solved or what was the practice at the
3 time?

03:50 4 A There was somewhat of a problem in the question of
5 getting the disposition of the courts. The police
6 would usually have to go to the courts to find out
7 what the final disposition was, it wasn't a
8 standard process where the courts just
9 automatically forwarded the information to the
03:51 10 police department. With Saskatoon cases, we had a
11 clerk steno that dealt with disposition
12 specifically and she would keep track of these
13 things and when there was an indication, and there
14 would be reminders coming from Ottawa, from the
03:51 15 crime records division that we do not have a
16 disposition on this, so the clerk steno would have
17 to go to the appropriate Court and that
18 appropriate Court would provide the disposition.
19 Then that disposition would be sent to the central
03:51 20 records in Ottawa.

21 Q Was there any system in place at the time, 1970,
22 1971, where the Saskatoon City Police would track
23 how many open files were unsolved or when they
24 were resolved and things of that nature?

03:52 25 A I'm not aware of a specific audit on those. The



1 audit would have been that Ottawa, the records
2 department in Ottawa, they had a system and they
3 would remind that you do not have a disposition on
4 this particular case.

03:52 5 **Q** What types of cases would they monitor then?

6 **A** All indictable cases.

7 **Q** So if you had an indictable offence, you would
8 send it off to the Crime Index; is that right?

9 **A** Initially what would happen is when the charge is
03:52 10 laid, that information is forwarded to the records
11 department in Ottawa and it stays there with their
12 knowledge that a disposition will eventually come,
13 but sometimes the courts take a year, sometimes
14 several years to clear this. It's only then
03:53 15 that -- but they do have an update system and they
16 would remind us that they do not have a
17 disposition, they would notify us and then our
18 clerk steno would proceed to establish the
19 disposition and advise them whether we had it or
03:53 20 not. If we had it, we would forward it.

21 **Q** Now, would that system be engaged when a person is
22 charged or when the occurrence report is taken?

23 **A** Oh, no, only after the charge is laid.

24 **Q** So when you charge someone with an indictable
03:53 25 offence, you would send a report to Ottawa?



1 A Yes. Basically, as I took fingerprints from David
2 Milgaard, the purpose of those fingerprints were
3 to record and associate the offence specifically
4 with David Milgaard. That would have been
03:54 5 forwarded immediately to Ottawa indicating that a
6 charge had been laid against David Milgaard, but
7 there would be no disposition. At a later date,
8 if we didn't attend to the disposition, we would
9 be reminded by the records department in Ottawa
03:54 10 that they still do not have an update on the
11 disposition.

12 Q And would this then result when an information is
13 laid, is that what would trigger the reporting?

14 A Yes, it would, yes, it would coincide with the
03:54 15 information.

16 Q So then in this case I think the documents
17 indicate that Mr. Fisher was charged with the four
18 offences, then according to the practice, then
19 someone with the Saskatoon City Police Service
03:54 20 would send a report to Ottawa, the Crime Index,
21 indicating that charges had been laid?

22 A Well, no, I think there is a different approach to
23 the situation dealing with -- with the Fisher,
24 with the Fisher case. First of all Fisher, he was
03:56 25 responsible for crimes in I think it was Winnipeg,



1 in Manitoba.

2 Q Yes?

3 A He would have been charged by that Court and that
4 jurisdiction for his offences there.

03:56 5 Q Yes?

6 A Now my understanding -- and I'm not, because I
7 wasn't specifically involved -- my understanding
8 would be that when our representatives went to
9 Winnipeg and obtained the information which
03:56 10 connected Fisher with the rapes in Saskatoon, then
11 the process would take on somewhat of a different
12 approach, specifically when the accused might want
13 to waive his jurisdictional situation to another
14 jurisdiction, another -- and in this case I
03:57 15 understand it was in Regina, there would have to
16 be a request of the Attorney General to do this.
17 That aspect within our police department was
18 handled by the deputy chief, and the deputy chief
19 would make the request, the Attorney General would
03:57 20 authorize that waiver of jurisdiction, then the
21 contents of the file would be summarized. In most
22 cases it was a situation where there was an offer
23 to plead guilty, --

24 Q Yes?

03:58 25 A -- plead guilty to these crimes, the deputy chief



1 would then summarize the cases from the files
2 that, that for example Mr. Fisher had admitted to,
3 and forward them to the Attorney General's
4 department. In this case my understanding was
03:58 5 that it was in Regina.

6 Q And, in that situation, would the Saskatoon City
7 Police send anything to Ottawa indicating that Mr.
8 Fisher was being charged with the four offences
9 that occurred at Saskatoon?

03:58 10 A Umm, this is, this is an area that is somewhat
11 maybe neglected, because I'm not aware how that --
12 how that manifested itself. It should, in
13 reality, be, because it was Saskatoon's cases, but
14 I'm not aware just how that was handled, nor was I
03:59 15 involved in the actual dealings and those types of
16 things. I would have thought that possibly the
17 deputy chief would have, would have been the
18 person that's responsible for bringing it to the
19 attention of ...

03:59 20 The other issue is that
21 somewhere along the lines, since for example Mr.
22 Fisher was never in our custody that I am aware of
23 on that occasion, somebody would have had to
24 fingerprint Mr. Fisher, and presumably it would
03:59 25 have had to have happened in Winnipeg or in, in



1 Regina, now I'm not aware that that happened.

2 Q Was it common at the time, again 1970-'71, for
3 accused persons to request transfer of
4 jurisdiction to deal with charges?

03:59 5 A I'm not sure just how common it was but it
6 certainly occurred, many times criminals would
7 have situations across Canada, and in order to
8 clear up their cases they would gather them all
9 up. And for example if, if the criminal was
04:00 10 already serving time in the penitentiary in Prince
11 Albert, he would have all those cases drawn to
12 Prince Albert for resolvment in Prince Albert
13 because he would intend to plead guilty, and they
14 might come from any province in the nation.

04:00 15 Q How, can you tell us how, and again at that time,
16 let me understand this correctly; if a matter was
17 dealt with in Court, was there any automatic
18 process that resulted in the police being
19 notified -- and I'm talking the Saskatoon
04:01 20 Police -- of a result?

21 A I think the arrangements were very informal
22 between the court clerk, in particularly the
23 higher court we would have no difficulty with what
24 happened in a -- in the Municipal Court, in those
04:01 25 days we had a Municipal Court and it was actually,



1 the courtroom was right in the police station
2 because our staff was right there, so it was
3 attended. But if the matter was scheduled for,
4 for trial such as a murder trial, it would go to
04:01 5 the Queen's Bench and then we would have
6 arrangements, and I think it was informal but
7 understood by the court officials at the Queen's
8 Bench and the police department, that we were
9 interested in the dispositions.

04:02 10 Q So would there be cases, though, where you sent a
11 file off to the Attorney General's department for
12 prosecution and might not hear back whether or not
13 it was resolved, a conviction, a plea, or
14 something of that nature; were there cases where
04:02 15 that might happen?

16 A Well I'm not aware of any specific ones, but I can
17 see that happening, I can understand where that
18 could happen.

19 Q And what about the police file itself, and
04:02 20 concluding a file, was there any process in place
21 where a police file would be concluded and, if so,
22 what would happen to it?

23 A If, if a police file was concluded it would be, it
24 would be decided by the fact that there was a
04:02 25 conviction, and someone would have to verify the



1 fact that there had been the conviction, and it
2 would be only then that the file would be filed
3 permanently.

04:03 4 Q And was there any different way you treated the
5 physical documents in a concluded file versus an
6 ongoing file?

7 A Umm, I'm relating what I understood.

8 Q Yes.

04:03 9 A I wasn't involved in that. I think there was a
10 process of microfilming files, and these would be
11 on a microfilm system, and once they were
12 microfilmed -- and I'm talking about dead files,
13 files that had been concluded -- then you would
14 depend on the microfiche if you had to go back,
04:03 15 and then the hard copies would be destroyed, would
16 be shredded.

17 Q Before a suspect was found in some cases did the
18 police conclude a file, say 'lookit, we're not
19 going to actively pursue this, we don't have a
20 conviction or a charge or anything of that
21 nature'; was there a process in place for that?

22 A There would be, there would be a -- I don't think
23 any file of a nature of murder or any serious
24 offence, I don't think there would be any attempt
04:04 25 to dead-file that type of a file, it would



1 literally stay open consistently and constantly.

2 **Q** And again back to 1970-'71, are you -- do you have
3 any knowledge of the relationship between the
4 police and the media as far as reporting on the
04:04 5 disposition of criminal charges?

6 **A** Umm, generally the media, the media would be in
7 the Court and it would get its information
8 firsthand. I don't think that they relied on
9 police to provide them with dispositions.

04:05 10 **Q** For example, in this case we know that Mr. Fisher
11 was convicted in Regina in December of 1971, would
12 that -- would the Saskatoon Police send out any
13 type of media statement or report on that
14 indicating that the crimes had been solved and
04:05 15 someone convicted?

16 **A** No, I doubt, I doubt if they would go to the
17 media. The logical approach would be to go to the
18 victims of that particular crime and advise them
19 that there was a disposition, but I don't think we
04:05 20 ever felt that we had an obligation to go to the
21 media to advise them, other than if we were asked
22 we would, we would share public information with
23 them.

24 **Q** You talked about the victims; again in 1970-'71,
04:06 25 was there a practice in place or a policy about



1 notifying victims, let's talk in the sexual
2 assaults, of a successful disposition of the
3 matter?

04:06 4 A Well I can only relate to my own experience in the
5 very beginning of my police career. With very
6 minor types of police investigations, many times I
7 had my submissions, reports returned to me simply
8 because I had not conferred with the complainant
9 or the victim. Now these were very minor issues,
04:06 10 so I think it was an expectation of investigators
11 and police officers that were charged with the
12 responsibility of a particular file that they had
13 an obligation to advise the complainant or the
14 victim, as the case may be.

04:06 15 Q So it was your practice to notify the complainant
16 or victim?

17 A It was my practice.

18 Q Okay.

19 A And, you know, I can't say what other individual
04:07 20 officers did. A lot of times there's such an
21 overwhelming demand for time that I can understand
22 issues like that being neglected.

23 Q And I had mentioned Larry Fisher's convictions in
24 December of 1971 for the
04:07 25 (V1)-/(V2)-----/(V3)----- and (V5)--- assaults;



1 you know which ones I'm talking about?

2 A Yes.

3 Q Are you aware of any steps taken by any members of
4 the Saskatoon Police Service in 1969 to 1971 to
04:07 5 cover up or hide, from either other police or the
6 public, the Larry Fisher convictions for these
7 assaults?

8 A No.

9 Q Subsequent to 1971, are you aware of any steps
04:07 10 taken by any members of the Saskatoon Police
11 Service to cover up or hide, from other police or
12 the public, the Larry Fisher convictions for the
13 four sexual assaults?

14 A No.

04:08 15 Q If such a cover-up were to occur back in 1971, Mr.
16 Penkala, in your capacity as lieutenant of
17 identification, is that something you think you
18 would know or hear about?

19 A I think if it was a, if it was a deliberate
04:08 20 attempt to cover up, somehow there would be
21 something that would slip out, there is the, there
22 is the grapevine, but I was never aware of
23 anything of that nature.

24 Q I would like to move ahead to 1980, and I think
04:09 25 this was just prior to you becoming chief, and if



1 I could call up 105323, please. And this is an
2 investigation report August 28th, 1980 taken by
3 Inspector Wagner, and it relates to a visit at
4 4:20 in the morning by Linda Fisher, and you have
04:09 5 had a chance to look at this document before,
6 haven't you, Mr. Penkala?

7 A Yes.

8 Q And basically she has concerns about her husband,
9 or ex-husband, I'm not sure at that time whether
04:09 10 they were divorced. And actually if we could just
11 scroll up, please, up to this, and she goes on to
12 say:

13 "She then referred to the murder in
14 question, and advised that she feels
04:10 15 that David Milgaard whom she has never
16 met, and does not know, did not commit
17 this murder, that he is serving time,
18 for, and was convicted of, but that
19 instead that it is her former husband
04:10 20 that committed this murder. She advised
21 that at the time, they lived in a
22 basement suite, the address which she
23 thought was 329 Ave. O. So., but is not
24 sure of, but at any rate, it was the
04:10 25 same house that the Cadrain, resided in



1 at the time."

2 Were you aware, Mr. Penkala, in or about August
3 of 19 -- August 28th, 1980, of this investigation
4 report? And there is a statement that goes with
04:10 5 it as well.

6 A No, I was not. I was, I believe that I was in
7 charge of the patrol division, and Inspector
8 Wagner would have been one of the duty inspectors,
9 and this was obviously on a night shift, and it
04:11 10 appears that he had taken this statement, and he
11 should have assigned it to the detective division.
12 Now I don't know whether that happened or not.

13 Q Well we see a name, Detective Sergeant Parker at
14 the top, and we'll certainly be hearing evidence
04:11 15 from Sergeant Parker, but let me just pause there.
16 What would be the practice, then, at the time for
17 what should happen to this report?

18 A Well obviously the time was taken to take the
19 report and submit a report on it, as Inspector
04:11 20 Wagner did, and I'm not aware of the statement but
21 apparently there is a statement as well?

22 Q Yes, there's, it's --

23 A And if the statement is there, I -- it must have
24 been convincing enough for Inspector Wagner to
04:12 25 seek further action on it, and he -- he reassigned



1 it, and I kind of recognize his signature, I -- it
2 looks as though that's his writing where he --

3 Q Are we talking 'Detective Sergeant Parker'?

4 A Handwriting, yes.

04:12 5 Q And at that time, Inspector Wagner, what was he
6 the inspector of?

7 A He was the duty inspector for the patrol division,
8 the uniform division of the police service.

9 Q And so the practice would be, then, he would have
04:12 10 been at the police station at the time; is that --

11 A Yes.

12 Q Now he would have got this?

13 A Yes, it appears that he, the report came directly
14 to him because he's the author of the report.

04:12 15 Q And then you say the practice would be to assign
16 it to detectives division to follow up?

17 A Absolutely.

18 Q And are you aware of whether or not it was ever
19 followed up on?

04:12 20 A Well I'm, I'm generally aware that it wasn't
21 followed up on, but I wasn't, I wasn't aware, I'm
22 not aware specifically.

23 Q When did you -- are you able to tell us when you
24 first became aware of the existence of this
04:13 25 report, and in fact let's go to the next page,



1 which is the first page of her statement. This is
2 her statement dated August 28th, 1980 and it was
3 taken by Inspector Wagner; can you tell us when
4 you first would have been made aware of the
04:13 5 existence of this report and statement?

6 A Umm, I really couldn't be certain, but I would --
7 I would think that it probably was when the issue
8 of the wrongful conviction of David Milgaard came
9 to light that these things started to come back.

04:13 10 Q Okay. And I think, we'll go through some of these
11 documents, but the late 1980's or early 1990's; in
12 that time frame somewhere?

13 A I would think so, yes.

14 Q And would it be through the steps taken, or the
04:14 15 process engaged by the Milgaard's to review his
16 conviction would have been -- that's through that
17 -- it's not a very good question, but is that how
18 the information came to you, either through a
19 media report or something internal at the police
04:14 20 station that this became, became known?

21 A I suspect that, when there was an indication that
22 there was something wrong, I think the normal
23 process would have been investigators would start
24 backtracking on any involvement, and that's when
04:14 25 it may have come to light. And I'm not sure what



1 happened to this document, you know, this report
2 and document; did it just lay dormant?

3 Q We'll yeah, we'll hear evidence from some other
4 witnesses on that, Mr. Penkala.

04:14 5 A Okay.

6 Q What -- and at the time, I think this is 1980, do
7 you recall what, what you were, what area you were
8 in at the time?

9 A I was, I was probably in the process of relieving,
04:15 10 relieving either the deputy chief or the chief,
11 because I was -- no, that was 1980, I was
12 appointed chief in 1982, January 1st of 1982, but
13 I was acting in capacity during '81, so I was
14 still, I was still the superintendent in charge of
04:15 15 the patrol division.

16 Q Now you have had an opportunity to review this
17 statement and/or the report and the statement and
18 what Linda Fisher has told the police according to
19 the reports, have you?

04:15 20 A Yes, yes.

21 Q And is that, is that information, Mr. Penkala,
22 that in your -- in your view, had you been aware
23 of it at the time, would you have followed up on
24 it?

04:16 25 A Yes, I have -- if I was aware of it, I would have



1 certainly called for a thorough examination of
2 that, of Linda Fisher's allegations. I think it
3 would have been important to do that, and if there
4 was substance to that, I think the process would
04:16 5 have been to proceed to the Justice Department and
6 advise them of our findings.

7 Q Okay. Did the fact that Mr. Milgaard had been
8 convicted of the murder of Gail Miller and the
9 appeals concluded have -- would that have been an
04:16 10 impediment to the police, in your view, following
11 up on this?

12 A Oh, I don't think that can be denied, I -- you
13 know, we have a conviction, it's a done deal, I'm
14 sure that that was, that was a situation and a --
04:17 15 that rested in the minds of many investigators.

16 Q And that, had there been no charge or conviction
17 of Mr. Milgaard and this information had come
18 forward in 1980, would the police have pursued
19 that a bit more vigorously, in your view, than if
04:17 20 they had known of a conviction of the crime?

21 A I would, I would assume that that would have got a
22 different kind of an approach, yes.

23 Q And you mentioned going to the, to the Justice
24 Department; was there some reason that the police
04:17 25 would have to go to the Justice Department, in



1 your view?

2 A Well, in my personal view, once -- once a
3 conviction is registered by the courts and the
4 Justice Department, I think it becomes their
04:17 5 responsibility, and we would seek their direction
6 to pursue it unless it was a blatant, a blatant,
7 obvious situation that -- and even in that case,
8 if I were dealing with it specifically, I would
9 have said 'look, we have a situation here that
04:18 10 obviously appears that there is a problem here'
11 and I would have sought the direction of the
12 Attorney General.

13 COMMISSIONER MacCALLUM: So you are
14 speaking about Saskatchewan Justice?

04:18 15 A Yes.

16 BY MR. HODSON:

17 Q In your view, again at the time, would there be
18 anything that would preclude you, as a police
19 officer, from following up on this information?

04:18 20 A Oh, I don't think there's anything to stop police
21 officers from following it up, and I would -- I
22 would think that, if the circumstance was
23 different, I was sure -- I am almost sure that we
24 kind of dealt with it. If it hadn't have been
04:18 25 solved, I'm sure that that would have got



1 different kind of an attention than it did under
2 this circumstances. Now I, I don't know what
3 transpired from the time that the report was taken
4 and until it was revealed, I have no idea. And in
04:19 5 my capacity, in my position as an overseer of the
6 uniform division, that would not be brought to my
7 attention, it would be kind of a normal process of
8 -- and sequence of issues.

9 Q I now turn to a bit later in 1980, early 1981, and
04:19 10 specifically with requests by people on behalf of
11 David Milgaard for copies of the police files; do
12 you recall dealing with that?

13 A No.

14 Q Is that --

04:19 15 A I was never specifically asked for copies of --

16 Q Okay. I'll go through some documents in a moment.
17 Just let's talk generally, 1980-'81, you were the
18 chief in '82; was there a practice in place at the
19 time as far as when police would turn over their
04:20 20 investigation files to third parties?

21 A Other than other police agencies, I am not aware
22 that we ever turned files over to anyone other
23 than police agencies, justifiable police agencies
24 or the Justice Department.

04:20 25 Q If a convicted person asked the police for a copy



1 of all the investigation files relating to his or
2 her conviction, was there a practice in place to
3 respond to that?

04:20 4 A I don't think, even in those situations, that a
5 person would receive the entire file.

6 Q And why not?

7 A I can't tell you why not, but it just wasn't the
8 practice. I wasn't aware that that was ever
9 practiced. What might happen is there might be a
04:19 10 summation of the file depending on the
11 circumstances, might be a summation of the file
12 provided, but there wasn't really an appetite for
13 sharing police reports.

14 Q And why was that?

04:20 15 A I think possibly there's many things within the
16 police report that are not necessarily matters
17 that are factual. They name people that maybe do
18 not wish to be revealed, some witnesses don't wish
19 to be revealed, that type of thing would be a
04:20 20 concern I think for police departments.

21 Q If we could call up document 219408, please, and
22 this is a letter, December 31, 1980 from Deputy
23 Chief Corey to John Gibbon, Chief of Police, and
24 it refers to a telephone call from Mr. Chris
04:21 25 O'Brien, news reporter at CHAB, Moose Jaw, and it



1 just refers that according to Deputy Chief Corey
2 he got a call from Chris O'Brien who identified
3 himself as an employee of CHAB:

4 "He advised me that he was involved in
04:21 5 the investigation recently instituted by
6 Mrs. Joyce Milgaard, relating to the
7 murder conviction ..."

8 And then carry on down, please:

9 "O'Brien claimed to be related through
04:21 10 marriage to Mrs. Milgaard who had sought
11 his assistance in obtaining information
12 relating to events that resulted in
13 David's conviction."

14 And then down at the bottom here:

04:21 15 "As a result, he requested permission to
16 interview the Police Officers involved
17 in the investigation and access to the
18 complete Police file relating to this
19 investigation."

04:22 20 If I can pause there, Mr. Penkala, that -- had
21 you received requests like that on other files
22 before from people?

23 A I'm not aware of specifics, but it wouldn't
24 surprise me if we received those types of things,
04:22 25 and again, I would be -- I don't think that the



1 police would be that easily persuaded that they
2 should share that information with an individual
3 such as a reporter.

4 Q And I'll go to the next page, please, and there's
04:22 5 a reference here, Corey says:

6 "I have since learned that Mr. O'Brien
7 attempted to contact Staff Sergeant
8 Parker during the 30th of December, 1980
9 and had been in conversation with
04:22 10 Superintendent Penkala prior to the call
11 being transferred to my Office."

12 Do you recall dealing at all with Mr. O'Brien?

13 A No, I don't have any recollections, but, I mean,
14 I'm certain that that did happen.

04:23 15 Q I'm sorry?

16 A I'm certain it did happen, but I don't have any
17 recollection.

18 Q If we could then go to 025328, please, and this is
19 a letter of January 13th, 1981 from John Gibbon,
04:23 20 Chief of Police, to you, and just call out the top
21 part, and I'll show you the letter in a moment,
22 he's attaching a letter that he's sent to the
23 family of David Milgaard, and it says:

24 "You will note the reply I have given
04:23 25 and unless required to do so by the



1 Attorney General's Department or court
2 record, I will stick by that decision."

3 And so I take it from that that if the Attorney
4 General of Saskatchewan had asked you to turn
04:23 5 over the police files, would you have done so?

6 A Oh, certainly, yes.

7 Q And then down here it says:

8 "Would you review the file in this
9 regard and let me know where the three
04:24 10 witnesses might be in Saskatoon. Having
11 indicated to Mr. Young that I am not
12 prepared to make our file or our members
13 available, I do not want to appear to be
14 an obstructionist if indeed there are
04:24 15 some valid reasons for enquiries to be
16 carried out on behalf of the Defendant,
17 however, I do want to make sure that any
18 witnesses who were involved with the
19 case are not subjected to any needless
04:24 20 harassment."

21 And again, do you recall your involvement in this
22 matter, Mr. Penkala?

23 A It was a direction and I think under the
24 circumstances I have some recollection that I had
04:24 25 assigned people to check with those witnesses to



1 see whether they wanted to be contacted by the
2 Milgaard family and I think that's the same issue.
3 I'm not sure, but --

4 Q I'll show you a few documents in a moment. If we
04:25 5 could call up 047947, please, and this is the
6 letter of January 6 that Chief of Police Gibbon
7 sent to Gary Young who was the lawyer at the time
8 for David or Joyce Milgaard. Would this have
9 been -- this would be close to the time that you
04:25 10 took over duties as chief is it?

11 A No, that would be still a year away.

12 Q Were you acting chief or acting deputy for --

13 A Only in the absence of the chief.

14 Q Okay. And I note up here, it's got blind carbon
04:25 15 copy to Corey:

16 "Please see that the members involved
17 are notified of my ruling in this regard
18 and that a copy of this is placed in the
19 file in Central Records."

04:25 20 And I'll just call out parts of this, and it
21 talks about giving consideration to O'Brien's
22 request to interview the officers, and:

23 "I am sorry to say that I cannot agree
24 to such a request."

04:26 25 And then he says:



1 "You will recall that I asked you
2 yesterday during our conversation
3 whether this case was going to be
4 reopened or perhaps more specifically
04:26 5 what the actual reason for wanting to
6 have access to our file and to interview
7 those officers involved in the
8 investigation is and you could not
9 supply that. If there is some
04:26 10 justification for re-examining this
11 conviction I feel that the reasons for
12 that must be presented to the Attorney
13 General's Department and if necessary we
14 will certainly be prepared to discuss
04:26 15 our file with a representative of the
16 Attorney General's Department and, of
17 course, have our members interviewed by
18 a representative of the Attorney
19 General's Department. If the Attorney
04:26 20 General sees fit to acquaint you with
21 the information he has at his disposal,
22 then I would have no objection to that."
23 Do you recall discussions of that nature at the
24 time, Mr. Penkala, as far as the position that
04:26 25 the Saskatoon City Police took?



1 A Not specifically, but I recall Chief Gibbon
2 dealing with requests in a very general way and I
3 don't recall seeing this letter before.

4 Q You became chief the following year. Would the
04:27 5 position taken by John Gibbon be similar to the
6 position that you took as chief?

7 A Very much the same, yes.

8 Q And can you recall whether, from the time you
9 became chief in 1982 through until 1991, were you
04:27 10 ever requested by anybody from the Attorney
11 General's department to turn over any of the
12 police files?

13 A No.

14 Q What about the Federal Justice, Federal Minister
04:27 15 of Justice, do you recall being asked by them to
16 turn over your files?

17 A Yes, at a certain point there was a request from
18 the Federal Justice Department. I dealt with a
19 person by the name of Eugene Williams who
04:28 20 requested to review the files and we provided him
21 with an office and the file which he examined. My
22 recollection is that he spent a considerable
23 amount of time at our station doing this.

24 Q If the Attorney General of Saskatchewan had asked
04:28 25 you, and let's talk about the time when you are



1 chief, for parts of the police investigation file,
2 would you have turned them over to them?

3 A Oh, sure, yes.

4 Q And if they would have asked you to turn them over
04:28 5 to representatives of David Milgaard, would you
6 have turned them over?

7 A Well, it would depend on the circumstances. I
8 think one of the concerns the police department
9 would have is that we would have the full consent
04:29 10 of the Attorney General and their accountability
11 for what was going to happen. Under those
12 circumstances I think we would have, we would have
13 seceded to their demands.

14 Q So under certain circumstance you would have; is
04:29 15 that --

16 A I don't -- well, you know, I don't think we would
17 do this on just the basis of, you know, just go
18 ahead and share the file with whoever, I don't
19 think we would do it that way. I think we would
04:29 20 request a specific order from the justice,
21 Saskatchewan Justice Department with an indication
22 that they will be responsible for that direction.

23 Q And while you were Chief of Police from 1982 to
24 1991, were you -- do you recall or were you aware
04:30 25 of anybody on behalf of David Milgaard asking the



1 Saskatoon City Police Service to either turn over
2 the police files or to allow them to be reviewed
3 by representatives of David Milgaard?

4 A No, I wasn't.

04:30 5 Q And if such a request had been made, can you tell
6 us how you would have responded to that?

7 A Very much like Chief Gibbon, that I would have
8 said go to the Attorney General, seek his
9 permission and if that permission is granted, then
04:30 10 we will share.

11 MR. HODSON: This is probably an
12 appropriate spot to break, Mr. Commissioner.

13 COMMISSIONER MacCALLUM: Thank you. Nine
14 o'clock tomorrow, please.

15 (*Adjourned at 4:30 p.m.*)

16

17

18

19

20

21

22

23

24

25



1 **OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATE :**

2 We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR,
3 Official Queen's Bench Court Reporters for the Province of
4 Saskatchewan, hereby certify that the foregoing pages
5 contain a true and correct transcription of our shorthand
6 notes taken herein to the best of my knowledge, skill, and
7 ability.

8
9
10
11
12 _____, CSR

13 Karen Hinz, CSR
14 Official Queen's Bench Court Reporter

15
16 _____, RPR, CSR

17 Donald G. Meyer, RPR, CSR
18 Official Queen's Bench Court Reporter



'69 - 9140:13, 9142:14, 9143:10, 9143:15, 9143:19, 9143:24, 9144:1, 9144:4, 9144:12, 9144:18, 9144:19, 9145:12, 9145:19, 9146:19, 9147:14, 9147:18, 9148:3, 9148:13, 9148:23, 9149:3, 9149:16, 9153:16, 9155:7, 9156:13, 9156:20, 9157:4, 9157:16, 9161:23, 9163:6, 9173:20, 9174:12, 9178:10, 9188:5, 9195:20, 9195:24, 9196:5, 9198:11, 9202:4, 9203:3, 9204:3, 9207:16, 9221:9, 9224:11, 9224:12, 9229:2, 9229:25, 9234:21
'81 - 9259:13
'82 - 9262:18
'detective - 9257:3
'getting - 9159:25
'hang - 9203:4
'he - 9155:21
'here - 9180:14
'how - 9172:10
'identification - 9136:12
'interviewed - 9207:9
'it - 9179:10
'look - 9261:9
'lookit - 9152:2, 9160:10, 9251:18
'make - 9220:24
'okay - 9164:8
'we - 9185:2
'well - 9166:15
'when - 9182:6

O

006799 - 9139:22, 9156:23
008059 - 9233:12
008061 - 9233:22
008078 - 9234:18
008082 - 9235:9
008085 - 9236:8
008086 - 9236:17
009254 - 9140:11
009261 - 9141:10
009304 - 9223:9
009426 - 9229:22
025176 - 9206:7, 9206:8, 9206:9
025328 - 9265:18
025629 - 9231:12
047947 - 9267:5

1

1 - 9181:12
10 - 9234:4
105 - 9222:18
105323 - 9255:1
105534 - 9213:23
105536 - 9222:11
105537 - 9238:8
105559 - 9223:23, 9224:10
106679 - 9211:23

2

2 - 9140:7, 9225:5
2005 - 9132:21
20th - 9187:15, 9223:13, 9238:25, 9239:3
21 - 9137:25, 9148:13, 9151:6, 9153:2, 9198:11, 9198:19
219408 - 9263:21

10:00 - 9206:12
11th - 9144:9, 9144:11, 9144:18, 9146:14, 9147:14, 9188:5
12:30 - 9238:11
12th - 9224:12, 9229:25
138 - 9221:22, 9221:24
13th - 9265:19
1400 - 9187:16
14th - 9147:18
15 - 9167:11, 9204:23
16th - 9137:24, 9138:25, 9139:14, 9139:25, 9140:4, 9146:19, 9149:15, 9152:16, 9153:3, 9153:16, 9155:7, 9156:12, 9156:20, 9157:4, 9161:23, 9173:20, 9176:13, 9177:13, 9184:21, 9185:14, 9185:25
17 - 9239:1
177176 - 9237:7
177218 - 9237:19
182656 - 9206:5
18th - 9140:13, 9144:12, 9144:18, 9146:14, 9147:19
19 - 9256:3
1969 - 9137:6, 9137:17, 9137:24, 9142:6, 9150:10, 9151:7, 9159:7, 9176:14, 9193:1, 9196:19, 9206:6, 9209:23, 9211:24, 9213:24, 9214:13, 9223:13, 9238:12, 9254:4
1970 - 9229:3, 9237:9, 9238:9, 9238:14, 9238:25, 9240:5, 9240:10, 9240:18, 9241:5, 9241:13, 9241:20, 9242:22, 9244:21
1970-71 - 9249:2, 9252:2, 9252:24
1971 - 9242:24, 9244:22, 9252:11, 9253:24, 9254:4, 9254:9, 9254:15
1980 - 9254:24, 9255:2, 9256:3, 9258:2, 9259:6, 9259:11, 9260:18, 9262:9, 9263:22, 9265:8
1980's - 9258:11
1980-81 - 9262:17
1981 - 9262:9, 9265:19
1982 - 9259:12, 9269:9, 9270:23
1990's - 9258:11
1991 - 9269:9, 9270:24
1:00 - 9136:2
1st - 9259:12

3

3 - 9153:4, 9221:9
30 - 9238:9
30th - 9265:8
31 - 9143:24, 9196:5, 9238:5, 9238:24, 9263:22
31st - 9159:5, 9190:20
324695 - 9214:12
324697 - 9221:8
324874 - 9136:8
329 - 9255:23
35 - 9172:14
355 - 9140:16, 9140:23
374 - 9141:9, 9141:12, 9141:14
3rd - 9222:13, 9222:20, 9224:11

4

4 - 9153:6
48 - 9132:22
4:20 - 9255:4
4:30 - 9271:15
4th - 9222:12

5

5 - 9201:22
535 - 9222:18
54 - 9235:18
5th - 9143:19, 9149:3

6

6 - 9267:6
641 - 9221:22, 9222:1
6:45 - 9167:3, 9167:12
6th - 9132:21, 9174:12

7

74 - 9149:2
75 - 9149:2
7:00 - 9167:4, 9167:10, 9167:19, 9167:23, 9168:9

7:07 - 9203:14
7:10 - 9188:13
7:40 - 9165:25, 9167:17

8

80 - 9218:23
80% - 9216:23

9

9 - 9143:18
9136 - 9135:4
9:00 - 9166:2
9:20 - 9238:13

A

Aa - 9225:15, 9227:10
Aaron - 9134:8
ability - 9242:18, 9272:7
able - 9139:3, 9146:16, 9147:24, 9156:24, 9185:23, 9197:8, 9198:12, 9206:18, 9207:10, 9209:15, 9215:21, 9227:2, 9228:4, 9237:22, 9257:23
Abo - 9174:17
absence - 9267:13
absolutely - 9232:23
Absolutely - 9169:11, 9257:17
accept - 9142:7, 9146:12, 9218:22
acceptability - 9172:22
access - 9233:9, 9242:11, 9264:17, 9268:6
accomplice - 9192:23
according - 9164:6, 9246:18, 9259:18, 9264:1
account - 9170:1
accountability - 9270:10
accounts - 9170:18
accurate - 9235:15
accurately - 9153:15, 9197:9, 9234:15
accusation - 9212:5
accused - 9247:12, 9249:3
acquaint - 9268:20
acquainted - 9209:12
acting - 9169:3, 9259:13, 9267:12
action - 9177:21, 9256:25
actively - 9251:19
activities - 9240:2
actual - 9136:21, 9137:20, 9141:7, 9154:3, 9192:24, 9209:12, 9230:16, 9231:5, 9248:15, 9268:5
addictions - 9165:8
address - 9181:21, 9182:4, 9182:5, 9183:11, 9255:22
address' - 9182:7
adequate - 9175:19
Adjourned - 9204:25, 9271:15
adjourned - 9136:10,

9137:14
admits - 9146:15, 9148:16
Admits - 9144:20
admitted - 9240:11, 9248:2
advise - 9136:19, 9243:25, 9245:19, 9252:18, 9252:21, 9253:13, 9260:6
advised - 9209:17, 9217:15, 9255:14, 9255:20, 9264:4
advising - 9173:7
afraid - 9158:19
afternoon - 9136:3, 9136:6
agencies - 9262:21, 9262:23
agent - 9238:15
ago - 9136:16, 9214:19
agree - 9141:21, 9164:12, 9169:13, 9177:8, 9177:9, 9177:11, 9200:3, 9267:23
agreed - 9153:7, 9153:10
ahead - 9254:24, 9270:18
Albert - 9149:1, 9149:5, 9149:11, 9157:10, 9157:16, 9198:9, 9198:18, 9249:11, 9249:12
alert - 9202:25
Alexander - 9134:12
all-knowing - 9170:25
allegations - 9260:2
alleged - 9158:2, 9158:19, 9243:21
alleges - 9181:13
alley - 9165:21, 9184:7, 9187:8, 9190:5, 9190:10
allow - 9271:2
almost - 9227:21, 9261:23
amount - 9227:1, 9269:23
analysed - 9228:2
analysis - 9223:1
Ann - 9175:16
anomalies - 9220:13
anomaly - 9219:3
answer - 9155:24, 9181:19, 9219:4, 9219:22, 9233:23, 9234:21
antigen - 9216:19, 9216:20, 9217:4, 9217:19, 9219:8, 9219:12, 9219:18, 9219:20, 9220:1, 9225:25, 9226:10, 9226:20
antigens - 9231:4
antogens - 9174:17
anyways - 9230:10
apart - 9195:11, 9235:19, 9235:25
apparent - 9219:3
appeals - 9260:9
appear - 9139:9, 9141:18, 9182:25, 9198:7, 9234:8, 9266:13
Appearances - 9134:1
appeared - 9136:21, 9234:10



appetite - 9263:12
appointed - 9259:12
appreciate - 9146:2, 9162:12, 9162:20, 9172:4, 9180:25, 9201:21, 9226:22
approach - 9155:15, 9178:15, 9179:4, 9198:15, 9199:24, 9211:9, 9220:11, 9246:22, 9247:12, 9252:17, 9260:22
approached - 9151:13, 9183:23
appropriate - 9162:5, 9221:7, 9242:17, 9244:17, 9244:18, 9271:12
approx - 9206:12
approximate - 9204:12
April - 9140:13, 9143:10, 9143:15, 9144:18, 9146:14, 9147:18, 9147:19, 9234:20
area - 9208:19, 9233:25, 9234:2, 9235:12, 9235:21, 9236:1, 9236:9, 9236:13, 9248:10, 9259:7
arose - 9199:20
arranged - 9172:21, 9232:6
arrangement - 9197:20
arrangements - 9173:24, 9249:21, 9250:6
arrest - 9211:6
arrested - 9210:15, 9228:16, 9228:24, 9240:5
arrival - 9161:6, 9161:16
arrived - 9165:25, 9168:22, 9183:2
Art - 9151:5, 9193:1, 9197:12, 9197:14, 9206:1
articles - 9182:24, 9183:8, 9236:1
ascertain - 9173:17
aside - 9201:4
aspect - 9149:21, 9155:12, 9160:22, 9195:21, 9196:11, 9247:17
aspects - 9162:8, 9211:8
assailant - 9202:19
assault - 9203:12, 9239:21, 9242:22, 9242:24
assaulted - 9239:2
assaults - 9156:14, 9191:24, 9240:6, 9240:8, 9240:14, 9253:2, 9253:25, 9254:7, 9254:13
assessment - 9164:1, 9164:22, 9192:24, 9196:6, 9199:5
assign - 9257:15
assigned - 9242:5, 9256:11, 9266:25
assist - 9145:25, 9162:4, 9173:7, 9173:16, 9196:21, 9197:4, 9205:21,

9207:13, 9211:7, 9213:20, 9232:7
assistance - 9197:22, 9264:11
Assistant - 9133:3, 9133:6
assisting - 9196:14, 9202:11
associate - 9143:1, 9170:14, 9246:3
associated - 9186:21
assume - 9138:14, 9160:25, 9184:20, 9188:7, 9210:22, 9227:24, 9242:9, 9242:16, 9260:21
assumed - 9201:1, 9209:17, 9226:13
assuming - 9207:5, 9207:6, 9230:2
Assuming - 9139:10
attached - 9215:11
attaching - 9265:22
attack - 9200:25
attacks - 9201:10, 9201:11
attempt - 9197:7, 9251:24, 9254:20
attempted - 9242:23, 9265:7
attend - 9246:8
attendance - 9234:12
attended - 9154:4, 9168:4, 9222:13, 9250:3
attention - 9239:19, 9248:19, 9262:1, 9262:7
attorney - 9211:7
Attorney - 9231:21, 9238:15, 9247:16, 9247:19, 9248:3, 9250:11, 9261:12, 9266:1, 9266:3, 9268:12, 9268:16, 9268:18, 9268:19, 9269:10, 9269:24, 9270:10, 9271:8
Audio - 9133:14
audit - 9244:25, 9245:1
August - 9144:12, 9224:12, 9229:2, 9229:24, 9255:2, 9256:2, 9256:3, 9258:2
author - 9176:24, 9177:2, 9201:19, 9257:14
authored - 9178:1, 9231:13
authorize - 9247:20
automatic - 9249:17
automatically - 9244:9
autopsy - 9162:9
availability - 9173:5
available - 9138:21, 9175:7, 9220:8, 9232:19, 9266:13
Ave - 9255:23
Avenue - 9184:8, 9186:11, 9186:13, 9186:15, 9186:16, 9186:18, 9187:19, 9190:5, 9203:14, 9239:2
avenue - 9150:17, 9151:10, 9156:20
aware - 9145:2, 9146:18, 9154:8, 9154:15, 9157:3,

9157:9, 9157:15, 9157:18, 9159:6, 9168:2, 9175:17, 9186:25, 9187:1, 9192:3, 9197:13, 9198:12, 9200:11, 9204:2, 9208:2, 9208:6, 9208:8, 9208:13, 9209:2, 9209:8, 9228:10, 9232:20, 9237:13, 9240:10, 9240:20, 9241:22, 9243:1, 9244:25, 9248:11, 9248:14, 9248:22, 9249:1, 9250:16, 9254:3, 9254:9, 9254:22, 9256:2, 9256:20, 9257:18, 9257:20, 9257:21, 9257:22, 9257:24, 9258:4, 9259:22, 9259:25, 9262:21, 9263:8, 9264:23, 9270:24

B

backtracking - 9258:24
based - 9142:3, 9156:15, 9159:16, 9195:25, 9199:6, 9222:3, 9235:25, 9236:14
basement - 9255:22
basis - 9170:12, 9179:4, 9188:10, 9211:12, 9236:21, 9270:17
became - 9257:24, 9258:20, 9269:4, 9269:9
Beckman - 9134:7
become - 9191:21, 9209:2
becomes - 9261:4
becoming - 9209:8, 9254:25
beginning - 9253:5
behalf - 9211:1, 9262:10, 9266:16, 9270:25
behaviour - 9169:2, 9169:8, 9169:21
behind - 9165:21
Beitel - 9133:10
belonged - 9236:2
Bench - 9250:5, 9250:8, 9272:1, 9272:3, 9272:14, 9272:18
best - 9215:8, 9233:19, 9272:6
better - 9152:15, 9186:14
Betty - 9175:16
between - 9201:2, 9202:17, 9213:5, 9226:10, 9231:4, 9249:22, 9252:3
binder - 9137:5
binders - 9136:15
bit - 9217:14, 9260:19, 9262:9
blatant - 9261:6
blind - 9267:14
block - 9182:5, 9182:6, 9187:16
blood - 9141:12, 9141:15, 9143:9, 9143:14, 9157:14,

9157:17, 9158:3, 9166:5, 9168:23, 9168:25, 9169:20, 9191:1, 9192:19, 9199:12, 9216:16, 9216:20, 9216:23, 9217:1, 9217:2, 9218:24, 9223:2, 9225:22, 9226:1, 9226:12, 9226:14, 9226:19, 9226:24, 9227:1, 9227:9, 9227:23, 9230:16, 9230:23, 9231:5, 9231:8, 9234:10, 9234:23
Bobs - 9134:5
bodily - 9226:11
body - 9148:19, 9201:14, 9214:1, 9216:21, 9219:11, 9219:14, 9219:16, 9220:15, 9233:25, 9234:2, 9234:5, 9235:21, 9236:1, 9237:24, 9238:1
bone - 9238:18
bone-handled - 9238:18
books - 9203:17
boot - 9189:9, 9189:17, 9189:20, 9189:24
Boswell - 9133:5
bottom - 9142:9, 9148:25, 9174:11, 9178:7, 9198:25, 9206:10, 9230:3, 9233:22, 9238:10, 9264:14
brainstorming - 9137:15, 9140:2, 9171:10, 9181:6
break - 9204:21, 9271:12
breaking - 9136:7
brief - 9231:15
bring - 9138:12, 9139:21, 9239:18
bringing - 9142:11, 9205:8, 9248:18
brought - 9175:2, 9179:15, 9186:24, 9193:11, 9198:6, 9205:6, 9206:2, 9228:13, 9262:6
brown - 9143:14
Bruce - 9134:9, 9199:22, 9215:25, 9221:5, 9221:6
bullet - 9146:16, 9191:19
buried - 9189:11, 9189:20
bus - 9167:9, 9167:10, 9184:7, 9186:10, 9186:13, 9186:16, 9186:18

C

Cadrain - 9141:12, 9142:11, 9149:1, 9149:5, 9149:8, 9157:10, 9157:16, 9159:2, 9159:16, 9160:10, 9160:13, 9163:8, 9164:7, 9168:22, 9173:25, 9178:8, 9181:25,

9183:11, 9193:10, 9193:17, 9196:9, 9197:2, 9197:4, 9198:6, 9198:9, 9198:17, 9198:18, 9223:13, 9235:25
Cadrain's - 9149:11, 9166:2, 9169:16, 9181:14
Cadrains - 9183:1, 9190:15
Cadrains' - 9190:25, 9191:1
Caldwell - 9134:5, 9211:16, 9229:18, 9230:4, 9230:18, 9230:19, 9230:25, 9232:13, 9238:15
Caldwell's - 9229:23
Calgary - 9197:18, 9197:21, 9206:16
Calvin - 9134:12
can-says - 9231:16
Canada - 9134:11, 9211:12, 9249:7
Canada-wide - 9211:12
Candace - 9133:4
cannot - 9174:14, 9267:23
Cannot - 9175:6
capable - 9203:1, 9242:2
capacity - 9171:17, 9254:16, 9259:13, 9262:5
car - 9187:4, 9187:5, 9187:15, 9187:20, 9188:6, 9188:18, 9189:8, 9189:9, 9190:6, 9190:13, 9190:15, 9191:16, 9224:16, 9224:20, 9227:15
carbon - 9136:21, 9136:23, 9137:3, 9139:19, 9146:8, 9146:10, 9267:14
career - 9253:5
carried - 9152:7, 9154:3, 9266:16
carry - 9264:8
case - 9153:12, 9172:20, 9175:10, 9188:15, 9189:23, 9191:4, 9192:14, 9194:9, 9194:15, 9211:3, 9211:10, 9213:1, 9215:11, 9215:12, 9215:13, 9217:1, 9220:16, 9232:2, 9232:13, 9232:24, 9233:6, 9240:22, 9244:2, 9245:4, 9246:16, 9246:24, 9247:14, 9248:4, 9252:10, 9253:14, 9261:7, 9266:19, 9268:3
cases - 9162:21, 9205:23, 9231:21, 9241:25, 9242:9, 9243:14, 9244:10, 9245:5, 9245:6, 9247:22, 9248:1, 9248:13, 9249:8, 9249:11, 9250:10, 9250:14, 9251:17
category - 9164:21, 9218:24
Catherine - 9134:5



caught - 9167:9
caused - 9139:13, 9144:23, 9158:20, 9167:20, 9174:3, 9201:8, 9201:19
causes - 9138:22
Cavalier - 9206:14, 9207:18, 9207:19
Celine - 9163:8, 9164:7
cell - 9210:2
cells - 9210:5, 9216:19, 9219:9, 9219:10, 9219:12, 9219:16
central - 9244:19
Central - 9267:19
Centre - 9221:1
certain - 9138:20, 9141:21, 9166:24, 9175:9, 9186:25, 9189:3, 9205:19, 9207:24, 9223:18, 9224:21, 9237:14, 9239:9, 9258:6, 9265:14, 9265:16, 9269:17, 9270:14
certainly - 9147:4, 9158:22, 9165:14, 9167:24, 9169:15, 9172:15, 9176:17, 9177:8, 9194:9, 9198:14, 9219:3, 9219:9, 9229:23, 9237:14, 9249:6, 9256:14, 9260:1, 9266:6, 9268:14
Certainly - 9177:9, 9180:23
Certificate - 9272:1
certify - 9272:4
Chab - 9263:25, 9264:3
challenges - 9243:16
chance - 9137:1, 9180:16, 9215:14, 9255:5
changed - 9158:2
changes - 9187:18
changing - 9157:15
chap - 9160:22
character - 9164:2
characterized - 9153:8
charge - 9171:17, 9173:9, 9210:20, 9211:4, 9212:21, 9241:11, 9242:16, 9245:9, 9245:23, 9245:24, 9246:6, 9251:20, 9256:7, 9259:14, 9260:16
charged - 9210:14, 9212:24, 9242:21, 9245:22, 9246:17, 9247:3, 9248:8, 9253:11
charges - 9137:21, 9211:18, 9211:20, 9232:5, 9232:8, 9232:9, 9242:25, 9246:21, 9249:4, 9252:5
Chartier - 9208:9
Chartier's - 9208:2
check - 9161:1, 9266:25
checked - 9155:13, 9224:21
checkmark - 9164:7
checks - 9142:3
chief - 9197:20, 9247:18, 9247:25, 9248:17, 9254:25, 9259:10, 9259:12, 9262:18, 9267:10, 9267:12, 9267:13, 9269:4, 9269:6, 9269:9, 9270:1
Chief - 9263:23, 9264:1, 9265:20, 9267:6, 9269:1, 9270:23, 9271:7
Chris - 9263:24, 9264:2
Church - 9187:17
church - 9188:8
Circle - 9168:5
circumstance - 9163:14, 9163:19, 9164:11, 9165:14, 9182:2, 9192:6, 9200:9, 9261:22, 9270:14
circumstances - 9146:1, 9149:25, 9158:13, 9158:22, 9168:25, 9169:24, 9170:15, 9178:16, 9179:5, 9179:6, 9179:13, 9179:19, 9179:24, 9180:10, 9183:13, 9190:22, 9192:22, 9194:17, 9194:18, 9194:20, 9199:17, 9200:4, 9262:2, 9263:11, 9266:24, 9270:7, 9270:12
city - 9182:14, 9232:12
City - 9147:16, 9225:2, 9244:22, 9246:19, 9248:6, 9268:25, 9271:1
claimed - 9264:9
clarification - 9138:17
class - 9217:6, 9217:11, 9218:9
clear - 9170:9, 9245:14, 9249:8
Clerk - 9133:10
clerk - 9244:11, 9244:16, 9245:18, 9249:22
close - 9267:9
closely - 9233:7
closer - 9187:6
cloth - 9174:16
clothes - 9157:15, 9157:17, 9168:23, 9169:20, 9236:22
clothing - 9166:5, 9236:10
Clothing - 9158:2
clues - 9236:5
co - 9235:2
co-operation - 9235:2
coat - 9201:25, 9237:2
coincide - 9184:5, 9184:10, 9246:14
coincidence - 9150:1
collaboration - 9171:6
collection - 9145:10
coming - 9148:4, 9151:5, 9204:4, 9216:16, 9244:14
comment - 9148:2, 9170:20, 9175:22
commenting - 9163:17
comments - 9158:17, 9159:19, 9162:4
Commission - 9132:2, 9132:14, 9133:1, 9133:2, 9133:3, 9133:10, 9136:19, 9215:6, 9222:5, 9259:10, 9259:12, 9262:18, 9267:10, 9267:12, 9267:13, 9269:4, 9269:6, 9269:9, 9270:1
Commission's - 9147:15
Commissioner - 9136:3, 9167:5, 9204:20, 9204:23, 9261:13, 9271:12, 9271:13
commit - 9195:12, 9255:16
committed - 9164:13, 9193:6, 9194:11, 9200:16, 9200:17, 9209:7, 9255:20
committing - 9194:14
common - 9179:8, 9180:19, 9196:20, 9196:22, 9210:4, 9210:6, 9210:10, 9249:2, 9249:5
commonly - 9178:13
company - 9166:24, 9182:15
compare - 9144:15
competent - 9242:3
complainant - 9253:8, 9253:13, 9253:15
complete - 9264:18
completely - 9151:17
complicate - 9232:22
concern - 9144:24, 9166:18, 9167:21, 9168:24, 9169:1, 9263:20
concerned - 9155:11
concerning - 9162:8, 9202:13, 9211:20
concerns - 9145:6, 9243:20, 9255:8, 9270:8
conclude - 9137:4, 9193:7, 9251:18
concluded - 9250:21, 9250:23, 9251:5, 9251:13, 9260:9
concluding - 9250:20
conclusion - 9158:7, 9160:3, 9173:21, 9174:4, 9202:20, 9225:20
conditions - 9175:21, 9178:16, 9187:2
conduct - 9196:20, 9197:15, 9223:1, 9225:14
conducted - 9197:25, 9207:19, 9229:12, 9229:13
conferred - 9253:8
confessed - 9240:11
confessing - 9240:7
confirm - 9178:24, 9233:15
confirmed - 9228:8
Congram - 9133:4
connect - 9149:22, 9168:17
connected - 9159:12, 9202:7, 9247:10
connection - 9156:2, 9158:12, 9201:2, 9229:18, 9234:22, 9239:23, 9240:24
connects - 9168:16
conscious - 9160:19
consent - 9270:9
consider - 9158:21
considerable - 9269:22
consideration - 9203:10, 9267:21
considered - 9153:11, 9155:22, 9156:7, 9170:4, 9200:10, 9220:10, 9242:1
consistent - 9158:13, 9166:25, 9168:14, 9199:15, 9230:6
consistently - 9252:1
Constable - 9224:15, 9225:2, 9238:13, 9238:20
constantly - 9179:15, 9212:20, 9252:1
contact - 9265:7
contacted - 9267:1
contain - 9147:22, 9272:5
contained - 9139:11, 9141:20, 9209:5
content - 9138:23, 9177:4, 9177:5, 9177:10, 9181:3
contents - 9177:18, 9247:21
continuation - 9152:22, 9156:1
continue - 9243:15
Continued - 9135:3
continued - 9136:4, 9137:21
continuing - 9163:14
continuously - 9212:4
contribute - 9171:20, 9198:16
contributed - 9157:21
conversation - 9147:17, 9150:13, 9153:22, 9175:17, 9176:8, 9212:13, 9265:9, 9268:2
convicted - 9203:24, 9238:24, 9243:2, 9243:12, 9252:11, 9252:15, 9255:18, 9260:8, 9262:25
Conviction - 9132:4
conviction - 9204:1, 9228:13, 9239:23, 9239:25, 9240:25, 9244:1, 9250:13, 9250:25, 9251:1, 9251:20, 9258:8, 9258:16, 9260:13, 9260:16, 9260:20, 9261:3, 9263:2, 9264:7, 9264:13, 9268:11
convictions - 9239:16, 9243:24, 9253:23, 9254:6, 9254:12
convince - 9149:18
convinced - 9150:21, 9177:1
convincing - 9256:24
copies - 9137:6, 9137:10, 9209:11, 9215:23, 9221:11, 9251:15, 9262:11, 9262:15
copy - 9136:14, 9136:22, 9139:19, 9145:11, 9146:8, 9146:10, 9186:7, 9186:8, 9214:18, 9215:8, 9215:25, 9222:4, 9222:7, 9222:19, 9262:25, 9267:15, 9267:18
Copy' - 9136:12
Corey - 9263:23, 9264:1, 9265:5, 9267:15
corner - 9140:22, 9141:14
correct - 9136:12, 9136:16, 9137:17, 9138:9, 9142:16, 9143:10, 9143:16, 9146:9, 9149:19, 9154:11, 9154:18, 9154:19, 9155:2, 9156:8, 9156:25, 9167:15, 9169:16, 9176:24, 9178:10, 9186:17, 9214:6, 9214:20, 9217:7, 9217:12, 9219:21, 9221:23, 9222:16, 9223:3, 9225:3, 9225:11, 9225:18, 9226:2, 9229:19, 9235:24, 9241:12, 9272:5
correctly - 9217:25, 9249:16
correspond - 9141:7
corresponds - 9140:19
corridor - 9213:5
Cotler - 9134:11
Counsel - 9133:2, 9133:3
couple - 9136:16, 9194:12, 9214:19, 9239:13
course - 9153:18, 9154:2, 9155:20, 9161:3, 9163:18, 9164:4, 9177:4, 9179:12, 9182:1, 9186:24, 9201:1, 9204:3, 9211:21, 9212:20, 9226:21, 9268:17
courses - 9177:20
court - 9173:12, 9249:22, 9249:23, 9250:7, 9266:1
Court - 9133:11, 9172:24, 9173:3, 9173:4, 9231:15, 9232:1, 9232:10, 9244:17, 9244:18, 9247:3, 9249:17, 9249:24, 9249:25, 9252:7, 9272:1, 9272:3, 9272:14, 9272:18
courtroom - 9250:1
courts - 9244:5, 9244:6, 9244:8, 9245:13, 9261:3
cover - 9254:5, 9254:11, 9254:15, 9254:20
cover-up - 9254:15
covered - 9143:6, 9150:4, 9152:23, 9156:25
Craig - 9237:10
credibility - 9149:11, 9161:1
credible - 9160:11, 9160:14, 9160:20
Crime - 9211:13, 9213:10, 9213:24, 9216:3, 9218:14, 9245:8, 9246:20
crime - 9156:5, 9158:14, 9162:7, 9162:8, 9163:20, 9165:9, 9166:18, 9267:15



9168:20, 9182:9,
9182:11, 9201:20,
9204:12, 9223:11,
9229:13, 9236:15,
9244:15, 9252:18,
9260:20
crimes - 9189:3,
9246:25, 9247:25,
9252:14
criminal - 9172:23,
9173:9, 9173:12,
9223:11, 9223:17,
9249:9, 9252:5
criminals - 9249:6
cross - 9234:19,
9237:20
Cross - 9175:5,
9226:24
cross-examination -
9237:20
cross-examining -
9234:19
Crown - 9173:6,
9211:7, 9231:22,
9232:7, 9232:20,
9233:8, 9233:9
Csr - 9133:11, 9133:12,
9272:2, 9272:12,
9272:13, 9272:16,
9272:17
custody - 9229:11,
9240:20, 9248:22

D

Danchuk - 9165:16,
9165:24, 9169:19
Danchuks - 9165:15,
9169:12, 9172:7
Danchuks' - 9165:22,
9166:3, 9167:17,
9167:19, 9168:3
dark - 9190:18
date - 9137:8, 9138:7,
9139:12, 9141:21,
9151:6, 9154:22,
9163:5, 9196:4, 9198:8,
9229:24, 9230:5,
9230:6, 9239:8, 9246:7
dated - 9214:13,
9223:13, 9258:2
dates - 9216:10
David - 9132:4, 9134:2,
9134:10, 9138:8,
9145:14, 9150:10,
9151:7, 9152:20,
9153:10, 9155:1,
9155:8, 9155:11,
9157:21, 9159:10,
9159:12, 9160:6,
9163:6, 9163:17,
9164:19, 9164:22,
9165:2, 9166:5,
9173:22, 9174:21,
9176:15, 9179:25,
9194:5, 9199:12,
9200:5, 9201:2,
9210:21, 9213:9,
9214:5, 9217:8,
9218:17, 9226:25,
9233:16, 9239:16,
9239:22, 9243:11,
9246:1, 9246:4, 9246:6,
9255:15, 9258:8,
9262:11, 9265:23,
9267:8, 9270:5,
9270:25, 9271:3
David's - 9264:13
day-to-day - 9240:1
days - 9181:15,
9182:1, 9208:25,
9209:14, 9249:25
dead - 9251:12,
9251:25
dead-file - 9251:25
deal - 9153:9, 9194:2,
9223:15, 9249:4,
9260:13
dealing - 9147:17,
9178:1, 9224:23,
9225:1, 9229:6, 9229:8,
9231:21, 9243:19,
9246:23, 9261:8,
9262:12, 9265:12,
9269:2
dealings - 9149:5,
9248:15
dealt - 9178:3,
9228:19, 9243:14,
9244:11, 9249:17,
9261:24, 9269:18
death - 9201:7,
9201:13
debate - 9186:14
debated - 9177:20
December - 9242:22,
9242:24, 9252:11,
9253:24, 9263:22,
9265:8
decided - 9138:15,
9250:24
decides - 9172:24
deciding - 9177:20,
9179:17
decision - 9138:12,
9160:5, 9205:7, 9205:8,
9210:18, 9210:20,
9210:25, 9232:7,
9266:2
decision-making -
9160:5
deep - 9234:3
Defendant - 9266:16
deliberate - 9254:19
delivery - 9213:10
demand - 9253:21
demands - 9270:13
denied - 9194:13,
9260:12
deny - 9212:25
denying - 9212:5,
9212:20
department - 9197:19,
9244:10, 9245:2,
9245:11, 9246:9,
9247:17, 9248:4,
9250:8, 9250:11,
9269:11, 9270:8
Department - 9197:21,
9260:5, 9260:24,
9260:25, 9261:4,
9262:24, 9266:1,
9268:13, 9268:16,
9268:19, 9269:18,
9270:21
departments - 9263:20
depositor - 9227:24
Deputy - 9263:22,
9264:1
deputy - 9247:18,
9247:25, 9248:17,
9259:10, 9267:12
describe - 9234:15
described - 9163:4
describing - 9204:11
Description - 9135:2
description - 9235:15
desk - 9232:4
destroy - 9174:17
destroyed - 9251:15

Det - 9175:23
Detection - 9213:10,
9213:24, 9216:3,
9218:15
Detective - 9140:14,
9147:20, 9176:6,
9178:3, 9178:4, 9206:6,
9240:17, 9241:17,
9241:22, 9241:25,
9256:13
detective - 9166:15,
9241:17, 9256:11
detectives - 9151:22,
9154:4, 9185:18,
9186:20, 9257:16
determine - 9223:1
determining -
9139:19, 9145:25,
9213:20
device - 9208:10,
9208:14
diagram - 9204:11
diagrammed - 9204:18
diameter - 9234:4
Diewood - 9143:22,
9184:6
difference - 9226:10,
9231:4
different - 9136:9,
9178:4, 9192:19,
9225:25, 9226:19,
9246:22, 9247:11,
9251:4, 9260:22,
9261:23, 9262:1
differently - 9167:23
difficult - 9155:24,
9161:25, 9170:14,
9195:5, 9209:16
difficulties - 9212:2
difficulty - 9170:11,
9182:4, 9196:12,
9197:5, 9249:23
direct - 9162:12,
9201:2
Direct - 9171:4
direction - 9156:1,
9179:20, 9233:8,
9261:5, 9261:11,
9266:23, 9270:22
directions - 9144:22,
9148:17, 9183:24
directly - 9159:20,
9162:21, 9181:1,
9199:23, 9257:13
Director - 9133:4
discovery - 9137:20
discuss - 9172:8,
9211:17, 9268:14
discussed - 9146:7,
9148:22, 9153:16,
9162:16, 9162:19,
9163:1, 9172:9,
9175:11, 9176:11,
9177:13, 9177:16,
9177:20, 9181:5,
9187:11, 9198:3,
9212:16
discussing - 9192:17,
9199:18, 9230:25
discussion - 9149:10,
9153:8, 9153:9,
9156:19, 9164:20,
9196:8, 9197:14,
9198:4, 9199:21,
9206:24, 9230:17,
9230:19
discussions - 9155:5,
9161:19, 9162:22,
9172:13, 9174:18,
9213:3, 9229:17,

9268:23
displayed - 9212:12
disposal - 9268:21
disposes - 9190:16
disposition - 9244:5,
9244:7, 9244:11,
9244:16, 9244:18,
9244:19, 9245:3,
9245:12, 9245:17,
9245:19, 9246:7,
9246:8, 9246:11,
9252:5, 9252:19,
9253:2
dispositions - 9250:9,
9252:9
disprove - 9196:16
disrupt - 9219:9,
9219:10
disruption - 9219:16
distinction - 9217:18
distributed - 9211:12
division - 9171:18,
9241:15, 9244:15,
9256:7, 9256:11,
9257:7, 9257:8,
9257:16, 9259:15,
9262:6
divorced - 9255:10
doc - 9206:8
document - 9136:9,
9136:11, 9136:19,
9136:20, 9136:23,
9137:2, 9137:5, 9137:7,
9137:10, 9138:18,
9138:20, 9138:23,
9139:13, 9139:22,
9140:8, 9140:11,
9140:22, 9141:6,
9141:18, 9141:19,
9142:1, 9142:9,
9142:18, 9145:17,
9146:1, 9146:9,
9154:23, 9157:2,
9163:3, 9176:10,
9176:24, 9177:18,
9178:13, 9179:21,
9185:6, 9192:25,
9200:2, 9204:6,
9211:23, 9215:14,
9231:18, 9231:19,
9237:7, 9255:5, 9259:1,
9259:2, 9263:21
Document - 9133:5,
9133:6
documentation -
9224:2, 9232:4,
9232:23, 9232:25,
9233:10
documented - 9147:3
documents - 9139:10,
9214:19, 9215:6,
9222:5, 9232:14,
9240:16, 9242:20,
9246:16, 9251:5,
9258:11, 9262:16,
9267:4
Doell - 9143:25,
9184:7, 9186:10
domestic - 9201:7,
9201:12
Don - 9133:12
Donald - 9272:2,
9272:17
done - 9143:15,
9170:15, 9171:12,
9175:19, 9200:25,
9215:22, 9218:3,
9220:21, 9220:23,
9223:18, 9223:20,
9227:18, 9228:6,

9243:9, 9260:13,
9266:5
donor - 9199:11,
9220:18
door - 9191:1,
9212:15, 9213:3,
9213:5
dormant - 9259:2
doubt - 9206:23,
9220:3, 9229:20,
9252:16
doubling - 9182:19
Douglas - 9133:2
down - 9148:25,
9153:6, 9157:23,
9159:21, 9163:3,
9164:16, 9165:15,
9173:18, 9174:11,
9179:9, 9185:20,
9187:8, 9189:10,
9193:8, 9213:7,
9217:14, 9225:5,
9225:20, 9230:3,
9235:18, 9237:2,
9264:8, 9264:14,
9266:7
Dr - 9199:19, 9199:23,
9214:14, 9214:16,
9216:7, 9217:10,
9217:15, 9218:3,
9218:7, 9218:13,
9219:2, 9219:21,
9221:4, 9221:11,
9221:15, 9221:19,
9230:20
dragging - 9237:24
drawing - 9204:7,
9204:10
drawn - 9249:11
dress - 9203:17,
9237:2
dressed - 9148:18
Drive - 9168:5
drive - 9187:7
driver - 9187:4
driving - 9181:16,
9183:6, 9183:17
dropped - 9179:1
Drug - 9165:8
drug - 9165:12
drugs - 9164:25,
9165:4, 9181:22
during - 9204:2,
9205:10, 9212:3,
9239:7, 9259:13,
9265:8, 9268:2
duties - 9241:13,
9267:10
duty - 9241:15, 9256:8,
9257:7
dwelt - 9189:4
dwelling - 9195:21
Dyck - 9224:15, 9225:2

E

ear - 9212:15
early - 9137:16,
9163:6, 9195:20,
9258:11, 9262:9
easily - 9265:1
Eddie - 9134:8
Edmondson - 9138:3,
9152:17
Edward - 9132:7
Ee - 9227:14
effect - 9169:4,
9173:22, 9175:25,
9195:11, 9202:18,
9202:23, 9203:8,



9217:21
efforts - 9153:12,
 9155:17, 9168:13,
 9239:22
either - 9144:16,
 9146:13, 9150:9,
 9151:11, 9154:15,
 9156:2, 9160:25,
 9165:3, 9168:15,
 9178:24, 9179:13,
 9180:5, 9189:6,
 9197:15, 9198:4,
 9198:9, 9209:22,
 9212:24, 9254:5,
 9258:18, 9259:10,
 9271:1
element - 9158:6
elements - 9178:20
eliminate - 9152:12,
 9153:13, 9155:18,
 9179:14, 9189:6,
 9199:14
eliminated - 9155:12,
 9171:14
Elmer - 9231:13
elsewhere - 9165:1
employee - 9264:3
Emson - 9199:19,
 9199:23, 9214:14,
 9214:16, 9217:10,
 9217:15, 9218:3,
 9218:7, 9218:13,
 9219:2, 9219:22,
 9230:20
Emson's - 9216:7,
 9221:5, 9221:12,
 9221:15, 9221:19
encounter - 9195:7
encountered - 9212:2
end - 9210:14, 9242:22
ended - 9139:6,
 9186:7
engaged - 9245:21,
 9258:15
enquiries - 9266:15
ensure - 9180:10
entire - 9168:12,
 9194:1, 9232:16,
 9263:5
especially - 9218:22,
 9218:23
Esq. - 9133:3, 9134:3
Esson - 9133:13
establish - 9151:11,
 9156:2, 9168:14,
 9174:21, 9174:24,
 9175:20, 9178:25,
 9182:3, 9189:5, 9189:6,
 9198:17, 9199:23,
 9213:16, 9217:23,
 9227:2, 9227:22,
 9227:23, 9230:11,
 9230:23, 9245:18
established - 9138:25,
 9158:15, 9170:19,
 9193:23, 9199:18,
 9200:12, 9200:14
establishing -
 9193:25, 9196:12,
 9199:24, 9234:23
estimation - 9150:4,
 9200:23
etcetera - 9143:9,
 9171:14
Eugene - 9269:19
evening - 9203:16
events - 9196:4,
 9264:12
eventually - 9137:22,
 9145:3, 9182:13,

9186:7, 9187:23,
 9203:21, 9209:10,
 9211:22, 9228:10,
 9237:15, 9245:12
Eventually - 9192:18
evidence - 9138:6,
 9138:7, 9139:8, 9141:1,
 9141:5, 9154:21,
 9166:1, 9166:4, 9167:5,
 9169:25, 9172:21,
 9172:22, 9173:11,
 9192:18, 9194:2,
 9194:4, 9194:5,
 9197:11, 9198:8,
 9199:9, 9208:2, 9209:2,
 9209:6, 9209:25,
 9211:7, 9211:8,
 9213:14, 9213:20,
 9224:14, 9224:20,
 9226:17, 9232:6,
 9232:10, 9233:13,
 9233:15, 9233:19,
 9234:11, 9237:8,
 9240:16, 9242:21,
 9256:14, 9259:3
ex - 9255:9
ex-husband - 9255:9
exam - 9197:25
examination -
 9225:14, 9226:8,
 9237:20, 9260:1
examine - 9137:1,
 9153:22, 9173:5,
 9173:7, 9222:24
examined - 9139:17,
 9152:24, 9177:1,
 9178:21, 9219:7,
 9230:14, 9232:3,
 9269:21
examining - 9234:19,
 9268:10
example - 9194:3,
 9197:1, 9248:2,
 9248:21, 9249:9,
 9252:10
excellent - 9178:17
except - 9144:19
excluded - 9155:12,
 9192:21, 9203:7
exculpate - 9180:4,
 9180:6, 9180:22
exculpatory - 9166:11,
 9180:15, 9200:8,
 9200:21, 9200:22
Executive - 9133:4
executive - 9140:3
exercise - 9146:3
exhaust - 9152:8,
 9156:2, 9178:24,
 9180:9
Exhibit - 9214:3,
 9214:4, 9225:22,
 9227:7, 9227:16
exhibit - 9213:9
exhibits - 9225:6,
 9227:10, 9227:13,
 9230:14
Exhibits - 9225:15
existence - 9257:24,
 9258:5
existing - 9188:21
expect - 9145:19
expectation - 9253:10
expected - 9172:19
experience - 9160:14,
 9180:20, 9205:21,
 9208:20, 9212:25,
 9233:2, 9253:4
experiences - 9147:5
expert - 9220:25

expertise - 9199:19
explain - 9163:15,
 9189:1, 9230:22
explained - 9189:5
explanation - 9182:19,
 9182:20, 9194:19,
 9194:21, 9222:6
explanations - 9182:2
explored - 9150:18,
 9151:11
expressed - 9202:16
extended - 9234:6
extent - 9136:22,
 9173:14, 9174:2,
 9227:5
eye - 9234:9

F

fact - 9149:16,
 9154:23, 9160:19,
 9161:15, 9165:3,
 9166:3, 9166:9,
 9167:16, 9168:22,
 9168:23, 9169:2,
 9169:19, 9178:20,
 9182:13, 9184:20,
 9185:1, 9185:6,
 9189:16, 9189:23,
 9190:24, 9195:15,
 9198:15, 9199:21,
 9201:5, 9208:9,
 9211:13, 9214:18,
 9220:22, 9226:5,
 9229:16, 9235:18,
 9240:10, 9243:18,
 9250:24, 9251:1,
 9257:25, 9260:7
factor - 9158:7,
 9160:4, 9176:16,
 9176:17
facts - 9149:12,
 9169:17, 9169:18,
 9171:1, 9178:16,
 9179:5, 9179:13,
 9179:19, 9179:23,
 9188:22, 9189:15,
 9191:5, 9193:24,
 9194:22, 9198:17,
 9200:4, 9200:9, 9207:2,
 9242:9
facts' - 9180:15
factual - 9263:17
failed - 9217:19
Fair - 9226:9
fair - 9137:11, 9152:5,
 9152:6, 9154:17,
 9168:24, 9169:10,
 9170:24, 9171:2,
 9177:22, 9180:1,
 9181:6, 9181:7,
 9192:25, 9195:23,
 9196:6, 9199:4, 9199:5,
 9200:7, 9220:19,
 9223:21, 9224:23,
 9227:4, 9228:6,
 9234:13, 9239:20
fairly - 9148:15
faith - 9160:20
fall - 9145:6, 9164:20
familiar - 9165:16,
 9231:18, 9242:8
family - 9265:23,
 9267:2
far - 9211:4, 9228:12,
 9252:4, 9262:19,
 9268:24
fashion - 9201:15
Father - 9175:24
father - 9176:15

February - 9143:19,
 9144:1, 9201:22,
 9201:23, 9238:11,
 9238:25
Federal - 9269:14,
 9269:18
fellow - 9177:25,
 9211:17
felt - 9199:14, 9252:20
few - 9161:10,
 9181:15, 9209:14,
 9267:4
fiber - 9174:17
fibres - 9143:15
field - 9220:25,
 9234:25
fifth - 9142:8
file - 9143:7, 9143:8,
 9154:12, 9159:23,
 9163:5, 9206:17,
 9207:10, 9215:10,
 9215:12, 9215:15,
 9215:20, 9221:21,
 9222:2, 9229:24,
 9232:1, 9232:17,
 9247:21, 9250:11,
 9250:19, 9250:20,
 9250:21, 9250:23,
 9251:2, 9251:5, 9251:6,
 9251:18, 9251:23,
 9251:25, 9253:12,
 9263:5, 9263:10,
 9263:11, 9264:18,
 9266:8, 9266:12,
 9267:19, 9268:6,
 9268:15, 9269:21,
 9270:1, 9270:18
filed - 9251:2
files - 9141:21, 9146:9,
 9222:8, 9242:11,
 9243:22, 9244:23,
 9248:1, 9251:10,
 9251:12, 9251:13,
 9262:11, 9262:20,
 9262:22, 9263:1,
 9264:21, 9266:5,
 9269:12, 9269:16,
 9269:20, 9271:2
filling - 9207:2
final - 9244:7
findings - 9260:6
fingerprint - 9248:24
fingerprinting - 9212:1
fingerprints - 9223:12,
 9246:1, 9246:2
first - 9143:5, 9143:7,
 9182:18, 9183:2,
 9188:4, 9195:6,
 9195:19, 9218:14,
 9221:14, 9224:22,
 9224:25, 9257:24,
 9258:1, 9258:4
First - 9246:24
firsthand - 9154:14,
 9252:8
Fisher - 9240:5,
 9240:11, 9240:19,
 9241:19, 9242:21,
 9243:1, 9246:17,
 9246:23, 9246:24,
 9247:10, 9248:2,
 9248:8, 9248:22,
 9248:24, 9252:10,
 9254:6, 9254:12,
 9255:4, 9259:18
Fisher's - 9233:17,
 9243:24, 9253:23,
 9260:2
fit - 9159:9, 9161:7,
 9166:16, 9172:10,

9188:22, 9189:25,
 9191:4, 9268:20
fits - 9161:9, 9188:25
Fitzpatrick - 9133:14
fluid - 9220:15,
 9227:12, 9227:18,
 9228:1
fluids - 9216:21,
 9219:14, 9231:5
focus - 9148:3,
 9151:18
follow - 9257:16
followed - 9189:10,
 9221:3, 9224:1, 9227:2,
 9243:8, 9257:19,
 9257:21, 9259:23
following - 9237:17,
 9219:14, 9231:5,
 9261:21, 9269:4
follows - 9216:13
foot - 9234:4
force - 9243:25
forces - 9187:7
foregoing - 9227:4
Forensic - 9221:1
form - 9232:6
former - 9255:19
forms - 9212:4
forward - 9175:2,
 9179:15, 9186:24,
 9228:14, 9245:20,
 9248:3, 9260:18
forwarded - 9244:9,
 9245:10, 9246:5
forwarding - 9221:11
four - 9141:19,
 9246:17, 9248:8,
 9254:13
Fox - 9134:8
frame - 9157:5,
 9166:13, 9166:21,
 9166:24, 9167:2,
 9167:11, 9168:9,
 9172:12, 9184:24,
 9198:20, 9258:12
frame' - 9166:16
Framer - 9134:10
freezing - 9219:25
frequently - 9219:10
friend - 9164:18
front - 9140:6, 9208:24
frozen - 9143:12,
 9199:10, 9214:4,
 9219:6, 9219:18,
 9219:23, 9222:14,
 9225:7, 9225:17,
 9227:7, 9228:21
fruits - 9154:14
full - 9270:9
fullest - 9178:23
fully - 9150:16
funds - 9183:5,
 9183:16
funeral - 9144:21,
 9148:17, 9148:20,
 9184:4, 9184:15,
 9185:2

G

Gail - 9137:17, 9138:8,
 9140:4, 9145:15,
 9148:18, 9155:9,
 9156:15, 9161:17,
 9166:25, 9167:3,
 9179:25, 9183:9,
 9191:25, 9192:16,
 9200:6, 9200:18,
 9201:9, 9215:10,
 9221:22, 9232:13,



9236:2, 9243:5, 9243:8,
9260:8
gained - 9185:15
game - 9209:17
garbage - 9190:4,
9190:11, 9191:14,
9192:2
Garrett - 9134:6
Gary - 9267:7
gather - 9173:2,
9249:8
gathered - 9185:15
general - 9142:22,
9153:18, 9169:18,
9175:18, 9176:6,
9177:4, 9224:19,
9237:14, 9269:2
General - 9231:22,
9238:16, 9247:16,
9247:19, 9261:12,
9266:4, 9268:20,
9269:24, 9270:10,
9271:8
General's - 9248:3,
9250:11, 9266:1,
9268:13, 9268:16,
9268:19, 9269:11
generalities - 9195:16
generalizing - 9184:19
Generally - 9157:6,
9233:5
generally - 9157:9,
9161:2, 9195:25,
9223:15, 9252:6,
9257:20, 9262:17
George - 9237:10
Gibbon - 9263:23,
9265:19, 9267:6,
9269:1, 9269:5, 9271:7
Gibson - 9134:9
girl - 9187:16, 9236:24
girlfriend - 9164:18
given - 9137:10,
9148:18, 9182:13,
9184:21, 9184:23,
9185:24, 9186:4,
9194:7, 9195:10,
9196:4, 9224:1, 9225:1,
9232:12, 9234:11,
9243:4, 9265:24
Government - 9134:4
granted - 9271:9
grapevine - 9254:22
great - 9153:9
grounds - 9173:8
Group - 9219:25
group - 9141:12,
9141:15, 9143:9,
9167:25, 9192:19,
9216:16, 9216:19,
9216:24, 9217:2,
9219:8, 9219:12,
9219:17, 9220:14,
9223:2, 9234:24
grouped - 9217:2,
9226:14
grouping - 9227:3,
9227:23, 9230:23
guess - 9147:24,
9148:13, 9172:6,
9173:9, 9180:11,
9202:3, 9218:16,
9236:2
guide - 9232:9
guilt - 9172:25,
9179:18
guilty - 9242:25,
9247:23, 9247:25,
9249:13
gun - 9159:3, 9160:11

guy - 9160:10

H

hair - 9143:13
half - 9148:25, 9182:5,
9182:7
hand - 9140:7, 9140:9,
9140:10, 9140:12,
9140:20, 9140:21,
9140:22, 9141:6,
9141:9, 9141:11,
9141:14, 9142:1,
9203:17
handbag - 9161:20
handle - 9236:3
handled - 9238:18,
9247:18, 9248:14
hands - 9158:23,
9185:17
Handwriting - 9257:4
hang - 9173:10
hang-up - 9173:10
happened' - 9179:9,
9179:11
harassment - 9266:20
hard - 9193:24,
9251:15
Hardy - 9133:3
Harper - 9189:19
hatched - 9188:11
have' - 9180:6
hear - 9171:24,
9197:11, 9203:20,
9212:15, 9226:17,
9228:5, 9250:12,
9254:18, 9259:3
heard - 9162:22,
9170:13, 9172:8,
9181:24, 9193:16,
9197:11, 9199:9,
9203:23, 9206:1,
9208:7, 9224:14,
9224:20
hearing - 9141:1,
9141:4, 9154:16,
9169:5, 9203:11,
9203:18, 9213:3,
9229:1, 9229:19,
9230:1, 9230:7,
9231:14, 9231:17,
9233:14, 9233:16,
9233:17, 9237:10,
9239:3, 9239:6,
9256:14
held - 9219:12
help - 9146:16, 9159:3,
9161:25, 9185:7,
9187:21, 9198:12,
9199:23, 9209:15,
9210:3
Henry - 9143:22
here' - 9261:10
hereby - 9272:4
herein - 9272:6
Hersh - 9134:2
Hh - 9225:15, 9227:10
hidden - 9208:5
hide - 9254:5, 9254:11
higher - 9249:23
himself - 9264:3
Hinz - 9133:11, 9272:2,
9272:13
Hodson - 9133:2,
9135:4, 9136:5,
9157:24, 9204:20,
9204:22, 9205:2,
9261:16, 9271:11
holding - 9210:2
home - 9144:21,

9148:17, 9148:20,
9165:22, 9184:4,
9184:15
home' - 9185:2
Hon - 9134:11
Honourable - 9132:6
hoppered - 9185:20
hotel - 9208:3
Hotel - 9132:16,
9206:14, 9207:18,
9207:19
hour - 9165:23
house - 9168:23,
9181:14, 9182:1,
9183:1, 9183:4,
9190:25, 9191:2,
9255:25
Hugh - 9133:13
human - 9143:13
Human - 9227:12
hunting - 9238:19
hurry - 9169:4
husband - 9255:8,
9255:9, 9255:19
hypnosis - 9193:13,
9196:7, 9196:13,
9196:20, 9196:23,
9197:2, 9197:3,
9197:15, 9198:2
hypnotist - 9197:6
hypnotize - 9198:4
hypnotizing - 9196:8

I

I1 - 9225:7, 9225:23,
9227:7
I2 - 9225:7
Ian - 9238:13
Id - 9206:9
idea - 9183:13,
9198:24, 9222:10,
9262:4
ideal - 9179:6
ident - 9199:8,
9241:14
identification -
9171:18, 9210:17,
9213:4, 9241:11,
9254:17
identified - 9166:17,
9193:21, 9216:15,
9227:19, 9264:2
identify - 9139:3,
9143:4, 9223:6
identifying - 9243:6
ignore - 9151:16
imagine - 9159:22
immediate - 9168:1,
9203:22, 9235:21
immediately - 9230:7,
9246:5
imminent - 9211:6
impediment - 9260:10
implicate - 9153:13,
9155:18
important - 9162:23,
9167:18, 9185:3,
9260:3
impression - 9142:22,
9151:25
in' - 9172:10
incident - 9208:14,
9237:11, 9239:9
include - 9145:20
included - 9198:22
including - 9145:14
inconclusive -
9217:21, 9218:19,
9218:21
incriminating -
9145:13, 9168:24,
9169:10, 9195:15,
9209:6
indeed - 9266:14
index - 9223:11
Index - 9135:1,
9211:13, 9245:8,
9246:20
indicate - 9142:13,
9147:20, 9182:2,
9237:23, 9246:17
indicated - 9142:19,
9149:21, 9153:5,
9173:20, 9194:10,
9236:11, 9266:11
indicates - 9210:16
indicating - 9199:10,
9211:13, 9246:5,
9246:21, 9248:7,
9252:14
indication - 9218:14,
9220:9, 9244:13,
9258:21, 9270:21
indictable - 9245:6,
9245:7, 9245:24
individual - 9165:11,
9203:16, 9253:19,
9265:2
Indyk - 9143:18,
9187:16, 9188:12
influence - 9164:3,
9165:7, 9169:22,
9169:23
influenced - 9165:2,
9168:10
informal - 9249:21,
9250:6
information - 9139:11,
9141:11, 9141:20,
9146:6, 9146:20,
9147:1, 9147:10,
9147:11, 9147:12,
9147:22, 9147:25,
9148:10, 9148:12,
9148:15, 9149:7,
9150:16, 9151:3,
9152:4, 9154:5, 9154:6,
9154:13, 9154:21,
9155:3, 9155:4, 9157:2,
9157:3, 9159:21,
9160:4, 9160:16,
9161:22, 9163:4,
9163:7, 9164:9,
9164:21, 9168:16,
9170:3, 9170:11,
9173:2, 9173:16,
9174:3, 9174:6,
9175:14, 9175:18,
9176:14, 9177:12,
9181:24, 9182:10,
9182:15, 9184:17,
9185:3, 9185:8,
9185:15, 9185:20,
9185:25, 9186:19,
9186:22, 9189:4,
9199:7, 9202:10,
9207:12, 9209:9,
9209:18, 9218:13,
9221:5, 9221:13,
9223:25, 9224:5,
9242:12, 9242:19,
9244:9, 9245:10,
9246:12, 9246:15,
9247:9, 9252:7,
9252:22, 9258:18,
9259:21, 9260:17,
9261:19, 9264:11,
9265:2, 9268:21
informed - 9162:23

initial - 9220:4
Inland - 9133:14
innocence - 9172:25
inquiries - 9220:24
Inquiry - 9132:2,
9132:23, 9173:13
inquiry - 9216:10
Insp - 9206:16
inspected - 9238:5
inspecting - 9235:11
inspection - 9235:25
inspector - 9242:18,
9257:6, 9257:7
Inspector - 9137:24,
9138:3, 9147:14,
9148:4, 9153:2,
9173:19, 9198:21,
9205:4, 9208:4,
9240:17, 9241:17,
9242:13, 9242:15,
9255:3, 9256:7,
9256:19, 9256:24,
9257:5, 9258:3
inspectors - 9256:8
instant - 9224:1
instead - 9242:7,
9255:19
instituted - 9264:5
instructions - 9226:7,
9238:14
insufficient - 9175:7
intend - 9249:13
intent - 9147:9,
9152:9, 9191:13,
9191:24
interest - 9212:12
interested - 9193:25,
9213:1, 9250:9
internal - 9258:19
interpret - 9150:12
interpreting - 9218:3
interrogate - 9206:18,
9207:11
interrogation -
9209:20
interview - 9138:13,
9144:14, 9147:18,
9147:23, 9193:2,
9197:12, 9208:12,
9264:16, 9267:22,
9268:6
interviewed - 9142:15,
9146:25, 9148:5,
9175:5, 9195:13,
9198:19, 9198:20,
9206:16, 9207:17,
9208:4, 9268:17
interviews - 9151:6,
9185:16, 9198:11,
9207:20, 9208:16,
9209:22
inventory - 9179:7
investigate - 9178:23
investigated - 9201:6
investigating - 9140:3,
9158:14, 9163:21,
9180:9, 9181:1, 9189:3,
9236:23
investigation -
9147:16, 9149:6,
9149:23, 9154:15,
9154:22, 9156:4,
9165:8, 9169:1, 9171:2,
9171:8, 9172:6,
9177:21, 9185:4,
9193:23, 9194:23,
9196:14, 9196:21,
9197:4, 9198:16,
9203:19, 9203:21,
9203:22, 9205:14,



9223:19, 9239:7,
9241:1, 9243:5, 9243:9,
9255:2, 9256:3,
9262:20, 9263:1,
9264:5, 9264:17,
9264:19, 9268:8,
9270:1
investigational -
9155:15
investigations -
9152:6, 9154:3,
9178:14, 9179:3,
9201:3, 9208:19,
9229:11, 9253:6
investigator - 9158:23,
9165:9, 9170:10,
9178:17, 9178:22,
9193:25, 9242:1,
9242:2
Investigators - 9224:5
investigators -
9147:10, 9149:8,
9159:22, 9160:18,
9168:20, 9178:18,
9179:3, 9203:9,
9233:11, 9243:15,
9243:16, 9243:19,
9253:10, 9258:23,
9260:15
involve - 9212:14
involved - 9155:5,
9159:23, 9162:21,
9173:15, 9181:1,
9184:18, 9191:21,
9192:9, 9192:15,
9192:22, 9193:5,
9194:3, 9196:2, 9201:6,
9205:23, 9208:14,
9208:19, 9209:21,
9228:17, 9233:7,
9237:16, 9239:4,
9247:7, 9248:15,
9251:9, 9264:4,
9264:16, 9266:18,
9267:16, 9268:7
involvement - 9138:8,
9154:2, 9162:13,
9176:5, 9207:7, 9243:5,
9258:24, 9266:21
involving - 9219:16,
9232:23
Irene - 9133:10
Irwin - 9134:11
Isabelle - 9133:6
isolate - 9195:5
issue - 9162:2,
9163:19, 9166:17,
9185:11, 9199:3,
9199:8, 9199:20,
9214:11, 9218:2,
9228:16, 9228:20,
9229:6, 9243:17,
9248:20, 9258:7,
9267:2
issues - 9138:24,
9153:23, 9162:10,
9162:25, 9170:21,
9175:2, 9178:20,
9194:1, 9199:20,
9232:21, 9239:17,
9253:9, 9253:22,
9262:8
item - 9148:22
items - 9224:16,
9224:21, 9227:10
itself - 9164:12,
9166:19, 9248:12,
9250:19

J

Jack - 9141:3, 9149:18,
9150:20
James - 9134:3
January - 9143:23,
9143:24, 9159:5,
9190:20, 9196:5,
9229:2, 9237:9, 9238:5,
9238:9, 9238:14,
9238:24, 9259:12,
9265:19, 9267:6
Jaw - 9263:25
Joe - 9214:24, 9230:1
John - 9134:7,
9138:13, 9140:15,
9140:16, 9142:11,
9142:15, 9144:14,
9145:1, 9145:13,
9145:18, 9146:13,
9146:20, 9147:21,
9148:6, 9148:16,
9149:24, 9153:23,
9159:4, 9159:16,
9159:25, 9161:5,
9161:12, 9163:16,
9164:21, 9165:20,
9169:3, 9173:25,
9178:7, 9182:20,
9184:6, 9184:11,
9184:14, 9184:21,
9185:1, 9185:9,
9185:13, 9185:16,
9185:24, 9186:3,
9187:14, 9187:24,
9188:4, 9188:16,
9188:17, 9190:1,
9190:6, 9190:18,
9191:11, 9191:16,
9193:2, 9193:10,
9193:17, 9194:4,
9194:7, 9194:9,
9194:25, 9195:7,
9195:10, 9195:18,
9196:3, 9196:8, 9197:1,
9197:3, 9197:12,
9197:16, 9198:4,
9198:20, 9205:18,
9206:19, 9207:17,
9208:5, 9209:5,
9209:13, 9209:22,
9209:25, 9210:20,
9223:12, 9263:23,
9265:19, 9269:5
John - 9207:11
John's - 9139:8,
9184:13
Jordan - 9133:3
Joseph - 9135:3,
9136:4
Joyce - 9134:3, 9264:6,
9267:8
June - 9132:21,
9210:17, 9211:24,
9211:25, 9213:24,
9214:13, 9221:9,
9222:12, 9222:13,
9222:16, 9222:20,
9223:13, 9224:10,
9228:24
jurisdiction - 9196:24,
9247:4, 9247:14,
9247:20, 9249:4
jurisdictional -
9247:13
justice - 9270:20
Justice - 9132:6,
9134:10, 9134:12,
9260:5, 9260:23,
9260:25, 9261:4,
9261:14, 9262:24,

9269:14, 9269:15,
9269:18, 9270:21
justifiable - 9262:23
justification - 9268:10

K

Kara - 9133:6
Karen - 9133:11,
9272:2, 9272:13
Karst - 9134:8,
9140:14, 9147:20,
9159:1, 9159:20,
9175:23, 9176:7,
9176:16, 9240:18,
9241:17, 9241:23,
9242:1
keen - 9212:12
keep - 9152:13,
9244:12
keeping - 9191:13
keys - 9190:14
kill - 9145:14
killer - 9156:15,
9179:25
kind - 9142:22,
9150:13, 9155:4,
9162:1, 9163:20,
9172:13, 9200:12,
9231:10, 9231:20,
9257:1, 9260:22,
9261:24, 9262:1,
9262:7
Kleiv - 9225:7, 9238:9
Kleiv's - 9222:12
knife - 9201:5,
9201:13, 9236:2,
9236:3, 9238:10,
9238:11, 9238:19,
9238:20
knocked - 9203:17
knowing - 9146:23,
9170:25, 9191:11
knowledge - 9148:11,
9154:14, 9156:9,
9162:18, 9170:23,
9171:1, 9171:4,
9173:15, 9174:6,
9175:7, 9176:20,
9181:3, 9195:3,
9197:17, 9198:5,
9218:23, 9224:18,
9227:5, 9232:11,
9238:19, 9238:22,
9245:12, 9252:3,
9272:6
knowledgeable -
9234:24
known - 9150:17,
9158:4, 9158:6, 9185:8,
9189:23, 9191:5,
9194:22, 9205:5,
9207:2, 9216:21,
9233:5, 9258:20,
9260:20
knows - 9163:10,
9165:10, 9187:14
Knox - 9134:5
Krogan - 9134:4
Kujawa - 9134:6

L

lab - 9221:23, 9221:24,
9222:13, 9222:20,
9222:22, 9224:11,
9224:22, 9230:13,
9235:1
Laboratory - 9213:11,
9213:25, 9216:3,

9218:15
laboratory - 9229:13
lack - 9163:17,
9186:14
lady - 9238:25
laid - 9137:22,
9211:18, 9245:10,
9245:23, 9246:6,
9246:13, 9246:21
Lana - 9134:4
lane - 9189:10,
9235:11
laneway - 9234:7
Lapchuk - 9237:11
Larry - 9233:17,
9240:5, 9240:19,
9241:19, 9242:21,
9253:23, 9254:6,
9254:12
last - 9137:14, 9139:6,
9142:12, 9144:7,
9149:4, 9149:15,
9153:7, 9154:10,
9156:11, 9156:25,
9161:10, 9166:17,
9175:22, 9176:23,
9177:5, 9177:24,
9186:12, 9191:19,
9192:12, 9200:15,
9201:21, 9217:24,
9222:6, 9237:4,
9238:17
Last - 9136:6
late - 9223:19, 9229:1,
9258:11
lawyer - 9267:7
lay - 9259:2
laying - 9211:4
learn - 9195:8,
9203:21, 9228:12,
9239:8
learned - 9154:12,
9161:24, 9171:25,
9193:22, 9195:4,
9237:13, 9239:21,
9239:25, 9240:3,
9240:21, 9240:23,
9241:4, 9241:6, 9265:6
learning - 9169:6,
9243:24
least - 9137:15,
9142:3, 9142:14,
9157:9, 9215:7, 9222:8,
9228:4
leave - 9187:5, 9200:2
leaves - 9187:15
leaving - 9188:5
leer - 9168:4, 9169:15
left - 9140:7, 9140:9,
9140:14, 9141:6,
9141:11, 9141:19,
9142:1, 9151:15,
9197:9
left-hand - 9140:7,
9140:9, 9141:6,
9141:11, 9142:1
legal - 9173:5
legitimate - 9188:19
less - 9170:4
letter - 9213:24,
9214:1, 9214:13,
9214:15, 9214:18,
9215:8, 9215:9,
9215:22, 9215:25,
9216:4, 9221:9,
9221:12, 9221:19,
9221:21, 9222:4,
9222:7, 9222:20,
9222:22, 9223:10,
9226:5, 9226:6,

M

9263:22, 9265:19,
9265:21, 9265:22,
9267:6, 9269:3
Lieutenant - 9138:2,
9149:17, 9150:22,
9152:1, 9159:1
lieutenant - 9171:17,
9241:11, 9254:16
life - 9243:13, 9243:14
light - 9142:20,
9164:24, 9198:15,
9243:18, 9258:9,
9258:25
lights - 9182:25,
9184:6
Linda - 9255:4,
9259:18, 9260:2
line - 9159:21, 9168:7,
9182:14
lines - 9152:7,
9157:23, 9220:11,
9248:21
linking - 9228:21
liquid - 9225:23
list - 9180:20
listed - 9147:23,
9149:2
listen - 9162:4,
9208:15
listening - 9208:10,
9208:13
listing - 9180:3
literally - 9178:21,
9220:3, 9252:1
lived - 9181:14,
9181:25, 9186:12,
9255:21
locate - 9228:4
located - 9199:1
Lockyer - 9134:3,
9157:23
lodging - 9210:10
logical - 9252:17
look - 9136:18,
9140:12, 9140:14,
9144:11, 9150:5,
9160:22, 9161:12,
9166:15, 9169:8,
9255:5
looked - 9136:9,
9144:20, 9150:17,
9167:22, 9176:23,
9220:7
looking - 9139:7,
9142:23, 9145:17,
9149:22, 9157:13,
9162:17, 9170:22,
9172:3, 9172:6, 9181:8,
9193:3, 9203:1, 9211:8,
9226:16, 9227:4
looks - 9141:23,
9191:15, 9257:2
lost - 9182:21
Lt - 9175:23, 9206:15
lump - 9219:23,
9227:7
lumps - 9143:12,
9199:10, 9214:4,
9222:14, 9225:8,
9225:17, 9228:21



9207:8
Mackie's - 9206:11
main - 9179:21, 9215:15, 9215:19, 9222:2
maintaining - 9212:6
Manager - 9133:5
manifested - 9248:12
Manitoba - 9247:1
manner - 9201:1, 9221:7
map - 9204:6
March - 9144:1, 9144:9, 9144:11, 9144:17, 9146:14, 9147:14, 9149:2, 9149:3, 9188:5, 9193:1, 9195:20
Marie - 9143:18, 9188:12
marks - 9201:14, 9235:22
marriage - 9264:10
Mary - 9187:17
Mary's - 9188:7
materials - 9136:15
matted - 9236:11
matter - 9157:11, 9162:13, 9199:21, 9201:5, 9211:12, 9242:10, 9249:16, 9250:3, 9253:3, 9266:22
matters - 9162:16, 9181:1, 9240:9, 9263:16
mean - 9146:24, 9159:14, 9160:11, 9162:23, 9164:13, 9167:5, 9193:20, 9201:18, 9217:22, 9265:13
means - 9157:18, 9181:25, 9196:13, 9242:19
meant - 9217:23
media - 9252:4, 9252:6, 9252:13, 9252:17, 9252:21, 9258:19
meet - 9205:9, 9205:16
meeting - 9137:23, 9138:1, 9138:4, 9138:7, 9138:11, 9138:14, 9138:21, 9139:1, 9139:14, 9139:25, 9145:5, 9145:9, 9146:7, 9149:16, 9151:18, 9152:10, 9152:16, 9153:5, 9153:22, 9154:8, 9155:3, 9155:7, 9162:11, 9172:13, 9172:15, 9173:20, 9176:19, 9177:13, 9185:14, 9195:9, 9204:4, 9205:11, 9205:14, 9206:21, 9211:15, 9211:19
meetings - 9137:19, 9140:2, 9154:6, 9155:6, 9162:3, 9162:15, 9177:14, 9177:15, 9196:1, 9204:3, 9204:14, 9204:17
meets - 9187:20
Melnyk - 9237:10
members - 9254:3, 9254:10, 9266:12, 9267:16, 9268:17
memory - 9197:10

men's - 9222:15, 9222:23, 9225:10, 9225:18, 9227:14
mention - 9161:19, 9164:25
mentioned - 9160:21, 9200:24, 9253:23, 9260:23
met - 9160:15, 9205:17, 9210:16, 9211:20, 9255:16
method - 9173:10, 9174:23, 9175:18, 9179:2, 9179:18, 9189:2
methods - 9168:19, 9223:25
Meyer - 9133:12, 9272:2, 9272:17
microfiche - 9251:14
microfilm - 9251:11
microfilmed - 9251:12
microfilming - 9251:10
microphone - 9208:5
mid - 9137:17, 9142:6, 9148:3, 9163:6, 9193:1, 9195:24, 9202:3, 9203:3
mid-may - 9137:17, 9142:6, 9163:6
might - 9149:9, 9164:3, 9164:9, 9169:10, 9170:3, 9176:1, 9176:3, 9176:25, 9179:9, 9179:10, 9180:4, 9185:11, 9186:21, 9189:25, 9197:8, 9199:23, 9203:6, 9208:25, 9213:20, 9219:17, 9224:5, 9247:12, 9249:14, 9250:12, 9250:15, 9263:9, 9263:11, 9266:10
Milgaard - 9132:4, 9134:2, 9134:3, 9141:12, 9145:14, 9149:18, 9149:24, 9150:10, 9150:21, 9150:23, 9151:7, 9151:23, 9152:13, 9152:20, 9153:10, 9153:24, 9155:1, 9155:8, 9155:11, 9157:21, 9158:8, 9158:19, 9158:21, 9159:2, 9159:10, 9159:12, 9159:15, 9160:6, 9161:5, 9161:8, 9161:13, 9163:7, 9163:10, 9165:2, 9165:20, 9166:2, 9166:10, 9166:11, 9166:23, 9167:17, 9168:3, 9168:22, 9173:23, 9174:21, 9175:12, 9175:24, 9176:7, 9179:25, 9181:13, 9182:11, 9182:15, 9187:5, 9189:8, 9190:1, 9190:14, 9190:18, 9191:9, 9191:20, 9191:22, 9192:3, 9193:5, 9194:5, 9194:7, 9194:10, 9194:13, 9195:11, 9199:1, 9200:5, 9201:2, 9202:6,

9203:7, 9203:24, 9203:25, 9209:7, 9210:14, 9210:21, 9212:1, 9212:3, 9212:12, 9213:9, 9214:5, 9217:8, 9218:12, 9218:17, 9222:14, 9223:7, 9225:8, 9226:25, 9227:17, 9228:9, 9228:10, 9228:15, 9228:21, 9228:24, 9229:10, 9233:16, 9234:20, 9238:24, 9239:16, 9239:22, 9240:25, 9243:11, 9246:2, 9246:4, 9246:6, 9255:15, 9258:8, 9260:7, 9260:17, 9262:11, 9264:6, 9264:10, 9265:23, 9267:2, 9267:8, 9270:5, 9270:25, 9271:3
Milgaard's - 9138:8, 9157:17, 9163:17, 9164:19, 9164:23, 9166:5, 9166:14, 9176:15, 9182:20, 9199:12, 9228:7, 9228:13, 9233:14, 9258:15
Milgaards - 9241:1
Miller - 9137:18, 9137:20, 9138:8, 9140:4, 9143:8, 9145:15, 9148:18, 9149:24, 9155:9, 9156:15, 9161:17, 9161:20, 9167:1, 9167:3, 9179:25, 9183:22, 9184:7, 9186:10, 9187:6, 9191:25, 9192:4, 9192:16, 9200:6, 9200:18, 9201:9, 9201:15, 9204:12, 9205:14, 9215:10, 9221:22, 9222:1, 9232:13, 9236:2, 9239:8, 9243:5, 9243:8, 9260:8
Miller's - 9183:9
mind - 9157:20, 9173:5, 9187:18, 9199:13
minds - 9162:19, 9260:15
Minister - 9134:10, 9269:14
minor - 9253:6, 9253:9
minus - 9167:11
minute - 9203:4
minutes - 9161:10, 9167:11, 9194:13, 9204:23
miss - 9157:25
moment - 9139:7, 9142:7, 9144:13, 9146:12, 9197:24, 9200:1, 9205:20, 9210:16, 9216:4, 9216:6, 9223:9, 9262:16, 9265:21, 9267:4
Monday - 9132:21
money - 9161:5, 9161:15, 9161:19, 9183:7, 9183:18, 9191:15
monitor - 9245:5

months - 9136:16, 9214:19, 9234:12, 9235:13, 9239:13
Moose - 9263:25
morality - 9241:18, 9242:7, 9242:16
morning - 9157:17, 9167:9, 9169:3, 9169:14, 9184:15, 9188:13, 9188:24, 9190:1, 9191:5, 9194:8, 9196:5, 9203:12, 9234:16, 9235:16, 9235:25, 9236:6, 9238:5, 9255:4
most - 9146:5, 9159:22, 9179:3, 9212:23, 9247:21
mostly - 9212:5
motel - 9168:4, 9237:11
motive - 9159:24
move - 9140:6, 9239:17, 9254:24
Municipal - 9249:24, 9249:25
murder - 9137:18, 9137:20, 9138:9, 9140:4, 9145:21, 9149:23, 9150:2, 9153:25, 9155:8, 9156:16, 9159:4, 9159:13, 9159:16, 9160:12, 9161:14, 9161:17, 9164:14, 9166:25, 9167:2, 9168:1, 9168:16, 9168:17, 9169:9, 9184:16, 9189:8, 9192:9, 9192:15, 9193:6, 9194:11, 9194:14, 9194:23, 9195:12, 9200:6, 9200:18, 9201:6, 9201:9, 9202:7, 9202:14, 9202:17, 9203:2, 9203:5, 9203:13, 9204:12, 9205:14, 9209:8, 9211:4, 9211:6, 9212:7, 9215:10, 9216:15, 9234:16, 9239:8, 9250:4, 9251:23, 9255:13, 9255:17, 9255:20, 9260:8, 9264:7
murders - 9191:24
Must - 9230:11
must - 9188:16, 9202:7, 9237:1, 9256:23, 9268:12

N

naked - 9234:9
name - 9149:23, 9203:15, 9239:1, 9256:13, 9263:17, 9269:19
names - 9202:12, 9237:10
nation - 9249:14
national - 9202:25
natural - 9147:8, 9160:3, 9227:21
nature - 9138:23, 9163:23, 9224:8, 9244:24, 9250:14, 9251:23, 9254:23, 9268:23

nature' - 9251:21
near - 9144:21, 9148:17, 9148:19, 9182:11, 9185:2, 9190:25, 9239:2
necessarily - 9196:22, 9201:18, 9217:22, 9226:14, 9243:11, 9263:16
necessary - 9193:14, 9268:13
neck - 9201:8
need - 9144:10, 9152:4
needed - 9152:11, 9161:19
needless - 9266:19
negative - 9217:4
neglected - 9248:11, 9253:22
never - 9160:15, 9186:3, 9208:13, 9215:15, 9243:13, 9243:17, 9248:22, 9254:22, 9255:15, 9262:15
new - 9196:15, 9243:16
news - 9263:25
Next - 9158:17
next - 9144:6, 9153:1, 9157:8, 9175:4, 9176:21, 9179:2, 9191:1, 9204:5, 9207:16, 9208:3, 9214:14, 9216:5, 9225:9, 9257:25, 9265:4
Nichol - 9139:8, 9140:15, 9144:14, 9145:1, 9145:12, 9145:18, 9146:13, 9146:20, 9147:21, 9148:16, 9149:24, 9153:23, 9161:12, 9163:16, 9164:21, 9169:2, 9184:6, 9184:10, 9184:12, 9184:14, 9184:21, 9185:1, 9185:13, 9185:16, 9185:24, 9186:3, 9187:14, 9187:24, 9188:4, 9188:16, 9188:17, 9190:6, 9190:18, 9191:11, 9191:16, 9193:10, 9194:4, 9194:24, 9195:7, 9198:19, 9207:17, 9209:5, 9209:13, 9209:22, 9209:25
night - 9206:13, 9210:10, 9256:9
nights - 9210:1
Nine - 9271:13
non - 9217:5, 9217:11, 9217:22, 9218:9, 9218:12, 9219:3, 9219:24, 9220:5, 9230:22, 9230:23
non-secretor - 9217:5, 9217:11, 9217:22, 9218:9, 9218:18, 9219:13, 9219:24, 9220:22, 9230:23
None - 9149:7
Nordstrom - 9240:17, 9241:18, 9242:14, 9242:15
normal - 9156:4,



9160:3, 9211:3,
9258:22, 9262:7
normally - 9219:13
north - 9187:19
note - 9139:16,
9142:24, 9230:3,
9265:24, 9267:14
notes - 9172:15,
9229:23, 9230:9,
9272:6
nothing - 9166:8,
9174:7, 9232:24,
9236:3
notice - 9166:5,
9166:7, 9169:20,
9169:21
notified - 9249:19,
9267:17
notify - 9245:17,
9253:15
notifying - 9253:1
number - 9140:25,
9141:8, 9142:4, 9142:5,
9145:13, 9162:15,
9171:6, 9171:7,
9171:10, 9181:12,
9201:24, 9206:8,
9209:6, 9215:12,
9215:13, 9215:16,
9219:19, 9221:23,
9221:24, 9222:1,
9225:5, 9236:25,
9241:5, 9241:8
numbered - 9141:2
numbers - 9141:3,
9141:7, 9221:22
nurse - 9144:20,
9144:21, 9146:15,
9148:17, 9148:18,
9183:22, 9185:2
nursing - 9148:19

O

O'brien - 9263:25,
9264:2, 9264:9, 9265:6,
9265:12
O'brien's - 9267:21
o'clock - 9167:23,
9271:14
objection - 9268:22
objective - 9146:3
objects - 9189:11
obligation - 9180:8,
9252:20, 9253:13
observations -
9162:18, 9181:9,
9236:15, 9236:21
observed - 9162:22,
9171:22, 9171:25,
9195:25, 9234:16,
9238:4
obstructionist -
9266:14
obtain - 9181:22
obtained - 9136:14,
9148:12, 9187:23,
9191:12, 9193:12,
9199:2, 9209:18,
9225:21, 9227:8,
9234:20, 9244:1,
9247:9
obtaining - 9213:8,
9264:11
obvious - 9236:23,
9261:7
obviously - 9146:6,
9158:10, 9162:25,
9168:25, 9170:1,
9178:11, 9183:14,
9186:23, 9187:12,
9189:2, 9195:6,
9211:20, 9222:1,
9227:23, 9232:21,
9243:20, 9256:9,
9256:18, 9261:10
Obviously - 9215:4,
9239:17
occasion - 9171:20,
9205:22, 9205:24,
9248:23
occasions - 9178:4,
9241:22
occur - 9147:8,
9216:22, 9254:15
occurred - 9150:1,
9150:3, 9156:5,
9172:13, 9185:16,
9196:11, 9197:6,
9248:9, 9249:6
occurrence - 9245:22
occurs - 9219:4,
9219:22
October - 9240:5,
9240:9, 9240:18,
9241:19
offence - 9153:14,
9155:18, 9243:12,
9245:7, 9245:25,
9246:3, 9251:24
offences - 9156:16,
9212:24, 9246:18,
9247:4, 9248:8
offer - 9150:6, 9162:6,
9247:22
offered - 9162:3
office - 9269:21
Office - 9265:11
officer - 9165:10,
9170:25, 9199:9,
9203:4, 9205:13,
9232:3, 9233:7,
9236:24, 9241:15,
9242:7, 9242:15,
9261:19
Officer - 9133:13
Officers - 9264:16
officers - 9140:3,
9147:5, 9149:10,
9154:17, 9160:24,
9162:16, 9171:7,
9171:11, 9172:8,
9174:2, 9177:19,
9178:14, 9244:1,
9253:11, 9253:20,
9261:21, 9267:22,
9268:7
Official - 9133:11,
9272:1, 9272:3,
9272:14, 9272:18
officials - 9250:7
often - 9147:10,
9165:8, 9196:11,
9200:24, 9200:25,
9242:2
old - 9239:1
Oliver - 9238:13,
9238:21
once - 9251:11, 9261:2
one - 9137:5, 9137:15,
9139:8, 9151:11,
9152:8, 9170:6,
9170:25, 9172:20,
9178:19, 9179:2,
9180:10, 9181:18,
9185:19, 9193:3,
9193:7, 9204:14,
9204:17, 9209:25,
9218:22, 9219:4,
9220:15, 9225:10,
9225:23, 9227:14,
9256:8, 9270:8
ones - 9250:16, 9254:1
ongoing - 9251:6
Ontario - 9221:1
open - 9244:23,
9252:1
operation - 9235:2
operator - 9138:12
opinion - 9163:10,
9212:19
opport - 9215:14
opportunity - 9162:3,
9171:24, 9195:12,
9259:16
opposed - 9183:13,
9192:23, 9240:1
opposite - 9212:16
order - 9249:7,
9270:20
ordinary - 9166:9
original - 9136:22
originated - 9185:22
Ottawa - 9244:14,
9244:20, 9245:1,
9245:2, 9245:11,
9245:25, 9246:5,
9246:9, 9246:20,
9248:7
ought - 9171:12,
9211:18
ourselves' - 9220:25
outline - 9220:17
outlines - 9216:12
outstanding -
9211:14, 9243:22
overseer - 9262:5
overwhelming -
9253:21
own - 9233:2, 9253:4

P

packaged - 9213:9
packed - 9235:20
page - 9140:6, 9140:7,
9140:9, 9140:16,
9140:25, 9141:3,
9141:6, 9141:7, 9141:9,
9141:12, 9141:14,
9142:4, 9142:8, 9143:6,
9143:7, 9144:6, 9149:1,
9153:1, 9157:8,
9158:17, 9175:4,
9176:21, 9204:5,
9214:15, 9225:9,
9234:18, 9235:9,
9236:17, 9237:19,
9257:25, 9258:1,
9265:4
Page - 9135:2
pages - 9141:19,
9272:4
pair - 9213:8, 9222:15,
9222:23, 9225:10,
9227:14, 9227:16,
9228:25
paper - 9204:18
paragraph - 9153:4,
9153:6, 9221:14
Pardon - 9224:24
Parker - 9256:13,
9256:15, 9265:8
Parker' - 9257:3
part - 9146:4, 9168:12,
9179:12, 9198:13,
9205:6, 9205:8,
9224:13, 9224:23,
9224:25, 9239:12,
9240:1, 9265:21
participate - 9198:10
participated - 9171:16
particular - 9138:19,
9138:21, 9146:4,
9166:18, 9167:25,
9181:21, 9198:16,
9201:24, 9208:14,
9239:7, 9245:4,
9252:18, 9253:12
particularly - 9213:2,
9249:22
parties - 9215:7,
9262:20
parts - 9143:4,
9177:15, 9267:20,
9270:1
party - 9175:16
pass - 9172:22
path - 9173:19
pathway - 9179:20
patrol - 9241:15,
9256:7, 9257:7,
9259:15
pause - 9153:15,
9217:7, 9256:15,
9264:20
pay - 9166:18
Paynter - 9174:14,
9174:18, 9174:25,
9199:22, 9214:3,
9214:9, 9215:25,
9221:5, 9221:6,
9221:10, 9226:18,
9228:5, 9228:18,
9230:14, 9230:21,
9235:6
penitentiary - 9249:10
Penkala - 9135:3,
9136:4, 9136:6, 9137:4,
9138:2, 9139:13,
9141:1, 9142:2,
9144:23, 9145:23,
9146:25, 9148:16,
9156:24, 9160:23,
9162:12, 9170:22,
9172:3, 9173:13,
9174:7, 9177:17,
9178:14, 9179:23,
9180:25, 9184:12,
9185:7, 9188:2, 9193:1,
9195:23, 9198:17,
9199:6, 9200:3,
9202:15, 9205:3,
9206:15, 9206:22,
9210:3, 9211:24,
9212:9, 9218:16,
9221:21, 9222:16,
9228:6, 9230:5,
9231:14, 9233:15,
9235:4, 9237:9,
9254:16, 9255:6,
9256:2, 9259:4,
9259:21, 9264:20,
9265:10, 9266:22,
9268:24
people - 9137:10,
9150:6, 9156:3, 9156:6,
9160:21, 9167:25,
9170:18, 9186:21,
9188:23, 9191:6,
9194:3, 9195:4,
9212:23, 9218:24,
9223:15, 9239:18,
9262:10, 9263:17,
9264:22, 9266:25
percent - 9218:23
perhaps - 9165:13,
9166:10, 9181:18,
9268:4
period - 9148:4,

9205:4, 9205:10
peripheral - 9162:1
permanently - 9251:3
permission - 9264:15,
9271:9
perpetrator - 9156:13,
9201:19
perpetrators - 9168:20
person - 9162:2,
9163:23, 9179:17,
9179:18, 9188:7,
9192:24, 9199:25,
9200:6, 9200:16,
9200:17, 9203:1,
9203:6, 9216:16,
9216:18, 9219:13,
9231:7, 9242:16,
9242:17, 9245:21,
9248:18, 9262:25,
9263:5, 9269:19
personal - 9162:18,
9171:1, 9232:11,
9261:2
persons - 9216:23,
9220:13, 9249:3
persuaded - 9152:12,
9265:1
phase - 9166:13
phenomenon -
9216:22
phone - 9224:7
photocopy - 9136:21
photographs -
9223:12
physical - 9213:19,
9251:5
pick - 9178:22
picked - 9190:7
picture - 9168:13,
9168:14, 9168:15,
9194:2
piece - 9148:15,
9204:17
pieces - 9209:6
place - 9137:19,
9151:13, 9176:8,
9203:12, 9209:20,
9237:1, 9244:21,
9250:20, 9251:21,
9252:25, 9262:18,
9263:2
placed - 9267:18
planning - 9159:15
play - 9150:25,
9158:22
played - 9229:6
players - 9228:20
plea - 9250:13
plead - 9247:23,
9247:25, 9249:13
pled - 9242:25
plus - 9167:11
Pm - 9136:2, 9204:25,
9205:1, 9206:12,
9238:11, 9271:15
point - 9139:24,
9151:2, 9153:21,
9154:7, 9155:1, 9163:1,
9186:24, 9187:1,
9187:17, 9188:12,
9189:15, 9193:17,
9193:24, 9194:6,
9199:13, 9200:5,
9200:13, 9201:16,
9203:11, 9212:14,
9223:24, 9228:11,
9229:9, 9243:12,
9269:17
points - 9158:12,
9161:11, 9182:18



- Police** - 9134:7, 9147:16, 9197:21, 9206:17, 9210:1, 9225:3, 9244:22, 9246:19, 9248:7, 9249:20, 9252:12, 9254:4, 9254:10, 9263:23, 9264:16, 9264:18, 9265:20, 9267:6, 9268:25, 9270:23, 9271:1
police - 9140:13, 9141:2, 9141:8, 9141:20, 9142:5, 9143:20, 9143:24, 9144:12, 9144:18, 9146:14, 9146:19, 9146:21, 9146:25, 9147:2, 9148:5, 9151:21, 9152:14, 9154:25, 9162:20, 9163:5, 9164:1, 9165:10, 9170:25, 9171:7, 9174:2, 9177:19, 9182:19, 9184:14, 9185:9, 9193:3, 9194:8, 9195:18, 9195:20, 9195:24, 9195:25, 9197:19, 9198:21, 9200:10, 9202:25, 9203:3, 9203:15, 9205:12, 9208:16, 9210:9, 9210:20, 9211:1, 9222:8, 9224:3, 9231:25, 9232:12, 9232:17, 9240:1, 9243:25, 9244:5, 9244:10, 9247:17, 9249:18, 9250:1, 9250:8, 9250:19, 9250:21, 9250:23, 9251:18, 9252:4, 9252:9, 9253:5, 9253:6, 9253:11, 9254:5, 9254:11, 9257:8, 9257:10, 9258:19, 9259:18, 9260:10, 9260:18, 9260:24, 9261:18, 9261:20, 9262:11, 9262:19, 9262:21, 9262:23, 9262:25, 9263:13, 9263:16, 9263:20, 9265:1, 9266:5, 9269:12, 9270:1, 9270:8, 9271:2
policeman - 9188:15, 9243:13
policemen - 9173:1
policy - 9252:25
polite - 9166:8
polygraph - 9138:12, 9142:12, 9145:8, 9193:13, 9196:18, 9197:2, 9197:13, 9197:25, 9198:10, 9198:18, 9205:23
Polygraph - 9196:14
polygraphed - 9173:25, 9178:8
polygraphs - 9205:21
portion - 9182:16, 9222:21, 9234:7
portions - 9236:5
posed - 9216:12
position - 9148:1, 9159:18, 9226:21, 9262:5, 9268:24, 9269:5, 9269:6
positive - 9170:20, 9174:15, 9175:6, 9175:20, 9199:24, 9219:20, 9225:21, 9227:8
positively - 9199:18
possessing - 9216:18
possession - 9207:3
possibility - 9146:24, 9167:24, 9219:5, 9219:15, 9219:23, 9226:6, 9230:20, 9231:6
possible - 9146:17, 9183:21, 9199:2, 9207:15, 9220:11, 9220:12, 9224:3, 9231:1
possibly - 9144:25, 9151:1, 9161:23, 9182:25, 9189:9, 9190:6, 9202:11, 9213:15, 9230:21, 9231:2, 9248:16, 9263:15
post - 9144:4, 9145:8, 9145:9
post-may - 9144:4
post-meeting-with-roberts - 9145:9
post-polygraph - 9145:8
potential - 9231:17
practice - 9208:15, 9210:6, 9211:3, 9232:15, 9233:3, 9243:25, 9244:2, 9246:18, 9252:25, 9253:15, 9253:17, 9256:16, 9257:9, 9257:15, 9262:18, 9263:2, 9263:8
practiced - 9263:9
preclude - 9261:18
predated - 9142:14
predates - 9142:6
preferred - 9210:8
preliminary - 9211:21, 9226:24, 9229:1, 9229:18, 9230:1, 9230:7, 9231:17, 9233:14, 9233:16, 9233:17
preparation - 9232:2
preparations - 9233:6
prepared - 9137:6, 9139:11, 9139:24, 9144:24, 9145:18, 9146:1, 9172:21, 9178:9, 9178:11, 9178:13, 9202:4, 9204:13, 9218:21, 9231:19, 9266:12, 9268:14
presence - 9161:12, 9166:14, 9222:25, 9226:1, 9226:11
present - 9153:5, 9154:8, 9162:9, 9162:15, 9173:3, 9173:4, 9173:22, 9181:5, 9193:12, 9207:18, 9220:14, 9223:1
presentation - 9232:10
presented - 9172:24, 9173:11, 9268:12
presenting - 9173:10
presumable - 9137:9, 9210:13, 9248:24
presumptive - 9225:22, 9227:9
pretence - 9183:23
pretry - 9154:20
previous - 9201:10, 9202:17
previously - 9189:5
prime - 9149:18, 9149:21, 9150:9, 9150:24, 9151:3, 9151:7, 9151:9, 9152:20, 9153:11, 9155:22, 9170:10, 9173:23, 9174:5
Prince - 9249:10, 9249:12
Pringle - 9134:12
problem - 9181:21, 9220:7, 9244:4, 9261:10
problems - 9216:12
proceed - 9173:8, 9232:8, 9245:18, 9260:5
proceeded - 9206:14, 9232:9
proceeding - 9172:23
proceedings - 9166:4
Proceedings - 9132:12, 9132:23, 9135:1, 9136:1
process - 9188:21, 9198:23, 9212:3, 9219:8, 9219:15, 9227:2, 9227:22, 9229:21, 9231:20, 9231:24, 9244:8, 9247:11, 9249:18, 9250:20, 9251:10, 9251:21, 9258:15, 9258:23, 9259:9, 9260:4, 9262:7
processed - 9212:21
produced - 9233:1
progressed - 9229:9
progression - 9231:10
prompting - 9218:1
proof - 9173:1, 9173:2
properly - 9162:5
proposed - 9232:5
prosecuting - 9231:23
prosecution - 9250:12
prosecutor - 9173:6, 9211:16, 9229:17, 9231:22, 9231:25, 9232:7, 9232:17, 9232:20, 9233:4
prosecutors - 9233:8, 9233:9
protocol - 9197:19
proved - 9230:12
proven - 9202:8
provide - 9168:15, 9244:18, 9252:9
provided - 9136:16, 9154:5, 9207:12, 9210:9, 9214:18, 9233:4, 9233:13, 9233:18, 9263:12, 9269:20
providing - 9170:11, 9178:18, 9202:10
Province - 9272:3
province - 9249:14
psychiatrists - 9196:24
public - 9252:22, 9254:6, 9254:12
pulling - 9238:1
purpose - 9139:17, 9156:1, 9196:15, 9196:17, 9202:11, 9202:24, 9204:9, 9213:13, 9213:18, 9222:23, 9223:14, 9223:17, 9225:13, 9246:2
purposes - 9210:18
purse - 9183:25, 9187:6, 9190:10, 9191:10, 9191:14, 9191:21, 9192:1
Purse - 9190:4
pursue - 9151:22, 9152:4, 9152:5, 9152:7, 9168:20, 9177:21, 9221:7, 9251:19, 9261:6
pursued - 9150:21, 9156:20, 9160:6, 9171:13, 9175:15, 9260:18
put - 9166:23, 9179:9, 9190:15, 9191:14, 9203:17, 9208:23, 9215:2, 9215:12, 9217:11, 9220:3, 9229:25
puts - 9192:2
putting - 9152:15, 9170:6, 9212:15, 9217:5
- Q**
- Qb** - 9133:11
Qc - 9134:2, 9134:6, 9134:7, 9134:8, 9134:10, 9134:12
Queen's - 9250:5, 9250:7, 9272:1, 9272:3, 9272:14, 9272:18
queer - 9169:3
questions - 9235:10
quite - 9138:20, 9147:7, 9165:7, 9170:19, 9177:1, 9205:19, 9207:15, 9207:24, 9209:10, 9213:1, 9236:23
- R**
- radar** - 9152:3, 9152:13
Radisson - 9132:16
raise - 9160:9
raised - 9176:19, 9231:6
ran - 9188:17
rank - 9242:19
rape - 9143:7, 9191:24, 9193:6, 9200:25, 9201:3, 9201:11, 9203:1, 9216:15
rape-murder - 9216:15
rapes - 9200:17, 9200:24, 9201:3, 9202:6, 9202:14, 9202:18, 9203:5, 9240:12, 9243:2, 9243:7, 9243:19, 9243:21, 9247:10
raping - 9192:4
rapist - 9201:4
Rasmussen - 9169:15
rate - 9255:24
raw - 9231:8
- Ray** - 9207:8
Raymond - 9177:25, 9206:10
Rcmp - 9134:9, 9147:15, 9185:17, 9201:23, 9202:10, 9211:13, 9221:9, 9221:19, 9221:22, 9222:13, 9222:22, 9224:7, 9225:2
re - 9268:10
re-examining - 9268:10
reach - 9174:4, 9215:15
read - 9149:9, 9170:13
reading - 9154:16, 9186:16, 9219:21
reality - 9248:13
really - 9155:10, 9170:15, 9173:2, 9208:18, 9208:19, 9219:24, 9229:8, 9241:3, 9241:21, 9242:8, 9242:10, 9258:6, 9263:12
reason - 9144:2, 9210:8, 9239:18, 9260:24, 9268:5
reasons - 9215:16, 9215:17, 9266:15, 9268:11
reassigned - 9256:25
recap - 9137:13
receive - 9215:7, 9263:5
received - 9146:10, 9147:12, 9209:11, 9215:6, 9218:14, 9222:4, 9222:5, 9222:8, 9222:15, 9225:6, 9227:17, 9264:21, 9264:24
recently - 9264:5
recognize - 9257:1
recollection - 9148:24, 9151:15, 9155:2, 9160:13, 9161:18, 9163:16, 9168:6, 9172:4, 9172:12, 9176:18, 9178:5, 9181:8, 9187:25, 9196:10, 9202:9, 9207:4, 9211:15, 9229:8, 9233:19, 9239:5, 9239:6, 9241:4, 9243:23, 9265:17, 9266:24, 9269:22
recollections - 9156:22, 9162:17, 9169:6, 9195:21, 9211:19, 9229:20, 9265:13
Reconvened - 9136:2, 9205:1
record - 9165:19, 9167:13, 9206:7, 9208:17, 9210:13, 9212:8, 9246:3, 9266:2
recorded - 9208:24, 9220:16
recorder - 9208:23
recordings - 9208:22, 9209:1
records - 9147:15, 9198:8, 9223:11, 9223:17, 9244:15, 9244:20, 9245:1, 9245:10, 9246:9
Records - 9267:19



- red** - 9216:19, 9219:9
Red- 9175:5, 9226:23
reenact - 9220:18
reenactment - 9237:11
refer - 9212:18
reference - 9140:16, 9141:16, 9142:4, 9143:8, 9145:20, 9146:13, 9157:14, 9158:25, 9174:12, 9187:25, 9188:5, 9238:10, 9265:5
referenced - 9157:15
references - 9220:8
referred - 9221:4, 9229:16, 9231:8, 9238:18, 9255:13
referring - 9151:21, 9182:8
refers - 9142:5, 9187:21, 9211:25, 9221:15, 9263:24, 9264:1
reflect - 9153:16, 9155:19
reflected - 9147:2, 9147:19, 9176:10
reflecting - 9170:17, 9170:18
reflects - 9167:14
refused - 9212:3
regard - 9162:1, 9208:20, 9266:9, 9267:17
regards - 9172:19, 9195:6, 9205:13, 9206:17, 9207:10, 9212:20
Regina - 9183:2, 9185:18, 9224:15, 9225:2, 9229:13, 9242:25, 9247:15, 9248:5, 9249:1, 9252:11
registered - 9261:3
relate - 9147:11, 9163:20, 9253:4
related - 9170:12, 9176:3, 9199:3, 9201:10, 9232:22, 9264:9
relates - 9255:3
relating - 9163:6, 9195:3, 9232:1, 9251:7, 9263:1, 9264:6, 9264:12, 9264:18
relationship - 9178:24, 9252:3
relative - 9149:7, 9153:23, 9178:19, 9178:25, 9182:9, 9214:10, 9215:18, 9232:4
relatively - 9196:15
relayed - 9159:22
release - 9219:11, 9219:17
released - 9219:25, 9229:10
relied - 9252:8
relieving - 9241:15, 9259:9, 9259:10
relying - 9160:24
remember - 9156:17, 9203:18, 9204:14, 9224:16, 9231:2
remembering - 9197:6
remind - 9245:3, 9245:16
reminded - 9246:9
reminders - 9244:14
removed - 9191:9
reopen - 9241:1
reopened - 9268:4
reopening - 9240:24
rephrase - 9163:24
reply - 9216:7, 9224:12, 9265:24
report - 9137:25, 9140:13, 9141:8, 9142:5, 9143:20, 9144:13, 9144:18, 9146:15, 9146:21, 9147:3, 9147:16, 9147:19, 9149:3, 9153:2, 9153:18, 9153:19, 9164:17, 9173:19, 9173:21, 9201:22, 9201:23, 9202:24, 9205:20, 9206:6, 9206:11, 9210:16, 9211:24, 9211:25, 9222:12, 9225:1, 9227:25, 9231:13, 9238:8, 9245:22, 9245:25, 9246:20, 9252:13, 9255:2, 9256:4, 9256:17, 9256:19, 9257:13, 9257:14, 9257:25, 9258:5, 9258:19, 9259:1, 9259:17, 9262:3, 9263:16
reported - 9203:13, 9203:15
reporter - 9263:25, 9265:3
Reporter- 9272:14, 9272:18
Reporters- 9133:11, 9272:3
Reporters' - 9272:1
reporting - 9246:13, 9252:4
reports - 9141:2, 9145:10, 9148:8, 9149:9, 9154:16, 9165:1, 9170:13, 9198:1, 9202:15, 9228:4, 9253:7, 9259:19, 9263:13
representative - 9268:15, 9268:18
representatives - 9247:8, 9270:5, 9271:3
reputation - 9164:2, 9206:1
request - 9197:18, 9214:2, 9224:6, 9234:25, 9235:1, 9242:19, 9247:16, 9247:19, 9249:3, 9267:22, 9267:24, 9269:17, 9270:20, 9271:5
requested - 9264:15, 9269:10, 9269:20
requesting - 9223:11
requests - 9262:10, 9264:21, 9269:2
required - 9158:23, 9179:2, 9242:12, 9265:25
requirement - 9161:11
resided - 9255:25
resolved - 9244:24, 9250:13
resolution - 9249:12
respect - 9163:11, 9163:17, 9164:6
respond - 9263:3
responded - 9271:6
response - 9216:9, 9224:1
responsibility - 9169:25, 9180:8, 9253:12, 9261:5
responsible - 9155:8, 9200:6, 9212:6, 9246:25, 9248:18, 9270:22
rested - 9260:15
resubmitting - 9214:2
result - 9186:20, 9189:11, 9194:22, 9199:21, 9219:11, 9225:21, 9227:8, 9246:12, 9249:20, 9264:15
resulted - 9154:22, 9201:13, 9249:18, 9264:12
results - 9187:14, 9197:9, 9199:12
retains - 9191:10
retest - 9230:13
Retired- 9134:13
return - 9150:5, 9215:5
Return- 9214:23
returned - 9253:7
returns - 9189:8, 9190:6, 9191:16
revealed - 9188:8, 9262:4, 9263:18, 9263:19
review - 9198:13, 9211:6, 9215:8, 9222:3, 9233:10, 9239:12, 9239:22, 9258:15, 9259:16, 9266:8, 9269:20
reviewed - 9138:7, 9154:12, 9271:2
reviewing - 9161:10, 9177:5, 9228:20, 9239:24
rid - 9159:3, 9159:25
Riddell- 9138:3, 9147:14, 9152:17, 9153:3, 9153:8, 9155:21
Riddell's- 9137:25, 9153:19, 9173:19
right-hand - 9140:10, 9140:12, 9140:20, 9140:21, 9140:22, 9141:9, 9141:14
roberts - 9145:9
Roberts- 9142:14, 9148:4, 9148:7, 9148:23, 9151:5, 9184:13, 9193:2, 9195:9, 9195:13, 9197:14, 9197:18, 9197:22, 9198:3, 9198:21, 9205:5, 9205:9, 9206:1, 9206:16, 9207:16, 9208:4
Roberts' - 9197:12
Rochelle- 9134:9
role - 9160:23, 9172:5, 9229:5
Ron- 9184:22, 9192:9, 9192:13, 9197:25, 9206:18, 9207:17, 9209:3, 9209:22, 9224:16
room - 9208:3, 9208:12, 9213:4
root - 9165:8
rough - 9204:11
routinely - 9223:21
Rpr- 9133:12, 9272:2, 9272:16, 9272:17
ruling - 9267:17
runs - 9187:15
Rusty- 9208:2

S
S/s - 9174:14
saliva - 9199:13, 9214:5, 9217:3, 9217:10, 9217:20, 9222:15, 9225:9, 9225:10, 9225:17, 9230:12, 9234:19, 9234:22, 9235:7
sample - 9174:16, 9174:21, 9199:2, 9214:5, 9225:8, 9225:9, 9225:23, 9226:23, 9226:24, 9234:20, 9234:22, 9235:7
Sandra - 9133:5, 9165:16, 9169:19
Saskatchewan - 9132:17, 9134:4, 9261:14, 9266:4, 9269:24, 9270:21, 9272:4
Saskatoon - 9132:17, 9134:7, 9147:16, 9153:24, 9161:6, 9161:13, 9166:14, 9182:17, 9185:18, 9193:11, 9195:8, 9198:7, 9210:1, 9240:8, 9244:10, 9244:22, 9246:19, 9247:10, 9248:6, 9248:9, 9249:19, 9252:12, 9254:4, 9254:10, 9266:10, 9268:25, 9271:1
Saskatoon's - 9248:13
sat - 9162:2
saw - 9145:14, 9157:17, 9185:2, 9187:25, 9188:13, 9188:17
scenario - 9192:8
scene - 9154:4, 9154:5, 9162:7, 9162:8, 9182:9, 9182:11, 9191:10, 9204:12, 9204:19, 9216:14, 9234:12, 9235:23, 9236:15, 9238:6, 9238:12
scheduled - 9250:3
Sciences - 9221:2
screen - 9138:19, 9140:7, 9142:1, 9145:18, 9152:3, 9152:14
scroll - 9148:25, 9153:6, 9164:16, 9193:8, 9213:7, 9217:14, 9221:15, 9225:5, 9255:11
sealed - 9213:10
seceded - 9270:13
second - 9140:9, 9181:18, 9184:22, 9184:23, 9209:4, 9225:9
secondhand - 9160:17
secreted - 9219:14
secretes - 9216:20
secretion - 9217:3, 9220:13
secretor - 9143:13, 9174:15, 9174:22, 9174:24, 9175:19, 9199:3, 9199:8, 9199:11, 9199:25, 9213:16, 9213:21, 9214:11, 9216:17, 9217:5, 9217:11, 9217:22, 9217:24, 9218:9, 9218:18, 9218:19, 9219:13, 9219:24, 9220:5, 9223:7, 9227:19, 9227:25, 9228:9, 9228:11, 9228:16, 9228:20, 9229:6, 9230:11, 9230:13, 9230:22, 9230:23
secretors - 9218:25
Security - 9133:13
see - 9136:11, 9140:15, 9140:17, 9140:22, 9140:24, 9141:9, 9141:10, 9141:14, 9141:15, 9142:9, 9143:20, 9145:3, 9150:6, 9166:16, 9189:25, 9194:1, 9213:19, 9214:14, 9215:13, 9221:14, 9222:12, 9225:10, 9227:19, 9237:23, 9237:25, 9243:9, 9250:17, 9256:13, 9267:1, 9267:16
seeing - 9144:20, 9146:15, 9148:17, 9157:14, 9168:6, 9169:14, 9178:19, 9183:22, 9184:6, 9269:3
seek - 9242:19, 9256:25, 9261:5, 9271:8
seeking - 9199:19
seem - 9147:11, 9148:14
sees - 9268:20
seimen - 9175:9
seized - 9223:6
selected - 9242:2
semen - 9175:12, 9216:14, 9219:6, 9219:18, 9231:9
seminal - 9222:25, 9227:12, 9227:18, 9227:25
send - 9228:25, 9245:8, 9245:25, 9246:20, 9248:7, 9252:12
sending - 9222:22
senior - 9162:15, 9171:11
sense - 9153:18, 9167:6, 9176:6, 9196:2, 9224:19, 9237:15
sent - 9214:8, 9215:25, 9221:17, 9224:11, 9224:22, 9241:23, 9244:19, 9250:10, 9265:22, 9267:7
sequence - 9262:8
sequentially - 9141:2
Serge - 9134:6



Sergeant - 9138:3, 9174:25, 9178:4, 9214:3, 9221:9, 9230:21, 9256:13, 9256:15, 9257:3, 9265:7
serious - 9212:24, 9251:23
serological - 9225:14
serology - 9227:6
service - 9241:14
Service - 9134:7, 9246:19, 9254:4, 9254:11, 9271:1
service - 9257:8
serving - 9249:10, 9255:17
session - 9137:16
sessions - 9140:2, 9171:10, 9171:21, 9181:6
set - 9137:24, 9200:4, 9200:21, 9201:4, 9208:9
setting - 9179:19, 9208:5
seven - 9188:13
several - 9182:1, 9219:6, 9220:11, 9245:14
sex - 9187:7, 9201:10
sexual - 9156:14, 9240:6, 9240:7, 9240:14, 9253:1, 9254:13
sexually - 9239:2
share - 9155:23, 9252:22, 9265:2, 9270:18, 9271:10
shared - 9215:4, 9218:13, 9232:19
sharing - 9263:13
Sharon - 9164:16
shift - 9256:9
Short - 9138:2, 9149:17, 9150:23, 9152:1, 9152:17, 9159:1, 9159:20, 9175:23, 9176:6, 9176:16
shortage - 9243:13
shorthand - 9272:5
shortly - 9183:2, 9209:19
shorts - 9222:15, 9222:23, 9222:24, 9223:6, 9227:16
show - 9179:25, 9180:5, 9204:18, 9205:20, 9210:15, 9217:19, 9265:21, 9267:4
showed - 9144:13
showing - 9179:20, 9216:4
shows - 9165:19, 9209:3, 9210:13
shredded - 9251:16
side - 9140:7, 9140:9, 9140:10, 9140:12, 9140:20, 9140:21, 9141:6, 9141:10, 9141:11, 9164:8, 9180:14, 9180:21, 9212:17, 9213:6
sight - 9194:12
sign - 9212:4
signature - 9257:1
significant - 9148:15, 9215:17
siliva - 9174:14, 9175:6
similar - 9161:9, 9200:25, 9201:9, 9201:14, 9203:5, 9269:5
similarities - 9156:16, 9201:18, 9201:24, 9202:17, 9243:6
Simon - 9143:25
simply - 9156:2, 9162:1, 9170:22, 9179:18, 9195:3, 9201:4, 9201:17, 9208:23, 9242:3, 9253:7
single - 9139:16
sitting - 9132:15
situation - 9147:8, 9150:16, 9152:19, 9170:10, 9195:2, 9201:7, 9201:12, 9201:13, 9232:21, 9232:22, 9233:24, 9246:23, 9247:13, 9247:22, 9248:6, 9260:14, 9261:7, 9261:9
situations - 9155:16, 9185:19, 9193:21, 9208:22, 9210:7, 9231:7, 9249:7, 9263:4
six - 9234:12, 9235:13
skill - 9272:6
slashes - 9201:8, 9201:16
slip - 9254:21
small - 9227:1
Smyth - 9175:16
snow - 9143:12, 9143:14, 9189:12, 9189:17, 9190:25, 9199:10, 9214:4, 9219:24, 9222:14, 9225:8, 9225:17, 9227:8, 9228:22, 9234:3, 9234:5, 9235:20, 9235:23, 9236:4, 9236:11
soap - 9174:16
solved - 9244:2, 9252:14, 9261:25
someone - 9164:5, 9165:13, 9188:9, 9188:13, 9205:7, 9215:5, 9220:25, 9245:24, 9246:19, 9250:25, 9252:15
sometime - 9165:24
sometimes - 9205:10, 9245:13
somewhat - 9138:25, 9152:22, 9166:25, 9244:4, 9247:11, 9248:10
somewhere - 9159:21, 9167:4, 9168:6, 9175:13, 9176:5, 9182:14, 9188:14, 9248:21, 9258:12
sorry - 9142:24, 9157:25, 9181:18, 9217:17, 9265:15, 9267:23
Sorry - 9191:23
sort - 9148:13, 9152:12, 9164:7, 9164:22, 9166:8, 9180:13, 9180:20
sought - 9162:10, 9235:1, 9261:11, 9264:10
sound - 9198:14, 9206:21
Sounds - 9187:10
sounds - 9187:22
sources - 9147:23, 9157:4, 9181:4
speaking - 9261:14
specific - 9137:23, 9178:5, 9185:13, 9197:17, 9198:5, 9241:4, 9241:25, 9244:25, 9250:16, 9270:20
specifically - 9149:20, 9157:10, 9176:18, 9184:18, 9187:12, 9192:17, 9211:2, 9244:12, 9246:3, 9247:7, 9247:12, 9257:22, 9261:8, 9262:10, 9262:15, 9268:4, 9269:1
specifics - 9147:7, 9185:21, 9195:5, 9264:23
specimen - 9216:14, 9219:5, 9220:4
speculation - 9230:24
spent - 9209:25, 9269:22
sperm - 9199:1, 9230:16
spot - 9271:12
spreading - 9167:24
St - 9187:17, 9188:7
stab - 9145:14, 9201:14
stabbed - 9236:24
stabbing - 9201:8, 9237:1
Staff - 9133:1, 9133:9, 9138:2, 9174:25, 9214:2, 9221:9, 9230:21, 9265:7
staff - 9250:2
stage - 9172:11, 9183:14, 9209:16, 9215:24, 9228:23
stained - 9234:5
stains - 9158:3, 9222:25, 9234:8, 9234:10
standard - 9179:2, 9229:21, 9231:20, 9244:8
start - 9167:24, 9179:6, 9258:23
started - 9144:7, 9145:6, 9173:18, 9237:8, 9258:9
starting - 9148:6
state - 9197:7
Statement - 9143:18, 9149:2
statement - 9139:9, 9140:16, 9142:5, 9142:6, 9143:18, 9143:22, 9143:23, 9143:25, 9144:10, 9144:12, 9144:17, 9144:19, 9145:1, 9145:2, 9145:3, 9145:9, 9145:11, 9145:12, 9145:16, 9145:19, 9146:5, 9146:11, 9146:14, 9146:22, 9147:2, 9147:13, 9147:21, 9164:17, 9165:25, 9175:24, 9184:13, 9184:22, 9184:23, 9185:10, 9185:13, 9185:25, 9186:3, 9186:4, 9187:23, 9187:24, 9188:1, 9188:3, 9188:4, 9194:13, 9195:19, 9209:3, 9209:4, 9209:5, 9240:19, 9241:19, 9242:14, 9252:13, 9256:4, 9256:10, 9256:20, 9256:21, 9256:23, 9258:1, 9258:2, 9258:5, 9259:17
statements - 9145:13, 9160:16, 9165:17, 9166:3, 9168:8, 9182:12, 9184:5, 9184:10, 9194:7, 9194:24, 9195:10, 9195:14, 9195:15, 9196:16, 9209:9, 9209:11, 9209:13, 9210:19, 9237:17, 9240:7, 9241:23
station - 9210:1, 9210:9, 9250:1, 9257:10, 9258:20, 9269:23
status - 9213:21, 9216:17, 9227:20, 9228:16, 9228:20
stay - 9152:3, 9210:5, 9210:9, 9252:1
stays - 9245:11
stealing - 9183:24
steno - 9244:11, 9244:16, 9245:18
steps - 9159:14, 9161:1, 9239:12, 9240:25, 9254:3, 9254:9, 9258:14
stick - 9266:2
still - 9158:8, 9241:10, 9243:20, 9246:10, 9259:14, 9267:11
stop - 9186:13, 9186:16, 9186:18, 9261:20
story - 9160:11, 9161:1, 9193:12, 9193:15, 9193:18, 9196:4
strain - 9231:8
Street - 9168:5, 9187:15, 9239:3
street - 9161:21
strengthens - 9159:11
stuck - 9165:20
subject - 9175:8, 9230:18
subjected - 9266:19
submission - 9202:9
submissions - 9253:7
submit - 9198:10, 9256:19
Subsequent - 9254:9
substance - 9220:14, 9226:11, 9260:4
substantiating - 9213:22
successful - 9253:2
sufficient - 9151:2, 9173:8, 9175:20
sufficiently - 9150:3
suggest - 9142:20, 9143:17, 9148:8, 9153:21, 9155:25, 9159:18, 9160:18, 9166:9, 9188:10, 9190:9, 9195:5, 9215:19, 9227:21, 9228:1, 9240:17
suggested - 9150:5, 9151:4, 9151:14, 9199:22
suggesting - 9160:17, 9170:21, 9209:7, 9226:3
suggestion - 9138:18, 9142:11, 9151:9, 9175:14, 9178:7
suggestions - 9193:9, 9221:16
Suggests - 9175:9
suggests - 9198:9, 9221:1, 9227:25
suitcase - 9190:15
suite - 9255:22
summarization - 9179:5
summarize - 9248:1
summarized - 9232:6, 9247:21
summarizing - 9141:20, 9166:6, 9178:15, 9217:24, 9236:19
summary - 9139:7, 9141:19, 9143:19, 9144:16, 9145:20, 9154:24, 9155:3, 9157:2, 9163:4, 9177:10, 9177:12, 9179:23, 9181:3, 9200:2, 9202:4, 9231:15
Summary - 9176:22
summation - 9263:10, 9263:11
Superintendent - 9138:1, 9151:14, 9151:19, 9152:10, 9207:8, 9265:10
superintendent - 9259:14
supply - 9268:9
Support - 9133:9
support - 9179:14, 9194:18, 9194:20, 9194:23, 9211:9, 9213:14
suppose - 9150:15, 9158:24
supposed - 9158:16
supposedly - 9150:3, 9167:10, 9197:9
Supt - 9206:15
surmise - 9214:10
surprise - 9242:4, 9264:24
surprised - 9175:25, 9243:17
surreptitious - 9209:1
surrounding - 9233:24
suspect - 9149:19, 9149:21, 9150:9, 9150:12, 9150:15, 9150:24, 9151:1, 9151:3, 9151:8, 9151:10, 9151:23, 9152:3, 9152:13, 9152:21, 9153:11, 9155:1, 9156:21, 9157:22, 9158:9, 9158:21, 9159:10, 9160:7, 9161:8, 9161:17, 9163:7,



9163:13, 9163:23,
9163:25, 9164:13,
9165:3, 9165:12,
9170:5, 9171:13,
9173:23, 9174:5,
9186:19, 9192:14,
9199:15, 9199:16,
9203:7, 9203:25,
9204:16, 9207:1,
9217:1, 9217:8, 9218:8,
9228:11, 9251:17,
9258:21
suspect' - 9155:22,
9164:10, 9180:22
suspect's - 9164:8
suspected - 9176:1
suspects - 9156:4,
9156:7, 9156:10,
9187:14, 9202:12,
9202:13, 9241:24
suspicious - 9159:11,
9179:17
sweater - 9189:9,
9189:20, 9189:24
system - 9202:25,
9244:21, 9245:2,
9245:15, 9245:21,
9251:11

T

talks - 9142:10,
9144:11, 9144:14,
9149:1, 9153:3, 9153:4,
9213:8, 9225:6,
9267:21
Tallis - 9134:12,
9234:19, 9236:17,
9237:20
tangent - 9178:23
task - 9242:5
tasks - 9171:7
Tdr - 9134:5
technician - 9226:25
Technician - 9133:14
telephone - 9175:1,
9216:9, 9263:24
tend - 9170:3, 9170:4,
9180:5, 9180:22
tended - 9179:24
terms - 9156:4,
9238:22
test - 9172:22,
9174:14, 9175:6,
9175:9, 9175:12,
9199:13, 9217:15,
9217:16, 9217:19,
9217:20, 9218:4,
9218:19, 9218:21,
9219:20, 9220:4,
9220:17, 9225:22,
9225:24, 9225:25,
9226:1, 9226:19,
9226:24, 9227:9,
9228:8, 9230:12
testimony - 9208:7
Testimony - 9132:14
testing - 9175:18,
9226:10, 9226:11,
9226:18, 9226:19,
9227:18
tests - 9217:3,
9217:10, 9225:17,
9229:12
thawed - 9219:6,
9219:19
thawing - 9219:25
theft - 9191:21, 9193:5
theories - 9179:8,
9179:15, 9179:24,

9200:5, 9200:9
theorize - 9188:19
theory - 9156:13,
9179:11, 9179:12,
9179:14, 9183:12,
9183:14, 9183:21,
9184:1, 9184:2,
9186:17, 9187:9,
9187:10, 9188:3,
9188:10, 9189:13,
9189:14, 9190:8,
9190:9, 9190:21,
9190:23, 9191:18,
9192:5, 9192:7, 9192:8,
9192:11, 9193:3,
9200:16, 9200:19,
9200:22, 9202:6
Theory - 9183:20
thereabouts -
9165:23, 9176:14
therefore - 9183:3,
9187:5, 9188:17
thinking - 9158:8,
9159:10, 9161:7,
9164:3, 9165:2,
9168:10, 9169:22,
9169:23, 9173:6
third - 9262:20
Thor - 9222:11, 9225:7,
9238:9
thorough - 9260:1
thoughts - 9143:2,
9160:5, 9179:24
Three - 9157:23
three - 9150:6, 9183:1,
9191:6, 9266:9
throat - 9201:16
throughout - 9193:22
thrown - 9190:4
Thursday - 9136:6,
9136:18, 9137:14,
9143:7, 9144:7, 9150:7,
9153:2
tie - 9235:22
timing - 9167:18
titled - 9176:22
today - 9193:22
today's - 9216:10
tomorrow - 9271:14
Tony - 9133:14
took - 9137:19,
9137:23, 9151:13,
9159:17, 9160:1,
9176:8, 9184:7,
9186:10, 9196:1,
9203:12, 9209:20,
9224:15, 9226:23,
9233:8, 9237:1,
9240:18, 9246:1,
9267:10, 9268:25,
9269:6
Took - 9230:12
top - 9136:12,
9140:22, 9141:14,
9176:22, 9214:22,
9224:13, 9236:8,
9256:14, 9265:20
toque - 9143:13,
9143:14, 9191:1
Toronto - 9221:2
touched - 9156:11,
9178:6, 9184:9,
9186:12
touque - 9190:13,
9190:16, 9190:19
towards - 9158:12,
9161:11, 9166:11
track - 9244:12,
9244:22
traffic - 9235:11

tramping - 9235:20
trampled - 9234:3,
9234:6, 9236:9
Transcript - 9132:12,
9136:1
transcript - 9233:13
transcription - 9272:5
transfer - 9249:3
transferred - 9241:13,
9265:11
transmittal - 9222:22
transpired - 9262:3
Trav - 9168:4, 9169:15
Trav-a-leer - 9168:4,
9169:15
travel - 9234:6
travelled - 9185:18,
9236:4
travels - 9181:20,
9194:8
treated - 9251:4
treatment - 9164:23
trial - 9211:22, 9228:7,
9229:2, 9229:19,
9233:17, 9233:18,
9237:8, 9237:12,
9237:20, 9239:16,
9250:4
trigger - 9246:13
trip - 9242:14
true - 9160:12,
9193:12, 9193:15,
9193:18, 9272:5
truth - 9195:19, 9196:3
truthful - 9233:18
try - 9143:4, 9188:23,
9189:4
trying - 9145:24,
9167:6, 9173:13,
9173:17, 9185:7,
9188:21, 9188:22,
9189:1, 9189:24,
9191:4, 9223:5
turn - 9205:3, 9214:14,
9262:9, 9262:19,
9266:4, 9269:11,
9269:16, 9270:4,
9271:1
turned - 9196:13,
9222:13, 9238:12,
9238:20, 9262:22,
9270:2, 9270:6
tussle - 9236:12
two - 9144:15,
9147:23, 9160:20,
9182:18, 9203:5,
9209:19, 9210:1,
9214:3, 9221:21,
9225:16, 9225:17,
9240:6, 9240:7,
9240:11
type - 9147:8, 9162:10,
9163:22, 9168:9,
9178:13, 9192:11,
9231:18, 9251:25,
9252:13, 9263:19
typed - 9136:23,
9137:7
types - 9245:5,
9248:15, 9253:6,
9264:24
typical - 9155:15

U

U1 - 9225:8
U2 - 9225:9
Ulrich - 9231:13,
9232:2
umm - 9168:15

Umm - 9138:14,
9142:22, 9176:12,
9182:12, 9210:13,
9223:15, 9224:18,
9226:21, 9248:10,
9251:7, 9252:6, 9258:6
under - 9145:25,
9146:12, 9149:25,
9168:25, 9170:15,
9179:4, 9190:22,
9192:21, 9262:1,
9266:23, 9270:14
Under - 9270:11
undergo - 9198:18
undershorts - 9213:8,
9213:19, 9224:11,
9225:11, 9225:18,
9227:14, 9228:25
understood - 9184:19,
9218:25, 9220:1,
9232:16, 9250:7,
9251:7
undressing - 9201:25
unfair - 9170:19
unfortunate - 9146:3
unfortunately - 9207:1
uniform - 9148:19,
9257:8, 9262:6
unknown - 9175:3
unless - 9261:6,
9265:25
unsolved - 9244:23
unusual - 9166:7,
9169:21, 9178:15,
9196:11, 9201:4,
9212:19, 9212:22,
9241:16, 9242:6,
9242:13
up - 9136:8, 9137:7,
9139:21, 9140:11,
9141:8, 9141:9,
9141:10, 9141:21,
9144:9, 9149:25,
9152:25, 9173:10,
9178:22, 9179:19,
9186:7, 9190:7,
9203:17, 9204:4,
9204:5, 9206:5, 9206:7,
9208:5, 9208:9,
9211:23, 9214:12,
9220:7, 9221:3, 9221:8,
9221:15, 9223:23,
9224:2, 9224:10,
9226:6, 9229:15,
9229:22, 9231:12,
9233:12, 9237:7,
9237:17, 9238:8,
9243:8, 9249:8, 9249:9,
9254:5, 9254:11,
9254:15, 9254:20,
9255:1, 9255:11,
9257:16, 9257:19,
9257:21, 9259:23,
9260:11, 9261:19,
9261:21, 9263:21,
9267:5, 9267:14
update - 9245:15,
9246:10
user - 9165:4, 9165:12
uses - 9155:21
usual - 9229:21

V

V1 - 9143:7, 9156:14,
9200:16, 9242:23,
9243:2, 9243:6
V1)-(v2)------(v3 -
9253:25
V2 - 9156:14, 9200:17,

9242:23, 9243:2,
9243:7
V3 - 9240:8, 9242:24
V4 - 9203:14, 9203:15
V5 - 9239:1, 9239:21,
9240:9, 9242:23,
9253:25
valid - 9266:15
various - 9155:5,
9157:4, 9167:6,
9177:15, 9181:5,
9181:25, 9215:7
vehicle - 9165:19,
9165:22, 9166:2,
9167:17, 9168:3,
9190:1, 9225:16,
9235:12
vehicles - 9227:11
verbal - 9154:16
verified - 9155:13,
9193:19, 9193:20
verify - 9196:16,
9250:25
verifying - 9158:24
version - 9136:9,
9136:11, 9136:20,
9139:22, 9139:23,
9149:12, 9151:12
versus - 9226:11,
9231:5, 9251:5
via - 9149:8
vial - 9227:1
vials - 9214:4
vicinity - 9167:25,
9168:1, 9182:16,
9183:10, 9188:9,
9188:14, 9188:25,
9189:20, 9234:2,
9236:4
victim - 9186:22,
9201:16, 9236:10,
9253:9, 9253:14,
9253:16
victim's - 9190:10
victims - 9252:18,
9252:24, 9253:1
view - 9150:10,
9150:23, 9151:12,
9153:17, 9155:19,
9155:23, 9165:11,
9172:25, 9183:6,
9183:17, 9183:24,
9193:16, 9199:8,
9202:16, 9218:20,
9236:14, 9237:5,
9241:16, 9259:22,
9260:10, 9260:19,
9261:1, 9261:2,
9261:17
viewed - 9152:20,
9170:7, 9218:11
views - 9171:21
vigorously - 9260:19
visit - 9195:8, 9255:3
visited - 9176:7
visiting - 9205:12
Volume - 9132:22
volunteer - 9220:18

W

Wagner - 9255:3,
9256:8, 9256:20,
9256:24, 9257:5,
9258:3
waiting - 9192:3
waive - 9247:13
waiver - 9247:20
Wallet - 9190:13
wallet - 9143:14,



9183:9, 9183:10,
9190:16, 9190:25,
9191:9
Wally - 9165:16,
9165:24, 9169:19
wants - 9181:23
Ward - 9141:4
warrant - 9211:10,
9211:11, 9211:14
way' - 9179:10
wearing - 9236:10
week - 9142:12,
9149:4, 9149:15,
9154:10, 9156:11,
9156:25, 9177:24,
9186:12, 9192:12,
9200:15, 9201:22,
9217:25, 9229:25,
9237:4, 9238:17
weekend - 9142:23
weighing - 9169:24
Wempe - 9134:9
west - 9187:15
whatsoever - 9149:7
whereas - 9145:3
whichever - 9238:1
white - 9213:8,
9222:15, 9222:23,
9222:24
whole - 9153:21,
9231:10
wide - 9211:12
Williams - 9164:17,
9269:19
Wilson - 9134:6,
9138:13, 9141:12,
9141:15, 9142:11,
9142:15, 9148:6,
9149:24, 9153:23,
9159:4, 9159:16,
9159:25, 9161:5,
9161:12, 9165:20,
9173:24, 9178:8,
9182:20, 9184:22,
9187:4, 9189:10,
9190:1, 9190:14,
9191:11, 9191:15,
9191:20, 9192:1,
9192:9, 9192:14,
9192:19, 9193:2,
9193:4, 9193:10,
9193:17, 9194:4,
9194:6, 9194:9,
9194:24, 9195:7,
9195:10, 9195:18,
9196:2, 9196:9, 9197:1,
9197:3, 9197:12,
9197:15, 9197:25,
9198:4, 9198:20,
9205:18, 9206:19,
9207:11, 9207:17,
9208:4, 9209:3,
9209:13, 9209:22,
9210:19, 9223:12,
9225:16
Wilson's - 9224:16,
9227:11, 9227:15
Winnipeg - 9240:6,
9240:18, 9241:18,
9242:5, 9246:25,
9247:9, 9248:25
wish - 9263:18
withdrew - 9226:25
witness - 9142:6,
9158:15, 9158:16,
9160:14, 9160:20,
9197:5, 9197:7, 9197:8,
9208:24
witness' - 9164:22
witnessed - 9145:21,

9201:15
witnesses - 9147:1,
9160:1, 9196:12,
9196:17, 9208:16,
9209:19, 9210:5,
9210:7, 9231:17,
9241:24, 9259:4,
9263:18, 9266:10,
9266:18, 9266:25
Wolch - 9134:2
women - 9163:11,
9163:18, 9164:6
wondering - 9145:7,
9180:15, 9210:2,
9218:2, 9223:14,
9229:5, 9230:17
Wood - 9138:1,
9149:18, 9150:20,
9151:14, 9151:19,
9151:21, 9152:11,
9152:17, 9206:15,
9207:8
wool - 9143:13
word - 9150:25,
9155:21, 9158:15,
9186:14
words - 9145:15,
9150:9, 9150:24,
9155:25, 9169:4,
9173:22, 9180:4,
9196:19, 9202:18,
9202:22, 9203:7,
9214:22, 9216:17,
9217:21, 9239:23
wore - 9190:18
write - 9180:19
writing - 9214:25,
9257:2
written - 9144:17
Wrongful - 9132:3
wrongful - 9228:13,
9258:8
wrote - 9211:13,
9223:10

Y

year - 9201:5, 9222:6,
9239:14, 9245:13,
9267:11, 9269:4
years - 9172:14,
9239:1, 9239:11,
9241:5, 9241:8,
9245:14
yesterday - 9268:2
Young - 9266:11,
9267:7
young - 9238:25
yourself - 9169:9
Yup - 9202:24

