

*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  
Sheraton Cavalier Hotel at  
Saskatoon, Saskatchewan

\*\*\*\*\*

On Wednesday, August 17th, 2005

Volume 58

Inquiry Proceedings



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1 Transcript of Proceedings

2 (Reconvened at 9:00 a.m.)

3 COMMISSIONER MacCALLUM: Good morning.

4 ALL COUNSEL: Good morning.

09:01 5 MR. HODSON: We'll have Mr. Wood back on  
6 the stand, please.

7 JOHN ALDEN WOOD, continued:

8 BY MR. HODSON:

9 Q Good morning, Mr. Wood. When we, during yesterday  
09:02 10 we were talking a bit about the relationship  
11 between the Saskatoon City Police Service and the  
12 media back in 1969 and specifically we were  
13 talking about the Gail Miller murder investigation  
14 and I think you told us that there were a lot of  
09:02 15 reporters, usually newspaper reporters around the  
16 police station looking for information; is that  
17 right.

18 A That's right.

19 Q And at that time was the police station connected  
09:02 20 with the Provincial Court as well or with the  
21 courts; do you remember? Was it in the same  
22 building?

23 A Connected in what way, sir?

24 Q The same building?

09:02 25 A Oh, the same building. Our courtroom was in the



1 same building, yes.

2 Q And so as far as police information, there would  
3 also be court information available, court files  
4 there that reporters might be interested in  
09:02 5 looking at?

6 A I would think so, yes.

7 Q And following court proceedings; is that right?

8 A Yes.

9 Q Now, do you recall whether at that time, would Mr.  
09:02 10 Milgaard's preliminary hearing and trial have been  
11 held in that building or was the trial held at  
12 Queen's Bench in a different building?

13 A I believe it was in that building. I couldn't be  
14 sure.

09:03 15 Q Okay. So both the prelim and the trial you think  
16 may have been in the same building?

17 A May have been, yes.

18 Q Now, just back, and I take it, sir, at that time  
19 in 1969 I think you said that it was probably your  
09:03 20 role over anybody else's to be the contact with  
21 the media about giving information about the Gail  
22 Miller murder investigation; is that fair?

23 A That's right, yes. They would call at my office.

24 Q So rather than having Detective Mackie, for  
09:03 25 example, saying here's what we found, they would



1 funnel through to you so that there would be one  
2 voice for the police; is that fair?

3 A With our department, yes.

4 Q And at that time can you tell us, as a police  
09:03 5 service, what role did the media play in your  
6 police work? I mean, did you need to use them to  
7 communicate with the public, can you tell us a bit  
8 about that?

9 A Well, only that they would come every day, daily  
09:04 10 they would come to the police department, Monday  
11 to Friday, to get what information we had or  
12 arrests or whatever might take place during that  
13 night.

14 Q Where, for example, the police might need the help  
09:04 15 of the public, did you then go to the media and  
16 say --

17 A When they were in my office, I would talk to them  
18 about that, ask them for help, which shows up on  
19 some of these files.

09:04 20 Q Sure. Why don't we call up document 045560,  
21 please. This is a Saskatoon *StarPhoenix* news  
22 article, February 1, 1969, which is the day after  
23 Gail Miller's murder, and if we could just call  
24 out that paragraph, it said:

09:04 25 "Police said today one of the



1 possibilities being investigated is that  
2 the attacker was a rapist who was active  
3 in the city last fall."

4 Do you see that?

09:05 5 A Right, yes, I do.

6 Q And I think then, if we can just go back to the  
7 main article, and then you see you are quoted  
8 here, it says:

9 "Superintendent Jack Wood of the city  
09:05 10 police issued a plea to all citizens to  
11 contribute any information that might  
12 aid in their investigation.

13 They said they had found no  
14 clues and no motive had yet been  
09:05 15 established. They did not know if death  
16 occurred at the scene where the body was  
17 found, or if her body had been dragged  
18 there."

19 So I take it that you would have talked to the  
09:05 20 media probably on the day of the murder and given  
21 this type of information to them?

22 A I would have given them that information, but I  
23 can't recall giving them the first report you had.

24 Q If we can just go back to that, please. The part  
09:05 25 here that talks about one of the possibilities





1 being investigated is that the attacker was a  
2 rapist who was active in the city last fall, you  
3 have no recollection of providing that?

4 A No, no. No, sir.

09:06 5 Q Would there have been someone else with the police  
6 service who might have given that information or  
7 was it likely -- likely you?

8 A It could have been anybody who they might have  
9 talked to.

09:06 10 Q And I think you told us yesterday, but let's just  
11 maybe cover this off a bit further, I think you  
12 told us today, Mr. Wood, you have no recollection  
13 of the sexual assaults that occurred in late '68  
14 and again one that occurred in 1970, the four  
09:06 15 sexual assaults. There was actually three rapes,  
16 one attempted rape that Mr. Fisher was  
17 subsequently convicted of, the victim names are  
18 (V1)-, (V2)-----, (V3)----- and (V5)---, and,  
19 Mr. Wood, I believe you told us that you have no  
09:06 20 recollection today of any of those; is that fair?

21 A That's right, none.

22 Q And do you have any recollection of back, as part  
23 of the Gail Miller murder investigation, any  
24 recollection of the police investigating any  
09:07 25 connection between at least the first three and



1 perhaps the fourth rapes with the Gail Miller  
2 murder?

3 A That's right, I have no -- no knowledge of it, no.

4 Q No recollection today?

09:07 5 A No, no recollection, no.

6 Q And if we take for a moment, Mr. Wood, and I'll  
7 show you some documents a bit later and I think  
8 you've had a chance to review them before coming,  
9 in the police files there are a number of reports  
09:07 10 where officers talk about a possible connection  
11 between the rapes and the murder and there's, in  
12 the Gail Miller murder investigation some of the  
13 investigators are actually investigating the rapes  
14 to see if they can help find the perpetrator of  
09:07 15 the Gail Miller murder. It's a given -- if you  
16 assume for a moment that that information is in  
17 the police reports and being talked about by  
18 police officers, can we conclude from that that at  
19 that time you likely would have, back in 1969, you  
09:07 20 likely would have been aware of the rapes and a  
21 possible connection with the Gail Miller murder?

22 A I could have been, I could have read about it.

23 Q Okay. And the fact I think you told us yesterday  
24 that you had read the reports, is it fair for us  
09:08 25 to assume that you likely would have known about



1           them back then or are you saying no?

2           A           I could have known about them, but I can't  
3           remember back that far.

4           Q           Fair enough. If we could go to 042107, and again  
09:08 5           this is a report, February 5, 1969, five days  
6           after the murder, and again we'll see a reference  
7           to you there, Mr. Wood, and go to the next column,  
8           please, and it just talks about finding the purse,  
9           and I believe it was McCorriston who found the  
09:08 10          purse, so I take it again this would be a  
11          situation where you would be either answering  
12          questions or passing on information to the media?

13          A           I would think so, yes, I would think the media was  
14          inquiring about it.

09:09 15          Q           And if we can go to the last paragraph of this  
16          article, please, it says:

17                       "A \$2,000 reward was authorized by the  
18                       Board of Police Commissioners Monday for  
19                       information leading to the apprehension  
09:09 20                       of the girl's slayer."

21          I take it at the time, sir, you would have been  
22          aware that there was a reward being offered?

23          A           Yes, it would come to my notice, yes.

24          Q           If we can then go to 039093, please, and this is  
09:09 25          an article February 6, 1969 in the *StarPhoenix*



1 again talking a bit about the purse and it says:

2 "Superintendent Wood said women who have  
3 recently been indecently assaulted and  
4 had not pressed charges or reported the  
09:09 5 incidents were now coming forward to  
6 police."

7 Do you have any recollection of that, sir?

8 A No, sir.

9 Q Do you have any reason to dispute that this is  
09:10 10 what you would have told the *StarPhoenix*?

11 A I could have read about it at that time.

12 Q You could have read about it in some reports?

13 A In some report.

14 Q But again, no reason to dispute that this would  
09:10 15 have been information you gave to the *StarPhoenix*  
16 at that time?

17 A That's right.

18 Q Now if we could go to 060094, please, and this is  
19 a letter, it has your name at the bottom, to the  
09:10 20 Royal Canadian Mounted Police Crime Index Section,  
21 February 6, 1969, a copy of the summary of facts  
22 pertaining to the murder of Ms. Gail Olena Miller.  
23 Do you recall what this related to, Mr. Wood?

24 A No, I do not.

09:10 25 Q And if I could call up 054876. Sorry, just pause



1           there. You'll see this is to the Crime Index  
2           Section in Regina. If you could then call up  
3           054876 and this is a letter dated February 5,  
4           which is a day earlier, and again this is to the  
09:11 5           RCMP Crime Index Section in Ottawa and this is  
6           from Mr. Penkala and again talks about the general  
7           summary of the facts pertaining to a murder, and  
8           then if I can call up 009299, this is the report,  
9           Mr. Wood, that Mr. Penkala sent to the Crime Index  
09:11 10          in Ottawa and he testified and told us that he  
11          prepared this report and sent it along to the  
12          Crime Index, and I believe you had a chance to  
13          review this on Monday, this report; is that  
14          correct? If you want to just take a look at it.  
09:12 15          Perhaps we can go to the next page and I'll show  
16          you the part that I'm interested in, and this was  
17          a report, and I'll just read you this part here,  
18          it says:

19                    "Our department has two unsolved cases,  
09:12 20                    dating back into October and November of  
21                    1968, which involve complaints of rape.  
22                    In both these cases, the victim was  
23                    attacked from behind while walking in  
24                    the late evening, forced into a lane  
09:12 25                    and, under threat with a knife, made to



1 undress and submit to intercourse."

2 And then carry on:

3 "In these cases, the attacker allowed  
4 the victim to replace some of the  
09:12 5 clothing, usually the outer garment or  
6 coat."

7 And Mr. Penkala told us that he prepared this  
8 report based on the information to date and it  
9 was to send into the Crime Index and at that time  
09:12 10 certainly in this mind there was some possible  
11 connection with the rapes and the murder, and I  
12 believe I showed you this memorandum I think on  
13 Monday to see whether or not this might have been  
14 the same document that accompanied your letter of  
09:13 15 February 6 to the Crime Index in Regina. Do you  
16 remember reviewing this document the other day?

17 A No, I have no knowledge of it.

18 Q So this document, do you recall, is this a  
19 document you might have read at the time back in  
09:13 20 1969?

21 A It's possible.

22 Q Okay. Is it possible that this would be the same  
23 document that you would send -- put it this way,  
24 Mr. Penkala sent this to the Crime Index in  
09:13 25 Ottawa, RCMP. Is it possible you sent this same



1 document to the Regina RCMP?

2 A I cannot say. I have no idea.

3 Q If we could then go to 106777, and this is a  
4 letter, Mr. Wood, of February 19th, 1969 and at  
09:13 5 the bottom, we have seen this before, if you could  
6 just call out the bottom part of this letter, it  
7 says Jack Wood, Superintendent of Criminal  
8 Investigations for James G. Kettles, Chief of  
9 Police, and I understand that any time, at least  
09:14 10 in 1969, that any time any officer or member of  
11 the police service wrote to an external party, it  
12 was always in the name of the chief; is that  
13 right?

14 A That is right.

09:14 15 Q So everything that went out was, although it may  
16 have your name here, it was on behalf of the  
17 chief; correct?

18 A That's right, and I don't think that is Jack Wood,  
19 I think that would be J.A. Wood.

09:14 20 Q I'm sorry, J.A. Wood.

21 A Yeah.

22 Q And so then everything coming in would usually be  
23 addressed to the chief as well even though it was  
24 meant for others?

09:14 25 A Right.



1 Q If we can just go back to the document, please,  
2 this talks about the Gail Miller murder. If we  
3 could call out the first paragraph, please, it  
4 says:

09:14 5 "An article written by your inspector  
6 R.M. Gibson, which is found on page 17  
7 of the Royal Canadian Mounted Police  
8 Gazette, dated June, 1968, Volume 30,  
9 No. 6, under the heading 'Co-ordination  
09:15 10 of Detail Leads to Apprehension', was  
11 brought to my attention because of the  
12 similarity of rape offences here that  
13 has now, we believe, led up to a  
14 murder."

09:15 15 And then it goes on to talk about the person  
16 involved in their case. Do you have any  
17 recollection, Mr. Wood, of sending this letter to  
18 the, or the circumstances that led up to this  
19 letter?

09:15 20 A No, I do not.

21 Q It would appear, from reading this letter, that  
22 the police, and in particular you, had saw some  
23 similarity of rape offences in Saskatoon that led  
24 up to a murder; is that a fair reading of this  
09:15 25 letter?





1 A Yes, and I don't know who brought that to my  
2 attention, it would be somebody reporting the  
3 similarity.

4 Q Okay. When you say 'someone'; a police officer?

09:15 5 A Could have been. I don't know. Could have been  
6 anybody.

7 Q Could it have been you that saw this?

8 A I don't recall ever having occasion to read an  
9 RCMP Gazette.

09:16 10 Q Okay. So for example, if an officer had read this  
11 Gazette and wanted to get more information from  
12 the Toronto Police Service, would the protocol be  
13 to go to you to have a letter sent?

14 A Normally, yes.

09:16 15 Q So --

16 A If it was in my department or from some other  
17 department.

18 Q So let's say a detective finds this article and  
19 wants to get further information from Toronto,  
09:16 20 could that detective simply write a letter, or  
21 would that detective have to go to you?

22 A He would come to me and have me write the letter.

23 Q I see, and then you would get the information and  
24 pass it on?

09:16 25 A The information would come back through the chief



1 and then be passed on, yes.

2 Q Okay. So two possibilities are, here; one, a  
3 detective or some officer came to you and said  
4 'get this information and here's why I want it',  
09:16 5 and you drafted the letter on their behalf?

6 A It wouldn't have to be an officer, it could have  
7 been anybody from the whole department.

8 Q I'm sorry, I should have said a detective, I  
9 didn't mean to --

09:17 10 A Could have been anybody.

11 Q In the police service?

12 A Or otherwise. Anybody who read the RCMP Gazette.

13 Q Okay. And I suppose the other possibility is that  
14 you wanted to get the information because you had  
09:17 15 seen some similarity; is that fair?

16 A That's right, yes.

17 Q If we could now turn to -- we're done with that  
18 document -- to talk a bit about your recollection  
19 of the role of the RCMP in the investigation; do  
09:17 20 you remember RCMP officers being involved in the  
21 Gail Miller murder investigation?

22 A I remember there was officers, RCMP involved, yes.

23 Q And would that be a common situation for your  
24 police service, to have the RCMP assist on a major  
09:17 25 investigation?



1 A Oh yes.

2 Q And --

3 A Right.

4 Q I'm sorry?

09:17 5 A Right, yes.

6 Q And in what situations would you look to them for  
7 help, in murder cases or big cases, or tell us  
8 when, when and why you went for their assistance?

9 A Well we would go for their assistance because of  
09:18 10 the outside work, where normally they would be  
11 outside of the province or outside of the city,  
12 and they would be helping us formulate any files  
13 that -- inquiries that we would be having made.

14 Q So for example, and again talking about 1969, if  
09:18 15 you had to go interview somebody in Winnipeg or in  
16 Regina is that something where you would get the  
17 RCMP to assist you?

18 A I would think so, yes.

19 Q Now I also think, in addition to help outside the  
09:18 20 jurisdiction, I think they also, at least the  
21 record seems to suggest that they also helped you  
22 inside the city, in other words they helped in  
23 Saskatoon; is that correct?

24 A I believe, yes. And I think the chief of police,  
09:18 25 I think, can ask for their assistance to help us.



1 Q And do you recall in the Gail Miller murder  
2 investigation, at least as far as the RCMP is  
3 concerned, what happened though their written  
4 reports; did they report to their own people or  
09:19 5 did they report to you in writing?

6 A I would think they would report to their own  
7 people and their commanding officer would report  
8 to our department. I'm -- I'm not sure in that  
9 case.

09:19 10 Q Do you have any recollection -- and, certainly,  
11 there's nothing in the Saskatoon City Police  
12 records that the Commission has other than lab  
13 reports that suggest RCMP written reports went on  
14 the city police files; does that --

09:19 15 A I can't say at this time, no.

16 Q If we could call up 065399, please. Mr. Wood,  
17 this is a report prepared by the RCMP, I believe  
18 this is Inspector Riddell, do you remember  
19 Inspector Riddell?

09:19 20 A I remember the name.

21 Q Yeah.

22 A I don't remember the person.

23 Q And this is his report of March the 20th, 1969,  
24 and I think in the first paragraph, if we can just  
09:19 25 call that out, he says:



1 "Chief ... Kettles of the Saskatoon City  
2 Police requested the assistance of this  
3 Force in the investigation of the above  
4 offence."

09:20 5 And goes on to say that Riddell met with the  
6 chief on February 20th to get known particulars,  
7 it was agreed that Staff Sergeant Edmondson and  
8 Corporal Rasmussen of the Saskatoon detachment  
9 would assist, do you remember Rasmussen and  
09:20 10 Edmondson being officers involved?

11 A I remember Edmondson being involved. I can't  
12 place Rasmussen.

13 Q Okay.

14 A But he could have been, yes.

09:20 15 Q If we can scroll down to paragraph 3, and this is  
16 Riddell's report, he says:

17 "On the afternoon of 21 Feb 69, S/Sgt.  
18 Edmondson, Cpl. Rasmussen and myself met  
19 with Supt. J. Woods, in charge of the  
09:20 20 Saskatoon City Police C.I.D., where we  
21 spent several hours going over the  
22 particulars of this offence and the  
23 results of the investigation to date.  
24 We were provided with complete copies of  
09:21 25 all investigational reports. At this



1                   time the Saskatoon City Police had no  
2                   real suspects in mind as investigation  
3                   to date had failed to turn up any leads  
4                   of a promising nature."

09:21 5                   Do you recall meeting with the RCMP officers in  
6                   order to pass on information?

7           A           I don't recall but I must have.

8           Q           Okay. And it talks, here, about providing a  
9                   complete copy of all investigational reports and I  
09:21 10                  take it, sir, that would be the file, the Gail  
11                  Miller murder file; is that right?

12          A           I would think so, uh-huh.

13          Q           Now one of the questions that has come up from  
14                   time to time is, back in 1969, whether the city  
09:21 15                  police had the ability to make a photostatic copy  
16                  of reports, or carbon copies. Do you have any  
17                  recollection of whether or not -- and I'll show  
18                  you a letter a bit later that suggests, that  
19                  suggests that photostatic copies were in existence  
09:21 20                  at the time; do you have any recollection of  
21                  whether you were able to simply copy a file or how  
22                  that would be done?

23          A           No, I -- if they come out of central registry,  
24                  that's where they would have the copy machine,  
09:22 25                  that's all I can say.



1 Q And so is your recollection that you did have a  
2 copy -- the ability to copy or photocopy at that  
3 time?

4 A I can't definitely remember, but I imagine we  
09:22 5 would have.

6 Q Certainly, here, it suggests that a copy was  
7 provided; is that fair?

8 A That's right.

9 Q And then, as far as what it suggests here, is that  
09:22 10 Edmondson, Rasmussen and Riddell met with you, it  
11 doesn't say anybody else is there from the city  
12 police service, and said:

13 "... spent several hours going over the  
14 particulars of the offence and the  
09:22 15 results of the investigation to date."

16 And so I take it, sir, that you would have had  
17 the file and the reports, and is it fair for us  
18 to assume that you would have read much of, much  
19 of the file prior to the meeting, so that you  
09:22 20 could share this information with them?

21 A I would think so.

22 Q And then, I don't proposed to go through it, but  
23 then Riddell's report then carries on and talks  
24 about the details of the offence. If you could  
09:23 25 then go to page 065401, paragraph 10 -- and,



1 again, this is still part of Riddell's report  
2 where he is outlining the particulars -- and  
3 Riddell says:

4 "Between 21 Oct and 29 Nov 68, two rapes  
5 and one attempted rape were committed in  
6 the same area where this girl was  
7 murdered. To date the person  
8 responsible has not been identified. In  
9 each case the attacker forced the girls  
10 down an alley at knife point where he  
11 forced them to undress before committing  
12 the offence. In the attempted rape, the  
13 attacker was scared off by the approach  
14 of car headlights. One of the victims  
15 claims that she can still identify her  
16 attacker while the other two are only  
17 able to give a brief description of him.  
18 In view of the similar methods used in  
19 committing these offences, there is a  
20 good possibility that they were all  
21 committed by the same individual and  
22 this fact is not being overlooked during  
23 this investigation."

24 Again I think you told us, Mr. Wood, you don't  
25 have any recollection of that today, --





1 A No.

2 Q -- but is it fair for us to conclude from this  
3 report that this information that Riddell has  
4 written would have been information that you  
09:24 5 provided to him at your meeting of February 21,  
6 1969?

7 A I have no recollection of it at all.

8 Q No, I appreciate that, sir, but --

9 A I don't -- I don't know whether it could have been  
09:24 10 or not, it could have been, it's possible.

11 Q And certainly the RCMP wouldn't have access to,  
12 for example, your morality files, would they, on  
13 this?

14 A Oh yes, they would have, they would probably have  
09:24 15 everything that we had available on the case.

16 Q So is it fair --

17 A They are referring to the rape, so they could have  
18 had it, yes.

19 Q But in order for them to know to look at the rape  
09:24 20 someone from the police service would have had to  
21 tell them; is that fair?

22 A That's fair, yes.

23 Q And is it fair to conclude from this report that  
24 that may have been you at this meeting?

09:25 25 A No, well I can't say I did, no. I can't -- it



1 doesn't come back in my memory anyway.

2 Q Okay. And I guess I'm not, I'm not looking for  
3 you to answer from your memory, I'm trying to  
4 understand from this report whether you can draw  
09:25 5 any conclusions, based on what's in this report,  
6 as to what you would have done at the time?

7 A If we had, if I had it available it would have  
8 been given to them, yes.

9 Q Okay. And then if we can call up 250597, please,  
09:25 10 and this is a report of Corporal Rasmussen of the  
11 RCMP, it's dated May 7th, 1969, if we can just go  
12 to the next page, please, and call out paragraph  
13 3. So, Mr. Wood, the first report I showed you  
14 was Inspector Riddell's report of -- his report of  
09:26 15 what happened on February 21, 1969 at the meeting,  
16 and in Riddell's report he said Riddell,  
17 Edmondson, Rasmussen were there with you. This is  
18 now Corporal Rasmussen giving his own report and  
19 talking about the same meeting and what he says  
09:26 20 here on February 21, '69:

21 "As a result of instructions received,  
22 full-time assistance was rendered to the  
23 Saskatoon City Police by S/Sgt.  
24 Edmondson and myself. We worked closely  
09:26 25 at hand mainly with Dets. R. Mackie and



1 G. Reid, Supt. J.A. Wood and Lieut. J.  
2 Penkala ...",

3 And, again, I think you said Corporal Rasmussen  
4 you can't place?

09:26 5 A Well I can't place him, but the meeting was there,  
6 so I'm sure -- because there was three members  
7 working with us so I imagine it was him.

8 Q And he suggests here that they, or that they  
9 worked closely mainly with Mackie, Reid, you and  
09:27 10 Penkala, and do you have any reason to dispute  
11 that?

12 A No.

13 Q So can we conclude, from that, that you would have  
14 had some regular contact with the RCMP in the  
09:27 15 course of the investigation?

16 A That's right.

17 Q And then if we could go to page 250603, and again  
18 this is Rasmussen's report, and down at the  
19 bottom -- and this is similar to Riddell -- he  
09:27 20 says:

21 "It is mentioned that during the late  
22 fall of 1968 the local police department  
23 had reports of two rapes and one  
24 attempted rape. These investigations  
09:27 25 were conducted by the City Police with



1 negative results."

2 And then next page, please, and it goes on to  
3 talk about these offences. I don't propose to go  
4 through it again but I take it, Mr. Wood, the  
09:28 5 same question I asked you with respect to  
6 Inspector Riddell's report; is it fair for us to  
7 conclude that, this information about these  
8 earlier rapes, the RCMP would have got from  
9 someone at the Saskatoon City Police Service?

09:28 10 A I would think so. They must have.

11 Q Yeah. In other words, someone from the Saskatoon  
12 Police must have said to the RCMP, 'lookit, there  
13 are some related rapes' or 'there are some rapes  
14 that we're looking at that might help us in the  
09:28 15 investigation', or words to that effect; is that  
16 fair?

17 A That's fair, yes.

18 Q And it's possible that it may have been you, based  
19 on your review of the reports, it may have been  
09:28 20 something you gave to them at the outset?

21 A I can't say because I don't remember those names  
22 that are listed in a), b), and c).

23 Q Okay. I'm done with that document. If we can  
24 just talk generally about your recollection of the  
09:29 25 investigation, then, and we're -- let's talk of



1 some of the key players.

2 The first one, Albert Cadrain or  
3 Shorty Cadrain, you are aware of who Mr. Cadrain  
4 was at the time and, generally, the role he played  
09:29 5 in the investigation and prosecution of David  
6 Milgaard?

7 A No, I was not aware of him period, other than I  
8 knew the name Cadrain, but not individual persons.

9 Q Now were you aware that Mr. Cadrain had told the  
09:29 10 police that he was the first person to come to the  
11 police to implicate David Milgaard in the crime?

12 A I read that in the file. I didn't know at the  
13 time.

14 Q You didn't know at the time?

09:29 15 A That he was the first person there, that come up  
16 in a file when I was not on duty, and I think you  
17 provided me with a statement or part of the --

18 Q Right?

19 A -- inquiry.

09:29 20 Q And I'll show you that report in a moment. But  
21 I'm looking, sir, for your recollection today. Do  
22 you have -- what's your recollection of  
23 Albert/Shorty Cadrain and what role he may have  
24 played in the investigation?

09:30 25 A I had none. I have no recollection, period, of



1           where they were, or who they lived with, or where  
2           they lived, other than they lived on Avenue O.

3           Q       Okay.

4           A       Yeah.

09:30 5           Q       And do you remember that Mr. Cadrain gave evidence  
6           that he saw blood on David Milgaard?

7           A       Only in this report. I don't remember.

8           Q       You don't have a recollection of that?

9           A       No.

09:30 10          Q       What about Ron Wilson; do you have any  
11          recollection of Ron Wilson and the role he played?

12          A       No.

13          Q       And what about Nichol John?

14          A       No, other than what I have read in the reports.

09:30 15          Q       Okay. And that would have been in preparation for  
16          your evidence here before the Commission; is that  
17          fair?

18          A       That's right.

09:30 19          Q       And what about with David Milgaard; do you have  
20          any recollection of your dealings with him?

21          A       I had no dealings with him, period, no.

22          Q       And what about the motel, what's been referred to  
23          as the motel reenactment witnesses, George  
24          Lapchuk, Craig Melnyk, Ute Frank, Deborah Hall;  
09:31 25          any of those names familiar, do you have any



1 recollection?

2 A No.

3 Q Do you have any recollection of what happened in  
4 the investigation, as to who and how these people  
09:31 5 were dealt with, and how it was that Mr. Milgaard  
6 came to be charged?

7 A No, I can't say offhand, other than the fact that  
8 the -- little John, and I guess it was John and  
9 Wilson, was seen in Regina, investigated there.

09:31 10 Q Okay. And you have a memory of that from where,  
11 were you --

12 A Just in my report here, in the reports that you've  
13 provided me with.

14 Q Yeah. Well let's go to 106640, please, and this  
09:31 15 is a report of March 22nd, 1969 prepared by  
16 Lieutenant Short, and just for the record it says  
17 on -- this is the report, Mr. Wood, that talks  
18 about Albert Cadrain coming to the police  
19 station -- and I'll show you a part in a moment  
09:32 20 here -- but it talks about:

21 "On Sunday, March 2/69, Dennis and  
22 Albert Cadrain came to this station  
23 ...",

24 and if we can just call out that part, please.

09:32 25 And so this is Short, he talks about Albert



1           Cadrain coming into the police station offering  
2           some information about seeing blood on David  
3           Milgaard on the morning of the murder, and then  
4           he says:

09:32 5                   "... I might mention here that on Sunday  
6                   March 2/69 after getting in touch with  
7                   Superintendent Wood and Chief of Police  
8                   James Kettles that it was decided that  
9                   Det. Karst would go to Winnipeg, Man.  
09:32 10                  where it was learned through the  
11                  assistance of Insp. Riddell that one  
12                  David Milgaard who was here at that time  
13                  was located in Winnipeg and Det. Karst  
14                  was sent there ..."

09:33 15                 So I take it from this report that you would have  
16                 been contacted on March 2nd; is that right?

17           A           That's right.

18           Q           And so Short would be on duty, you would not be on  
19           duty?

09:33 20           A           Right.

21           Q           And Short would call both you and the chief to  
22           tell you about the information I take it?

23           A           I would take it as such, yes.

24           Q           And would they need your approval to send Karst to  
09:33 25           Winnipeg?





1 A No, they would need the chief's approval.

2 Q Okay. And again, I may have asked this yesterday,  
3 but was the approval simply budgetary or was it a  
4 case where the chief wanted to know who was going  
09:33 5 and why?

6 A It would be budgetary and why.

7 Q Okay. So would, on occasion just generally where  
8 the chief was asked for approval, would he on  
9 occasion say, 'lookit, I don't think officer X  
09:33 10 should go, officer Y would be the better person'  
11 or 'why are you sending them' or --

12 A No, I have no idea why he would say that, other  
13 than Detective Karst was one of the main  
14 investigators on the case.

09:34 15 Q Okay. Just generally though, apart from the  
16 Miller murder investigation, just generally when  
17 the chief was asked for approvals to send people  
18 out, away to do police work, would he on occasion  
19 ever say, 'lookit, I don't think it's necessary, I  
09:34 20 don't think you need to send two, I don't think it  
21 needs to be this officer', or would he have some  
22 substantive input as to who should go and why?

23 A I have no idea.

24 Q You have no recollection?

09:34 25 A No.



1 Q If you could turn to 009240, please, and this is a  
2 letter under your signature, Mr. Wood, again on  
3 behalf of the chief, it's dated March the 10th,  
4 1969. And just to help you out, sir, with the  
09:34 5 chronology, on March the 2nd Albert Cadrain came  
6 to the police, gave evidence suggesting that David  
7 Milgaard may have been involved in the murder; on  
8 March the 3rd Detective Karst and Staff Sergeant  
9 Edmondson interviewed David Milgaard in Winnipeg;  
09:35 10 Inspector Riddell and Ken Walters of the Regina  
11 police interviewed Ron Wilson in Regina, so that  
12 he was a person of interest at that time, as of  
13 March 2nd. So this letter is March 10th, and it's  
14 a letter to Federal Building, Helena, Montana.  
09:35 15 And if we could just call up the first part of  
16 that, please, and it talks about the murder and it  
17 says in the second paragraph:

18 "We have questioned at length one David  
19 ... Milgaard ... We know he was in the  
09:35 20 city at the time of the murder and left  
21 the same day."

22 Located in Winnipeg, still checking.

23 "He advised our investigation officer  
24 that he was deported from U.S.A. in  
09:36 25 1967-'68. He believes it was from



1 Seattle.

2 Could you have inquiries made  
3 pertaining to this and forward all  
4 particulars ... Should he have been  
09:36 5 charged with any offences while in  
6 U.S.A., I would appreciate receiving  
7 particulars ..."

8 And do you have any recollection of this letter,  
9 Mr. Wood?

09:36 10 A No, other than I wrote it, I have no idea how I  
11 got the information.

12 Q Would this be a case where the investigator, and I  
13 think in this case it may have been Detective  
14 Karst who got the information from Mr. Milgaard,  
09:36 15 would he come to you and say 'lookit, we need some  
16 information from the States, can you get it for  
17 me', and you write the letter; is that how it  
18 worked?

19 A It would, but I don't know who it came from,  
09:36 20 that's all. I can't say it come from Karst or  
21 who. The information came to my attention and I  
22 wrote the letter to Seattle.

23 Q Okay. So are you -- you -- you are confident  
24 telling us that someone in the police service  
09:37 25 would have prompted you to write this letter?



1 A Someone would have asked me to direct a letter to  
2 the Seattle department.

3 Q Okay. And then if we can call up 009248, please,  
4 this is the letter back from the United States  
09:37 5 Department of Justice March 21, '69, again to the  
6 chief, to your attention. I don't propose to go  
7 through it, but it just talks about the record and  
8 information they had on Mr. Milgaard?

9 A Right.

09:37 10 Q And I take it, then, you would have taken this  
11 letter and given it to whoever had asked you to  
12 make the request; is that fair?

13 A Which way do you mean now?

14 Q Okay. You would have received this letter, I  
09:37 15 presume that when this came into the Saskatoon  
16 Police Department that, because it has your name  
17 on it, you would have got it?

18 A Right.

19 Q And I take it you would have then delivered it to  
09:37 20 whatever member of the police force that had asked  
21 you to write the first letter; is that fair?

22 A That is right, although it would go, naturally, to  
23 the recording file.

24 Q Okay.

09:38 25 A And it was recorded by Mackie.



1 Q And just back -- again, I'm done with that  
2 document -- we've heard evidence and seen records  
3 about the investigation and interview of some of  
4 the key participants, Nichol John, Ron Wilson,  
09:38 5 David Milgaard, where they were interviewed and  
6 then re-interviewed a couple of times, and do you  
7 have any recollection of that, Mr. Wood?

8 A No, sir.

9 Q If I could just deal with -- and I'll go to -- do  
09:38 10 you have any recollection of dealing with  
11 Inspector Art Roberts from the Calgary Police  
12 Service, the polygraph?

13 A Only when he came to the department from --

14 Q In May?

09:38 15 A In May, yes.

16 Q Okay. I'll deal with that in a moment. I would  
17 like to just ask you some questions on some  
18 documents here. If we could call up 106555,  
19 please, and if we can just call up the bottom. We  
09:39 20 can't see the name very well, it is an officer --  
21 sorry, I can't read the name other than we know  
22 it's a police officer. If we can just go back up  
23 to the top, it's a handwritten note to the chief,  
24 Attention: Superintendent Woods, and just goes:

09:39 25 "On Sunday ... received information that



1 the below named two males, are alleged  
2 to carry knives at all times and are  
3 capable of using them."

4 And then it carries on with some information.

09:39 5 And I'm just wondering if you can tell us, why  
6 would an officer be jotting this note to you, or  
7 how did that -- what was the purpose of this type  
8 of communication? I'm not concerned about the  
9 details or the content.

09:39 10 A Well it would be one of the inquiries where we've  
11 asked for assistance from the public, and that  
12 officer must have received that information, and  
13 it was passed on to our department for  
14 investigation.

09:40 15 Q Okay. And would there be any reason this officer  
16 would give this to you as opposed to Mackie?

17 A Well they would go to the chief.

18 Q To the chief?

19 A And the chief would send it to me, he would just  
09:40 20 bring it to my attention, that's all.

21 Q Okay. And let's call up 106582. And again this  
22 is, I think this is your handwriting, isn't it;  
23 and that's your signature at the bottom?

24 A That's right.

09:40 25 Q And this just talks about:



1 "City Police Prince Albert report  
2 information reached their office that a  
3 Colin Walker ...",  
4 etcetera, and again just some information, and  
09:40 5 then down at the bottom it says:

6 "March 4/'69  
7 Walker interviewed  
8 + statement received",  
9 and are those your initials?

09:40 10 A No.

11 Q It would appear, here, that some information came  
12 in from the Prince Albert police, you took it  
13 down, and then you pass it on to someone; is that  
14 fair?

09:41 15 A I would, I would think so, yes.

16 Q Call up 106573. Again, this is your writing and  
17 your signature at the bottom, is that right?

18 A That's right, yes sir.

19 Q And it talks about a lady phoning in stating that  
09:41 20 a fellow was at the Barry Hotel, and then again  
21 some information down here, and then the words is  
22 'eliminated'; do you have any recollection of this  
23 first of all?

24 A No, no.

09:41 25 Q And so it would appear -- did you handle calls



1 from the public coming in with information or did  
2 that --

3 A If it was directed to my office.

4 Q And so in this case is that your writing,  
09:41 5 'eliminated', or is that --

6 A No, that's not mine.

7 Q So can we conclude from this that, where  
8 information came in to you, you would write a note  
9 out and pass it on for someone to follow up?

09:41 10 A That's right.

11 Q Call up 009218, please, and this is a letter May  
12 1, 1969 to James Kettles, the next page shows it's  
13 from Constable John Quinn, and it talks about  
14 information about some suspicious automobile or  
09:42 15 someone trying to pick up nurses. And then at the  
16 top it says:

17 "Superintendent Wood

18 Arrange with Insp. Nordstrom for

19 Co-ordinated attention between Morality

09:42 20 and Detectives".

21 Is that the chief's writing, handwriting at the  
22 top, can you tell?

23 A I would think so, it looks like it, yes.

24 Q And it's got the 'Chief's Office' here so is  
09:42 25 this -- can we conclude from this that the chief





1 would have given this to you and said 'lookit,  
2 arrange for morality and detectives to coordinate  
3 and deal with this information'?

09:43 4 A From that stamp I'm beginning to wonder if that is  
5 the chief's initials or if it was Deputy Chief  
6 Forbes, I guess it is the chief maybe, yes.

7 Q But it appears that the chief wrote a note on here  
8 and asked you to arrange coordination between  
9 morality and detectives, is that right, on this  
09:43 10 issue?

11 A That's right.

12 Q And was this a common type of thing where the  
13 chief would give sort of a written note for you to  
14 follow up?

09:43 15 A Well, yes, and then he would want the morality  
16 department to be aware of that letter that come  
17 in.

18 Q Okay. And if we can just go to the next page, it  
19 looks like May 10th Detective Sergeant Reid -- I  
09:43 20 think those are his initials -- advised of  
21 investigation and findings, so that there would be  
22 some follow-up?

23 A Right.

24 Q So I take it you would then delegate it down the  
09:43 25 line and make sure someone looked after it?



1 A Right.

2 Q I now want to turn to a meeting that occurred in  
3 mid-May 1969 and call out document 02 -- or pardon  
4 me -- 250609. And go to the next page, please.

09:44 5 And this is a report of Inspector Riddell of May  
6 21, 1969, and if we can call out paragraph 3 --  
7 actually, let me just -- I'm sorry, let me just go  
8 back up to paragraph 1. And they just talk about  
9 the fact that the RCMP provided full-time  
09:44 10 assistance, and Riddell talks about the days he  
11 spent in Saskatoon, and then the next paragraph  
12 Riddell says that on April 3 '69, he met with the  
13 chief and advised him that the force would be  
14 withdrawing Edmondson and Rasmussen from full-time  
09:45 15 assistance but the chief was advised that he --  
16 that the RCMP would continue to cooperate fully.  
17 So I take it from this that sometime in early  
18 April the RCMP were not involved full-time but  
19 still assisting; do you recall any of that?

09:45 20 A No, but that's what it appears to be, yeah.

21 Q Yeah. Go down to paragraph 3. It says:

22 "On 16 May 69 I attended a meeting at  
23 the Saskatoon City Police office for the  
24 purpose of reviewing this investigation  
09:45 25 and deciding what further course of



1 action was open that would bring this  
2 matter to a successful conclusion. Also  
3 present at this meeting were Supt. J.  
4 Wood, Lt. J. Penkala and Lt. C. Short  
09:45 5 ... and S/Sgt. Edmondson ... Chief  
6 Kettles was not present as he was  
7 required to proceed to Moose Jaw on that  
8 date."

9 And then if you can scroll down, Mr. Wood, I just  
09:46 10 want to read you parts of what Riddell reported  
11 happening at this meeting:

12 "After a great deal of discussion it was  
13 agreed that David Milgaard could be  
14 considered as the prime suspect in this  
09:46 15 case and that further efforts should be  
16 made to eliminate or implicate him in  
17 this offence. From previous reports  
18 submitted, it will be noted that  
19 Milgaard plus one Ron Wilson and a girl  
09:46 20 by the name of Nichol John were in  
21 Saskatoon on the day the Miller girl was  
22 murdered."

23 And then carried on. Do you have any  
24 recollection of a meeting in May of '69 with  
09:46 25 Penkala, Short, Edmondson, and Riddell to talk



1 about where the investigation was going?

2 A No, I don't recall it, but it must have been.

3 Q And I think the evidence of Mr. Penkala was that  
4 it was in your office?

09:46 5 A I would -- it would appear that way, yes.

6 Q And I think if we can just go to the next page,  
7 please, and it talks again, I won't go through  
8 that, but it just talks about some of the  
9 evidence, and it says, paragraph 5, if you can  
10 call that out, please:

11 "If Milgaard is, in fact, responsible,  
12 it is felt that both Wilson and John  
13 should have some knowledge of this  
14 offence as they were with him that  
09:47 15 morning. It is quite possible that  
16 Wilson and John are not telling the  
17 truth about their activities that  
18 morning because they are implicated or  
19 they fear Milgaard. Milgaard, of  
09:47 20 course, has been questioned and denies  
21 any knowledge of this offence and due to  
22 his character and make-up, further  
23 questioning has revealed nothing."

24 And then paragraph 6, it says:

09:47 25 "The Saskatoon City Police will be



1 requestioning Ron Wilson and Nichol John  
2 to establish what knowledge they have of  
3 this offence. They plan on asking both  
4 subjects to submit voluntarily to a "lie  
09:47 5 detector test" to ascertain if they are  
6 being completely truthful as to their  
7 knowledge of this matter. The Calgary  
8 city police have a polygraph machine and  
9 an operator -- "

09:47 10 And then it carries on about arrangements. And  
11 Mr. Penkala, when he gave evidence, described  
12 this meeting as, and I'm trying to be careful to  
13 accurately portray it, but at a meeting where the  
14 senior people got together just to see where they  
09:47 15 were at and where they were going to go with  
16 respect to Mr. Milgaard either as a suspect or  
17 not and a decision was made to continue on with  
18 him I think as a prime suspect were the words and  
19 that they would bring Wilson and John in and  
09:48 20 that's when efforts were made to get the  
21 polygraph in, and I believe the evidence of Mr.  
22 Penkala either before the Commission or in some  
23 written form was that you needed to be convinced  
24 that Mr. Milgaard was a prime suspect. Do you  
09:48 25 have any recollection of those discussions or



1 anything of that nature?

2 A No, it doesn't come to mind, no.

3 Q And I'm assuming that as the superintendent in  
4 charge, that it would make sense that you would be  
09:48 5 at that meeting and part of that discussion?

6 A We had many discussions, but I can't recall what  
7 they were about. They were about the Milgaard  
8 murder, but what really the discussion was, other  
9 than the fact of the polygraph, and that was  
09:49 10 discussed with the chief to see if it was possible  
11 to have the, a member from the Calgary department  
12 available.

13 Q So you say there was lots of discussions. Would  
14 this be with Short, Penkala, Mackie and sort of  
09:49 15 informal, let's sit down and see what we have,  
16 those type of things?

17 A That's right, yes.

18 Q And you would be involved in those?

19 A In most of them or a lot of them.

09:49 20 Q And they would be brainstorming sessions where you  
21 would bounce ideas off?

22 A Mainly, yes.

23 Q I'm going to call up a document, 006799, and this  
24 is a five page document, Mr. Wood, I've provided a  
09:49 25 copy to you yesterday to have a review of it, and



1 if we can just go through and I'll tell you again  
2 it provides a summary of information on the police  
3 files dealing with David Milgaard as a suspect,  
4 and if we can go to page 006803, and then it's a  
09:50 5 summary of comments and theories and if we can  
6 scroll down to the bottom, please, and suggestions  
7 at the bottom:

8 "Nichol John, Wilson and Cadrain be  
9 brought to Saskatoon where with all  
09:50 10 present the true story can be obtained  
11 even if hypnosis or polygraph are  
12 necessary."

13 And we've heard evidence from Ray Mackie that he  
14 would have prepared the last page of this summary  
09:50 15 and that they were based on notes, and I think he  
16 said probably in early May of '69, and would have  
17 brought them to Lieutenant Short. I think his  
18 evidence was he and Short then went to the  
19 Prosecutor Caldwell and then went back and I  
09:50 20 think Mackie believes that they may have been  
21 dealt with at the May 16th meeting that you were  
22 at, although he wasn't there and he wasn't sure.  
23 Now, with that background, Mr. Wood, do you have  
24 any recollection of this document, having seen it  
09:51 25 at the time?



1 A No, I have not, no.

2 Q Now, let's talk about Art Roberts then. The  
3 record shows that on the evening of May 23rd, 1969  
4 he arrived in Saskatoon and -- on May 22nd, the  
09:51 5 evening, and on May 23rd he interviewed both Ron  
6 Wilson and Nichol John and administered a  
7 polygraph test we believe on Ron Wilson and then I  
8 believe left either that evening or the next  
9 morning. The record shows that the interviews  
09:51 10 took place at the Sheraton Cavalier Hotel. Can  
11 you tell us your recollection of your dealings  
12 with Mr. Roberts?

13 A Other than making arrangements at this hotel for  
14 accommodation and I was at the initial stage of  
09:52 15 the investigation when he was going to do the  
16 polygraph, but I have no recollection of what  
17 followed up or his report.

18 Q If we could call up 009222, please, and this is a  
19 report of Ray Mackie, it's dated May 29, '69, and  
09:52 20 if we could call out the bottom five lines,  
21 please, and again the date here is the 22nd of  
22 May, it says:

23 "At approximately 10:00 PM, I proceeded  
24 to the Cavalier Hotel where  
09:52 25 Superintendent Wood, Lieutenant Penkala





1 and I interviewed Inspector Roberts of  
2 Calgary police, in regards to this file,  
3 so that he would be able to interrogate  
4 Ronald Wilson and Nichole John for us on  
09:52 5 the 23rd."

6 Do you recall being with that group on the night  
7 that Roberts arrived in Saskatoon?

8 A I don't recall it, but I must have been.

9 Q Did you pick him up, Roberts, when he arrived in  
09:53 10 the city?

11 A I believe I did. I can't really say. I think --  
12 I think he came by train. I'm not sure of that.

13 Q And then if we could call up 009264, this is a  
14 report dated May 25, 1969 by Detective Karst, and  
09:53 15 if we could go to page 009267, call out that  
16 paragraph, and Detective Karst writes:

17 "On Friday, May 23rd, I attended at 608  
18 Cavalier Motel in the company with  
19 Inspector Wood, Lieutenant Short,  
09:54 20 Detective Sergeant Mackie, Constable  
21 Chartier and Morrison, and at 3:00 PM, I  
22 called at room 610 --"

23 Etcetera. So at least by this report it suggests  
24 you were there on May 23rd at some point, and I  
09:54 25 think you told us that, you recalled being there?



1 A That's right, yes.

2 Q And were there two rooms at the Cavalier that were  
3 being used?

4 A Right.

09:54 5 Q And how do you know that?

6 A Well, I believe I was the one that booked the two  
7 rooms.

8 Q Okay. And why were there two rooms booked; do you  
9 remember?

09:54 10 A Because one for Roberts and the other one for a  
11 standby, bringing Nichol John and Wilson there.

12 Q And do you have any recollection of talking to  
13 Roberts on the 23rd of May to find out what he had  
14 gained in these interrogations or interviews?

09:54 15 A No, I have not.

16 Q Now, we've heard evidence from Constable Chartier  
17 that on this date he and Morrison drilled a hole  
18 in the wall between the two hotel rooms and put a  
19 hidden microphone in the room where Inspector  
09:55 20 Roberts was interviewing both Ron Wilson and  
21 Nichol John and then in the other room Chartier  
22 and Morrison had both the tape recorder he  
23 believed and a listening device to allow officers  
24 to listen to Roberts' interview of both Wilson and  
09:55 25 John and Chartier's recollection is that you were



1 present in the room at least for part of it and  
2 there to listen to some of or all of the  
3 interview. Do you have any recollection of being  
4 at the hotel listening in on Roberts interviewing  
09:55 5 either Wilson or John?

6 A No, I have no recollection of that.

7 Q Do you recall being at the Sheraton Cavalier the  
8 day that Roberts was interviewing them?

9 A I was there, but I wasn't there steady. I was  
09:55 10 there when he arrived in the morning and could  
11 have been there during the day sometime, but I  
12 have no recollection of it.

13 Q And the fact that surveillance equipment was being  
14 used, is that something that happened at that time  
09:56 15 or subsequent where police would listen in on  
16 interviews of key witnesses or suspects?

17 A I suppose. I can't really say whether it is or  
18 not.

19 Q Now, do you recall, Mr. Wood, finding out about  
09:56 20 the results of the interviews of Wilson and John  
21 on the 23rd and 24th of May?

22 A No, I have no recollection of seeing a report of  
23 any kind.

24 Q Now, I'm assuming that the Gail Miller murder was  
09:56 25 a very important investigation for the police?



1 A That's right.

2 Q And during your tenure as superintendent, I think  
3 it went for two or three years, would it be fair  
4 to say that this was the biggest case that  
09:56 5 happened under your watch, if I can call it that?

6 A That's right.

7 Q And so to have a witness or two provide the  
8 police, I think in the case of Nichol John, an eye  
9 witness account, according to the statement of the  
09:57 10 murder, and from Ron Wilson, incriminating  
11 evidence including an admission, those would be  
12 pretty important statements; would you agree?

13 A I would agree.

14 Q And I think the record shows that once those  
09:57 15 statements were obtained, that that was enough in  
16 the eyes of the police and/or prosecutor or  
17 whoever made the decision to charge Milgaard with,  
18 David Milgaard with the murder of Gail Miller; is  
19 that fair? I think that's what the record shows.

09:57 20 A I would think so, yes.

21 Q And so I take it that would have been big news  
22 with the police, would it not, to get this  
23 information?

24 A I would think so, yes.

09:57 25 Q And as superintendent, would it not be a



1 significant matter in your tenure there as being  
2 the day that the Gail Miller case was cracked or  
3 solved, for lack of a better word?

09:58 4 A I couldn't say it would have any particular  
5 substance. It was there, it was turned over to  
6 the prosecutor and that's all I can remember.

7 Q But I take it you would have been informed as the  
8 superintendent in charge of at least detectives  
9 that the investigators felt they had got enough  
09:58 10 evidence to lay a charge?

11 A Well, yes, I would think that would be true, that  
12 they suspected they had, but until such a time as  
13 it went to the prosecution department, they would  
14 have no knowledge of whether it was right or  
09:58 15 wrong.

16 Q Do you have any recollection on this file of  
17 dealings with the prosecutor Mr. Caldwell?

18 A No, sir.

19 Q If we can talk generally then, what would have the  
09:58 20 practice been as far as when the prosecutor would  
21 have been involved in a murder investigation and  
22 what role the prosecutor would normally play in  
23 the decision to lay charges?

24 A I don't recall whether any individual investigator  
09:58 25 spoke with him, I can't say, but --



1 Q Let me -- I'm talking generally. You have no  
2 recollection of the Gail Miller case, talking to  
3 him just as a matter of procedure at the time, so  
4 generally in 1969, in that time frame, could the  
09:59 5 police, for example, go and lay a murder charge  
6 without talking to the prosecutor?

7 A I don't think so, no.

8 Q So they would talk to the prosecutor first, was  
9 that the practice?

09:59 10 A That would be the practice, yes.

11 Q And would it also be the practice for police to go  
12 to a prosecutor and bounce off information and say  
13 lookit, do we have enough information to lay a  
14 charge and get some assistance from the  
09:59 15 prosecutor?

16 A Well, that would be the policy, but whether that  
17 was done or not I can't say.

18 Q When you say the policy --

19 A Well, that would be the normal procedure, to take  
09:59 20 your file to whoever was going to be the  
21 prosecutor.

22 Q Yes.

23 A And this became I think the Crown prosecutor.

24 Q Yes.

09:59 25 A It wasn't our local prosecutor within our



1 department.

2 Q That would be the city prosecutor?

3 A Right.

4 Q Is that right?

10:00 5 A Right.

6 Q That was Ben Wolf I think?

7 A Ben Wolf I believe at that time.

8 Q And Mr. Caldwell was the Crown, the agent of the  
9 Attorney General?

10:00 10 A Right.

11 Q So the normal practice would be what then?

12 A Well, I think the file would go to him. Now, who  
13 prepared the file I have no idea, I can't at this  
14 time say, but I imagine the file would have been  
10:00 15 prepared and given to him to check out to make  
16 sure that we had sufficient evidence to lay a  
17 charge.

18 Q Okay. And that's based on your experiences at the  
19 time, that's what you think would have happened?

10:00 20 A I think that would happen that way, yes.

21 Q And then would someone within the police service  
22 be responsible to deliver the police files or  
23 whatever was necessary to the prosecutor?

24 A That's right.

10:00 25 Q And do you have any knowledge, Mr. Wood, as to



1           what the practice was or policy as to what would  
2           be given to the prosecutor by the police?

3           A           I have no idea.

4           Q           If we could call up -- just back on Art Roberts.

10:00 5           Do you remember who knew Art Roberts or who  
6           identified him as a polygraph operator?

7           A           I believe it come through the RCMP inquiry and  
8           came to the chief of police and the chief of  
9           police was the one that made arrangements with the  
10:01 10          chief in Calgary to have him available.

11          Q           Okay. If we could call up 009272, please, and  
12          this is a letter, May 29th, 1969, so this is after  
13          Roberts has been in Saskatoon and interviewed  
14          Wilson and John and this is your letter to the  
10:01 15          chief of police, and I don't propose to go through  
16          it in detail, but it's asking -- actually, let's  
17          just call out the first two paragraphs, it says:

18                        "Further to our conversation and meeting  
19                        with you on Saturday, May 24th, 1969, I  
10:01 20                        have enclosed herein a copy of the  
21                        statement taken from Sharon Ann  
22                        Williams.

23                        As suggested in our  
24                        conversation, we would be most pleased  
10:01 25                        if you could go to Edmonton and check





1 out this girl. Our department is  
2 prepared to pay any reasonable  
3 expenses --"

4 Etcetera. And so it would appear from this,  
10:02 5 Mr. Wood, that you and Inspector Roberts would  
6 have had a conversation on Saturday, May 24th.  
7 Does that --

8 A I would take it, yes.

9 Q And that as a result of that, you would have asked  
10:02 10 him to do some further work?

11 A Right.

12 Q And do you have any recollection of that?

13 A No.

14 Q And just for the record, 009290, this is Inspector  
10:02 15 Roberts' telex back to you indicating:

16 "Miss Williams interviewed for three  
17 hours in Edmonton with polygraph. No  
18 further info of any value learned.

19 Letter to follow."

10:02 20 Do you have any recollection of that?

21 A No, I do not.

22 Q If we could call up 106793, please, and this is a  
23 letter June 10th, 1969 to the Highway Traffic  
24 Board from you and this is where you'll see you  
10:03 25 are requesting a photostatic copy of the



1 registration form used by the person who obtained  
2 these plates. I take it photostatic copies were,  
3 at least the technology was there at the time, the  
4 ability to make a photostatic copy?

10:03 5 A Well, that's asking them to send one; is it not?

6 Q Yes, it is.

7 A Yes, and that was from the license department in  
8 Regina.

9 Q Yeah. And then if you just scroll down to the  
10:03 10 bottom right, I think it says Ray Mackie from  
11 Superintendent Wood, so is that your writing?

12 A No, that would be Ray Mackie's writing.

13 Q So is that where this would have ended up?

14 A That's right.

10:03 15 Q If we could call up 159776, please, and this is an  
16 article May 27th, '69, and just to give you again,  
17 Mr. Wood, Ron Wilson gave a statement to the  
18 police on May 23rd and May 24th, 1969 and in those  
19 discussions he advised the police that on the  
10:04 20 morning of the murder their vehicle had been stuck  
21 and that he and Mr. Milgaard left the vehicle to  
22 look for help, came back to the vehicle and  
23 shortly thereafter two men in a Dodge, I think  
24 '67, '68 cream-coloured Dodge came and pushed them  
10:04 25 out, and then it would appear that this newspaper



1 article followed where it says:

2 "Police seek help in murder case."

3 If you can just call out, it says:

4 "Saskatoon City Police have issued a  
10:04 5 plea to four men who could help clear up  
6 one point they have been investigating  
7 in connection with the Jan. 31 stabbing  
8 of a woman in the city.

9 Supt. J.A. Wood said today  
10:04 10 there was a report that a car became  
11 stuck in the snow in the vicinity of the  
12 slaying of Gail Miller, 21. Her body  
13 was found in an alley behind the 200  
14 block of Avenue N, south.

10:05 15 The report was that two young  
16 men were in that car and that a second  
17 vehicle, a late model Chrysler product  
18 containing two middle-aged men came  
19 along. The men from the second car  
10:05 20 helped push the first one out of the  
21 snow.

22 That incident took place in the  
23 morning of Jan. 31 in the vicinity of  
24 Avenue O and N near 20th Street.

10:05 25 Police have been checking out



1 the report but have not found any of the  
2 persons involved.

3 They have asked that the men  
4 report to police or that anyone  
10:05 5 witnessing the incident do so."

6 Do you have any recollection of this, Mr. Wood?

7 A Not really, other than we were asking for  
8 assistance from the public.

9 Q And is it fair for us to conclude that this came  
10:05 10 from Ron Wilson's statement that two guys helped  
11 push out his car that morning?

12 A That's right, that's where I would think it would  
13 come from.

14 Q Now, the record shows that after Mr. Milgaard was  
10:06 15 convicted, Albert Cadrain applied for and received  
16 the \$2,000 reward from the Board of Police  
17 Commissioners. Were you aware of that?

18 A Yes, I think I was, yes.

19 Q And a fellow by the name of Father Murphy -- do  
10:06 20 you know Father Murphy who was the parish priest  
21 at St. Mary's at the time?

22 A Yes, I do.

23 Q I think that was the church you attended at the  
24 time?

10:06 25 A That's right.



1 Q And the Cadraains attended?

2 A I don't know. I can't say.

3 Q And Mr. Murphy has told investigators previously  
4 that he had talked to Albert Cadrain after Mr.  
10:06 5 Milgaard was convicted and talked to Mr. Cadrain  
6 about applying for the reward and I think Father  
7 Murphy has said that he received a telephone call,  
8 or a call or was contacted by you and that you had  
9 asked him to contact Cadrain to see if Cadrain  
10:06 10 could go in and apply for the reward, or something  
11 to that effect. Do you have any recollection of  
12 talking to Father Murphy about Albert Cadrain, the  
13 reward or anything of that nature?

14 A I don't really have any recollection of it, but I  
10:07 15 could have.

16 Q Do you have any recollection at all of any  
17 discussions with Albert Cadrain or anybody about  
18 Albert Cadrain getting the reward after Mr.  
19 Milgaard was convicted?

10:07 20 A Not to my knowledge, no.

21 Q Now, Mr. Wood, we know that Larry Fisher was  
22 convicted of the murder of Gail Miller and that he  
23 was also convicted in 1971 of the four sexual  
24 assaults -- or pardon me, the three -- I'll refer  
10:07 25 to them what they were called at the time, there



1           were three rapes and I think indecent assault was  
2           the fourth one, and he was convicted in December  
3           of 1971 in Regina by way of direct indictment. Do  
4           you have any recollection back in 1969 -- '68,  
10:08 5           '69, '70, '71 of a fellow by the name of Larry  
6           Fisher?

7           A       No, I do not.

8           Q       Do you have any recollection of someone being  
9           convicted of those rapes and indecent assault back  
10:08 10          at that time?

11          A       No, I do not.

12          Q       Now, the record shows that at the time of David  
13          Milgaard's conviction, January 31, 1970, that the  
14          two rapes and one indecent assault that had  
10:08 15          occurred prior to Gail Miller's murder had not  
16          been solved and I think the record shows that  
17          Larry Fisher was not a suspect for those crimes at  
18          that time, at the time Mr. Milgaard was convicted.  
19          I should point out there was a police report where  
10:08 20          Detective McCorriston encountered Mr. Fisher at a  
21          bus stop shortly after the murder, but it does not  
22          appear from the record to be in relation to the  
23          earlier sexual assaults. Three weeks after Mr.  
24          Milgaard is convicted there was a fourth rape and  
10:09 25          again that Mr. Fisher ultimately pled guilty to.



1 Mr. Fisher then moved to Winnipeg at some point  
2 and in August of 1970 was picked up for a couple  
3 of rapes there and put in jail and charged and  
4 then in October of 1970 there was correspondence  
5 between either the Fort Garry or the Winnipeg  
6 police and the Saskatoon police to see whether or  
7 not there were any unsolved rapes and at a later  
8 point Mr. Fisher then confessed to two of them,  
9 one rape and one attempted rape and Inspector  
10 Nordstrom and Detective Karst travelled to  
11 Winnipeg and took a statement on October 22nd,  
12 1970, and I'll just complete this, Mr. Wood, and  
13 then ask you some questions. In late December of  
14 1970 Mr. Fisher was charged with four offences,  
15 three rapes, one attempted rape. In May of '71 he  
16 was convicted in Winnipeg of the rapes he had  
17 committed there, sentenced to I think 13 years,  
18 then in December of '71 he was in I think the  
19 Prince Albert penitentiary at the time, he was  
20 brought into Regina and was charged with the four  
21 Saskatoon matters, convicted and received a  
22 concurrent sentence, so that's generally what the  
23 record shows. Were you aware at that time of any  
24 of that, Mr. Wood?

10:09 5  
10:09 10  
10:10 15  
10:10 20  
10:10 25 A No, I was not.



1 Q And again the fact that Detective Karst and  
2 Inspector Nordstrom at the time, Detective Karst  
3 was a detective in homicide and Nordstrom was the  
4 head of morality, would it have been unusual for  
10:11 5 Inspector Nordstrom and Detective Karst to travel  
6 to Winnipeg to take a statement from Larry Fisher  
7 where he was confessing to two offences that had  
8 occurred in Saskatoon?

9 A I have no recollection of them going to Winnipeg,  
10:11 10 although they must have, so I don't know whether  
11 or not it would mean anything other than whoever  
12 directed them or sent them and I don't know whose  
13 office that came out of.

14 Q Would there be anything unusual though?

10:11 15 A No.

16 Q Does it strike you odd that the fact that  
17 Detective Karst is in homicide, would it be  
18 unusual for him to be with Inspector Nordstrom  
19 from morality to take a statement?

10:11 20 A Not to my knowledge, no.

21 Q And would that trip have to be approved by the  
22 chief?

23 A That's right.

24 Q Now, at that time did you have occasion, Mr. Wood,  
10:12 25 to deal with situations where, for crimes





1 committed in Saskatoon, a suspect was picked up in  
2 another jurisdiction for other offences and wanted  
3 to clean up Saskatoon-based charges, did that  
4 happen?

10:12 5 A That could happen, yes.

6 Q And when you were there as superintendent, did  
7 that happen where you would send charges out to  
8 another jurisdiction to get wrapped up?

9 A That could happen, but it wouldn't come out of my  
10:12 10 office, it would come out of the deputy chief's  
11 office who handled all the files on that nature.

12 Q So the deputy chief was in charge of sending  
13 charges out to --

14 A He would be chief of operations, yes.

10:12 15 Q If we can call up 043001, please, and this is a  
16 letter, March 17th, '71, if we can just go to the  
17 second page, and it's a letter to the Deputy  
18 Attorney General. Actually, go to the last page,  
19 please, and this is, I think it's acting deputy  
10:13 20 chief of police Corey at the time?

21 A Right.

22 Q And I won't go through the letter, we've been  
23 through this a number of times, but this is where  
24 the city police are sending information on four  
10:13 25 charges against Larry Fisher to the AG in Regina



1 to be dealt with and so I take it where you were  
2 going to deal with charges outside of Saskatoon,  
3 it would be the deputy chief that would coordinate  
4 that?

10:13 5 A That's right.

6 Q And were you generally aware that that happened  
7 from time to time or was it an unusual occurrence  
8 for --

9 A No, that happened from time to time.

10:13 10 Q And this letter here, have you ever seen this  
11 before, were you involved at all in that?

12 A Not to my knowledge, no.

13 Q What would be the practice -- in this case we know  
14 that Mr. Fisher was convicted in December of 1971.

10:14 15 What would be the practice to conclude the files  
16 or what information would go back to the police  
17 files?

18 A Probably nothing, it would go back to the deputy  
19 chief's file and it would clear from his  
10:14 20 department, but I don't know any other department  
21 that would be made aware of it as such.

22 Q So if there are four files open and offices are  
23 investigating and a suspect confesses and the four  
24 are going to get cleared up, would the files then  
10:14 25 be concluded or would there be something --



1 A That would go to the morality section probably to  
2 conclude their file.

3 Q Something would show up on the file to say suspect  
4 apprehended, etcetera, or file concluded?

10:14 5 A Right.

6 Q What was the practice at the time, do you know,  
7 about informing victims about a suspect being  
8 apprehended and convicted, was there a practice in  
9 place?

10:15 10 A Not to my knowledge, no.

11 Q Now in this case what the record shows is that  
12 when Larry Fisher was convicted in Winnipeg for  
13 the Winnipeg offences, that that story was carried  
14 in both Regina and Saskatoon in the newspaper that  
10:15 15 Mr. Fisher had been convicted of those crimes.  
16 However, when Mr. Fisher was convicted for the  
17 Saskatoon crimes in December of '71 in Regina  
18 there does not appear to be any media report in  
19 either Regina or Saskatoon about those crimes.

10:15 20 And I'm wondering if you can help us out, Mr.  
21 Wood, in understanding how information would get  
22 from the police to the media, whether it was  
23 proactive on the side of the police or reactive,  
24 and any explanation as to why Mr. Fisher's  
10:16 25 Saskatoon convictions would not have been



1 publicized in the newspaper?

2 A No, I'm sorry, I couldn't help you there at all.

3 Q Did -- would the fact that you had earlier put  
4 out -- or earlier there had been stories in the  
10:16 5 newspaper saying that there were unsolved rapes,  
6 remember I showed you those, prior to the murder,  
7 and they may be connected, and that women were  
8 coming forward about assaults or rapes in the  
9 area; you recall those articles?

10:16 10 A Right.

11 Q Would the fact that the culprit of four of those  
12 had been apprehended; would that not be the type  
13 of information that the police would want to  
14 communicate with the public to let the public  
10:16 15 know, (a) that the police solved the crime, and  
16 (b) the culprit is in jail?

17 A I couldn't say at this time.

18 Q Okay. Is that not something that the police would  
19 want out there in the public?

10:17 20 A I would think they would, but I don't think the  
21 police would go to the press and report that as  
22 such, the press report -- the press usually come  
23 to the police and they --

24 Q So -- I'm sorry, carry on?

10:17 25 A And that would be a decision. Now how that report



1 got back to our department, I haven't a clue, from  
2 Regina.

3 Q So at that time Mr. Wood, in 1970-'71, did the  
4 police proactively go out to the media and say  
10:17 5 'lookit, we've solved a crime, here you go', or  
6 did you rely on the media to go find out that  
7 information?

8 A I think they relied on the media.

9 Q Now we've also heard some evidence, and we will be  
10:17 10 hearing some more evidence, about the fact that  
11 for three of the four sexual assault files, I  
12 think when efforts were made in the late '80s to  
13 locate the files they were missing and to date,  
14 other than a couple of stray reports, three of the  
10:18 15 four assault files the contents have never been  
16 located. And the Police Commission looked at that  
17 and -- to see what could have happened, and I  
18 think there's various evidence and theories  
19 everywhere from they were mishandled to  
10:18 20 allegations that they were deliberately destroyed.  
21 Do you have any knowledge of anything, Mr. Wood,  
22 about the destruction of these files or anything  
23 in connection with the sexual assault files?

24 A I do not.

10:18 25 Q Now there has also been suggestions, Mr. Wood --



1 and I want to put these questions to you because  
2 you were the senior officer, well, next to Kettles  
3 would it be fair to say you were the senior  
4 officer in charge of the criminal investigation  
10:19 5 division '69-'70-'71; correct?

6 A Right.

7 Q And there has been various suggestions made from  
8 time to time that police deliberately covered up  
9 the investigation and conviction of Larry Fisher  
10:19 10 in 1970 and '71, in other words -- and I told you  
11 what the record showed about Karst and Nordstrom  
12 visiting him, the charges and the convictions --  
13 and the suggestion has been made that information  
14 relating to Mr. Fisher's confessions of the  
10:19 15 Saskatoon crimes and his conviction for those  
16 crimes in Regina and all of those, or parts of  
17 those procedures, were deliberately kept from  
18 other police officers, from the public, and from  
19 David Milgaard and his group at the time, and that  
10:19 20 they were deliberately withheld from those people  
21 to keep it quiet for fear that that information  
22 might get out that Larry Fisher either was or may  
23 have been the killer of Gail Miller, and that  
24 David Milgaard was not, and that there was some  
10:20 25 type of cover-up, either at the time or later, of



1 this information. And let me ask you first, sir,  
2 are you aware of any information of any type of  
3 cover-up by any member of the police service, as I  
4 have suggested, in relation to this matter?

10:20 5 A I have no knowledge of any information.

6 Q And if there was such an effort made to cover up  
7 this type of information, again, what -- be it the  
8 investigation, the confessions of Mr. Fisher,  
9 communication with the prosecutor and having him  
10:20 10 appear in court; is that something that you think  
11 you might have become aware of if that were --

12 A Say that again, sir, I'm missing it?

13 Q Fair enough. I maybe didn't ask it very well.  
14 Given that you were the superintendent in charge,  
10:21 15 and you say you have no knowledge of a cover-up,  
16 if that had taken place by other officers back in  
17 1970 or '71, and others to cover up this  
18 information about Mr. Fisher, if that had happened  
19 under your watch do you think that's something  
10:21 20 that you would have become aware of?

21 A Oh yes, would have, yes.

22 Q Would have?

23 A I would have become aware of it.

24 Q And why do you say that?

10:21 25 A Well because if, even if a report was talked about



1 or -- by any member of the department it would  
2 eventually come to my attention, or come to the  
3 attention of the senior officers, and there was  
4 nothing in my recollection of the whole thing that  
10:21 5 anything like that even was thought of.

6 Q Okay. If we could then turn to 1993, do you  
7 recall being interviewed by the RCMP in connection  
8 with an investigation they were doing?

9 A Yes I do.

10:22 10 Q Actually, just before I get to that there is a  
11 newspaper article, if I could call up 004819. And  
12 this is a *StarPhoenix* article of December, 1969,  
13 and if we could just call up -- actually just  
14 scroll down a bit more, and this is an article of  
10:22 15 an unnamed officer giving information, and it  
16 says:

17 "The former police officer agrees that  
18 Jack Wood, his boss at the time, didn't  
19 think Milgaard was the murderer.

10:22 20 However, Wood was convinced otherwise  
21 after a street-smart undercover RCMP  
22 officer talked informally to Milgaard,  
23 who had been brought into the police  
24 station for questioning.

10:22 25 "When he came, out, he said (to





1 Wood), 'That's your man'."

2 From his Arizona winter home,  
3 Wood said he couldn't remember much  
4 about the case."

10:23 5 And then he carries on to talk about the officer.  
6 This notion of an undercover officer talking to  
7 Milgaard in the police station; did that ever  
8 happen?

9 A I have no recollection of that at all.

10:23 10 Q I am going to then just go back to the RCMP  
11 report. If we could call up I think it's 045532,  
12 and I think it was Cunningham -- do you remember  
13 talking to the RCMP, I think you were in MacIntosh  
14 Point, Emma Lake, at the time; do you remember  
10:23 15 that?

16 A That's right.

17 Q And I take it at that time, Mr. Wood, you would  
18 have told the RCMP the truth to the best of your  
19 recollection?

10:24 20 A At that time, yes.

21 Q If we could go to page 045540, and I think at the  
22 bottom it's reported you said:

23 "As Supt i/c Criminal Operations he  
24 would technically be in charge of the  
10:24 25 file however did not investigate out on



1 the road.

2 He recalls that once their  
3 investigation turned up Milgaard as a  
4 suspect and he was fully investigated  
10:24 5 Wood was convinced of Milgaard's guilt.  
6 I asked him about the comments in the  
7 Saskatoon *Star-Phoenix* dated 89-12-08  
8 "...",

9 and that's the one I just showed you:

10:24 10 "... whereby it states Wood did not  
11 think Milgaard was the murderer. Wood  
12 said there was never any doubt as to  
13 Milgaard's guilt and he felt that they  
14 had the right man all along."

15 And is that an accurate recording of what you  
16 would have told the RCMP at the time?

17 A I would think so.

18 Q And that's what you felt at the time?

19 A That would be, right.

10:25 20 Q And then just scroll down to the bottom. And  
21 they, again the RCMP, asked you about the  
22 undercover officer. And Mr. Wood, we haven't been  
23 able to locate any record of an undercover officer  
24 being in the cell with Mr. Milgaard, just so that  
10:25 25 you are aware of that. It says:



1 "Wood says he does not recall the  
2 comment at all. He said the press did  
3 contact him while he was in Arizona but  
4 did not make such comments and  
10:25 5 questioned the accuracy of the report."

6 Now is that fair?

7 A That's right.

8 Q Next page, please. It says:

9 "He was asked if he felt there was a  
10:25 10 split within the Police Department  
11 concerning Fisher vs Milgaard. He  
12 stated that not only was there no split  
13 within the department but he had never  
14 heard of Larry Fisher at the time of the  
10:25 15 investigation. Further, Wood has heard  
16 of Larry Fisher just within the past  
17 couple of years through the media."

18 And is that truthful?

19 A That's right.

10:25 20 Q And scroll down, please:

21 "We asked if it was usual for members of  
22 different sections to work together on  
23 files (i.e. Morality and Homicide). He  
24 said on the bigger investigations this  
10:26 25 would happen. He said that Karst would



1 be a logical choice to go to Winnipeg or  
2 anywhere else he was required. He was a  
3 good investigator and got a number of  
4 trips from time to time."

10:26 5 Was that truthful?

6 A That's right, yes.

7 Q And at the bottom:

8 "The issue of placing witnesses together  
9 in one room to discuss their individual  
10:26 10 involvement was also brought up, but  
11 Wood said this was not usually done as  
12 far as he knows."

13 And I think this relates to the fact, in one case  
14 it was reported that Cadrain and Nichol John were  
10:26 15 put in a room together to talk about -- or as  
16 part of an interview process. And I take it, Mr.  
17 Wood, was it your practice, or were you out in  
18 the field doing much in the way of interviews,  
19 and --

10:26 20 A No, sir.

21 Q But as far as putting witnesses together in a  
22 room?

23 A Not to my knowledge.

24 Q That wasn't done?

10:27 25 A Not to my knowledge.



1 Q Okay. And then, scrolling down, I think you  
2 confirmed for them:

3 "He had no knowledge concerning the  
4 ...",

10:27 5 four files missing. You then said, scroll down:

6 "He advised us that the Morality Section  
7 reported directly to the Chief of Police  
8 and would not always share information  
9 with the sections as a matter routine  
10:27 10 due to their reporting set up."

11 And can -- is that something you would have told  
12 the RCMP?

13 A Could have, yes.

14 Q And can you explain what you are saying there?

10:27 15 A Well routine matters of investigation, the  
16 morality section had their reports on various  
17 assaults and things of that nature and it wouldn't  
18 necessarily come to the attention of detectives,  
19 and vice versa. If we had a number of break and  
10:27 20 enters in the city that was handled by the  
21 detective department the morality department may  
22 not be aware of it.

23 Q And if there were matters in the morality  
24 department that might affect what was happening in  
10:28 25 the detectives division, or vice versa, would



1           there then be the sharing of information?

2           A       At times, yes. Depends on what the occasion of  
3           the case was, yes.

4           Q       And I tried to ask you this yesterday, maybe I'll  
10:28 5           try again. If there is a situation where there  
6           was something happening in morality that was  
7           relevant to what was happening in detectives, some  
8           information or a file that was -- that was  
9           important for the detectives to know and vice  
10:28 10          versa, who would make that happen and how would  
11          they do that?

12          A       Well, that would be common knowledge amongst the  
13          department within the files, the files that were  
14          available.

10:28 15          Q       So would that be the chief or would that be  
16          Inspector Nordstrom or you or --

17          A       It would be both, it would be all of us at those  
18          general meetings that we would have every morning.

19          Q       Okay. We're done with that document. Just some  
10:28 20          concluding questions here, Mr. Wood.

21                           Can you tell us, and we've  
22          covered some of this, but what role did you play,  
23          you yourself play in the decision to pursue David  
24          Milgaard as a suspect in the murder of Gail  
10:29 25          Miller?



1 A That I -- other than the files that were coming to  
2 my attention.

3 Q And what role did you play in the decision to  
4 charge David Milgaard with the murder of Gail  
10:29 5 Miller?

6 A I didn't play any part in the charging of him and  
7 I am not aware of who provided the information to  
8 the Crown counsel to proceed or ask for if they  
9 were going to proceed with a charge.

10:29 10 Q And did you have a belief, at that time, about  
11 David Milgaard's responsibility for the murder of  
12 Gail Miller in 1969?

13 A On what the investigation reports were showing.

14 Q Yeah. And did you have a belief, at that time,  
10:29 15 that he was responsible for the Gail Miller  
16 murder?

17 A It was showing up in those reports.

18 Q And that was the basis for your belief, then, the  
19 reports?

10:29 20 A Right.

21 Q One of the mandates of this Commission of Inquiry  
22 is to inquire into the conduct of the  
23 investigation into the death of Gail Miller. As  
24 you know, Larry Fisher has been convicted of the  
10:30 25 rape and murder of Gail Miller, and the Government



1 of Saskatchewan has exonerated David Milgaard and  
2 declared him to be factually innocent of the  
3 crime. If you look back at your role in the  
4 investigation into the death of Gail Miller, Mr.  
10:30 5 Wood, is there anything that you believe you could  
6 have or should have done differently?

7 A No, sir.

8 Q If you look back at the original police  
9 investigation in its entirety and not just your  
10:30 10 role, and based upon your observations or personal  
11 knowledge of the investigation, what do you think  
12 could have or should have been done differently?

13 A The facts were there and that's all I can say. I  
14 don't know.

10:30 15 Q Thank you, Mr. Wood, those are my questions.

16 It might be an appropriate time  
17 to break, Mr. Commissioner, and I'll canvass the  
18 examiners.

19 COMMISSIONER MacCALLUM: Yes.

10:30 20 *(Adjourned at 10:30 a.m.)*

21 *(Reconvened at 10:54 a.m.)*

22 MR. HODSON: Mr. Chairman, as far as  
23 cross-examination, I think we have Ms. McLean and  
24 Mr. Wolch wish to cross-examine, Mr. Elson, Mr.  
10:54 25 Fox, and perhaps Ms. Knox, depending upon what





1 comes out in the other cross-examination, and I  
2 think there is some -- I'm not sure if there's  
3 agreement on order, I think maybe counsel can  
4 address that.

10:54 5 On one other point, Mr. Wood  
6 has a flight this afternoon to Kelowna, which is  
7 20 degrees warmer and a bit dryer than here, and  
8 if we don't get done by 12:00 I'm going to ask  
9 that we maybe just carry on until -- until we do  
10:54 10 get done, within reason, and I think we maybe  
11 won't stop right at 12:00 so that we can get it  
12 done.

13 And, with that, I'm not sure if  
14 counsel wish to address the order. Aaron,  
10:55 15 Mr. Fox, has indicated he'll go first.

16 COMMISSIONER MacCALLUM: Okay.

17 BY MR. FOX:

18 Q Mr. Wood, I'm Aaron Fox, I'm the lawyer for Eddie  
19 Karst in these proceedings?

10:55 20 A Yes sir.

21 Q I mumble a little bit sometimes, if you can't hear  
22 me or understand me please ask me to repeat the  
23 question. You talked about a daily meeting that  
24 took place, the sort of coffee-break meeting, I  
10:55 25 think you referred to it, at about 10:30 each



1 morning, indicated that if you were working that  
2 day you would be there, the chief would be there,  
3 the deputy chief would be there, Inspector  
4 Nordstrom who headed up morality and Inspector  
10:55 5 Penkala who headed up identification would be in  
6 attendance, and if it was a day where you were off  
7 and Detective Short -- or Inspector Short were on,  
8 he -- Lieutenant Short were on, sorry, he would  
9 then attend the meeting; you know the ones I'm  
10:56 10 referring to?

11 A Yeah, right.

12 Q And as I understand from what you said that was --  
13 those meetings went on on a daily basis, they  
14 weren't just because of the Gail Miller file, that  
10:56 15 was just normal procedure that the chief had  
16 implemented?

17 A Right.

18 Q And I take it from what you have said the purpose  
19 of those meetings was to keep the chief, the -- I  
10:56 20 suppose the deputy chief and the others who  
21 attended the meeting, sort of up to date with  
22 what's going on in the police department at that  
23 time?

24 A Right, sir.

10:56 25 Q And I'm assuming that the Gail Miller file



1           certainly would have been something that would  
2           have been discussed at those meetings on probably  
3           a fairly regular basis at least while the  
4           investigation was going on?

10:56 5           A           That's right.

6           Q           Umm, you've indicated, Mr. Woods, that you have no  
7           recollection at this time that there had been  
8           three rapes and an attempted rape in Saskatoon in  
9           that sort of 1968-'69 time period, but if we  
10:57 10          accept that there were and no one had been  
11          arrested for them, would it be fair to say that  
12          those likely came up as a subject of discussion at  
13          the meetings as well?

14          A           Probably when they occurred.

10:57 15          Q           Okay.

16          A           They wouldn't come up daily because they occurred  
17          at different times.

18          Q           Sure. But from time to -- at the time they  
19          occurred it would come up, and I suppose at times  
10:57 20          it might come up that, 'you know, we've got those  
21          four unsolved files out there and where are we  
22          getting at on those, and is there anything  
23          happening on them', it wouldn't be a daily agenda  
24          item but it could come up from time to time?

10:57 25          A           It could do.



1 Q Now you talked about getting approvals from the  
2 chief's office for various things and one of them  
3 would have been approvals to travel outside the  
4 province or outside the city, I guess, to go and  
10:57 5 interview a witness?

6 A Right.

7 Q Umm, we know, in looking at the records, that it  
8 appears as though you were contacted on March  
9 2nd-3rd, 1969 about Eddie Karst being dispatched  
10:58 10 to Winnipeg to interview David Milgaard; do you  
11 recall that?

12 A I don't really recall that but it could have been.

13 Q You saw -- you see that. And I'm assuming if  
14 somebody, if Detective Short for example --  
10:58 15 sorry -- Lieutenant Short, for example, decided  
16 somebody should go to Winnipeg to interview, in  
17 this case, David Milgaard, that approval would  
18 have to be obtained from the chief's office or  
19 your office to incur that expenditure?

10:58 20 A Right.

21 Q And I think you said that the review of the  
22 decision to send somebody would involve two  
23 things, one which would be budget, which is just a  
24 dollars and cents question?

10:58 25 A Right.



1 Q 'How much is it going to cost', and then the  
2 second would be --

3 A Well --

4 Q Sorry?

10:58 5 A No, I'm sorry, it wouldn't be the dollar cost, it  
6 would be approval that the chief has to take back  
7 to the Police Commission to have it approved.

8 Q Okay. So he wants to know that this is going to  
9 happen because he knows he is going to have to  
10:59 10 explain it to the --

11 A The Board of Police Commissioners.

12 Q And that's also why the chief would want to know  
13 why you are making the trip?

14 A Right.

10:59 15 Q 'If it looks like it's a bit of a lark, maybe  
16 that's not something I'm going to be able to  
17 explain, if it looks like it is justified then I  
18 know I can take that back to the Board of Police  
19 Commissioners and they will agree, yes, that was  
10:59 20 an appropriate expenditure'.

21 A Right. It would all be a factor.

22 Q Just, this is just a real minor point for  
23 clarification, but you mentioned that you had --  
24 or the courthouse -- or sorry -- court facilities  
10:59 25 for -- were in the same building as your police



1 station?

2 A Right.

3 Q Am I correct that preliminary hearings would have  
4 been held in that same building?

11:00 5 A I can't remember. I can't recall.

6 Q Would I be correct that Queen's Bench trials,  
7 however, would have been over at the courthouse?

8 A I still can't recall --

9 Q Okay.

11:00 10 A -- if it was.

11 Q Now there's --

12 COMMISSIONER MacCALLUM: When was that  
13 courthouse built? The same building that we have  
14 now?

11:00 15 MR. FOX: I believe it is.

16 BY MR. FOX:

17 Q I believe, yes, the courthouse that's there just  
18 across from the Bessborough is what would  
19 be referred to as the courthouse as where the  
11:00 20 Queen's Bench trials would occur.

21 A Right.

22 Q I --

23 COMMISSIONER MacCALLUM: He's making an  
24 inquiry.

11:01 25 MR. HODSON: Perhaps I could give some



1 evidence. I understand -- and we'll maybe deal  
2 with this formally with Mr. Caldwell -- but I  
3 think the trial was done at a different building,  
4 Queen's Bench; the prelim was done, I think moved  
5 around, and some of it was at the police  
6 station -- all within the courthouse at the  
7 police station, but the trial took place at the  
8 Q.B. building, the one that's there now.

9 MR. FOX: I think Mr. Elson has  
10 volunteered, and I think he is correct, that the  
11 sort of police station attachment would have been  
12 referred to as the Municipal Justice Building.

13 BY MR. FOX:

14 Q Could we put up the organizational chart, and I  
15 think it's number 325571, and I think that's the  
16 number we have been using. This is the  
17 organizational chart that was shown to you by  
18 Mr. Hodson, and as it existed in 1969, and you've  
19 already gone through that and I'm not going to  
20 discuss that in any detail with you. But, based  
21 on your recollection of the sort of coffee-break  
22 meetings that took place daily, the people who  
23 attended that meeting are kind of reflected in  
24 this chart; in other words deputy chief and chief  
25 would be there, you would be there, head of



1 morality is Inspector Nordstrom, head of  
2 identification is Penkala, you and Short more or  
3 less alternated heading up detectives depending on  
4 who was on duty, so that's the group who would  
11:02 5 attend the meeting; that would be correct?

6 A That's right.

7 Q And then, just looking at the detective section,  
8 below detectives we then have a number of  
9 detective sergeants, and there were four of them  
11:02 10 there, Detective Sergeant -- sorry, thanks a lot  
11 -- Detective Sergeant Mackie, Detective Sergeant  
12 Reid, Detective Sergeant Porter, and Detective  
13 Sergeant Ward?

14 A Right.

11:03 15 Q And we note, for example, that at some of the  
16 meetings that took place with the RCMP, for  
17 example in document -- and I don't, I won't, I  
18 won't necessarily bring this up but I'll refer to  
19 it for the record -- the RCMP report of Officer  
11:03 20 Rasmussen, which is document number 250597, that's  
21 the May 7th, '69 report, that was a meeting  
22 involving Officer Rasmussen and Officer Edmondson  
23 of the RCMP along with Officers Mackie, Reid,  
24 Penkala, and yourself. And, again, that would be  
11:03 25 sort of consistent that the senior officers would





1 be meeting, in that case, to discuss the Gail  
2 Miller file?

3 A That is right, yes.

4 Q Now you mentioned that Detective Karst certainly  
11:03 5 had an active involvement in the investigation of  
6 the Gail Miller death, and ultimately the  
7 investigation relating to David Milgaard, you  
8 would recall that?

9 A Right.

11:04 10 Q Would I be correct that he would receive  
11 instructions from one of the senior officers in  
12 terms of, you know, 'continue following up on this  
13 area', and would report back, that sort of thing?

14 A Yes, it would be in that sort of thing.

11:04 15 Q Clearly, he might give input in terms of where he  
16 thought he should go next or where he might want  
17 to go next, but ultimately he is receiving  
18 instructions and reporting back to senior  
19 officers?

11:04 20 A Right.

21 Q And those senior officers, which would have  
22 included yourself, from time to time would then  
23 review, 'okay, what have we got, where should we  
24 go, what's our next step in this process'

11:04 25 A Yes sir.



1 Q If we could please bring up document 250609,  
2 that's the May 21st, '69 RCMP report. And, again,  
3 this is a report prepared in this case I believe  
4 by Officer Edmondson, and it's -- refers to sort  
11:05 5 of what's transpired on the investigation. If I  
6 can just highlight paragraph 3, if I could. And  
7 it refers to a meeting that took place on May  
8 16th, '69 at the Saskatoon police station to  
9 review the investigation and decide what further  
11:05 10 course of action was open that would bring this  
11 matter to a successful conclusion, present at that  
12 meeting were Superintendent Wood, Lieutenant  
13 Penkala, Lieutenant Short -- so it seems, there,  
14 the two of you were there -- Staff Sergeant  
11:06 15 Edmondson. Chief Kettles was not present because  
16 he was required elsewhere. And I think you have  
17 already indicated you don't have a specific  
18 recollection of that meeting, Mr. Wood?

19 A Not really.

11:06 20 Q But that would be --

21 A But --

22 Q -- kind of typical of the type of meeting that  
23 would take place?

24 A Right.

11:06 25 Q And I'm assuming at that meeting you would, as a



1 group, review 'what have we got, what's our next  
2 course of action, where do we go from here'?

3 A I imagine all the files that we had on hand would  
4 be examined at that time.

11:06 5 Q And then, and then instructions would be meted out  
6 to the officers below in terms of 'we want you to  
7 do this' or --

8 A Whatever decisions were arrived at.

9 Q Okay. And if we look just at paragraph 4, again  
11:06 10 there would have been discussion amongst your  
11 group that at least at that point in time David  
12 Milgaard was -- would be considered a prime  
13 suspect?

14 A It appears that way, yes.

11:06 15 Q And, again, that would be simply from a review of  
16 the material that you had and whatever, whatever  
17 reports were there and so on.

18 A Right.

19 Q And if we can go to paragraphs 5 and 6, and I  
11:07 20 won't review it in detail, but there's discussion  
21 there about where the Saskatoon Police Service is  
22 going to go, further questioning that would take  
23 place; again that would be your group, after  
24 having reviewed it, decided 'okay, yes this makes  
11:07 25 sense, this will be -- we'll go down this path and



1 see where that gets us to'?

2 A Right.

3 Q Are you able to recall Mr. Wood, at this point in  
4 time, when Detective Karst actually became  
11:07 5 involved with the Gail Miller murder  
6 investigation?

7 A No, I cannot.

8 Q Okay. Umm, there is a -- Mr. Hodson reviewed with  
9 you a number of different documents which  
11:08 10 indicated that the Saskatoon City Police were  
11 seeking information from the public or elsewhere  
12 that might assist them in the Gail Miller murder  
13 investigation or other investigations that were  
14 going on. You indicated that when -- for example  
11:08 15 if you received a letter or a note from somebody  
16 saying 'here is somebody you might want to check  
17 out', that would be reviewed by the chief and  
18 yourself, or who would actually review that?

19 A Usually that would come in in an inquiry to the --  
11:08 20 our department --

21 Q Okay?

22 A -- and we would assign it to an officer or a  
23 detective to go out and follow up with.

24 Q Okay. So we see some indications there, for  
11:08 25 example Ray Mackie's name appears on something



1 where it would be safe to assume he would have  
2 been asked to follow up, and he would then take  
3 that and carry out some follow-up of, say for  
4 example, that particular suspect?

11:09 5 A That's right.

6 Q And then would there be a report back to you or a  
7 note back to you, some confirmation that it had  
8 been followed up?

9 A Yeah, there would be something coming back and  
11:09 10 saying whether it was a -- it had to go further or  
11 if it was finalized at that stage.

12 Q So it might come back saying 'this hasn't -- this  
13 doesn't provide us with anything, that's over' --

14 A Yeah.

11:09 15 Q -- or come back and said 'here is where we're  
16 going to go with it'?

17 A Right.

18 Q But, again, some sort of overall just management,  
19 I suppose, of seeing that these things are  
11:09 20 followed up and deciding where they go once they  
21 are?

22 A Right.

23 Q Could you bring up, please, document -- I'm sorry,  
24 I hadn't given you the list beforehand -- but  
11:10 25 159776. This is the newspaper article that



1 appeared in May 27th, 1969, and I can't remember,  
2 Mr. Woods, if you recalled this article, but this  
3 is where they were looking -- you were looking to  
4 see if you could find the people who Ron Wilson  
11:10 5 apparently had said had helped push their car out  
6 when they were stuck at an intersection?

7 A That's right.

8 Q You, do you have any recollection of that?

9 A Other than giving them -- asking the service of  
11:10 10 the report --

11 Q Okay.

12 A -- to get help if possible.

13 Q And I'm assuming this is a situation where Ron  
14 Wilson would have given you a statement, you are  
11:10 15 basically going out to see if you can find  
16 anything that's either are going to support it or,  
17 I suppose, refute it?

18 A I can't recall where that information come from.

19 Q Okay. But if we, for example, know that Ron  
11:10 20 Wilson gave a statement sometime on or about May  
21 24, 25, '69 saying that two people had helped push  
22 them out of a snowbank, this would appear as  
23 though you are trying to find out whether there  
24 were two such people and if there are, what do  
11:11 25 they have to say about it?



1 A Right.

2 Q And I want to talk just a little bit about Larry  
3 Fisher. Fair to say based -- let me ask you this.  
4 We now know that on or about October, and I think  
11:11 5 it was 21st and 22nd, 1970, that Inspector  
6 Nordstrom, who headed up morality, and Eddie  
7 Karst, Detective Eddie Karst, made a trip to  
8 Winnipeg to interview Larry Fisher. Would I be  
9 correct again, the protocol would be that that  
11:11 10 trip would have to be first approved by the chief?

11 A I would think so, yes.

12 Q And again from the perspective, the chief would  
13 have to know why they were going to justify them  
14 going on that trip?

11:12 15 A I'm sure he would be well informed before they  
16 went.

17 Q Okay. And then again from your answers I'm  
18 assuming you have no recollection of Inspector  
19 Nordstrom discussing what transpired on that trip;  
11:12 20 in other words, what information they got from  
21 Larry Fisher, that sort of thing?

22 A That's right.

23 Q Would it be fair to say though that if Inspector  
24 Nordstrom made a plane trip to Winnipeg along with  
11:12 25 Detective Karst to speak to Larry Fisher in this



1 case, that at the next coffee break meeting he  
2 likely would have at least advised he had done  
3 that or what happened there?

4 A I don't recall any report.

11:12 5 Q I appreciate you don't recall, but is it likely  
6 something that would --

7 A It could have.

8 Q Because I take it it wouldn't be a very regular  
9 occurrence that Inspector Nordstrom would get on a  
11:13 10 plane and fly someplace to interview somebody?

11 A Well, that is true, yes, and at the same token I  
12 may not be at that meeting.

13 Q Oh, I understand that, and I'm not suggesting, you  
14 said you don't recall and I'm not suggesting  
11:13 15 otherwise, but I'm assuming a trip like that would  
16 probably come up at the next meeting that  
17 Inspector Nordstrom attended?

18 A I would think so.

19 Q And would Inspector Nordstrom be involved on a  
11:13 20 day-to-day basis with taking witness statements?

21 A I don't --

22 Q Like, for example, yourself, did you deal on a  
23 day-to-day basis with the interview of witnesses?

24 A No, I did not.

11:13 25 Q So if the decision was made by you that here's a





1 witness that should be interviewed and a statement  
2 taken from, you wouldn't go out and do that, you  
3 would expect one of the, either the detective  
4 sergeants or detectives to do that?

11:13 5 A That's right.

6 Q Would it be fair to say similarly with Inspector  
7 Nordstrom, if some statement had to be obtained  
8 from somebody in morality, you wouldn't expect  
9 Inspector Nordstrom to take the statement,  
11:14 10 somebody else who had some experience on a  
11 day-to-day basis would do that?

12 A Probably.

13 Q And in terms of Eddie Karst, just generally can  
14 you comment on what your recollections were of him  
11:14 15 as a police officer and specifically a detective?

16 A He was a good investigator.

17 Q Would it surprise you that he might be sent along  
18 to actually take the statement?

19 A No.

11:14 20 MR. FOX: Thank you, Mr. Wood, those are  
21 all the questions I have.

22 **BY MR. WOLCH:**

23 Q Mr. Wood, I'm Hersh Wolch, I'm David Milgaard's  
24 lawyer. I just have a couple of questions for  
11:15 25 you.



1                   You have gone through by way of  
2                   review the series of rapes that were taking place  
3                   in Saskatoon around that period of time involving  
4                   Larry Fisher, I just want to focus on that, and  
11:15 5                   I'm not going to take you through it again because  
6                   you were questioned quite extensively on that by  
7                   Commission Counsel. Now, I just want to make sure  
8                   I have it right, your evidence, that when -- we  
9                   know that Mr. Fisher was arrested, questioned,  
11:16 10                  convicted or pled guilty in and around December of  
11                  '71. Do I understand your evidence to be that in  
12                  the time of your service you never knew that?

13                  A            I can't recall.

14                  Q            Well, serial rapists would be a very rare thing,  
11:16 15                  thank goodness, in Saskatoon?

16                  A            Right.

17                  Q            And given that there were newspaper articles and a  
18                  lot of attention given, it would have been a  
19                  fairly major matter of concern in the city that  
11:16 20                  there was a serial rapist on the loose?

21                  A            I don't recall any reports ever coming out in the  
22                  press or anything of that nature reporting those  
23                  facts, but it could have been.

24                  Q            Okay. I think you were shown some and -- but I  
11:17 25                  appreciate you wouldn't remember that, but my



1 point is this, I want to make sure I have it  
2 correct, you have a serial rapist on the loose,  
3 very, very serious matter and, if I understand you  
4 correctly, and please correct me if I'm wrong,  
11:17 5 that when you retired in 1975 I think it was as  
6 deputy chief --

7 A '77.

8 COMMISSIONER MacCALLUM: '77 he said.

9 A '77.

11:17 10 BY MR. WOLCH:

11 Q '77, I'm sorry. I thought it was '75 in the  
12 report. Whatever it was, when you retired you had  
13 no knowledge that Larry Fisher had been convicted  
14 of those offences?

11:17 15 A That's right, of the offences, that's right, I had  
16 no knowledge.

17 Q And personally you were asked by Commission  
18 Counsel about a cover-up and clearly your  
19 position, which we have no reason to doubt, is  
11:18 20 that you weren't part of one, but is it possible  
21 you were the victim of one?

22 A I do not think so. I have no knowledge of any  
23 part of it.

24 Q Well, that's my point though, if you as a deputy  
11:18 25 chief don't know the major serial rapist in the



1 community has been convicted, wouldn't that strike  
2 you that somebody was keeping information from  
3 you?

4 A No. I don't believe that it was qualified as a  
11:18 5 serial rapist at that time, it was just rape,  
6 period.

7 Q Well, three rapes and one assault?

8 A Yes, over a period of time, but that is not, in my  
9 mind, a serial rapist.

11:18 10 Q But it's quite serious?

11 A It is serious.

12 Q Quite major and of concern to --

13 A It could have been four different people too.

14 Q No, but when one person is convicted of all of  
11:18 15 them --

16 A Oh, well, this is after, conviction is later on.

17 Q 1971?

18 A Right.

19 Q And I'm saying that between '71 and '77 when you  
11:18 20 retired, you didn't know that he had been  
21 convicted?

22 A No, because the files went to Regina, we had no  
23 knowledge in our department at that time that the  
24 files had gone to Regina where Fisher was brought  
11:19 25 from the Prince Albert jail to Regina, we only



1 learned that later.

2 Q Okay. But you don't know why he was taken to  
3 Regina and not Saskatoon?

4 A No idea, sir.

11:19 5 Q Okay. And during your meetings with Karst or  
6 anybody else, nobody mentioned to you that hey, we  
7 caught that guy, he confessed, we got convictions,  
8 nobody brought it to your attention?

9 A I don't think anybody would know because the  
11:19 10 deputy chief handled all those type of files where  
11 they were sending cases out to be cleared up. In  
12 other words, the Fisher cases and files that he  
13 admitted to would go from the deputy chief's  
14 office direct to Regina to be handled by their  
11:19 15 court.

16 Q But normally you would have somebody on a major  
17 case brought back to Saskatoon to plead guilty in  
18 the area where the crime was committed?

19 A Not necessarily, no. We've even sent files out to  
11:20 20 the coast and other places from our department.

21 Q No, but if you send it out of province, the person  
22 may plead guilty out of province?

23 A Right.

24 Q But if they can't for whatever the law was then  
11:20 25 and it's brought back to the province, I suggest



1 the normal procedure would be to bring it back to  
2 the place where the offence was committed.

3 A I have no idea why it wasn't done or how it was  
4 done.

11:20 5 Q Okay. But what you are saying is not even gossip  
6 or conversation in the coffee shop or any officer  
7 in the entire police force brought to your  
8 attention that these crimes were all solved?

9 A That's right, I have no recollection of it.

11:20 10 MR. WOLCH: Thank you.

11 BY MS. McLEAN:

12 Q Good morning, sir, my name is Joanne McLean, I  
13 represent Joyce Milgaard.

14 I just want to go back to a  
11:21 15 couple of the documents that Commission Counsel  
16 reviewed with you and just touch on a few points  
17 there. Could I have 250609, please, and what I  
18 want there is the paragraph 3. You've told us  
19 over the last couple of days, sir, about the daily  
11:21 20 meetings that took place amongst the senior  
21 officers?

22 A Right.

23 Q And I think you mentioned today as well in a  
24 question of somebody that there were also some  
11:21 25 brainstorming sessions as the case was going on;



1 do you remember?

2 A Well, I wouldn't call it brainstorming, it was  
3 just reporting.

4 Q And just talking amongst each other?

11:22 5 A Right.

6 Q Through the days and as the weeks went on in this  
7 investigation?

8 A Right, yes.

9 Q On the report that you were referred to earlier  
11:22 10 today, 250609, this is the one where the RCMP  
11 officers had been assisting in the investigation  
12 and had come to Saskatoon to assist with it -- and  
13 I think I've got the wrong document. Oh, no,  
14 sorry, I've got the wrong paragraph. Sorry, it's  
11:22 15 paragraph 4. This is the account given by the  
16 RCMP officer about that meeting on May the 16th  
17 where there was a discussion and you agreed this  
18 morning that you probably were at that although  
19 you don't specifically have any recall of it.  
11:23 20 There's one specific point in here, in the fourth  
21 paragraph, it says in respect of Mr. Wilson, Mr.  
22 Milgaard and Nichol John, that:

23 "They apparently drove around the  
24 immediate area where the murder took  
11:23 25 place looking for the residence of one



1 Albert Cadrain."

2 Do you have any recall of ever hearing that, sir?

3 A No, other than reading it in this report. I don't  
4 recall hearing it, I read it in this report as the  
11:23 5 investigations were taking place.

6 Q This seems to be something that develops later,  
7 sir, after the statements of Nichol John and Ron  
8 Wilson are taken later in May, and it also seems  
9 to be contrary to the information that's on the  
11:24 10 record already about where Mr. Milgaard and  
11 Mr. Wilson and Ms. John had been, specifically  
12 they had been stuck at the Danchuk residence to  
13 the west of the murder scene. Do you remember  
14 that?

11:24 15 A No, I do not, unless I read it in a report.

16 Q And do you remember anything about David Milgaard  
17 attending in a motel also to the west of the  
18 murder scene prior to getting stuck at the  
19 Danchuks?

11:24 20 A Just what was in the report.

21 Q Okay. Do you remember anything about him getting  
22 a map?

23 A Again, in the report, what has come out in the  
24 report.

11:24 25 Q You have some recall of that?





1 A Just what has come up.

2 Q And do you have any recall of that being discussed  
3 at this meeting in the middle of May?

4 A No, I do not.

11:24 5 Q There might be a problem with that?

6 A I have no idea.

7 Q Document 250597, please, this again is another  
8 document that you were referred to by Commission  
9 Counsel and I want the 15th point. I'm sorry, I  
11:25 10 don't have the page. This is one that Commission  
11 Counsel did not direct your attention to, sir:

12 "It is mentioned that at approximately  
13 8:25 PM on the date of this incident --"  
14 And that would be January 31st of 1969,  
11:25 15 "-- a complaint was received from the  
16 Saskatoon City Police from one (V4)----  
17 (V4)--- of 331 Ave. H South in regard to  
18 an attempted indecent assault which  
19 allegedly took place at 7:07."

11:25 20 And the location of that was when she was on her  
21 way to catch a bus at 22nd Street and Avenue H,  
22 and then it goes on to describe the details of  
23 the assault on her and that she was interviewed  
24 by, again by Inspector Riddell and hadn't been  
11:26 25 able to enlarge on any of the information. Do



1           you have any recollection of any discussions  
2           about that taking place at this May 21st meeting?

3           A           No, I do not.

4           Q           And then at this meeting you understand from the  
11:26 5           reports it was concluded that Mr. Milgaard would  
6           be the best suspect? You understand that from the  
7           reports now?

8           A           I do not, I have no recollection of any of this  
9           report.

11:26 10          Q           Okay. So if this report of Ms. (V4)--- is  
11          correct, did you understand that Mr. Milgaard  
12          would have had to have been one of two assailants  
13          out there in the early hours of January the 31st?

14          A           No, that did not come to my attention.

11:26 15          Q           There's no discussion about that that you recall?

16          A           That I recall, no.

17          Q           Document 0 -- actually, I don't need the document.  
18          Just for reference, 009264 is a report of the  
19          attendance at the Cavalier Motel on May 23rd.

11:27 20          That's the one where Inspector Roberts is there  
21          and he is interviewing the young people, Nichol  
22          John and Ronald Wilson. Do you remember?

23          A           Right.

24          Q           And you've heard that there is a report that says  
11:27 25          that you were also present and you've told us that



1           you have some recollection of being at the hotel  
2           that day?

3           A           Yes, I was there, but not all day, but I was  
4           there.

11:27 5           Q           Could I have 037903, please, and at 037911. This  
6           is an interview with Lieutenant Short in 1993,  
7           sir. Mr. Short, as I understand it, is deceased,  
8           so I would like to get your comments if I can on  
9           what he is reported saying to the RCMP. At 037911  
11:28 10          he's being asked specifically:

11                        "Can you tell us what you recall of that  
12                        interview with Roberts and these  
13                        witnesses?"

14           And the witnesses would be Nichol John and Ronald  
11:28 15          Wilson.

16          A           No, I cannot.

17          Q           And the answer that Mr. Short gave was that:

18                        "They had set, they had set up in the  
19                        Cavalier Hotel, I think. They had a  
11:28 20          couple of rooms there."

21          And you've told us that you arranged the rooms?

22          A           Yeah.

23          Q           Mr. Short goes on and says:

24                        "And I either volunteered, or was asked  
11:28 25          if I wanted to come over and I went over



1 and he, Roberts had Nichol John in the  
2 room and going through these tests and  
3 that that they have. And I guess we  
4 could hear it. They had it wired into  
11:28 5 this other room where some other  
6 policemen and myself were sitting. And  
7 I got kind of a kick out of listening to  
8 his approach and some of the things he  
9 said to her. They were, they weren't  
11:29 10 really bad things, but they were funny.  
11 But anyway, I think I just got a little  
12 bored with the whole thing and I got up  
13 and went back to the station."

14 Do you have any recollection of that being  
11:29 15 Mr. Short's attitude at the Cavalier that day?

16 A I have nothing that I can remember about that  
17 inquiry.

18 Q And what we have on the record is that Nichol John  
19 was 16 years old and she was shown the bloody  
11:29 20 clothes of the murder victim. Are you aware that  
21 that happened?

22 A No, sir. No, ma'am.

23 Q On the record as well is the fact that she was  
24 asked what if this had been your sister and shown  
11:29 25 pictures of Ms. Miller at autopsy. Do you have



1 any recollection of that happening?

2 A No, ma'am.

3 Q And do you have any recollection at all of any  
4 discussions about that sort of thing during your  
11:30 5 service?

6 A I do not.

7 Q That is the kind of thing that you understood  
8 would have been done with her though?

9 A I do not think so. I do not know.

11:30 10 Q Do you think it would have been appropriate? What  
11 do you mean by you don't think so?

12 A I don't know what the operation of Roberts would  
13 be, how he would direct his polygraph material.

14 Q Is that something that you would have been aware  
11:30 15 of at the time?

16 A If I had seen a report of it I would have been  
17 aware of it.

18 Q And he's on record saying that he came to  
19 Saskatoon to assist you in the investigation, so  
11:30 20 do you think you would have had discussions with  
21 him about what he was going to do and how it took  
22 place?

23 A No. I had no discussion with him other than him  
24 coming there and being set up in the hotel.

11:30 25 Q Okay. Document 042107, please, this is another



1 document that you were shown earlier, it's a  
2 media, a newspaper article. You were the  
3 spokesman at that time for the department and the  
4 subject of the newspaper report is really that the  
11:31 5 purse belonging to Gail Miller is being examined  
6 for fingerprints?

7 A Right.

8 Q And that's the purpose of giving the interview I  
9 would think; however, you have said, you are  
11:31 10 recording here as saying to them that:

11 "The purse had not been emptied, but  
12 that it would be difficult to know if  
13 anything was missing.

14 The purse was "all full of  
11:31 15 stuff" that one would expect a woman to  
16 carry, he said."

17 Do you have any memory of looking at the purse  
18 belonging to Ms. Miller?

19 A No, and I don't think I would say maybe that, that  
11:32 20 could be the reporter's way of expressing an  
21 opinion, so I have no knowledge of that fact.

22 Q What do you mean?

23 A Full of stuff.

24 Q Okay. So the quotes should really be around the  
11:32 25 reporter's words, not around your words?



1 A Right.

2 Q Okay. You don't have a recollection of the purse  
3 being full of a lot of Gail Miller's make-up and  
4 her belongings?

11:32 5 A No, I do not.

6 Q And you have no recollection I presume of being  
7 somewhat troubled when Mr. Wilson and Ms. John  
8 come out with a story of make-up being thrown out  
9 of the car?

11:32 10 A I wasn't aware of that until later reports.

11 Q And when you did become aware of it from later  
12 reports, it didn't strike you as unusual compared  
13 to the full purse that you had seen filled with  
14 her make-up and other belongings?

11:33 15 A I don't recall really having seen the full purse.  
16 I imagine the purse was turned over to the ident  
17 section and they examined it and I don't recall  
18 what was in the purse.

19 Q We've got reports from Detective McCorrison who  
11:33 20 was the officer that found it on February the 3rd  
21 and he gives a detailed list of the items that  
22 were found in it. That's a report you would have  
23 read certainly, sir?

24 A Not necessarily. I don't recall it.

11:33 25 Q So you were not on top of the investigation on



1 February the 3rd reading all the reports?

2 A I would read the report, but this number of years  
3 later, I don't recall all what was in the reports.

4 Q I appreciate that, but it's a report that you  
11:33 5 would have read because you were reading them?

6 A No doubt if it come over my desk, I would have  
7 read it, yes.

8 Q Another thing that you were asked about earlier  
9 was the report at, I hope it's 159776, this again  
11:34 10 is a newspaper quote attributed to you where you  
11 are looking for the driver and the passenger of a  
12 vehicle that was supposed to have stopped to help  
13 push the car out, the car belonging to Ronald  
14 Wilson. Do you remember being asked those  
11:34 15 questions this morning?

16 A Yes, I do.

17 Q And you are quoted here on May the 27th of 1969  
18 that there was a report that a car became stuck in  
19 the snow in the vicinity of the slaying, and that  
11:34 20 report that you were referring to, sir, could only  
21 have been the statements of Nichol John and/or  
22 Ronald Wilson May 23rd or May 24th. Do you  
23 understand that?

24 A Could have been. I don't know.

11:35 25 Q So about three or four days before this interview





1 with the press?

2 A I have no knowledge of that.

3 Q And then the last part of the article says that  
4 the police have been checking out the report, but  
11:35 5 have not found any of the persons involved, so  
6 over that three or four day period is all that  
7 there could have been investigating of that  
8 report; correct?

9 A That's right.

11:35 10 Q And ultimately you are aware that never ever has  
11 anybody come forward and said that they saw the  
12 Wilson car stuck at an intersection on --

13 A Pardon?

14 Q You are aware that nobody has ever come forward  
11:35 15 and said they saw the Wilson vehicle stuck on  
16 Avenue 20?

17 A I'm not knowledgeable, no, not to my --

18 COMMISSIONER MacCALLUM: 20th Street.

19 A I don't recall.

11:35 20 BY MS. McLEAN:

21 Q Thank you, Mr. Commissioner, I was trying to  
22 remember which is which. And it didn't bother you  
23 in the course of reviewing the case or talking  
24 about it with your fellow senior officers that  
11:36 25 this sort of information from Mr. Wilson was not



1 backed up by anybody?

2 A I have no knowledge of it, no.

3 Q We've heard some evidence earlier about the  
4 setting up or wiring of the hotel room at the  
11:36 5 Cavalier so that it could be recorded and I think  
6 you told us that you had no knowledge about it  
7 being taped; is that correct?

8 A That's right.

9 Q And there's two interviews that I've been able to  
11:36 10 find in the entirety of this file that seems to  
11 have been tape recorded, one is Mr. Karst's  
12 interview, and the document reference, we don't  
13 need it, is 009264, and the other one is Mr.  
14 Mackie's interview, 009222, and these are both in  
11:37 15 reference to the witnesses Nichol John and Ronald  
16 Wilson right at the time that their stories begin  
17 to change from completely exculpatory of David  
18 Milgaard, which they have been for months, to the  
19 new version, okay. You understand that?

11:37 20 A No, I do not.

21 Q Perhaps we could just pull up the -- you  
22 understand in time when the stories changed of  
23 Mr. Wilson and Ms. John?

24 A I don't recall the time, no.

11:37 25 Q If I can just give you the dates, maybe you can



1 just accept the dates. The offence date, the date  
2 of the murder is January the 31st?

3 A Right.

4 Q Of 1969?

11:37 5 A Right.

6 Q On March the 3rd David Milgaard and Ronald Wilson  
7 were interviewed, the statements are completely  
8 exculpatory?

9 A It could have been. I don't recall.

11:37 10 Q This is on the record, sir.

11 A All right.

12 Q On March the 11th and on subsequent dates Ms. John  
13 had been interviewed and again gave exculpatory  
14 statements. The first time that I'm aware of  
11:38 15 anything changing in that regard is in the middle  
16 of May of 1969, that's May 21st, 22nd, 23rd and  
17 24th. I'm just telling you that, that is on the  
18 record, it's accepted information.

19 A I don't recall it.

11:38 20 Q When Mr. Mackie was here back in June, he was  
21 asked about taping the interviews, and those tape  
22 recordings have never surfaced and there appears  
23 to be no transcript of them. Mr. Mackie told us  
24 that he only taped interviews at the direction of  
11:38 25 somebody senior to him. Did you ever give any



1 instructions to tape record any particular  
2 interviews?

3 A I can't recall ever having done so.

4 Q Is that something that you would have been the  
11:39 5 person to give that instruction?

6 A Not necessarily.

7 Q Who else would have --

8 A I don't know. Any senior officer over him could  
9 have, but I don't recall the circumstance.

11:39 10 Q And who would have been senior to Detective Mackie  
11 that would have told him to do that?

12 A Lieutenant Short, Inspector Nordstrom or any  
13 senior officer above him.

14 Q Notwithstanding that Inspector Nordstrom was with  
11:39 15 morality?

16 A It depends. I'm not saying he would and who done  
17 it because I can't recall the information you are  
18 asking for.

19 Q Okay. Could I have 106777, please. Speaking of  
11:39 20 morality, this is the -- can we just blow this up.  
21 You've been asked questions about this already,  
22 this is the letter that you wrote to the officer  
23 in Toronto asking about an individual in Toronto  
24 who is a potential suspect here. This is the one  
11:40 25 that starts off with an article written by your



1 inspector Gibson and it's, the heading of the  
2 article is "Co-ordination of Detail Leads to  
3 Apprehension." Do you remember being asked  
4 questions about that?

11:40 5 A Yes, I do.

6 Q And you were asked earlier if there was anything  
7 that the police could have done differently in  
8 this case and you couldn't think of anything. Do  
9 you think, sir, that if there had been  
11:40 10 coordination of the detail in this case, that the  
11 apprehension of Larry Fisher would have taken  
12 place --

13 A I have no idea.

14 Q -- in October of 1970 or maybe the spring of 1971?

11:40 15 A I have no idea, no.

16 Q 106234, please. This is a report of, I believe  
17 Officer Bennett is the one reporting, it's  
18 February the 6th, and you would have read this  
19 report back in 1969, although I don't expect you  
11:41 20 to recall the details of it today, sir; is that  
21 fair?

22 A Right.

23 Q And down at the bottom, I hope -- let me see,  
24 yeah -- down at the bottom of this report the  
11:41 25 officers record that they spoke to a Mary



1 Gallucci, she told them that she takes the bus at  
2 Avenue O and 20th Street every day, that on the  
3 Thursday morning she recalls a girl get on the bus  
4 and describes the girl wearing a white dress and  
11:41 5 stockings and had seen her on the same bus before,  
6 and does not think she is there on Wednesday, and  
7 there was also a young man got on the same bus who  
8 was a construction worker wearing blue jeans and a  
9 hard hat, possibly yellow. This man comes from  
11:42 10 Avenue O South of 20th Street, he has been getting  
11 on the bus at the same time since that day, and  
12 it's kind of wiped out but I think it says she  
13 does not think she could identify him. And we  
14 also have on the record, sir, the February 3rd  
11:42 15 encounter of your Detective McCorriston with Larry  
16 Fisher at that very location some three or four  
17 days after the murder. I'm going to suggest to  
18 you, sir, that if there had been a coordination of  
19 detail, that somebody might have done further  
11:42 20 investigation with Larry Fisher and discovered  
21 that he lived in the same house as Albert Cadrain?  
22 A I have no idea. I wasn't aware of it.  
23 Q But it -- the point is you might have been aware  
24 of it if somebody had investigated those details,  
11:43 25 sir?



1 A Could have been.

2 Q 045532, please, and within that document it's  
3 045541. This is the interview notes of the RCMP's  
4 discussions with you, sir, and -- in May of 1993,  
11:43 5 and they have recorded you, there, as saying that:

6 "During the course of the investigation  
7 Wood was asked to arrange with Inspector  
8 Nordstrom for a co-ordinated attention  
9 between Morality and Detectives."

11:44 10 So that would suggest to me, sir, that the -- you  
11 had a recollection, 12 years ago, of morality and  
12 detectives working together on this case?

13 A I have no, no recollection of that, no.

14 Q And page 540 of that same document. In the same  
11:44 15 interview you were asked about this letter that  
16 we've talked about that you'd written to the  
17 Toronto police, and you said to them that you did  
18 not recall the letter, but you agreed -- it  
19 actually says 'letters' because you were being  
11:44 20 asked about some other ones -- you did not  
21 specifically recall these letters but agreed that  
22 they would be consistent with conducting an  
23 investigation such as this; would you agree that's  
24 what you said to the RCMP in 1993?

11:45 25 A Could have been.



1 Q Okay. And it sounds reasonable, doesn't it, that  
2 you would be investigating the case of somebody  
3 who had been sexually assaulted and murdered and  
4 that you would coordinate that with people who  
11:45 5 were aware of sexual assaults?

6 A Could have been.

7 Q Sound perfectly reasonable; doesn't it?

8 A Yes, I would think it would.

9 Q Same document, please, at 538. You told us today,  
11:45 10 I think, that if people had been talking about  
11 Larry Fisher or his apprehension or the solving of  
12 the other assaults -- or I'll call them rapes  
13 because that's what they were at the time -- in  
14 October-November of 1968-early 1970, if there had  
11:46 15 been talk about that you would have heard about  
16 it. Do you remember Mr. Wolch asking you  
17 questions that perhaps you were, you were the  
18 victim of a cover-up, that people hadn't told you  
19 things?

11:46 20 A I don't recall.

21 Q What you told the RCMP in 1993 was that you had  
22 never heard of Larry Fisher at the time of the  
23 investigation. Now that would be the  
24 investigation in 1969 you had never heard of him;  
25 correct?





1 A Correct.

2 Q And then you went on to say that, further, you:

3 "... has heard of Larry Fisher just  
4 within the last couple of years ...",

5 A Right.

6 Q "... through the media."

7 A Right.

8 Q So your position is that you never heard a single  
9 word at the police station during the term of your  
10 service about Larry Fisher at all?

11:47

11 A Not that I can recall.

12 Q Either by name or by offence, if I can call it  
13 that?

14 A That's right.

11:47

15 Q Okay. And in 19 -- I'm sorry, you retired in  
16 1975?

17 A '77.

18 Q Okay. So in 1971, the year that Larry Fisher was  
19 convicted and plead guilty to multiple counts of  
20 rape, you were still at that same police station?

11:47

21 A I believe so, same department, I think.

22 MR. HODSON: Maybe if we could call up --

23 MS. McLEAN: I'm just looking for the  
24 number, what is it?

11:48

25 MR. HODSON: -- 325555.



1 MS. McLEAN: Thank you to those of you.

2 BY MS. McLEAN:

3 Q Okay, we've got your dates here. You were  
4 superintendent of -- detective superintendent in  
11:48 5 1968, and then in April 1st of 1971 --

6 A Right.

7 Q -- you were the operational superintendent?

8 A Right.

9 Q What does that do as far as your location within  
11:48 10 the station goes?

11 A Well I would go -- pardon me -- I would go from  
12 criminal investigation to the operational  
13 department downstairs.

14 Q So you would still be in the same building?

11:48 15 A Pardon?

16 Q You would still be in the same building?

17 A Oh yes.

18 Q All right. And still have the same people around?

19 Like you would still see the same people and can  
11:49 20 talk to them and participate in the meetings?

21 A No, I would probably not see any of them, I would  
22 be strictly be the operational work with the  
23 department and the files that would come to my  
24 attention, but it wouldn't be criminal  
11:49 25 investigation work.



1 Q Okay. So up until April the 1st of 1971 you would  
2 be criminal investigation?

3 A Right.

4 Q All right. 043001, please. This is a letter  
11:49 5 written on March the 17th, 1971 by a deputy --  
6 sorry, could we go to the last page of it, I think  
7 it's three pages -- L. Corey?

8 A Yeah, L.J. Corey.

9 Q Deputy Chief. And who was that, sir?

11:49 10 A He was second in command to the department, deputy  
11 chief, who handled all the files and arrest  
12 warrants and whatnot that were in his department.

13 Q Okay. And he was somebody that was senior to you?

14 A At that time, yes.

11:50 15 Q Was he somebody that you reported to?

16 A Not necessarily, but then at the same time he was  
17 the one that would send out the arrest warrants or  
18 the warrants that were held against any person who  
19 has the one -- if you are referring to the Regina  
11:50 20 one, that -- he would be the one that would send  
21 them to Regina.

22 Q Okay. And was he somebody that would participate  
23 in your meetings about handling serious cases?

24 A No.

11:50 25 Q The letter that he wrote says that during March



1 the 16th -- I'm sorry, he is writing to the deputy  
2 attorney general concerning Larry Fisher, and  
3 the -- it's to the attention of Mr. K. MacKay. He  
4 says:

11:50 5 "During March 16, 1971, I was contacted  
6 by Mr. ... Caldwell ... who requested  
7 that I forward to you a summary of the  
8 facts relating to offences of rape  
9 allegedly committed by the  
11:51 10 above-mentioned ...",

11 and the above-name is Fisher. Could I have the  
12 full page showing, please. And it lists out the  
13 counts that he was then facing, and that's the  
14 rape of Ms. (V1)-, the rape of Ms. (V2)-----  
11:51 15 which took place in October and November of 1968,  
16 the assault on Ms. (V3)----- in November of  
17 1968, and the 21st day of February -- next page,  
18 please -- 1970, the sexual -- the rape of (V5)--  
19 (V5)---. Okay? So those are the rapes that have  
11:51 20 been referred to as the serial rapes that were  
21 going on in Saskatoon at around the time of the  
22 murder of Gail Miller; do you understand that,  
23 sir?

24 A That's right.

11:51 25 Q And this deputy chief goes on to list the facts,



1 and at the end of the recitation of facts about  
2 the assault on Ms. (V1)- he indicates:

3 "During the investigation of this  
4 offence Ms. (V1)- viewed Police photos,  
11:52 5 including that of Fisher, and was unable  
6 to identify him as her assailant."

7 He then goes on -- full page please -- he then  
8 goes on to describe the offence against  
9 Ms. (V2)----- and, at the conclusion of that  
11:52 10 recital indicates that she:

11 "... was unable to identify Fisher from  
12 Police photos as her assailant."

13 So it seems pretty clear that Ms. -- Mr. Fisher's  
14 photograph was being shown to the victims of  
11:52 15 those rapes; right?

16 A I have no idea.

17 Q You have no reason to dispute the information that  
18 the deputy chief is passing on to the attorney  
19 general?

11:53 20 A He must have had reports to write that report.

21 Q Okay. And then there is no indication that  
22 Ms. (V3)----- was specifically shown a photograph  
23 of Mr. Fisher, although she was shown some police  
24 photographs, and then at the bottom of the page,  
11:53 25 going over to the next page, he notes that



1 Ms. (V5)--- had been shown a photograph including  
2 Mr. Fisher -- next page please -- and said that he  
3 appeared similar. And the full page of this --  
4 please, back one, oh no, sorry, you are right, I  
11:53 5 apologize -- he winds up this recital of events by  
6 saying that Mr. Fisher had been interviewed on  
7 October the 22nd of 1970, it's the first full  
8 paragraph, it says:

9 "During October 22, 1970, Members of our  
11:54 10 Force interviewed Fisher while he was  
11 confined to cells at the Fort Garry,  
12 Manitoba, Police Station.",

13 and that he admitted being responsible for  
14 certain of the rapes and he had denied two of the  
11:54 15 others, and incidentally he later plead guilty,  
16 notwithstanding his denial. Now that, sir, is a  
17 reference to Mr. Karst's visit to Winnipeg in  
18 October of 1970 to speak to Mr. Fisher; you have  
19 no knowledge of that taking place at all?

11:54 20 A No.

21 Q Although it appears that the officer who wrote  
22 this report did?

23 A This would be a morality file that they are  
24 talking about.

11:55 25 Q Okay. And then that:



1 "Police investigation revealed that  
2 Fisher lived within a block of the  
3 locations where these rapes occurred,  
4 ...",

11:55 5 and, incidentally, Mr. Fisher lived within a  
6 block of the location of the murder of Gail  
7 Miller, as well, at the time that that took  
8 place:

9 "... the description of the culprit is  
11:55 10 very similar and the modus operandi is  
11 the same in all four cases. Fisher  
12 claims that he had never heard of these  
13 offences being committed, which is hard  
14 to believe as they happened within a  
11:55 15 three week period in the same area and  
16 received wide publicity."

17 And you never heard about Mr. Fisher?

18 A I'm sure I didn't, not to my knowledge anyway, he  
19 hadn't come to my attention.

11:55 20 Q And you see the similarity there, in the language,  
21 with the letter that you had written as far back  
22 as February of 1969 --

23 A No, this was a later letter.

24 Q I know, but you see the similarities with the  
11:56 25 letter that you wrote in February of 1969 saying



1           that --

2           A       Not that I recall.

3           Q       -- if you could let me just finish the question --  
4           the letter that you wrote in February of '69 to  
11:56 5           the Toronto police, you remember that one that  
6           says that the offences are all very similar and it  
7           looks like it's the same person that's leading up  
8           to a murder?

9           A       I don't recall that information.

11:56 10          Q       You don't recall the information now --

11          A       No.

12          Q       -- but you recall we discussed this letter?

13          A       Well the letter was discussed, --

14          Q       Yes.

11:56 15          A       -- but I don't recall it, --

16          Q       Okay.

17          A       -- it's not in my vocabulary.

18          Q       Thank you, sir, those are all my questions.

19               **BY MR. ELSON:**

11:56 20          Q       Mr. Wood, my name is Richard Elson, I'm counsel  
21               for the Saskatoon City Police Chief and also the  
22               Saskatoon Police Service. I'm mindful of the fact  
23               that you would like to get out of here and get  
24               your plane back to Kelowna. I just have a few  
11:56 25               questions that I wanted to put to you, in part





1 arising from previous testimony, and also in part  
2 arising from questions that Commission Counsel has  
3 asked you.

4 First of all, I'm not sure  
11:57 5 whether or not you were aware of it, but a former  
6 officer with the Saskatoon City Police, Rusty  
7 Chartier, testified before this Commission. Are  
8 you familiar with Rusty Chartier, first of all,  
9 Mr. Wood?

11:57 10 A I know him, yes.

11 Q And were you aware that Mr. Chartier had testified  
12 before this Commission?

13 A No, I did not.

14 Q All right. If I were to put to you, without  
11:57 15 actually referring to the evidence, the specific  
16 transcript of Mr. Chartier's evidence, he had a  
17 criticism of the Saskatoon Police Service as it  
18 existed in 1969 which he referred to with the  
19 metaphor of a stove-pipe or of a silo, and  
11:57 20 specifically what I understood him to be referring  
21 to was that there was a silo effect of information  
22 between morality, between the detective division,  
23 and between identification, and that with the  
24 exception of some exchange of information at the  
11:58 25 senior levels there was really no coordinated



1 exchange of information between more junior  
2 officers between those respective divisions and,  
3 as a result, morality was entirely on its own,  
4 identification was on its own, and the detective  
11:58 5 division was on its own, and some things may have  
6 been missed. How would you respond to that  
7 criticism knowing that all three of those  
8 divisions were under your authority at that time  
9 in 1969?

11:58 10 A I wasn't aware that there was that type of  
11 information not being passed out. We did refer to  
12 all different cases at different times so I'm not  
13 -- I can't see a division of such.

14 Q All right. Let me be more specific. If there was  
11:58 15 information belonging to an officer under the  
16 authority of Nordstrom, for example in the  
17 morality division, and that officer had  
18 information that he thought might be of assistance  
19 in an investigation that he was aware, for  
11:59 20 example, Detective Karst may have been involved  
21 in; to what extent, if any, would that officer be  
22 encouraged to exchange or share that information  
23 with Detective Karst, as an example?

24 A I'm, I'm sure he would. I have no reason to  
11:59 25 believe he wouldn't.



1 Q Would you disagree, then, that there was, to your  
2 knowledge, no silo or stove-pipe effect within  
3 those divisions?

4 A That's right, I don't know of any, no.

11:59 5 Q All right. Now in your responsibility as  
6 superintendent in 1969 to what extent would you be  
7 responsible for the expenditure of resources or  
8 the allocation of resources towards specific  
9 investigations?

11:59 10 A I would have no knowledge of it. I wouldn't have  
11 any part of it.

12 Q All right. And when you say you wouldn't have any  
13 part of it would there be any concern on your part  
14 about resources being allocated towards an  
12:00 15 investigation that didn't seem significant? What  
16 I'm getting at is that if you thought that the  
17 detective division, for example, was pursuing a  
18 certain investigation that you thought did not  
19 justify the resources, what, if anything, would  
12:00 20 you be expected to do about it at that time?

21 A What resources are you referring to, sir?

22 Q The physical resources, the economic resources,  
23 and the manpower resources that would exist within  
24 the police department at that time?

12:00 25 A I know of nothing that would interfere with it.



1 Q All right. The reason I ask is you were aware  
2 that Former Chief Penkala had testified before  
3 this Commission; is that correct?

4 A That's right.

12:00 5 Q If I could have Former Chief Penkala's evidence of  
6 June 2nd, 2005 specifically beginning at page  
7 9101; you have that before you, Mr. Wood?

8 A Yes.

9 Q If I could direct you first of all -- and forgive  
12:01 10 me, this is a little bit long-winded but it's  
11 important -- Commission Counsel had asked you  
12 whether or not you were aware of a conversation  
13 with then, I believe it would have been, Inspector  
14 Penkala and Lieutenant Short with respect to the  
12:01 15 possibility of David Milgaard being a prime  
16 suspect, and I believe your answer to Commission  
17 Counsel was that you did not recall that  
18 conversation; is that correct?

19 A That's right, yes.

12:01 20 Q Now if we could begin at line 11, Commission  
21 Counsel asks former Chief Penkala:

22 "Q I have read somewhere along the way, Mr.  
23 Penkala, a reference to the fact that at  
24 this meeting of May 16th, 1969 referred  
12:01 25 to by Riddell ...",



1 and if I could stop at that point, you've already  
2 heard some references to that meeting that you  
3 can't recall being at?

4 A Right.

12:02 5 Q If I could carry on:

6 "... that Superintendent Wood needed  
7 some convincing to be, to the view that  
8 David Milgaard should be a prime  
9 suspect. Do you recall Superintendent  
10 Wood expressing concerns about David  
11 Milgaard as a suspect?"

12 And Former Chief Penkala's answer to that was:

13 "A I don't recall it at that meeting, but I  
14 do recall Superintendent Wood not being  
15 convinced that Milgaard was responsible.  
16 It seems to me that in my thinking that  
17 it was earlier than that meeting of May  
18 the 16th and the reason for that is I  
19 have recollections of Lieutenant Short  
20 and myself and I think we were the only  
21 three people, including ...",

22 and if we could carry on:

23 "... Superintendent Wood, that discussed  
24 this and we raised the things that we  
25 knew about the case and while some of



1                   those issues were somewhat coincidence,  
2                   I think we persuaded him that it needed  
3                   to be looked at more closely."

4                   And if we could proceed to the next answer at  
5                   line A:

12:03

6                   "A    Lieutenant Short and myself went in to  
7                   see Superintendent Wood and it was  
8                   obvious that Superintendent Wood was not  
9                   convinced at that stage that Milgaard  
10                  and company ...",

11                  whom I understand to be his two friends at the  
12                  time:

13                  "... were involved and we went in and  
14                  explained some of the circumstances that  
15                  were known and a lot of the issues that  
16                  were coincidence, and is it a  
17                  coincidence that they were at the scene  
18                  at that particular time, items of that  
19                  nature which weren't resolved, and I  
20                  think at that point he had changed his  
21                  mind and started to look at this based  
22                  on the facts that were presented."

23                  And, carrying on, Mr. Hodson asks:

24                  "Q    And you think this meeting was prior to  
25                  May 16th?



1 A I would suggest it was prior to May  
2 16th, yes.

3 Q Would it be in, for example, the first  
4 two weeks in May or are you able to help  
5 us out on that?

6 A My recollection is that Short and  
7 myself were discussing it in the  
8 identification, which was just across  
9 the hall, in the identification  
10 section and we were brainstorming  
11 actually and knowing that the  
12 superintendent wasn't exactly  
13 convinced and it was right from that  
14 point, just a random meeting, just  
15 walked in on him and described our  
16 feelings and circumstances."

17 If we could skip down to line 14, actually skip  
18 down a little bit more to line 22:

19 "Q Let me just pause there."

12:04 20 This is Mr. Hodson asking the question:

21 "So the indication from Superintendent  
22 Wood was that he did not -- the wrong  
23 direction to go, in other words, don't  
24 pursue Milgaard, Wilson, John as  
25 possible suspects or Milgaard as a



1 suspect?

2 A Well, I don't think he said don't  
3 pursue it, but I think in his mind, in  
4 his mind it seemed like he wasn't  
5 prepared to accept the necessity to  
6 put resources towards, in that  
7 direction."

8 Now if I could stop at that point, Commission  
9 Counsel referred to that conversation in a  
10 12:05 general way, I am now putting it more  
11 specifically to you in the form of Former Chief  
12 Penkala's evidence. In putting it to you in that  
13 transcript does that assist you at all in  
14 recalling a meeting, more specifically with  
15 12:05 Penkala and with Short, with respect to the  
16 discussion of the prime suspects?

17 A No, it does not, it does not.

18 Q Does there -- now also, specifically, former Chief  
19 Penkala refers to your concern about the necessity  
20 12:05 of allocating resources towards the investigation,  
21 that does not assist you at all, because do I  
22 understand your evidence to be that resources was  
23 not a specific consideration of yours in pursuing  
24 an investigation?

25 12:06 A I have no knowledge of any resources being held





1 back from that investigation.

2 Q Or any concern about resources being held back?

3 A No, no.

4 Q Having said that, would you agree with me that  
12:06 5 because there were expenses being considered,  
6 notably at the May 16th meeting in 1969 of  
7 bringing Inspector Roberts from Calgary to conduct  
8 a polygraph examination, renting two rooms at the  
9 Sheraton Cavalier, having to pay not only for  
12:06 10 Inspector Roberts' travel but also for his time,  
11 that the decision to pursue further information  
12 from Wilson and John was a decision that was not  
13 taken lightly?

14 A I can't recall any conversation about it.

12:07 15 Q Would you agree with me that it would not have  
16 been the kind of decision to take lightly, even  
17 though you don't recall the specifics of it?

18 A No, I think the chief would have agreed to  
19 anything that was involved in that case to proceed  
12:07 20 with it.

21 Q Now, and speaking more specifically, do you recall  
22 at any time, in and around May of 1969, having  
23 some reservations about pursuing David Milgaard as  
24 a prime suspect?

12:07 25 A No I do not.



1 Q All right.

2 A I do not, no.

3 Q Now, when you say you do not have any  
4 recollections, are you suggesting that Former  
12:07 5 Chief Penkala was inaccurate or was mistaken in  
6 testifying as he did on June 2nd, 2005?

7 A I would say this; that we had many conversations  
8 amongst the three of us regarding the case, and  
9 just the bare facts of what would come out, I have  
12:07 10 no recollection.

11 Q Right. Are you saying -- let me be more  
12 specific -- are you saying Inspector Penkala --  
13 Former Chief Penkala was simply wrong in  
14 describing the conversation to the extent that I  
12:08 15 have referred to it from his transcript?

16 A No, I can't go that far, because his memory could  
17 be a lot better than mine.

18 Q Thank you. I have no further questions.

19 BY MS. KNOX:

12:08 20 Q Mr. Wood, my name is Catherine Knox, and you and I  
21 have never met because you had retired before I  
22 came to the province, I think, but I work in the  
23 Halyk Law Office and I'm working with Mr. Halyk as  
24 counsel for Mr. Caldwell, who was the prosecutor  
12:09 25 of the day. Can you hear me okay?



1 A Yes, I can, yup.

2 Q Okay. And, just for the record, I want to ask you  
3 whether, in the course of your preparation for  
4 coming to give evidence at the hearing today and  
12:09 5 yesterday, you had an opportunity to look at the  
6 original of the police file as it exists today?

7 A I believe so, yes, I believe it's here on this  
8 file.

9 Q Okay. What you have, though, would be  
12:09 10 photocopies; would it not?

11 A That's right.

12 Q Okay. Did you ever go back and look at the  
13 original documents in the form that they were in  
14 1969-1970?

12:09 15 A No I did not.

16 Q Okay. I -- this will be a little bit choppy, and  
17 I apologize to the Commissioner, the counsel, and  
18 to you, but over the number of weeks that we were  
19 on break in the last while I took the opportunity,  
12:09 20 with others, to go over to the police station and  
21 look at the original file, and I actually have  
22 some parts of it here with me now. But in the  
23 original file, when one looks at it, there was  
24 somebody within the Saskatoon Police Service who,  
12:10 25 when they were reviewing investigation reports,



1 witness statements and so forth, were making  
2 markings on them in red ink. Were you one of the  
3 people in the police department, in a supervisory  
4 role, who used to mark in red ink? And I'll show  
12:10 5 you what I am talking about -- if I could approach  
6 the witness, Mr. Commissioner -- by showing you an  
7 original just as an example. Mr. Commissioner,  
8 I'm referring the witness to the investigation  
9 report that is dated May 29th, '69.

12:10 10 MR. HODSON: Perhaps we could just call up  
11 on the screen our photocopy, or scanned copy, is  
12 that fine, just so we'll know what --

13 MS. KNOX: Fine.

14 MR. HODSON: What's the doc. ID?

12:10 15 MS. KNOX: 009222.

16 BY MS. KNOX:

17 Q Just using that one as an example, you can see  
18 that there's extensive underlining done by  
19 somebody, and on various other investigation  
12:11 20 reports, and it doesn't become apparent in the  
21 photocopies but in various other reports there  
22 are -- there's handwritten notes in red ink as  
23 well. And looking at it, and if you could just  
24 flip through some of the pages, can you identify  
12:11 25 whether you were the supervisory person who was



1 using the red ink to identify tasks that should be  
2 done, people who should be interviewed, or at  
3 least that's what it appears when you look at the  
4 original documents?

12:11 5 A It wouldn't be here, no.

6 Q It wasn't you?

7 A No.

8 Q Do you know who in the department? There's some  
9 suggestion that Detective Sergeant Ward who had  
10 passed away might have been doing the function of  
11 what we would now call a reader. Do you know  
12 whether he had a practice of working with red ink?

13 A I do not.

14 Q You do not, okay.

12:12 15 A No.

16 Q Sir, in relation to various statements that we  
17 have, and some of them you were referred to, you  
18 were referred to a statement by a (V4)---- (V4)---  
19 on the morning that these assaults occurred by Mr.  
12:12 20 Wolch. There's a notation at the top, and I'm  
21 going to show you again the original of the  
22 statement which is actually contained in the  
23 prosecutor's file. I don't see a doc ID on it as  
24 I have it in front of me, but it is statement  
12:12 25 number 39 of the witness statements, and again if



1 I could approach the witness, Mr. Commissioner.  
2 We're just waiting to see if it can be brought up.

3 MR. HODSON: 006402.

4 BY MS. KNOX:

12:14 5 Q You see up in the left-hand corner of that  
6 statement and the original that you have in front  
7 of you written in red ink is "indecent assault  
8 only, no connection." Is that your handwriting?

9 A No, it's not.

12:14 10 Q It's not your handwriting?

11 A No.

12 Q Do you know whose handwriting it is?

13 A I have no idea.

14 Q Okay. And if you go to the next fluorescent tab,  
12:14 15 if you could just read this number again, 006404,  
16 that's the statement of (V4)---- (V4)---, and  
17 similarly it has a notation in the top left-hand  
18 corner "indecent assault not connected" in red. I  
19 take it that too was not your handwriting?

12:14 20 A That's right, it's not.

21 Q And you don't know whose handwriting it is?

22 A No idea.

23 Q Okay. Sir, when you were reviewing files in your  
24 capacity as the overall in charge of detective  
12:15 25 section, did you make any notations on them as to



1 assignments to be carried out or work to be done  
2 that you recall?

3 A Not that I recall.

4 Q Okay. Did you do any, make any markings at all on  
5 the files or was yours just a review for  
6 information and you left it to others to do  
7 assignment of tasks to identify work that needed  
8 to be done and so forth?

9 A That is right, yes.

10 Q And you don't now know who was the person  
11 certainly in this file who was the red ink writer?

12 A That's right, I do not.

13 MS. KNOX: Okay. I have no further  
14 questions for Mr. Wood then, thank you.

15 COMMISSIONER MacCALLUM: Thank you.

16 MR. HODSON: There's no re-exam,  
17 Mr. Commissioner, so I think that is all for  
18 Mr. Wood. Thank you very much for coming.

19 COMMISSIONER MacCALLUM: Thank you,  
20 Mr. Wood, you are excused.

21 MR. HODSON: I'm wondering whether we want  
22 to come back at two o'clock, is that fine?

23 COMMISSIONER MacCALLUM: Well, it's up to  
24 you. Can you get through your schedule of  
25 witnesses?



1 MR. HODSON: I think we can start -- do you  
2 want to start at 1:30 with Mr. Edmondson and  
3 Mr. Rasmussen I'm to meet at noon and assuming  
4 he's -- yeah, 1:30 would be fine.

12:16 5 COMMISSIONER MacCALLUM: 1:30, okay.

6 (Adjourned at 12:15 p.m.)

7 (Reconvened at 1:34 p.m.)

8 MR. HARDY: Good afternoon,  
9 Mr. Commissioner, we're ready to proceed with our  
01:34 10 next witness, Stan Edmondson. I'll ask Stan to  
11 come forward.

12 **THOMAS STANLEY EDMONDSON, sworn:**

13 **BY MR. HARDY:**

14 Q Good afternoon, Mr. Edmondson. Thank you for  
01:35 15 attending today to give testimony. I understand  
16 that you presently reside in Calgary?

17 A That's correct, sir.

18 Q And what is your age, sir?

19 A 78.

01:35 20 Q And I understand you are previously a member of  
21 the RCMP?

22 A That's right, for 25 years, sir.

23 Q And can you tell us what your years of service  
24 were?

01:35 25 A 1947 to 1971.





1 Q And as of 1969, January in particular, can you  
2 tell us what your position was with the RCMP?

3 A I was the staff sergeant in charge of the  
4 plain-clothes section in Saskatoon for the Mounted  
01:35 5 Police.

6 Q And can you give us a snapshot of the Saskatoon  
7 detachment at that time, perhaps how many members  
8 were working?

9 A Well, I think at that time I had about 11 members  
01:35 10 working for me.

11 Q And that would be in the plain-clothes unit?

12 A Yes.

13 Q Is that also referred to as GIS?

14 A Yes.

01:35 15 Q And what does GIS stand for?

16 A General investigations section.

17 Q And what jurisdiction would you have  
18 responsibility for or would that section have  
19 responsibility for?

01:36 20 A Well, basically we were doing all major crimes in  
21 the Saskatoon subdivision and then of course with  
22 the assistance to the city police or anyone else  
23 who requested assistance from us.

24 Q And when you refer to the Saskatoon subdivision,  
01:36 25 what are you referring to?



1 A Well, I'm referring to the Saskatoon Mounted  
2 Police subdivision which each division has  
3 different subdivisions in it and you are in charge  
4 of one of the sections in that subdivision to look  
01:36 5 after major crime.

6 Q So if I can speak geographically, what area then  
7 would you or your section cover?

8 A Well, we covered from -- well, Rosthern south and  
9 to Craik and then east to the, just about to  
01:37 10 Dafoe, and then west to Radisson I believe would  
11 be about the right one.

12 Q And you had indicated that you were a staff  
13 sergeant at the time?

14 A I became a staff sergeant after I was transferred  
01:37 15 there. I first went in as a corporal in 1974, or  
16 '64, I beg your pardon, and then I was promoted  
17 over the years to staff sergeant.

18 Q And again you are talking about the GIS unit or  
19 the plain-clothes unit?

01:37 20 A That is correct, sir.

21 Q And as of 1969 then, would I assume correctly that  
22 you were one of the senior members of that unit?

23 A I was in charge of the unit, yes.

24 Q Okay. So the rest of the members in that unit  
01:38 25 reported to you then?



1 A Yes.

2 Q And who did you report to at that time?

3 A To my OC of the subdivision, Superintendent  
4 Peterson.

01:38 5 Q And, I'm sorry, did you say OC?

6 A Yes, the officer commanding.

7 Q And can you give us just a brief outline then  
8 perhaps of what your general duties would be on a  
9 day-to-day basis?

01:38 10 A I was, I believe I had 11 men under me at that  
11 time and I supervised their work and assisted in  
12 my knowledge and so on.

13 Q And were you also working in the field, if I can  
14 put it that way?

01:38 15 A I worked quite a bit in the field, but mostly my  
16 work consisted of office work.

17 Q And to that point in time in your career, had you  
18 worked on a number of major crimes?

19 A Yes, sir.

01:38 20 Q And did that include homicides?

21 A Yes, sir.

22 Q A number of homicides?

23 A Two or three.

24 Q And again as of 1969, would you have had occasion  
01:39 25 from time to time to work with the Saskatoon City



1 Police on investigations?

2 A Yes, on numerous occasions, sir.

3 Q And can you tell us what the standard  
4 circumstances were that would bring about that  
01:39 5 working arrangement?

6 A Well, if they had something that they wanted,  
7 especially something outside the city, then they  
8 would ask us to continue on the investigation from  
9 outside the city.

01:39 10 Q And did that relate, would I assume correctly, to  
11 the boundary, so to speak, of their jurisdiction?

12 A Yes.

13 Q And would there be other situations where  
14 assistance would be offered?

01:40 15 A Oh, yes, just about -- any time they felt that  
16 they could use their assistance, we were always  
17 glad to help them out.

18 Q And so was it a good working relationship then  
19 with the Saskatoon City Police?

01:40 20 A Yes, we had an excellent working relationship with  
21 them.

22 Q And so you were then familiar with their members  
23 and vice versa?

24 A Yes, I was.

01:40 25 Q And so when assistance would be offered, how



1 generally would efforts be coordinated between the  
2 two offices?

3 A I just --

4 Q I guess I'm wondering, in terms of the operational  
01:40 5 component when it had been decided that there  
6 would be a joint effort, so to speak, or there  
7 would be assistance provided by the RCMP, how --  
8 who directed those efforts in the usual course?

9 A Well, usually I did or the city. It just depended  
01:41 10 who had the jurisdiction or who had the file to  
11 ask for assistance. If it was theirs or if we  
12 wanted it, they had something we wanted, well, we  
13 would ask them to assist us.

14 Q And tell me about communications then, how would  
01:41 15 communications take place?

16 A Well, just talking to them.

17 Q Picking up the phone and --

18 A That's right.

19 Q -- discussing matters?

01:41 20 A That's right.

21 Q So generally was it a fairly informal arrangement?

22 A Yes.

23 Q And what would the lines of reporting be, and  
24 again let's use this example where we have a  
01:41 25 cooperative effort ongoing, your men are



1 assisting, what would the lines of reporting be?

2 A Well, my men reported through me to our  
3 subdivision OC and then from there, when a report  
4 was sent in there, then they were read and then  
01:41 5 sent to Regina and then after that wherever.

6 Q Would written reports be shared between the  
7 Saskatoon City Police and the RCMP then in terms  
8 of the ongoing efforts?

9 A Not really, not ours, we didn't share theirs with  
01:42 10 the city, and very seldom did we ever get  
11 anything. Most of the time it was verbal.

12 Q So the connection was verbal and from your best  
13 recollection then, in terms of written reports  
14 that were being produced at the time, those did  
01:42 15 not usually go to the Saskatoon City Police?

16 A No, sir, it didn't.

17 Q Okay. And again only speaking of your written  
18 reports or the written reports that were coming  
19 out of your section, and I think you touched on  
01:42 20 this a moment ago, where would those be filed?

21 A Well, it would be filed, we filed our report with  
22 the subdivision and then they would read it and  
23 then send it on to Regina and probably from there  
24 they would go to the AG's department or whatever  
01:42 25 department that they were needed in.



1 Q And do I understand correctly, sir, that you were  
2 involved in the Gail Miller murder investigation?

3 A Yes, I was.

4 Q And is it your recollection that this was a  
01:43 5 Saskatoon City Police investigation?

6 A That is correct, sir.

7 Q And what is your best recollection as to how you  
8 came to be involved in that investigation?

9 A Well, the first time, after we heard of the murder  
01:43 10 and rape, Corporal Rasmussen and myself just drove  
11 around to the place and the men were there, but we  
12 didn't stop and talk to them, the city policemen  
13 were there, and I didn't really have anything  
14 other to do with that until I was in Winnipeg on  
01:43 15 another file and I received a request to meet with  
16 Detective Karst from the Saskatoon City Police and  
17 I met with him in Winnipeg and we interviewed Mr.  
18 Milgaard.

19 Q And I do want to talk to you about that in a  
01:44 20 moment, but is that your recollection of your  
21 first formal involvement in the matter then?

22 A Yes.

23 Q And do you know whether arrangements had been made  
24 previous to that which, in effect, allowed for the  
01:44 25 assistance of the RCMP in this particular



1 investigation?

2 A No, there was no official arrangements made. It  
3 wasn't necessary in those days, we just helped  
4 each other.

01:44 5 Q And that's your recollection on this particular  
6 matter?

7 A Yes, that's correct.

8 Q And was somebody else -- you talked about  
9 receiving a call. Was somebody else coordinating  
01:44 10 your involvement then at least initially?

11 A Well, when I received the call I was in Winnipeg.  
12 I don't even remember now who called me, whether  
13 it was the city police or my own office that  
14 called me.

01:45 15 Q Okay. And you don't recall who you may have  
16 discussed this matter with at that time in terms  
17 of an RCMP individual?

18 A No.

19 Q I'm going to refer you to a report which speaks to  
01:45 20 some of these matters, it's a report of an  
21 Inspector Riddell.

22 A Yes, I know the gentleman.

23 Q And you'll see the report on your screen, it's  
24 document ID 065399, I'll let you take a look at  
01:45 25 that, Mr. Edmondson. Do you recognize that form





1 of report?

2 A Yes, I do. It's a regular form that we used for  
3 reporting.

4 Q And I'm going to point out a couple of portions of  
01:46 5 the report. I note it's dated March 20th, 1969  
6 and you'll see in the upper right-hand corner, do  
7 you see the C237 there?

8 A Yes, sir, I do.

9 Q Do you know what that is referring to?

01:46 10 A Well, just what I read, sir, it says Attorney  
11 General's department, March 28th, 1969.

12 Q And, I'm sorry, I was talking in particular about  
13 the C237 in the upper right-hand corner.

14 A Oh, yes, sir.

01:46 15 Q And do you recognize that or is that familiar to  
16 you, that coding?

17 A Yes, that was the standard reporting form that we  
18 used.

19 Q Okay. And I see "F" division is noted. What is  
01:46 20 that referring to?

21 A It means the Province of Saskatchewan. It's a  
22 division that -- well, every member that was  
23 stationed in Saskatchewan, it was "F" division,  
24 that was a reference to that sub for the province.

01:47 25 Q Okay. And I see under the next heading,



1 subdivision, HQ - CIB, what is that referring to?

2 A That would refer to the headquarters number, the  
3 headquarters, CIB, the investigation branch. That  
4 would be out of Regina.

01:47 5 Q And you've indicated already this then was the  
6 standard form of reporting that was used at this  
7 point in time in 1969?

8 A Yes, sir, it was.

9 Q And you made reference a little bit earlier to the  
01:47 10 stamp indicating the Attorney General's department  
11 and would I read that correctly then that this  
12 report would, as a matter of course, be filed with  
13 the Attorney General's department?

14 A Not through me. When I made the report it went to  
01:48 15 my subdivision, which was Superintendent Peterson  
16 was my OC. Then he, one of his readers would send  
17 it to Regina where again it would be read by the  
18 division headquarters and then wherever they had  
19 to send it from there, it was done through them.

01:48 20 Q I'm going to turn you to the last page of this  
21 particular report, it's page 065401, you'll see  
22 it's signed by a J.A.B. Riddell. I think you  
23 indicated you are familiar with that individual?

24 A Yes, I am.

01:48 25 Q And do you have a recollection of what his role



1 may have been in this investigation?

2 A Well, he came out and talked to the city police  
3 about it. I notice there he had said that  
4 Rasmussen and I put full time into it, but I never  
01:49 5 received that instruction, we just worked at it.

6 Q And I do want to talk to you about that in a  
7 moment. Do you remember, was J.A.B. Riddell your  
8 senior or would he have been considered your  
9 senior?

01:49 10 A Oh, yes, he was an inspector.

11 Q And in this particular case do you recall whether  
12 you received instructions from Mr. Riddell or  
13 whether he was directing the RCMP efforts, so to  
14 speak?

01:49 15 A That would be about right, yes.

16 Q That does fit with your recollection?

17 A Yes.

18 Q Okay. And had you previously worked with Mr.  
19 Riddell?

01:49 20 A Yes, I had.

21 Q Okay. And if we can turn back to the first page,  
22 please, I want to review some of this with you,  
23 Mr. Edmondson, and I can read it to you and then  
24 I'll get your comments on it. Just looking at the  
01:50 25 first paragraph, that indicates:



1 "Chief Kettles of the Saskatoon City  
2 Police requested the assistance of this  
3 Force in the investigation of the above  
4 offence. On instructions from the  
01:50 5 officer in charge, C.I.B., I proceeded  
6 to Saskatoon on the afternoon of 20 Feb  
7 69 and met with the Chief of Police that  
8 evening when the known particulars of  
9 this offence were discussed in detail.  
01:50 10 It was agreed that this Force would  
11 supply two men, namely S/Sgt. T.S.  
12 Edmondson and Cpl E.A. Rasmussen of our  
13 Saskatoon G.I.S., to assist the  
14 Saskatoon City Police on a full-time  
01:50 15 basis with this investigation. The  
16 overall responsibility for the  
17 investigation of this offence would  
18 remain with the Saskatoon City Police  
19 but our members would render full-time  
01:50 20 assistance and work in close  
21 co-operation with members of the  
22 Saskatoon City Police C.I.D."

23 And does that fit with your recollection,  
24 Mr. Edmondson?

01:51 25 A Well yes, it fits. I don't recall ever getting



1 any official thing about it, but we just went  
2 ahead and did it. When he put that in, then I  
3 guess we had instructions to follow it.

01:51 4 Q Okay. And you referred to this earlier. Is it  
5 your recollection that you were assigned on a  
6 full-time basis to this investigation?

7 A No, sir.

8 Q And why do you say that?

01:51 9 A Well, I had my own men, my own department that I  
10 had to look after and I -- Corporal Rasmussen was  
11 with me and I pretty well put everything, the  
12 field investigation up to him to do it. He was a  
13 very good man.

01:51 14 Q And I'll refer you to the next paragraph,  
15 paragraph 2, it indicates:

16 "On 21 Feb 69 I also discussed this case  
17 with the Officer Commanding, Saskatoon  
18 Sub/Division, and he was made aware of  
19 the working arrangements and the role  
01:52 20 this Force would play in this  
21 investigation."

22 Do you recall at that time who the officer  
23 commanding Saskatoon subdivision was?

24 A Yes, Superintendent Peterson, W.W. Peterson.

01:52 25 Q And I'll refer you to the next paragraph as well,



1           it states:

2                        "On the afternoon of 21 Feb 69, S/Sgt.  
3                        Edmondson, Cpl Rasmussen and myself met  
4                        with Supt. J. Wood, in charge of the  
01:52 5                        Saskatoon City Police C.I.D., where we  
6                        spent several hours going over the  
7                        particulars of this offence and the  
8                        results of investigation to date. We  
9                        were provided with complete copies of  
01:52 10                      all investigational reports. At this  
11                      time the Saskatoon City Police had no  
12                      real suspects in mind as investigation  
13                      to date had failed to turn up any leads  
14                      of a promising nature."

01:52 15                    And again, does that, in particular the first  
16                    portion of the paragraph, does that fit with your  
17                    recollection of matters, Mr. Edmondson?

18           A           Yes, that pretty well fits.

19           Q           Do you recall a briefing session of this nature at  
01:53 20                    the outset of your involvement?

21           A           Yes, I do.

22           Q           And do you recall this briefing session taking  
23                    place then before your attendance in Manitoba when  
24                    you indicated that you had met Mr. Milgaard?

01:53 25           A           I don't think so, I think this kind of happened



1 after that, but here again, I'm not certain of it,  
2 but I'm sure I had been in Winnipeg. I hadn't --  
3 I had been in Winnipeg for probably two weeks on a  
4 different investigation and I got a call that I  
01:53 5 was to meet with Detective Karst and help him in  
6 this interview with Milgaard, but I think this was  
7 after, this particular report was after that.

8 Q Okay. And we'll look at this in a moment, but if  
9 I was to suggest to you for a moment,  
01:54 10 Mr. Edmondson, that in fact that meeting with Mr.  
11 Milgaard took place after the February 21st date  
12 noted here, would you have any reason to dispute  
13 that chronology?

14 A No.

01:54 15 Q You are just going from your best recollection?

16 A Yes, that's correct, sir.

17 Q I'm going to refer you as well to a document by  
18 Corporal Rasmussen, or prepared by Corporal  
19 Rasmussen, it's document ID 250597, and if we  
01:54 20 could turn, please, to page 250598, again just for  
21 reference sake we see the February 21st date noted  
22 again and paragraph 3, Mr. Edmondson, I'll direct  
23 your attention to, Corporal Rasmussen writes:

24 "As a result of instructions received,

01:55 25 full time assistance was rendered to the



1                   Saskatoon City Police by S/Sgt.  
2                   Edmondson and myself. We worked closely  
3                   at hand mainly with Dets. R. Mackie and  
4                   G. Reid, Supt. J.A. Wood and Lieut. J.  
01:55 5                   Penkala (ident officer)."

6                   And again, other than taking some exception to  
7                   the full-time assistance phrase noted, would that  
8                   generally fit with your recollection,  
9                   Mr. Edmondson?

01:55 10            A            Yes, it would, sir.

11            Q            You recall working on this matter with those  
12                   individuals noted?

13            A            Yes, sir, I do.

14            Q            And you'll note, if we go back to the full page,  
01:55 15                   that there are a couple of entries proceeding what  
16                   appears to have been your formal engagement in the  
17                   matter, if I can put it that way, both -- or dated  
18                   January 31st and February 4th, and if we look at  
19                   the subject matters, the first one related to  
01:56 20                   attendance out of town in relation to a Les Spence  
21                   at Perdue and the second relating to attendance  
22                   again out of town at Laura, Saskatchewan during  
23                   the Miller funeral, and would that fit with what  
24                   you had previously advised in terms of offering  
01:56 25                   assistance when matters were being dealt with





1 outside of city limits?

2 A Yes, that would fit.

3 Q Okay. So we'll move away from the documents for a  
4 moment and you were starting to tell us about your  
01:56 5 recollection of your first involvement and I think  
6 initially you had indicated that you and Corporal  
7 Rasmussen had driven by the scene, that you went  
8 on to talk about your attendance in Winnipeg, and  
9 I would like to talk to you about that for a  
01:56 10 while, sir.

11 A Yes.

12 Q Can you start from the beginning in terms of that  
13 attendance and tell us what you recall?

14 A Well, I received a phone call to meet with  
01:57 15 Detective Karst and eventually I did. Then we  
16 went, I believe it was to the city police, I'm a  
17 little hazy on that, whether that was the city  
18 police or the Mounted Police, but I think it was  
19 the city police, and we interviewed Mr. Milgaard.  
01:57 20 There was Detective Karst and myself present.

21 Q And you had had a previous working relationship  
22 with Detective Karst?

23 A Yes, I had.

24 Q And why were you in Winnipeg?

01:57 25 A I had another file that I was doing.



1 Q Unrelated to this matter?

2 A Unrelated, yes, sir.

3 Q And did you meet anybody else there other than  
4 Detective Karst?

01:57 5 A No, sir.

6 Q And you've already indicated to us I believe you  
7 don't recall who you had received the telephone  
8 call from to assist?

9 A No, I don't, sir.

01:57 10 Q And do you recall who was present at the interview  
11 with Mr. Milgaard?

12 A Yes. Detective Karst and myself.

13 Q No other officer was present?

14 A No, sir, not to my knowledge.

01:58 15 Q And tell us how the interview was conducted?

16 A Well, we were sitting there and Detective Karst  
17 was making notes as he talked and asked questions  
18 and I listened and just once in a while if there  
19 was something I felt to have clarified, I would  
01:58 20 ask a question. Detective Karst was making notes  
21 of all this. I've never seen them, I don't know  
22 what all was in it, but it was concerning our  
23 inquiries with Mr. Milgaard.

24 Q And maybe you've answered this already, but who  
01:58 25 was leading the interview then?



1 A Well, Detective Karst was.

2 Q And do you recall whether you and Detective Karst  
3 had met ahead of time, had you been briefed by  
4 Detective Karst in relation to this interview?

01:59 5 A Very little, if any.

6 Q Were you taking any notes --

7 A No, sir.

8 Q -- of this interview? And why were you not taking  
9 any notes?

01:59 10 A Mainly because Detective Karst was taking them and  
11 I couldn't see the necessity for two of us taking  
12 notes.

13 Q And did you have questions for Mr. Milgaard though  
14 during the course of the interview?

01:59 15 A The odd time, yes.

16 Q Do you recall anything in particular that you  
17 discussed with Mr. Milgaard?

18 A No. Basically it was just their arrival in  
19 Saskatoon and what they did after that and where  
01:59 20 they had gone. That's about -- it was just  
21 routine questions as to satisfy ourselves what he  
22 had done there, that was why.

23 Q Do you recall whether you were there for the  
24 duration of the interview?

02:00 25 A I think so, yes.



1 Q And do you recall whether a statement was taken of  
2 any sort from Mr. Milgaard?

3 A Detective Karst took notes, but whether -- I  
4 wouldn't call it a statement I don't think, he  
02:00 5 just made notes of our conversation as we were  
6 asking questions and so on.

7 Q And perhaps briefly I'll refer you to a document,  
8 it's document 031058, and this is a typed version  
9 of a written version of this document that I'll  
02:00 10 show to you, the typed version indicates statement  
11 form, David Edgar Milgaard at the top, and perhaps  
12 I'll show you the written version, page 031074 of  
13 that same document. I'll allow you to take a look  
14 at that. Do you recognize that handwriting,  
02:01 15 Mr. Edmondson?

16 A No, I can't say I recognize the handwriting, but  
17 it would be Mr. Karst's, Detective Karst's.

18 Q And you are quite certain that's not your  
19 handwriting?

02:01 20 A No, sir, it's not my handwriting.

21 Q And I understand, sir, that you've had an  
22 opportunity to previously review this statement?

23 A Yes, I have.

24 Q Or the typed version of it in any event?

02:01 25 A Yes.



1 Q And was that quite recently?

2 A Yes.

3 Q And I'm not going to review the statement in  
4 detail, but generally speaking, upon your read of  
02:01 5 that statement, did that fit with your  
6 recollection as to the information that Mr.  
7 Milgaard was providing at the time that you and  
8 Mr. Karst were meeting with him?

9 A Yes, it did.

02:01 10 Q Was there anything that you recalled that was not  
11 included in the statement of significance?

12 A No, sir.

13 Q And when you read through that statement, did it  
14 seem to be a fairly comprehensive account of the  
02:02 15 information --

16 A Yes.

17 Q -- that Mr. Milgaard had provided, and again which  
18 fit with your recollection?

19 A Yes, it did.

02:02 20 Q Can you tell us about your impression of David  
21 Milgaard on this occasion when you were meeting  
22 with him?

23 A He was quiet, there was never any denial of  
24 things, but he told us where they had gone and  
02:02 25 after this, well, without going ahead, I had



1           phoned Inspector Riddell and had some inquiries  
2           made in Regina and --

3           Q       Was that during the course of the meeting with Mr.  
4           Milgaard?

02:02 5           A       Yes, just at the end of it, the -- and then I  
6           phoned Regina to Inspector Riddell, and I don't  
7           remember now whether he give me an answer  
8           immediately or else there was some delay until he  
9           did phone back, and he had told us that the -- his  
02:02 10          statement as to what he was doing, where he was,  
11          seemed to pan out with the other witnesses.

12          Q       And what happened, then, at that point?

13          A       Then we released Mr. Milgaard.

14          Q       And was that yourself who was having that  
02:02 15          discussion with Inspector Riddell?

16          A       Yes.

17          Q       And was that a telephone discussion that was  
18          taking place in the room or how was that  
19          happening?

02:03 20          A       Yes, it would be out of the room, from the room  
21          where we phoned him. I phoned him, and I don't  
22          think the others would be, would be able to hear  
23          it because it was just over the telephone, and  
24          that's all.

02:03 25          Q       Do you have any memory of how long this meeting



1 with Mr. Milgaard took?

2 A It would be a guess, but I would say around two  
3 hours, maybe.

4 Q Okay. And at what point over the span of that two  
02:03 5 hours, according to your best recollection, was  
6 the telephone discussion or discussions with  
7 Inspector Riddell taking place?

8 A Oh, near the end of it, but there might have been  
9 a delay in there until I heard back from Inspector  
02:03 10 Riddell. But I'm not too sure of that, it's a  
11 little hazy, at that time, as to how long it was  
12 before he -- we heard from him.

13 Q And, again, do you recall anything further about  
14 Mr. Milgaard's manner?

02:04 15 A No, he was -- give us the information that we were  
16 asking and there was no -- we seemed to get along  
17 quite well.

18 Q Do you recall what your feelings were, so to  
19 speak, in terms of Mr. Milgaard's information?  
02:04 20 Did you find him to be -- or did you have a sense  
21 that he was providing you with credible  
22 information?

23 A Yes, as far as that was, we -- he seemed to be  
24 telling -- he wasn't hesitating about telling us  
02:04 25 where he was and what he did, no.



1 Q And you indicated a little earlier, I think you  
2 mentioned there were no denials, or something to  
3 that effect?

4 A No, no.

02:05 5 Q Okay.

6 A But, on the other hand, I don't think we had ever  
7 -- we didn't accuse him of anything either, other  
8 than he -- we had told him that he was -- had been  
9 charged with murder and that, but it's clear in  
02:05 10 the statement, but that was all.

11 Q And so you were, I think I'm gathering from you  
12 you were quite comfortable, then, with the  
13 information that you had received from Mr.  
14 Milgaard and the release of Mr. Milgaard, then, at  
02:05 15 the end of that interview?

16 A Yes, we were.

17 Q And do you recall whether you, personally,  
18 reported on the interview to somebody with the  
19 RCMP?

02:05 20 A Well, I -- about the only reporting was when I  
21 talked to Inspector Riddell over the telephone and  
22 I told him what we had and he checked it out for  
23 us, but there was no formal report made as per the  
24 237's.

02:06 25 Q You made no written report then?





1 A No, I didn't.

2 Q Would you have had notes or would you have kept  
3 track of information in a notebook?

4 A No, just my memory.

02:06 5 Q And just in terms of your usual course of work did  
6 you carry a notebook or did you keep notes?

7 A Yes, I had a notebook, and -- where I kept notes.

8 Q And are your notebooks available from that time  
9 period?

02:06 10 A I have no idea where they are now, sir.

11 Q Okay. And did you have any concerns with the  
12 method by which the interview was conducted?

13 A No, sir.

14 Q No concerns with Detective Karst in terms of the  
02:06 15 manner in which he conducted the interview?

16 A No, sir.

17 Q And you were satisfied with your own performance,  
18 if I can put it that way, --

19 A Yes.

02:06 20 Q -- in the course of the interview? I'm going to  
21 refer you to a couple of documents that reference  
22 that meeting, Mr. Edmondson. And firstly, again  
23 we'll turn to Corporal Rasmussen's report, 250957.  
24 If we could turn to page 250600 of that report,  
02:07 25 again if you will bear with me I'm going to read



1 some of these portions to you. You will see the  
2 sub-heading near the bottom of the page, March  
3 3rd, 1969, if we could magnify that paragraph.

4 A Uh-huh.

02:07 5 Q And it indicates:

6 "This date S/Sgt. Edmondson and Det.  
7 Karst, Saskatoon City Police,  
8 interviewed Milgaard at Winnipeg, Man.  
9 Milgaard stated that in the early AM of  
02:07 10 31 Jan. 69 he, accompanied by Wilson,  
11 departed Regina for Saskatoon. Stated  
12 that they were on their way to Edmonton  
13 to see his girl friend, Sharon Williams.  
14 Stated that on their way to Saskatoon  
02:08 15 they had trouble with Wilson's car and  
16 they borrowed a battery for it. Stated  
17 that when they arrived in Saskatoon they  
18 started looking for Albert Cadrain's  
19 place whom he had met before. They  
02:08 20 didn't know exactly where Cadrain lived  
21 but knew it was in the Pleasant Hill  
22 area of Saskatoon."

23 Pause there. Does that generally fit with your  
24 recollection in terms of the type of information?

02:08 25 A That's correct, yes, sir.



1 Q Continuing from there:

2 "Stated while driving around they became  
3 stuck in an alley in that area however,  
4 could not give the exact location.

02:08 5 Stated that as they drove up the alley  
6 they came upon a car ahead of them and  
7 when they tried to give it a push they  
8 also be became stuck. This car was  
9 described as a 63 or a 64 Ford and was  
02:08 10 occupied by a man and a woman."

11 A That's correct, sir.

12 Q "Stated the man called for a tow truck  
13 and they all subsequently went into this  
14 person's house and waited for it to  
02:08 15 come. When it arrived the other vehicle  
16 was pulled out but as Milgaard had no  
17 money the tow truck left without  
18 assisting him."

19 Again, pause there, does that generally fit with  
20 the recollection of --

21 A Yes.

22 Q -- the information you received?

23 A Yes, that's correct.

24 Q Continuing from there:

02:09 25 "Milgaard believed that he got to



1 Cadrain's place at approx. 9 or 10 AM.  
2 Subject admitted changing clothes at  
3 Cadrain's house and stated maybe his  
4 pants contained acid from the battery  
02:09 5 and maybe his shirt did as well, however  
6 he was not sure. When asked what he did  
7 with the clothing he took, off, Milgaard  
8 stated maybe he had thrown it out.  
9 Subject also stated the reason for  
02:09 10 changing his clothes was that his pants  
11 had a hole in the crotch. Stated he did  
12 not know if there was any blood on his  
13 clothes."

14 Do you recall receiving any of that information  
02:09 15 during the course of the interview, Mr.  
16 Edmondson?

17 A Yes, that sounds basically right.

18 Q Does that refresh your memory at all in terms of  
19 the information that's noted here as you received  
02:09 20 it on that date?

21 A Yes, that's, that's what we received.

22 Q Okay. Nothing to add to what's been noted here  
23 already though?

24 A No.

02:10 25 Q Okay. We'll just finish off that paragraph:



1 "After changing his clothes, subject  
2 apparently went back out to the vehicle  
3 which was parked across the street.  
4 Subject then turned the vehicle around  
02:10 5 and disappeared for a few minutes.  
6 Stated the only reason for moving the  
7 car was to put his suitcase in and also  
8 that the car was across the street  
9 facing in the wrong direction. Stated  
02:10 10 he had driven in a lane possibly twice  
11 and gave the reason for this as liking  
12 to drive. Subject gave his reason for  
13 being in a hurry or excited as wanting  
14 to see his girl friend in Edmonton and  
02:10 15 stated that he gets excited very easily  
16 and frequently. Statement obtained from  
17 Milgaard attached."

18 And, again, does that fit with your recollection?

19 A Yeah, basically it's -- it fits, yes, sir.

02:10 20 Q Anything to add there that you recall that's not  
21 included?

22 A No.

23 Q I'll have you look at a report prepared by  
24 Detective Eddie Karst as well, Mr. Edmondson, the  
02:11 25 report is dated March 7th and it's document ID



1 009233. You will note it's a Saskatoon Police  
2 Department Investigation Report dated March the  
3 7th. If we could turn to the next page of that  
4 document, please, again this is Detective Karst's  
02:11 5 report and I'll refer you to this portion of the  
6 page starting there. Again, Detective Karst  
7 reporting, and he sets out that on March 3rd he  
8 attended at the Von Street Boys Correctional  
9 Institute in Winnipeg where he located David  
02:12 10 Milgaard who was being held on a suspicion of  
11 murder charge, and if we move to the next  
12 paragraph:

13 "Milgaard was transported to the Mounted  
14 Police Barracks where he was interviewed  
02:12 15 at length by myself and other members of  
16 the Mounted Police along with S/Sgt.  
17 Stan Edmondson of Saskatoon who was  
18 attending in Winnipeg at the same time,  
19 and after a lengthy interrogation and  
02:12 20 statements taken from this youth, it was  
21 decided that there were many points for  
22 which his answers were too vague to be  
23 actually authentic."

24 Do you recall whether you shared this viewpoint,  
02:12 25 Mr. Edmondson?



1 A No, I didn't really share that viewpoint because  
2 I -- well, after talking to Inspector Riddell he  
3 said that basically what he had told us was  
4 correct and so I didn't really share that, I  
02:12 5 accepted the fact that what he told us was  
6 basically correct give or take a little bit.

7 Q You do not recall having a concern about the  
8 vagueness of his answers?

9 A No.

02:13 10 Q And it refers, I think, that perhaps other Mounted  
11 Police being present, and do you recall any other  
12 officers being present?

13 A No.

14 Q Okay. I'll read just the initial portion of that  
02:13 15 next paragraph. It indicates:

16 "Milgaard's body was checked with  
17 regards to the physical marks, although  
18 old scratches etc. were noted on his  
19 hand and on the back of his neck, it was  
02:13 20 nothing that could be connected with any  
21 recent struggle."

22 Do you recall participating in this process with  
23 Mr. Milgaard?

24 A Well, just a view of it.

02:13 25 Q Sorry, excuse me?



1 A I say just a view of it, eh. There was no -- I  
2 didn't get down and look at the back of his neck,  
3 and this sort of a thing, but we looked at him  
4 while we were talking to him.

02:14 5 Q Okay. So you were present, you believe, when this  
6 took place?

7 A Yes.

8 Q Okay. And Detective Karst goes on in that  
9 paragraph, I won't read it all to you, to talk  
02:14 10 about a search of Mr. Milgaard's premises which,  
11 at that time, was the -- at the Boulevard Hotel in  
12 Winnipeg; do you recall participating in a search  
13 of that nature?

14 A No I don't.

02:14 15 Q Do you believe that you did participate in a  
16 search of that nature?

17 A I can't remember it, sir.

18 Q Okay. And if we go to the next page of the  
19 report, start reading to you here, and it  
02:14 20 indicates -- Detective Karst goes on in the  
21 report, indicates:

22 "Through investigation and statements  
23 taken from Milgaard there were several  
24 points of interest noted."

02:14 25 And I'm going to move right down to point number





1 10, Mr. Edmondson, I'll read that to you:

2 "And one of the most important factors  
3 to be kept in mind is the time element  
4 involved, as there is no accounting for  
02:15 5 the time which they arrived in the city,  
6 which is approx. 5:00 or 5:30 by their  
7 own testimony and statements and we  
8 cannot account for any of their actions  
9 until approx. 20 minutes to 8:00 when  
02:15 10 they were stuck in a lane in the 100  
11 Blk. off of south of 22nd Street between  
12 Ave. T and U. This portion being  
13 covered by a further statement from  
14 Wally Danchuk ...",

02:15 15 next paragraph:

16 "Intensive interrogation and questioning  
17 of Milgaard by myself and S/Sgt.  
18 Edmondson revealed that he does not  
19 account for this period of time and  
02:15 20 states he just doesn't remember other  
21 than probably driving around and looking  
22 for his friend "Shorty's" residence. It  
23 was also noted that Insp. Riddell had  
24 the same results in regards to the time  
02:15 25 element when questioning the Wilson



1 youth in Regina."

2 A Yes, that would be correct.

3 Q Does any of that refresh your memory?

4 A Yes, in the sense that there was no -- like we  
02:16 5 were told what time by him and -- but we had no  
6 way to double-check on that, whether his version  
7 was correct or not, but at that time we really  
8 didn't have a reason to say that he was wrong and  
9 that's why we released him.

02:16 10 Q Do you remember having concerns though, as  
11 Mr. Karst or Detective Karst puts it, in terms of  
12 Mr. Milgaard's inability to account for the span  
13 of time noted?

14 A Yes, there was some concern there, because he was  
02:16 15 there very close to the scene, and so yes we had  
16 concerns.

17 Q And you shared that thought?

18 A Yes.

19 Q And it's accurately set out in those paragraphs  
02:16 20 that I just read to you?

21 A Yes.

22 Q And I'll read on in the next paragraph. Detective  
23 Karst states:

24 "I might also add that a peculiarity of  
02:17 25 Milgaard noted was that upon my arrival



1 in Winnipeg and the questioning of him  
2 on the early morning of March 3rd, he  
3 did not appear nervous or in a tense  
4 condition as would be anticipated of a  
02:17 5 16 year old youth being held on a  
6 suspicion of murder charge, being held  
7 several hours in anticipation of what  
8 might be coming, he made no mention of  
9 obtaining legal aid, which is the usual  
02:17 10 custom when dealing with youths with a  
11 record of his type."

12 And, again, do you recall whether you shared this  
13 impression, Mr. Edmondson?

14 A I can't really say yes or no to that question,  
02:17 15 I -- I -- over the years things aren't as fresh as  
16 they used to be.

17 Q Sure, I appreciate that sir, and I know you are  
18 trying your best and I thank you for that. Do you  
19 recall whether Mr. Milgaard appeared nervous?

02:17 20 A No, he wasn't.

21 Q So you would agree with that comment, then, --

22 A Yes I would.

23 Q -- in this paragraph?

24 A Yes.

02:18 25 Q Do you recall whether he appeared as if he was in



1 a tense condition?

2 A No, not really. He talked, and he didn't seem to  
3 be up tight about anything, really.

4 Q And do you recall whether that struck you, at the  
02:18 5 time, as unusual?

6 A No, I don't recall.

7 Q It perhaps did but you don't have a memory today?

8 A Yeah, yeah.

9 Q I'm going to move you down to the bottom of the  
02:18 10 page starting here and it indicates, again  
11 Detective Karst writing:

12 "My personal feelings after  
13 interrogating this youth and after being  
14 in conversation with Sgt. Edmondson is  
02:18 15 that he could be responsible for an  
16 offence of this type and there are many  
17 areas which I think should be cleared up  
18 further with regards to time element and  
19 discrepancies in statements made etc.  
02:18 20 which I believe should be done before  
21 this person should be eliminated as a  
22 suspect with regards to this file."

23 And do you recall having a follow-up discussion  
24 of sorts with Detective Karst relating to this  
02:19 25 meeting with Mr. Milgaard?



1 A I don't know whether it was a follow-up or it was  
2 just discussion that went on that -- that we just  
3 discussed it, that was about all, I don't know  
4 that it was a follow-up discussion.

02:19 5 Q And do you have any comment on the paragraph that  
6 I just read to you in terms of whether you recall  
7 having that impression yourself or having any of  
8 those thoughts yourself?

9 A No, I don't.

02:19 10 Q And in particular this, I guess the portion near  
11 the front of the paragraph, perhaps I'll read it  
12 again, and it says:

13 "In conversation with Sgt. Edmondson  
14 that he ...",

02:19 15 Mr. Milgaard:

16 "... could be responsible for an offence  
17 of this type ...";

18 do you remember having a thought of that nature  
19 or discussing that possibility with Detective  
02:20 20 Karst?

21 A I think the possibility that we had of that was  
22 that he was, according to his own, that he was in  
23 the vicinity of this and therefore you are bound  
24 to wonder about whether everything is just on the  
02:20 25 up-and-up or not.



1 Q Assuming, though, that -- and Detective Karst will  
2 be able to speak to this -- but assuming, though,  
3 that his conclusions or thoughts here are arising  
4 from his perspective on Mr. Milgaard's character,  
02:20 5 or what he assessed as Mr. Milgaard's character,  
6 did you share thoughts of that nature based upon  
7 those observations or those types of observations?

8 A I can't say I did and I can't say I didn't. I  
9 just can't recall, right now, whether I felt that  
02:20 10 way or not.

11 Q Okay. Possible you did, --

12 A Yes.

13 Q -- possible you didn't, but you can't recall --

14 A Yeah.

02:21 15 Q -- today? Okay. I'll turn you to the next page,  
16 please, and just refer you to the second paragraph  
17 noted. That indicates:

18 "After a further conversation with  
19 Inspector Riddell I was advised that the  
02:21 20 Milgaard youth should be released at  
21 that time due to insufficient evidence  
22 obtained with with which to lay a  
23 charge, consequently on the evening of  
24 March 3, the suspect was released to the  
02:21 25 Boulevard Motel."



1 And I think you spoke to us earlier; does that  
2 fit with your recollection?

3 A Yes, he was released, yes.

4 Q And if we -- it appears that he was released in  
02:21 5 the evening and that the interview began in the  
6 morning; do you recall these dealings with Mr.  
7 Milgaard perhaps lasting the span of the day?

8 A No, I don't think we talked to him until after  
9 lunch, but I might be wrong, but I don't recall  
02:22 10 talking to him until after lunch.

11 Q Again, you indicated for us earlier that you  
12 recalled that it was perhaps a couple of hours?

13 A Yeah, it would be, more than likely.

14 Q And, what, do you have a recollection of your  
02:22 15 continued involvement in the investigation  
16 following that meeting in Winnipeg?

17 A I, other than supervising Corporal Rasmussen off  
18 and on and questioning -- answering some queries  
19 we might have, I did go to Flin Flon on a -- to  
02:22 20 interview some people. We found out that it was  
21 all right, that it had nothing to do with the  
22 murder, we'll say it that way.

23 Q That was in connection with the Gail Miller  
24 murder?

02:23 25 A Yes, that's right.



1 Q Any other recollection of your involvement?

2 A Well the only other recollection I have after that  
3 is, after, I went to Prince George to pick up Mr.  
4 Milgaard with Detective Mackie.

02:23 5 Q And can you tell us about that?

6 A Well we had picked Mr. Milgaard up and we were  
7 taking him to the airport, and on the way out  
8 there was a pretty shapely stewardess went by and  
9 Mr. Milgaard said, 'I would sure like to get into  
02:23 10 her pants', and I had said, 'she'd better watch  
11 her back', and he said, 'Mr. Edmondson, that  
12 wasn't very nice'.

13 Q And that's that?

14 A That's that.

02:23 15 Q A definite recollection you have of that trip?

16 A Yes, yes.

17 Q And where had you travelled to, perhaps you said  
18 and I missed it, but where in B.C. was that?

19 A To Prince George.

02:24 20 Q Okay. Any other recollections from that?

21 A The only sort -- we rode in the plane back to  
22 Edmonton, and so it was light conversation, but,  
23 really there was no accusations or no denials of  
24 the thing, it was just a discussion with him.

02:24 25 And when we got to Edmonton Mr.





1 Milgaard wanted to go to the bathroom and I said  
2 'sure, no problem', and he went in and he went to  
3 the bathroom, and then when he came out -- just to  
4 explain how this happens, he was on about -- the  
02:24 5 handcuffs with about three feet of chain on it, so  
6 he could go to the bathroom by himself and I would  
7 stand outside the door, and so when he came out he  
8 said 'well I want to wash my hands'. And this  
9 struck me a little strange because of the --  
02:25 10 knowing the, umm, oh, the health of these people  
11 -- not the health, I don't mean that, I mean their  
12 cleanliness and what have you. And normally from  
13 being with the, with drug people, that I thought,  
14 gee, he -- washing his hands, I better kind of  
02:25 15 keep a close track of him. So anyway he went into  
16 the washroom, and I was standing behind him, and I  
17 don't know, I don't think he could have realized  
18 that I could see him in the mirror in front of  
19 him, and I saw him there and he was soaping his  
02:25 20 hands and then he was soaping around the handcuffs  
21 and trying to remove them, and this was the  
22 impression I got from what he was doing.

23 Q And what did you do?

24 A I said, give him a little tug in the handcuffs and  
02:26 25 said 'let's go', and we went out of the washroom



1           there.

2           **Q**       And that was in a stopover, you indicated, was  
3           that in Edmonton?

4           **A**       That was in Edmonton at the airport.

02:26 5           **Q**       And, with respect to either of those recollections  
6           you've just shared with us, did you report on  
7           those matters in any respect?

8           **A**       Not by myself. I don't know, I think I told,  
9           whether it ended up in Mr. Rasmussen's report or  
02:26 10          not, but I did make remarks of it. But I wouldn't  
11          really call it as a formal report, like I say, on  
12          the 237's or that.

13          **Q**       Yeah, and I haven't seen it, --

14          **A**       No.

02:26 15          **Q**       -- I'm not saying I'm necessarily right on that,  
16          but --

17          **A**       No.

18          **Q**       -- I haven't seen it in any other written  
19          reporting, and that wouldn't surprise you?

02:26 20          **A**       No, not at all.

21          **Q**       Had you relayed that information on to anybody  
22          verbally?

23          **A**       I probably talked about that, that was all, but it  
24          had -- had it not ended up the way it did, it  
02:27 25          could have been different, but there was no



1 necessity to report it to anybody.

2 Q And who do you think maybe you would have spoken  
3 to about the -- both of those incidents?

4 A Oh, I probably spoke to Mr. Rasmussen -- or  
02:27 5 Corporal Rasmussen about it.

6 Q Okay. And who was with you on that trip, as well,  
7 from an officers standpoint?

8 A Detective Mackie.

9 Q Detective Raymond Mackie?

02:27 10 A Yes, that would be correct.

11 Q And do you recall, you shared I think some of your  
12 observations, any other observations of Mr.  
13 Milgaard during that trip?

14 A He seemed to like the attention he was getting, he  
02:27 15 seemed to -- that he was actually enjoying the  
16 attention that he was getting.

17 Q And what do you mean by 'attention'?

18 A Well just the fact that we were there and talking  
19 to him, maybe, I -- he -- he just -- and this is  
02:28 20 about the only way I can explain it -- he just  
21 seemed to enjoy the fact that he was the centre of  
22 attention.

23 Q Not necessarily, though, relating to his arrest,  
24 --

02:28 25 A No.



1 Q -- or is that what you are referring to?

2 A No, no no, just that he -- like he made very -- no  
3 mention, that I can recall, of him being arrested,  
4 that he was just -- I can only put it one way,  
02:28 5 that he seemed to be enjoying the attention that  
6 he was getting.

7 Q Okay. Is that the extent of your recollections of  
8 that trip with Mr. Milgaard?

9 A Yes sir.

02:29 10 Q Do you recall any discussions with Detective  
11 Mackie during that trip?

12 A No, I don't.

13 Q Mr. Commissioner, my apologies, do we break  
14 usually at 3:00? I just didn't want to pass by  
02:29 15 2:30; is it 3:00?

16 COMMISSIONER MacCALLUM: 3:00, yes.

17 BY MR. HARDY:

18 Q Okay. And have we covered your best recollection  
19 of all of the specific tasks or involvement you  
02:29 20 had in this investigation, then, Mr. Edmondson?

21 A Yes. About the only other thing is I did take  
22 some exhibits to Regina, but that's when I was  
23 going on other duties.

24 Q Okay, and I have seen a document referencing that.  
02:29 25 Do you recall any specific dealings, though, with



1 some of the key individuals, if I can put it that  
2 way; Ron Wilson, Nichol John, or Albert Cadrain?

3 A I near talked to any of them, sir.

4 Q I'm going to refer you to some further reports and  
02:30 5 we can discuss those. First of all, I would like  
6 to refer you to a report by Lieutenant Charles  
7 Short of the Saskatoon City Police, and that  
8 document is 106640. It's dated March 22nd, and  
9 again it's Lieutenant Charles Short's report, and  
02:30 10 I'll refer you to just a brief portion of this  
11 report, it's discussing Albert Cadrain. Were you  
12 generally familiar with Mr. Cadrain and his  
13 involvement in the investigation, as best you can  
14 recall, Mr. Edmondson?

02:30 15 A No, sir. The only discussion, the only thing I  
16 recall about that is having talked about it with  
17 someone, but I had no talk with Mr. Cadrain at  
18 all, I -- none whatsoever, or any of the other  
19 two. The only one of the three that I talked to  
02:31 20 was Mr. Milgaard.

21 Q I refer you to the middle of the page,  
22 approximately, if we could focus in on that  
23 portion. And I'll read this to you, Mr.  
24 Edmondson, and again it's discussions relating to  
02:31 25 information from Mr. Cadrain and meetings with



1 Mr. Cadrain. It states:

2 "On Wed. March 5/69 Albert Cadrain was  
3 again brought in by my request and  
4 another statement taken from him at  
02:31 5 which time he verified and stuck with  
6 his story and he was interviewed at that  
7 time by several members of this dept.  
8 and one Insp. Riddell of the RCMP and  
9 also S/Sgt. Edmondson ...",

02:31 10 Does that report refresh your memory, at all, in  
11 terms of a meeting with Mr. Cadrain?

12 A No, it doesn't, I don't recall ever having a  
13 meeting with Mr. Cadrain.

14 Q Is it possible that you did meet with Mr. Cadrain  
02:31 15 and you simply don't recall for today's purposes?

16 A No, I don't think so. I don't recall, at all,  
17 having a meeting with Mr. Cadrain. The only thing  
18 I could say about that was if Mr. Riddell talked  
19 to him and I didn't, but I can't remember, at any  
02:32 20 time with Mr. Riddell, talking to him.

21 Q So your position then today would be in fact that  
22 you did not meet with Mr. Cadrain?

23 A That's correct.

24 Q And we have a statement that's referred to in that  
02:33 25 paragraph that I just read to you, the statement



1           dated March 5th, 1969 from Mr. Cadrain, it's  
2           document 006723, and I'm not going to read that to  
3           you, but I understand, Mr. Edmondson, that prior  
4           to testifying today you had an opportunity to  
02:33 5           review this statement?

6           A           Yes, I did.

7           Q           And did that refresh your memory at all in terms  
8           of information you may have gathered or learned  
9           about Mr. Cadrain at this time in 1969?

02:33 10          A           Yes, it refreshed it somewhat, but I still, I  
11          don't recall ever talking to Mr. Cadrain.

12          Q           So when you say it refreshed it somewhat, you  
13          recall perhaps learning about some of the  
14          information noted in this statement?

02:34 15          A           Yes.

16          Q           At that time?

17          A           Yes, but I had no gathering of it.

18          Q           But you believe then you would have received that  
19          information from somebody else?

02:34 20          A           Yes.

21          Q           Okay. I refer you next to another report by  
22          Detective Karst dated April 18th, 1969, that's  
23          document ID 009254, again you'll see the date of  
24          the document, it's a Saskatoon police  
02:34 25          investigation report by Detective Karst April



1 18th, 1969, I'm going to read again some portions  
2 of this document to you, Mr. Edmondson, starting  
3 at the beginning. It states:

4 "On Monday April 14/69, in company with  
02:35 5 S/Sgt. Edmondson, local Mounted Police  
6 Detachment, further inquiries were made  
7 in Regina with regards to the Nichol  
8 John girl and Ronald Wilson ... and also  
9 with regards to David Milgaard.

02:35 10 The above inquiries were made  
11 in addition to these previously made at  
12 that centre by Lieut. Short and myself  
13 as further information had been obtained  
14 and more answers needed with regards to  
02:35 15 these persons."

16 And, Mr. Edmondson, do you recall a trip to  
17 Regina with Detective Karst for the purpose noted  
18 in this report?

19 A No, I never went to Regina. I have no  
02:35 20 recollection at all of going to Regina on that.

21 Q And again is it possible that you did attend in  
22 Regina as noted and you can't recall?

23 A I don't think so. I think maybe what's happened  
24 there is that my name has got mixed up with  
02:35 25 somebody else's, but I wonder whether or not





1           somebody else went, but I didn't go to Regina with  
2           him, I'm certain of that.

3           Q           You are quite certain of that?

4           A           Yes.

02:36 5           Q           And if you'll just bear with me, I'm going to read  
6           forward and we'll see if any of this refreshes  
7           your memory at all on that. I take your point  
8           though. Continuing on at paragraph 3 it reads:

9                        "With the assistance of Ken Walters --"

02:36 10          Maybe I'll pause there for a moment. Are you  
11          aware or do you recall a Constable Ken Walters  
12          from Regina?

13          A           No.

14          Q            "With the assistance of Ken Walters,  
02:36 15          Cst. with Regina City Police, we located  
16          the Nichol John girl ... and transported  
17          her to the city police station and was  
18          interviewed at length. Further  
19          investigation of this girl when she was  
02:36 20          interviewed gave one the feeling that  
21          she was telling the truth and she  
22          emphatically stated she could not recall  
23          any time while they were in the City of  
24          Saskatoon during the morning of the  
02:36 25          murder at which time Wilson or Milgaard



1 had left the vehicle in which they were  
2 driving long enough to commit this  
3 offence. She denied that Milgaard had  
4 left their vehicle at any time to go to  
02:37 5 a bathroom or go for a cup of coffee  
6 which she could recall. This girl did  
7 however state that she felt Milgaard was  
8 capable of an offence of this nature and  
9 admitted having sexual relations with  
02:37 10 him at different times and that he was  
11 more of the animal nature than you would  
12 expect of a human."

13 Does any of that refresh your memory, Mr.

14 Edmondson, as to a meeting with Nichol John?

02:37 15 A I never met with her. I never met with her, I've  
16 never talked to her.

17 Q And again I'll go through the questions again. Is  
18 it possible you met with Nichol John and you can't  
19 recall?

02:37 20 A I don't think so.

21 Q Your position would be that you are quite certain  
22 you did not meet with her?

23 A Quite certain, that's correct.

24 Q Do you recall learning of the information that  
02:37 25 I've read to you from that paragraph relating to



1 Nichol John from another source?

2 A No, I don't -- I just don't quite, I'm sorry,  
3 get what you --

4 Q Maybe I'll ask it this way. Do you recall knowing  
02:38 5 about Nichol John's involvement at the time of the  
6 investigation? Do you have a recollection of  
7 that?

8 A Well, I heard or I had been, I got it from  
9 somebody that she had been there with them, but I  
02:38 10 don't recall that particular thing at all.

11 Q Do you recall anything else about her involvement,  
12 do you have a recollection of that today?

13 A No, I have no recollection of anything about her.

14 Q I'm going to read on in that document,  
02:38 15 Mr. Edmondson, the next paragraph, and we're still  
16 speaking about Nichol John. It indicates:

17 "She was again questioned with regards  
18 to the alleged blood on Milgaard's  
19 clothing and changing clothing at the  
02:39 20 Cadrain's residence ... however she  
21 states she could not recall seeing any  
22 blood on his clothes, and thought he had  
23 changed the trousers for the reason that  
24 they had been ripped. Questioning of  
02:39 25 this girl also revealed that her



1 thoughts of Milgaard had been that he  
2 had acted in a queer manner when in  
3 Saskatoon to the effect that he was  
4 always in a rather hurry also that he  
02:39 5 drove unusually fast when in the car  
6 leaving Saskatoon and did not seem to be  
7 himself at that time."

8 Again I'll ask you, Mr. Edmondson, does any of  
9 that refresh your memory in relation to this  
02:39 10 matter?

11 A No, sir.

12 Q Do you recall, have any recollection of knowing  
13 this information, not necessarily from Nichol John  
14 herself, but from any other source at that time?

02:39 15 A At that time, no, sir.

16 Q I'll direct your attention to the bottom of the  
17 page starting here:

18 "A call was also made to 126 Cornwall  
19 St. North in Regina where we interviewed  
02:40 20 Wilson's mother however she could shed  
21 no further light on this situation other  
22 than she did not know the Milgaard youth  
23 very well and that she was not missing  
24 any cutlery or knives of the description  
02:40 25 that we wanted nor did she have any of



1 that description.

2 She did however state, though  
3 that the both youths, Wilson and  
4 Milgaard had changed clothing at her  
02:40 5 residence on the night of Jan. 30 before  
6 leaving for Saskatoon, as they had  
7 spilled acid on them while working on  
8 the battery in the car in which they  
9 were trying to start."

02:40 10 Any recollection of attending at Ron Wilson's  
11 mother's home?

12 A No, sir.

13 Q And is it possible that you attended at that  
14 residence and you don't recall?

02:40 15 A No, sir.

16 Q Quite certain you didn't attend at that residence?

17 A Quite certain, sir.

18 Q And again, and I guess this covers all of what  
19 we've been dealing with in this report, what would  
02:40 20 your explanation be then in terms of the  
21 indication in this report that you were present on  
22 these occasions?

23 A I think it was a mistake in the reporting that I  
24 was there, maybe by name only, but I wasn't there.

02:41 25 Q Okay. I'm going to read you some further



1 paragraphs, move down the page to that paragraph,  
2 it indicates:

3 "Although there are many unanswered  
4 questions with regards to Milgaard's  
02:41 5 activities on that particular morning,  
6 if one is to believe the girl, Nichol  
7 John, and it appears that she is very  
8 convincing with her story, then there is  
9 no way in which Milgaard can be  
02:41 10 connected with this crime."

11 Do you recall sharing a thought of that nature at  
12 the time in relation to Nichol John, Mr.  
13 Edmondson?

14 A No, sir.

02:41 15 Q Again, this doesn't refresh your memory at all?

16 A No.

17 Q And I'll direct your attention, I won't read this  
18 portion, but at the bottom of the report, if we  
19 could move down a little ways, there's some  
02:42 20 discussion about further questioning perhaps being  
21 required of Mr. Cadrain, and using my own words  
22 for a moment, assuming that perhaps some  
23 suspicions were turning towards Mr. Cadrain at  
24 that point, do you recall suspicions in relation  
02:42 25 to Albert Cadrain at any point during the course



1 of the investigation?

2 A No. I didn't talk to the man, so I have no -- I  
3 just didn't talk to the man.

4 Q And apart from talking to him, do you have any  
02:42 5 recollection of your thoughts about Mr. Cadrain at  
6 the time?

7 A I can't have thoughts about a man without talking  
8 to him or seeing him and as far as I can remember,  
9 I have never talked to Mr. Cadrain.

02:43 10 Q Okay. I would also like to look at some of the  
11 RCMP reporting, Mr. Edmondson, that perhaps chart  
12 some of your involvement in this investigation,  
13 and before I do that, again I'll ask the question,  
14 we've covered your involvement as best you can  
02:43 15 recall and you've shared that with us today?

16 A That is correct, sir.

17 Q If we could turn to Inspector Riddell's report and  
18 that's document ID 065399, a report that we looked  
19 at a little earlier on, again you'll see the  
02:43 20 report is dated March 20th, 1969 and we reviewed  
21 those first few paragraphs earlier. If we could  
22 turn to page 065401 of that document, please, and  
23 you'll see, Mr. Edmondson, in those last three  
24 paragraphs of Mr. Riddell's report he refers to  
02:44 25 some involvement, perhaps from the RCMP and in



1 relation to this investigation, and maybe we'll  
2 take our time and just consider what's discussed  
3 in each paragraph and see if that refreshes your  
4 memory at all in terms of this involvement.

02:44 5 You'll see in paragraph 9 there's some discussion  
6 about Gail Miller having attended a house party  
7 the night before her death and the comment or  
8 statement is made that:

9 "All persons attending this party were  
02:44 10 originally questioned by the Saskatoon  
11 City Police and eliminated as suspects,  
12 however our members will requestion all  
13 of these persons to definitely establish  
14 their whereabouts..."

02:44 15 Does that refresh your memory at all, do you  
16 recall a requestioning of individuals who  
17 attended this night-before party?

18 A I can remember information about there being a  
19 party there. I don't recall anything -- or if  
02:45 20 there was any requestioning being done, it must  
21 have been done by Corporal Rasmussen. I didn't do  
22 it.

23 Q Okay. I'll refer you to paragraph 10 and you'll  
24 see there it's noted that:

02:45 25 "Between 21 Oct and 29 Nov 68, two rapes





1 and one attempted rape were committed in  
2 the same area where this girl --"

3 Gail Miller,

4 "-- was murdered."

02:45 5 And then later on in the paragraph it says:

6 "In view of the similar methods used in  
7 committing these offences, there's a  
8 good possibility that they were all  
9 committed by the same individual and  
02:45 10 this fact is not being overlooked during  
11 this investigation."

12 Do you recall having any knowledge about the two  
13 prior rapes and one attempted rape that's  
14 mentioned in this paragraph, Mr. Edmondson, at  
02:46 15 the time of the investigation?

16 A I have no prior knowledge of that, no. I have to  
17 say that when I -- over time that I read different  
18 things in different places and I'm just not too  
19 sure what sequence it comes in, but I don't  
02:46 20 remember that, but I think there was mention made  
21 of it in Mr. Rasmussen's report if I'm correct.

22 Q And we'll look at that in a moment, but did the  
23 mention made of that in Mr. Rasmussen's report or  
24 in this report, as I say, does that refresh your  
02:46 25 memory at all in terms of what was happening in



1 1969 at the time of the Gail Miller murder and  
2 considering these previous offences in the context  
3 of that investigation?

4 A No.

02:47 5 Q No recollection of that?

6 A No, no.

7 Q Okay. And if we turn to paragraph 11, it further  
8 states:

9 "Our two G.I.S. members at Saskatoon are  
02:47 10 actively engaged in following up new  
11 leads, checking on all known sex  
12 offenders in the Saskatoon area and  
13 re-interviewing all of this girl's  
14 associates in an effort to uncover  
02:47 15 information that would lead to the  
16 arrest of the person responsible."

17 Do you recall, for example, checking on known sex  
18 offenders at the time in relation to the  
19 investigation?

02:47 20 A If there was any checking done on that, it was  
21 done by Corporal Rasmussen, not by me.

22 Q You don't recall having any involvement of that  
23 nature?

24 A No.

02:47 25 Q I'll turn you to Corporal Rasmussen's report that



1 we previously looked at, again that's ID 250597,  
2 and if we could turn to the next page, please, we  
3 referred to this previously you'll recall,  
4 Mr. Edmondson, it talks about working closely at  
02:48 5 hand with some of the Saskatoon officers,  
6 Detectives R. Mackie, G. Reid, Superintendent  
7 Wood, Lieutenant Penkala, and I think you  
8 indicated that you recall the involvement of those  
9 particular officers?

02:48 10 A Yes, I knew all of them.

11 Q Do you recall who had charge of the investigation  
12 from the Saskatoon Police Department?

13 A To say who had charge of it, no. I know I had  
14 talked to Superintendent Wood about it and I also  
02:49 15 talked to Penkala about it. Of course Mackie was  
16 with me when I picked up Milgaard in Prince  
17 George, yeah, I talked to him. Reid, I know the  
18 name, but I couldn't place the man.

19 Q Any other officers who aren't listed there that  
02:49 20 you recall dealing with?

21 A Well, I talked to Short at one time and of course  
22 I think at one time or another I also mentioned it  
23 in conversation with the chief, but --

24 Q And you've mentioned to us about your dealings  
02:49 25 with Detective Karst as well?



1 A Yes.

2 Q And again back to the individuals listed, you  
3 mentioned conversations, for example, with  
4 Superintendent Wood. Do you recall the nature of  
02:49 5 those conversations or what the two of you were  
6 discussing?

7 A Well, just the investigation in general. There  
8 was nothing really solid about anything.

9 Q And in terms of the contact you noted again with  
02:50 10 these officers, anything in particular, and I  
11 guess I'm looking for a little bit of detail here,  
12 anything that you recall in particular that you  
13 discussed with any one or more of these  
14 individuals?

02:50 15 A No.

16 Q Okay. Turn to page 250603 of that document, and  
17 again if you'll bear with me, Mr. Edmondson, I'm  
18 just going to move through this document, cover  
19 some subject matter and again see if any of it  
02:50 20 refreshes your memory or if you recall any of the  
21 information I'm going to review, and if you look  
22 at the bottom of this page, paragraph 18, there's  
23 a note there indicating:

24 "Our Crime Detection Laboratory at  
02:51 25 Regina advised that seminal fluid found



1 at the scene was very probably from a  
2 secretor of group "A". The lab. defined  
3 a 'secretor' as a person who secretes  
4 their "AB" blood grouping substance and  
02:51 5 other body fluids. Copy of lab. report  
6 attached."

7 Do you recall looking for persons of a particular  
8 blood type in the course of the investigation?

9 A Yes, I remember we were interested in people with  
02:51 10 blood type A, but other than that, that's about  
11 it.

12 Q Okay. But that is a memory you have then?

13 A Yes.

14 Q And at the top of that page, in paragraph 15,  
02:51 15 there's mention made of another complaint made on  
16 the same date as Gail Miller's murder of an  
17 attempted indecent assault at Avenue H, the 300  
18 block, the complainant's name being (V4)----  
19 (V4)---, and then some description that follows,  
02:52 20 and it appears at the end that in fact (V4)--- was  
21 again interviewed by Inspector Riddell. Do you  
22 recall a Miss (V4)---?

23 A No, sir.

24 Q Anything in that summary that I just provided to  
02:52 25 you that refreshes your memory, do you recall a



1 complainant of an attempted indecent assault on  
2 the same day as Miss Miller's murder or  
3 considering that matter in the course of the  
4 investigation?

02:52 5 A Don't recall ever hearing of it, sir.

6 Q And in terms of the previous sexual offences I  
7 mentioned a moment ago, if we can just turn to  
8 page 250604, and you'll see the names of those  
9 complainants, and again that's relating to the  
02:52 10 three sexual offences that I mentioned a moment  
11 ago, Mr. Edmondson, that had taken place prior to  
12 the Gail Miller murder that were being considered  
13 in the context of the investigation, and you'll  
14 see the names of the complainants there, Miss  
02:53 15 (V1)--- (V1)-, Miss (V2) (V2)- (V2)----- and  
16 Miss (V3)-- (V3) (V3)----- . Do those names  
17 refresh your memory at all?

18 A The only thing that refreshes my memory is I  
19 remember reading that when I was reading the  
02:53 20 report, but other than that, nothing.

21 Q And reading --

22 A It was -- any memory I have is from that report,  
23 not from anywhere else.

24 Q And when you say reading that report, are you  
02:53 25 talking more recently?



1 A Yes, both.

2 Q And at the time?

3 A At the time I remember reading about that, but --  
4 you know, you are skimming through reports to read  
02:53 5 and then forward them and I remember seeing  
6 something about that, about it, but other than  
7 that, my memory is very vague on that.

8 Q You can share no further details --

9 A No.

02:53 10 Q -- in relation to that matter?

11 A No, no.

12 Q I turn your attention to the next page, 250606,  
13 and the top paragraph there's some discussion  
14 about a wallet being found in the course of the  
02:54 15 investigation located near the residence of Albert  
16 Cadrain, and then as the paragraph moves on some  
17 discussion initially that Milgaard and Cadrain can  
18 be considered as very good suspects, and then  
19 you'll see at the end of the paragraph, going back  
02:54 20 to the blood typing information, it indicates:

21 "Cadrain is a member of "O" Group.

22 Milgaard was found to be of Group "A"

23 however, is not a secretor and also has

24 been eliminated as a possible suspect."

02:54 25 Do you recall any point in the investigation, Mr.



1 Edmondson, where it had been considered that Mr.  
2 Milgaard would be eliminated as a possible  
3 suspect?

4 A No, sir.

02:55 5 Q And does any of that information that I've just  
6 reviewed with you refresh your memory?

7 A No, not -- no.

8 Q Do you recall those matters at all?

9 A No, I don't.

02:55 10 Q Okay. And in that next paragraph, and I won't  
11 review that with you, but I believe it makes  
12 reference to the trip to Flin Flon that you  
13 referred to earlier on and again that's a  
14 recollection that you do have, attending in Flin  
02:55 15 Flon?

16 A Yes, that's correct.

17 Q And perhaps just generally speaking, and you've  
18 had a chance to review Corporal Rasmussen's  
19 report, and it's a little longer than the other  
02:55 20 reports that we were looking at, it sort of seems  
21 to cover the course of the involvement of the  
22 RCMP, and in terms of the information that's set  
23 out in the report, do you have a memory or would  
24 you be able to tell us how this information was  
02:56 25 being compiled, where this information was coming





1 from?

2 A Well, Corporal Rasmussen was dealing, I shouldn't  
3 say dealing, but out with the city police  
4 detectives much more than I was and I'm quite sure  
02:56 5 a lot of this information was coming through  
6 discussions with the city police detectives.

7 Q Do you recall whether you were receiving Saskatoon  
8 police reports on an ongoing basis?

9 A No, I wasn't. We weren't. It's one thing --  
02:56 10 there was very little trading of reports back and  
11 forth.

12 Q And I think -- I'm sorry?

13 A In fact, our force didn't give reports out to  
14 others that I know of.

02:57 15 Q And I think we reviewed the one report by  
16 Inspector Riddell which I don't believe you  
17 disputed, that perhaps at the outset of your  
18 engagement there was a review of at least the  
19 reports that existed at that point in time?

02:57 20 A Yes, there could have been, yes.

21 Q Okay. And just before we break, if we could turn  
22 to page 250608 of that same report, I direct your  
23 attention here, Mr. Edmondson. Would that be your  
24 signature?

02:57 25 A My initials, yes.



1 Q Your initials, the T.S.E. standing for Thomas  
2 Stanley Edmondson?

3 A That's correct.

4 Q And what would be the significance of your  
02:57 5 signature on this particular report?

6 A Just that I read it and agreed with it.

7 Q Would you have written a part of this report?

8 A No.

9 Q What is your position in terms of the author of  
02:58 10 this report?

11 A Corporal Rasmussen.

12 Q Okay. Would you have had input though into the  
13 preparation of this report?

14 A Very little, if any.

02:58 15 Q And Mr. Peterson, if we can just go down the page  
16 a little bit, I think you've already told us that  
17 he was the commanding officer in Saskatoon?

18 A Yes.

19 MR. HARDY: Mr. Commissioner, this is  
02:58 20 probably a good time to take a break.

21 COMMISSIONER MacCALLUM: Okay.

22 (Adjourned at 3:00 p.m.)

23 (Reconvened at 3:18 p.m.)

24 BY MR. HARDY:

03:18 25 Q I'm going to turn to a report by Inspector Riddell



1 that we haven't looked at yet, and the document is  
2 25061 -- 609, if we could go to the next page of  
3 that document, please. It's a report, you will  
4 see Mr. Edmondson, similar to the others that we  
03:19 5 were looking at, dated May 21st, 1969 signed on  
6 the third page by Inspector Riddell. And I just  
7 wanted to refer you to some portions of this  
8 report. If we could focus on paragraph 2, please,  
9 you will note that that states:

03:19 10 "On 3 Apr 69 I ...",  
11 being Inspector Riddell:

12 "... personally met with the Chief of  
13 the Saskatoon City Police and advised  
14 him that this Force would be withdrawing  
03:19 15 S/Sgt. Edmondson and Cpl. Rasmussen from  
16 full-time assistance on this  
17 investigation. The Chief was advised  
18 that we would continue to cooperate  
19 fully with his Force and we would  
03:19 20 certainty continue to provide assistance  
21 on a part-time basis. I might state  
22 that Chief Kettles expressed his  
23 appreciation to this Force for the  
24 assistance received and he fully  
03:19 25 realized that due to other commitments



1                   we could not continue indefinitely to  
2                   provide full time assistance."

3                   And do you recall a point in the investigation  
4                   when your help was withdrawn, so to speak, or  
03:20 5                   there was any formal withdrawal of your  
6                   assistance?

7           A           It worked both ways, I never was advised that we  
8                   were formally taking over or working on the  
9                   investigation, I was never advised that we had  
03:20 10                   finished it.

11          Q           You have no reason to dispute anything noted in  
12                   the paragraph, though, that I have just read to  
13                   you?

14          A           No, we, we still helped, and if they wanted any  
03:20 15                   assistance that we could give them, well we were  
16                   quite willing to do that, even though they said we  
17                   were formally taken off of it.

18          Q           And, in fairness, these are communications that  
19                   you are not involved in at the time --

03:20 20          A           That's right.

21          Q           -- taking place between Inspector Riddell and the  
22                   Chief of the Saskatoon City Police?

23          A           That's right, sir.

24          Q           If you look at the next paragraph, paragraph 3,  
03:20 25                   I'll read this to you. You will see it states:



1 "On 16 May 69 I attended a meeting at  
2 the Saskatoon City Police office ...",  
3 again this is Inspector Riddell:

4 "... for the purpose of reviewing this  
03:21 5 investigation and deciding what further  
6 course of action was open that would  
7 bring this matter to a successful  
8 conclusion. Also present at this  
9 meeting were Supt. ... Wood, Lt. ...  
03:21 10 Penkala and Lt. ... Short ... and S/Sgt.  
11 Edmondson. ... Chief Kettles was not  
12 present as he was required to proceed to  
13 Moose Jaw on that date."

14 And maybe I'll read a little bit further to give  
03:21 15 this further context. In paragraph 4 it says:

16 "After a great deal of discussion it was  
17 agreed that David Milgaard could be  
18 considered as the prime suspect in this  
19 case and that further efforts should be  
03:21 20 made to eliminate or implicate him in  
21 this offence."

22 And do you recall a meeting of this nature that  
23 took place with the individuals noted, --

24 A Yes.

03:21 25 Q -- Mr. Edmondson?



1 A Yes, I do.

2 Q What can you tell us about your recollection?

3 A Well basically it was there was some discussion of  
4 it, I -- Inspector Riddell was the one doing the  
03:22 5 talking and I guess I was sitting and listening,  
6 and some of it kind of went over my head because I  
7 don't remember too much about the meeting, there  
8 was talk about it going on but, other than that,  
9 no.

03:22 10 Q Do you remember any particular details?

11 A I remember being there but, other than that, I  
12 don't remember a whole lot about it, no.

13 Q And again, from that sentence I read to you in  
14 paragraph 4, it indicates that:

03:22 15 "After a great deal of discussion ...",  
16 it goes on to talk about David Milgaard would be  
17 considered as the primary suspect; I guess  
18 considering that phrase, 'great deal of  
19 discussion', would that fit with your  
03:22 20 recollection?

21 A No, sir, I don't remember a great deal of  
22 discussion. There was a meeting, maybe if it  
23 took, if it took over an hour, I doubt it, I doubt  
24 it.

03:23 25 Q And do you recall, at all, any particular input



1 from any of the individuals noted?

2 A No, I don't think, because there was talk by  
3 everybody.

4 Q Okay. You've shared with us your best  
03:23 5 recollection of that matter then?

6 A I have, sir.

7 Q And the next page, 250611, refer you to paragraph  
8 6. You will see Inspector Riddell goes on to  
9 state:

03:23 10 "The Saskatoon City Police will be  
11 requestioning Ron Wilson and Nichol John  
12 to establish what knowledge they have of  
13 this offence. They plan on asking both  
14 subjects to submit voluntarily to a "lie  
03:23 15 detector test" to ascertain if they are  
16 being completely truthful as to their  
17 knowledge of this matter."

18 Does that paragraph refresh your memory at all,  
19 Mr. Edmondson, as to this meeting?

03:24 20 A No, I -- I -- I can remember there being some  
21 discussion about their talking about a polygraph  
22 but, other than that, I had nothing to do with it.

23 Q And you are -- are you aware of whether or not  
24 they, they followed through -- 'they' being the  
03:24 25 Saskatoon City Police -- followed through with



1           that aspect?

2           A           Well I have heard since that there was a polygraph  
3                       taken by someone, but I don't know. I think Butch  
4                       Roberts from Calgary, he did one, but I wasn't  
03:24 5                       there and I didn't see it.

6           Q           Were you aware that that had taken place at that  
7                       time?

8           A           No, it was after.

9           Q           Okay. And you refer to 'Butch' Roberts; is that  
03:25 10                      Art Roberts?

11          A           That's correct.

12          Q           And were you aware of Mr. Roberts in 1969?

13          A           No, I had never met him, I didn't meet him until I  
14                      had retired and gone to Calgary.

03:25 15          Q           And so just give us a time frame; when would that  
16                      have been that you had met him?

17          A           That would be in the fall of '71.

18          Q           And was that in a personal sense, then, apart from  
19                      work?

03:25 20          A           Well I was new there at that time, and I guess I  
21                      went around and introduced myself and talked to  
22                      the men, and I did know some of them there before  
23                      but I hadn't met Roberts there before.

24          Q           And did you discuss Mr. Roberts' involvement in  
03:25 25                      this particular case at any point in time --





1 A No.

2 Q -- with Mr. Roberts?

3 A No.

4 Q Was it from Mr. Roberts that you learned, however,  
03:25 5 that he had been involved as a polygraph operator  
6 in this case?

7 A No. I had heard, I had heard it somewhere, but I  
8 don't know, I don't remember who. It was in a  
9 discussion with somebody and that's all I can tell  
03:26 10 you about it.

11 Q Just give me a moment, Mr. Edmondson, I'm just  
12 looking at the -- so we've looked at three reports  
13 now, Corporal Rasmussen's being the most detailed  
14 in terms of information, and I'll ask you, Mr.  
03:26 15 Edmondson; in terms of the information that's  
16 noted in these reports, would you assume that the  
17 Saskatoon City Police was aware of the information  
18 --

19 A Oh yes.

03:27 20 Q -- at that time?

21 A Oh yes, they would be aware.

22 Q Okay. And you indicated earlier you did have some  
23 other involvement in this matter, I think in terms  
24 of I think delivering some exhibits to Regina?

03:27 25 A That is correct.



1 Q And I'll just reference a document in that  
2 respect, it's 009278. And am I correct that you  
3 also testified at the preliminary hearing and  
4 trial of Mr. Milgaard, Mr. Edmondson?

03:27 5 A Yes, just about taking the exhibits there to  
6 Regina, you know, and handing them over to the  
7 lab.

8 Q Okay, and I'm not going to review any portions of  
9 that testimony, I'll just refer to the documents,  
03:27 10 they are 008306 and 075917. And what do you  
11 recall of your next involvement in this matter,  
12 Mr. Edmondson, following the conviction of David  
13 Milgaard?

14 A Two members of the RCMP came out to interview me.

03:28 15 Q And would I be -- was that in 1993; do you recall?

16 A Oh, I couldn't tell you the date right now.

17 Q In and around that time, though?

18 A If you say, that's probably correct.

19 Q We have some reporting, and we know that the RCMP  
03:28 20 was conducting an investigation at that time, and  
21 I'll refer you to some of those reports, Mr.  
22 Edmondson. It's a summary of meetings that took  
23 place with you, and I'm just going to refer you to  
24 some of the portions for your comment, and if we  
03:28 25 could turn, please, to document 035081. And this



1 particular document moves backwards, if we could  
2 go to page 035090, please. And I believe it was a  
3 Constable Williams and a Constable Jorgenson that  
4 met with you; does that sound familiar, Mr.  
03:28 5 Edmondson?

6 A Yes it does.

7 Q And did they meet with you then, it says here, at  
8 the Crossroads Hotel in Calgary?

9 A I don't think, not that couple, there was a couple  
03:29 10 later I met at the Crossroads.

11 Q Okay.

12 A But not that couple.

13 Q I'll refer --

14 A We met at my home.

03:29 15 Q I'll refer to these notes. You'll see at the top,  
16 there, I think the date is April 20th, 1993, and  
17 if we could turn to page 035087. And this portion  
18 that I am going to read to you, again this is the  
19 RCMP officer's notes relating to information that  
03:29 20 they were gathering from you at that time during  
21 their meeting with you, Mr. Edmondson -- if we  
22 could just focus in on the middle paragraph -- and  
23 they were discussing with you your meeting with  
24 Mr. Milgaard in Winnipeg as we've already covered.  
03:29 25 And it states here, the RCMP officer states:



1 "Stan Edmondson stated on several  
2 occasions, during the interview that he  
3 (Milgaard) never made any strong denials  
4 that he was not involved in the murder.  
03:30 5 Edmondson felt this was unusual because  
6 if a person was being accused of murder  
7 and was not responsible they would  
8 surely strongly deny any type of  
9 involvement. Milgaard made no denials."  
03:30 10 A That's correct.  
11 Q That's information you provided to the RCMP?  
12 A Yes.  
13 Q And that's information that you recalled --  
14 A Yes.  
03:30 15 Q -- from 1969 as well?  
16 A Yes.  
17 Q Any further details you can share us in relation  
18 to that?  
19 A There was one other. When these two gentlemen or  
03:30 20 two policemen were there and we were discussing  
21 some of it, and I said, 'well, you know, they  
22 found the girl's wallet near where Mr. Milgaard  
23 was staying', and they said, 'yes, but Mr. Fisher  
24 was staying near there too'. That's all I can  
03:31 25 tell you.



1 Q And had you heard of Mr. Fisher prior to that?

2 A Never heard of him before, no.

3 Q Okay. I think there is a portion of the report  
4 that maybe refers to that and we can touch on that  
03:31 5 in a moment. I'll turn your attention to page  
6 035084, there's some comments relating to  
7 Detective Karst, and I think we can start near the  
8 bottom of the page. And it indicates, again the  
9 RCMP officer writing:

03:31 10 "In all his dealings with Karst he ...",  
11 'he' being yourself, Mr. Edmondson:

12 "... had nothing to suggest any cover-up  
13 whatsoever. Edmondson feels if the  
14 Saskatoon Police had any concerns that  
03:31 15 the wrong suspect, etc., he feels that  
16 he would have been consulted with by  
17 Karst et al."

18 A Yes.

19 Q You would agree with that comment?

03:31 20 A I would agree with that.

21 Q And if we read on from there:

22 "Certainly if the suspect Larry Fisher  
23 surfaced he would have been made aware  
24 of same. He clearly indicated to us he  
03:32 25 never heard of Larry Fisher until he



1 surfaced in 1990 through the press."

2 Would that be accurate, Mr. Edmondson?

3 A Yes. That was the first time Mr. Fisher's name  
4 came into it, when they told me that the girl's  
03:32 5 wallet was found, and so I said 'well this ...',  
6 I said 'well apparently it was where Mr. Milgaard  
7 was', and they said 'yeah, but Mr. Fisher stayed  
8 there too'.

9 Q So the earliest you heard of Mr. Fisher according  
03:32 10 to this document would have been 1990, but  
11 perhaps you are indicating that the earliest you  
12 may have heard of him was in 1993, when you met  
13 with the RCMP officers?

14 A That's the most I can remember, sir.

15 Q Okay. And just carrying on from there:

16 "He fully supported the Saskatoon Police  
17 and had as well good relations with  
18 Prosecutor Bobs Caldwell. He considered  
19 Cal Tallis as a matter of interest to be  
03:33 20 one of the best defence lawyers in  
21 Western Canada."

22 A Right.

23 Q And that was accurate information that you were  
24 providing on -- at that time, Mr. Edmondson?

03:33 25 A Yes, it is, sir.



1 Q The thought you had on Mr. Tallis?

2 A Perfect gentleman.

3 Q Okay.

4 A And a good lawyer.

03:33 5 Q That's all of that report that I wanted to refer  
6 you to. Just one further RCMP report, Mr.  
7 Edmondson, that I will refer you to, and that  
8 document is 035857. As you will note, this  
9 document is dated July 6th, 1993, again an RCMP  
03:33 10 report arising from, it looks like perhaps a  
11 follow-up that they had with you in relations to  
12 some information they had gathered, and I'm going  
13 to read you some portions of this document as  
14 well, Mr. Edmondson, starting up at the top of the  
03:34 15 document. It indicates:

16 "The following is an additional update  
17 to the noted file that was generated for  
18 an interview of Stan Edmondson and who  
19 was interviewed April 20th, 1993 by the  
03:34 20 team of Williams & Jorgenson. The  
21 purpose was to address a statement that  
22 was made by Ed Karst in a taped  
23 interview that was done with him by the  
24 team of Homeniuk & Gagne on June 8th,  
03:34 25 1993. This statement is contained on



1 page 48 of the transcript of this  
2 interview and deals with Stan Edmondson  
3 assisting in the interview of Milgaard  
4 in Wpg.

03:34 5 ED KARST: ...",

6 This is Mr. Karst speaking from the tape, quote:

7 "ED KARST: " Ya I was staying at, I can't

8 remember the hotel and I'm going down

9 the lobby and run into Stan and I was

03:34 10 glad to see him because, you know, I was

11 kind of green I would suppose, you know,

12 I hadn't been out, out of the city on

13 investigations too often and so I

14 explained to him why I was there. So he

03:35 15 said I'll come down and give you hand in

16 the morning. So he did. And he went in

17 and interviewed Milgaard, and he was

18 about ten minutes and he came out and he

19 said, you lay, you lay some charges,

03:35 20 you've got the right guy. But of course

21 we didn't have enough evidence and I got

22 a hold of Kettles here and I think he

23 was then in touch with Birdell ... (I

24 believe he is referring to Riddell) and

03:35 25 Birdell said no, we haven't got enough





1 to, you know, in his opinion to hold him  
2 at that time, so he wouldn't help."

3 Did you follow along there as I read that, Mr.  
4 Edmondson?

03:35 5 A Yes I did.

6 Q Okay. And do you have any comment, then, on what  
7 Mr. Karst apparently said during that interview?

8 A No, I haven't. I don't remember, I don't -- I --  
9 I don't remember ever meeting him in a hotel  
03:35 10 lobby. We met and it was pre-arranged, as far as  
11 I can remember, for to meet with him to interview  
12 Milgaard.

13 Q And what about the portion of the paragraph that  
14 talks about perhaps you going in ahead of time  
03:36 15 with Mr. Milgaard --

16 A It --

17 Q -- and coming out and saying 'lay some charges',  
18 or words to that effect; do you recall that at  
19 all?

03:36 20 A No, not at all.

21 Q Is it possible that that occurred, Mr. Edmondson,  
22 and you don't remember?

23 A No, I would -- I wouldn't -- I wouldn't be trying  
24 to give the city police instructions what to do,  
03:36 25 I'm just not that way.



1 Q So your position for us today would be that this  
2 did not happen?

3 A That's correct.

4 Q Okay. And if we just read, I think the RCMP  
03:36 5 followed up with you at the bottom of the page,  
6 and maybe just for completion we'll read that out:

7 "I spoke with Edmondson by phone this  
8 date and his recollection is that  
9 someone called him while he was in Wpg.,  
03:36 10 and asked him to give Karst a hand in  
11 the interview of Milgaard. He advised  
12 that he does not recall being alone with  
13 and speaking to/interviewing Milgaard.  
14 That he would have been identified to  
03:37 15 Milgaard as being a police officer. He  
16 does not recall making any comment to  
17 Karst that Karst should lay some charges  
18 because he had the right guy. Edmondson  
19 stated that Karst stalled while talking  
03:37 20 the statement from Milgaard as he  
21 checked out what Milgaard was telling  
22 them with Riddell. Once the story was  
23 checked out, they had nothing to hold  
24 Milgaard on. Given that, Edmondson does  
03:37 25 not know how Karst could make such a



1 statement about laying charges."

2 And that would be accurate information then?

3 A That would be accurate.

4 Q Okay. Mr. Edmondson, I think those are all the  
5 questions. I will refer to one other RCMP report  
6 just for reference, and that document is 036117.  
7 I'd also perhaps confirm for the record you had no  
8 further formal involvement in this matter, is that  
9 correct Mr. Edmondson, following 1993?

03:37 10 A That's correct, sir.

11 Q You didn't testify at the Larry Fisher  
12 proceedings?

13 A No, I didn't, sir.

14 Q Thank you, Mr. Edmondson, those are all the  
03:37 15 questions I have. My friends may have some  
16 questions for you.

17 A Thank you.

18 **BY MR. FOX:**

19 Q Mr. Edmondson, I'm Aaron Fox, I am the lawyer for  
03:38 20 Eddie Karst.

21 A Okay.

22 Q I've just got a few questions.

23 A Okay.

24 Q I wonder, just I wonder if we could bring up that  
03:38 25 last document Mr. Hardy was asking you about, and



1 that's the document 035087, that's the RCMP report  
2 from July 6th, 198 -- 1993. Now as I understand  
3 this, and maybe we'll just highlight this very  
4 last part here if we could, the concern you have  
03:38 5 is that you don't think you would have told Mr. --  
6 and this is talking about when you met with David  
7 Milgaard, you and Mr. Karst met with David  
8 Milgaard in Winnipeg March 3rd, 1969, and the  
9 concern you had is that you didn't think you would  
03:39 10 tell Mr. Karst that they should be laying charges?

11 A No, I wouldn't.

12 Q Couldn't, right. And that wouldn't be your,  
13 certainly your jurisdiction to make a  
14 recommendation or to say that that should be done,  
03:39 15 it wouldn't be your call?

16 A No.

17 Q Can I just ask you, for example when you were  
18 taking part in this investigation, if you went  
19 out -- for example this particular part of the  
03:39 20 investigation here, who would tell you, you know,  
21 who would say to you, 'Mr. Edmondson, I want you  
22 to go to Winnipeg', or, 'if you are in Winnipeg I  
23 want you to find Eddie Karst and help him out';  
24 who would give you those instructions?

03:39 25 A Right now I don't know, but it could have come



1 from somebody in my office that the city police  
2 had got hold of and, before me, and they told that  
3 I was in Winnipeg. I don't know, sir.

4 Q Okay. Maybe I could ask you this; would you get  
03:40 5 your instructions always from an RCMP officer? In  
6 other words, would you ever get instructions from,  
7 say, the Saskatoon Police Service, 'I want you to  
8 do this or do that'?

9 A Oh yes, we, we would -- I would get -- I wouldn't  
03:40 10 say instructions, requests.

11 Q Yeah, okay. And the decision, for example to go  
12 and do something, would that be your decision or  
13 one -- your superior officer's decision; who would  
14 make that decision?

03:40 15 A It would be mine.

16 Q Okay. And, again, what would come from the  
17 Saskatoon Police Service would be a request for  
18 assistance on a specific matter, they didn't have  
19 the ability to order you or direct you to do  
03:40 20 something?

21 A That's correct.

22 Q Okay. And, similarly, you wouldn't have, I take  
23 it, the ability to order or direct the Saskatoon  
24 City Police to do anything either?

03:41 25 A That's correct.



1 Q Okay. You described that you had a good working  
2 relationship, --

3 A Yes, very good.

4 Q -- and you would discuss things, and you might  
03:41 5 suggest something to them, they would suggest  
6 something to you on this file or any other  
7 file, --

8 A Yes.

9 Q -- and that's the way a good working relationship  
03:41 10 works?

11 A That's correct, sir.

12 Q And would it be fair to say that there might be  
13 occasions when you would voice an opinion that  
14 'yeah, I think there should be a charge here' or  
03:41 15 'you've got enough to lay a charge here in my  
16 opinion'; that kind of comment might be made?

17 A It might, but not in this one, sir.

18 Q No, I appreciate. I'll ask you about this one.  
19 But that kind of comment could be made?

03:41 20 A It could be made.

21 Q And I take it, again, that's just kind of helping  
22 each other out, this is how I see it from my  
23 perspective, maybe they see it differently, and  
24 that's the kind of discussion that would go on all  
03:41 25 the time?



1 A Yes.

2 Q At this point in time, umm, you contacted  
3 Inspector Riddell for the purpose of deciding  
4 whether or not you should hold this fellow further  
03:42 5 or what should be done?

6 A No.

7 Q Okay.

8 A I contacted him to, for him to follow out and see  
9 whether his story was correct as far as he could  
03:42 10 tell, --

11 Q Okay.

12 A -- and then from the people that he was talking  
13 to.

14 Q So when you first came out after speaking with Mr.  
03:42 15 Milgaard, at that point in time, you still  
16 wouldn't have had any confirmation from Inspector  
17 Riddell about what information he had?

18 A I don't think so. I think he phoned back later,  
19 but I'm not certain of that either, right now.

03:42 20 Q Okay. So you've got some information, you contact  
21 Inspector Riddell, he either conveys information  
22 back to you or contacts you later with information  
23 about whether or not this story of David Milgaard  
24 is checking out?

03:42 25 A Correct.



1 Q Fair to say, though, that at least your initial  
2 impression left you with some questions about what  
3 David Milgaard was telling you?

03:43 4 A Oh yes, he was right at the position that left you  
5 wondering.

6 Q Okay. And some of that included just the fact  
7 that he, it appeared as though he were in that, in  
8 the city on the day of the offence, in the area of  
9 the offence; just that part would raise some  
03:43 10 questions, --

11 A Yes.

12 Q -- at least, that would call for some answers?

13 A Yes, that's correct, sir.

14 Q But it would also be correct that the business  
03:43 15 that he was there as a 16-year-old or 17-year-old  
16 being questioned about a pretty serious murder --  
17 I guess all murders are serious but certainly a  
18 very serious offence -- and wasn't making a denial  
19 to you, wasn't telling you 'I didn't have anything  
03:43 20 to do with this, why are you here', that also just  
21 --

22 A That bothered me.

23 Q -- kind of bothered you?

24 A Yes.

03:43 25 Q And as a police officer conducting an





1 investigation would it be fair to say you are  
2 always looking for signs like that, might not be  
3 evidence but it just doesn't sound quite right, so  
4 maybe I'll just ask a few more questions and see  
03:44 5 where it gets me?

6 A Yes, that's correct, you can't stop at nothing.

7 Q Right. Thank you. Now going back to this report  
8 here, and this is where we started, you are quite  
9 certain that you wouldn't have recommended laying  
03:44 10 charges or saying that there should be charges  
11 laid at that point in time?

12 A Oh yes, I'm --

13 Q And that would be kind of logical because there's  
14 all kinds of things that would still have to be  
03:44 15 checked out at that point in time?

16 A Oh yes, yes.

17 Q Did you express the opinion though, to Mr. Karst,  
18 that 'I think we maybe have got the right fellow  
19 here'?

03:44 20 A Not that I can recall, but I -- I would -- could  
21 have said 'well maybe we better keep looking  
22 here'.

23 Q Well I wonder if we could just go to the next page  
24 of this document, if we could, and I'm just  
03:44 25 reading -- this is page 2 of this July 6th, '93



1 report, and this is Constable Jorgenson's report  
2 talking about his meeting with you:

3 "In referring to my notes on our  
4 interview with Edmondson, Mr. Edmondson  
03:45 5 pointed out that he and Karst felt that  
6 they had the right guy, however, they  
7 had to let Milgaard go when he story  
8 checked out",

9 it might be 'the story checked out'. Do you  
03:45 10 remember if that's what your thoughts were at the  
11 end of the interview with Mr. Milgaard?

12 A No, I don't, I -- I -- this is the words of the  
13 investigator that was out there, that I was  
14 talking to, and I don't recall it coming out that  
03:45 15 way.

16 Q Okay. The investigator at least took from what  
17 you were saying to him, at least as he has  
18 recorded it, that you felt that Milgaard was the  
19 right guy at that point in time; is that possible  
03:45 20 you expressed that view?

21 A I could say I was very suspicious of him.

22 Q Okay. And I'm distinguishing here, Mr. Edmondson,  
23 from sort of a decision that 'yeah, we should be  
24 charging this guy', or something like this, versus  
03:46 25 'there is something about this that suggests to me



1 maybe we've got the right guy here'?

2 A Umm, well there was something about it I didn't  
3 like, there was something missing, we'll put it  
4 that way, that didn't seem to mesh.

03:46 5 Q Okay. So maybe I can put it this way. When you  
6 were finished with speaking with Mr. Milgaard and  
7 you left Winnipeg on March 3rd, 1969, would it be  
8 fair to say you weren't prepared to cross him off  
9 the list as a possible suspect, that there was  
03:46 10 some questions there that maybe you would like to  
11 get answered and see where that took you?

12 A Yes, I -- that would be fair to say.

13 Q Now I think, going back to that meeting March 3rd,  
14 1969, Mr. Hardy was asking you about your  
03:47 15 recollection as to whether a statement was taken  
16 or not, and I wasn't sure where you were at at the  
17 end, but do you agree it's possible that Mr. Karst  
18 took a statement from Mr. Milgaard on March 3rd,  
19 1969?

03:47 20 A Well, he was writing, but I took it to be notes.

21 Q Okay.

22 A But on the other hand he, he obviously give him --  
23 when they -- and I had forgot about him giving him  
24 a warning, because this is something you do pretty  
03:48 25 near automatically --



1 Q Okay?

2 A -- if you are going to question a person, so it  
3 could be.

4 Q It's possible the statement was --

03:48 5 A It's possible.

6 Q And you've since seen the handwritten statement  
7 that appears to have been taken from David  
8 Milgaard?

9 A Yes.

03:48 10 Q Okay. And you don't dispute that that may have  
11 been taken March 3rd, 1969, by Mr. Karst?

12 A No.

13 Q Okay. And were there parts of what, or points, or  
14 answers that Mr. Milgaard gave you that were a  
03:48 15 little vague, or a little bit not clear, that  
16 raised some questions with you?

17 A Yes, but to put a -- it was just a general feeling  
18 that there was -- well, getting back to it,  
19 actually that it had to do was a few minutes  
03:49 20 missing, and then it's unaccounted for, and where  
21 do you go from there.

22 Q And it would be fair to say that some of Mr.  
23 Milgaard's answers seemed to be a little vague and  
24 uncertain and maybe --

03:49 25 A Oh yes.



1 Q And raised some questions?

2 A Yes.

3 Q So that if Mr. Karst's opinion was that there were  
4 points that seemed somewhat vague, and perhaps in  
03:49 5 his mind would suggest maybe they are not  
6 authentic answers or valid answers, that's a  
7 possible conclusion you could have come to?

8 A Oh, yes, I couldn't -- I don't know what Mr. Karst  
9 was thinking. No, that's, it's a possible  
03:49 10 conclusion he came to.

11 Q Because, even in your own mind, they at least left  
12 you a little bit troubled or uneasy?

13 A Yes, it was troubling.

14 Q When you described the circumstances of returning  
03:50 15 Mr. Milgaard back to Regina after he had been  
16 arrested in Prince George, you referred to the  
17 comment about the stewardesses and the business in  
18 the bathroom, the fact that he didn't make any  
19 denials about being involved in the murder and the  
03:50 20 fact that he seemed to enjoy being the centre of  
21 attention. Did those just cause you some, did  
22 those seem odd or not? Were they troubling?

23 A What was very troubling was when I was watching  
24 him try to slip his handcuffs off, that was very  
03:51 25 troubling.



1 Q And again that would be another one of those  
2 things that as a police officer might not end up  
3 in a courtroom as evidence, but you make -- you  
4 see it, you note it, you observe it and it just  
03:51 5 again suggests some things to you?

6 A Yes.

7 Q Could we have document 036117, and I think we're  
8 at 118 on that document. This is again a report  
9 that was prepared in 1993, I think if you can flip  
03:52 10 back -- or can we scroll down, is the date on the  
11 bottom of it, or do I have to go back to the next  
12 page? Yeah, it looks like this was a November,  
13 1993 report that was prepared and this again would  
14 have been an interview with the RCMP. If I can  
03:52 15 just go back to the page, and there at least, when  
16 you spoke with the RCMP in 1993, it's noted that  
17 you think that you and, that time officer  
18 Rasmussen interviewed Cadrain once after he came  
19 forward; however, he could not elaborate on the  
03:52 20 interview, if in fact there was one. It would  
21 appear at that point in time that at least that  
22 officer's recording, that you acknowledge that you  
23 might have been involved in an interview with  
24 Cadrain, but weren't obviously sure about it and  
03:53 25 certainly couldn't give any details about it?



1 A I think I corrected that when I said I couldn't  
2 elaborate on the interview and I don't remember  
3 it. I never remember talking to Mr. Cadrain.

4 Q I appreciate that. Is it possible you were  
03:53 5 involved in speaking with Mr. Cadrain on one  
6 occasion?

7 A No.

8 Q And that you've forgotten it?

9 A No.

03:53 10 Q You don't think that's possible?

11 A No.

12 Q So you don't think that might be attributed to  
13 your memory, you just think that that's simply  
14 wrong?

03:53 15 A I think it's wrong.

16 Q Okay. Do you know why the RCMP in 1993 would have  
17 recorded that you think you and Rasmussen  
18 interviewed Cadrain once after he came forward, do  
19 you know why that would have been reported by them  
03:53 20 at that time?

21 A Maybe from that simple remark that I said that I  
22 didn't remember talking to him at all, but why  
23 they would record it, I don't know, maybe a  
24 misunderstanding, I don't know, but I have no  
03:54 25 memory of interviewing Cadrain at all.



1 Q Okay. There was some questions asked of you about  
2 a trip to Regina in April of 1969 with Eddie Karst  
3 when inquiries were being made about Nichol John  
4 and Ron Wilson, some inquiries were made of Ken  
03:54 5 Walters with the Regina City Police. Do you know  
6 Ken Walters of the Regina City Police?

7 A No.

8 Q And is it possible that you did make that trip and  
9 have forgotten about it?

03:54 10 A No, no, I couldn't make a trip to Regina and  
11 forget about it.

12 Q Did you ever make a trip with Eddie Karst to  
13 Regina?

14 A Not that I know of.

03:54 15 Q Did you ever stop at Kandahar for steaks with  
16 Eddie Karst on the way back from Regina?

17 A No.

18 COMMISSIONER MacCALLUM: Kandahar?

19 MR. FOX: Yeah. I think it's spelled  
03:55 20 C-A-N-D-A-H-A-R -- or sorry, K.

21 A No, I don't remember coming from there, no, not at  
22 all, but I know Kandahar had good steaks.

23 BY MR. FOX:

24 Q They did, good service as well. And again, is it  
03:55 25 possible that you may have been involved in that





1 trip and simply have forgotten it?

2 A Well, I have to say it's possible, but I don't  
3 think so.

4 Q And I accept that you have no recollection of it  
03:55 5 in any event.

6 A I have no recollection of being there.

7 Q Can I just refer to document 250609 and that's the  
8 May 21st, '69 report of Inspector Riddell. If we  
9 can go to paragraph 3, Inspector Riddell  
03:56 10 identifies that he attended a meeting on May 16th,  
11 '69 and I think he identified who was in  
12 attendance at that meeting, Superintendent Wood,  
13 Lieutenant Penkala, Lieutenant Short, Staff  
14 Sergeant Edmondson.

03:56 15 A That's correct.

16 Q Were meetings like that held on more than one  
17 occasion?

18 A Not with Riddell and them. I think there was one  
19 occasion before that with Superintendent Wood and  
03:56 20 Riddell and myself and maybe Rasmussen, I can't  
21 remember now, but other than that, I don't think  
22 we had any other meeting like that.

23 Q Okay. Were there meetings from time to time,  
24 like, for example, would you report to Inspector  
03:57 25 Riddell what you were finding out from time to



1 time?

2 A Not very often.

3 Q Who would you report to what your investigation  
4 was turning up?

03:57 5 A Most of it was Rasmussen and I would discuss it  
6 and then we would pass it on to the city police,  
7 anything that we had worthwhile.

8 Q Okay. So this would be an example of a meeting  
9 where you would be passing on whatever information  
03:57 10 you had to the city police?

11 A Yeah, through Riddell, but it wouldn't be for my  
12 information, it would be more information he had.

13 Q Information that Riddell had that he was passing  
14 on to you?

03:57 15 A No, to the city police.

16 Q Passing on to the city police, okay. During the  
17 time that you were with David Milgaard during his  
18 interview on March 3rd of 1969, did you see  
19 anything in the manner in which Detective Karst  
03:58 20 conducted himself that caused you any concern?

21 A No, sir.

22 Q Did he, from what you observed, act improperly or  
23 inappropriately in any way?

24 A No.

03:58 25 Q And as I understand it, you retired from the RCMP



1 in 1971?

2 A That is correct.

3 Q And were you still in Saskatoon at the time of  
4 your retirement?

03:58 5 A Yes, I retired out of Saskatoon and then I moved  
6 out to Calgary.

7 MR. FOX: Those are all the questions I  
8 have. Thank you, sir.

9 BY MR. WOLCH:

03:58 10 Q Sir, I'm Hersh Wolch, I'm David Milgaard's lawyer.

11 A Yes, sir.

12 Q I only have a few questions for you. The March  
13 3rd meeting with David Milgaard, did you consider  
14 yourself to be reasonably briefed on the case  
03:59 15 before the interview or kind of fresh into it at  
16 that time?

17 A Was this the one in Winnipeg?

18 Q Yes.

19 A I was fairly fresh into it at that time.

03:59 20 Q And the observation was made that David didn't  
21 appear to be very nervous. Is that something that  
22 you observed?

23 A Yes.

24 Q And did you take anything from that?

03:59 25 A Not really.



1 Q I take it if he had been nervous, that would have  
2 been more significant to you?

3 A Yes, if he had been real nervous, yes.

4 Q Sure. I mean, people react different ways when  
03:59 5 talked to by police, but I take it from your  
6 experience people with something to hide or who  
7 have been involved in a crime may tend to be  
8 nervous, may have the arteries puffing out in  
9 their necks and all that kind of stuff when they  
04:00 10 are nervous?

11 A Oh, something about them that leaves you to know  
12 they are a little nervous.

13 Q So not being nervous might be a sign of innocence?

14 A Yes.

04:00 15 Q You mentioned regarding the washing of the hands.

16 A Yes.

17 Q As an officer you've been trained to record  
18 anything that was incriminating or relevant; would  
19 you not?

04:00 20 A Yes.

21 Q And if you thought somebody was making an effort  
22 to make a break for it or something like that,  
23 wouldn't you record that somewhere?

24 A Not necessarily. If he didn't get the break, then  
04:01 25 it wouldn't necessarily be recorded.



1 Q But you say he was washing his hands vigorously?

2 A No.

3 Q I'm sorry?

04:01 4 A I said he was washing his hands and trying to soap  
5 the cuffs so that they would slide off.

6 Q Do you know if he had a skin condition at that  
7 time?

8 A No.

9 Q Did you notice one?

04:01 10 A No.

11 Q Are you saying there wasn't one or there might  
12 have been?

13 A I'm saying I didn't see one, sir.

04:01 14 Q Okay. You indicated that at various times -- I'm  
15 sorry, let me back up a little bit. Back to the  
16 March 3rd, he appeared to answer every question  
17 that was posed?

18 A Yes.

04:02 19 Q And I thought I heard you say to Mr. Fox that you  
20 had some concern because there might have been a  
21 couple of minutes unaccounted for?

22 A Yes.

23 Q You were talking to a 17 year old or a 16 year old  
24 boy at the time?

04:02 25 A Yes.



1 Q And you were asking him what transpired several  
2 months earlier?

3 A Oh, I don't think it was several months earlier.

4 Q Well, over a month earlier?

04:02 5 A Maybe.

6 Q Over a month?

7 A Maybe.

8 Q To give you an accounting of a morning where,  
9 according to him, nothing particularly happened?

04:02 10 A Correct.

11 Q Would you expect him to be able to give you every  
12 minute?

13 A No.

14 Q And if he didn't give you every minute, would that  
04:02 15 be suspicious?

16 A I was saying that there was a period that wasn't  
17 accounted for.

18 Q Okay. Now, you mentioned a few times that you  
19 were interested in the fact that there were no  
04:03 20 denials. Was he actually accused of the murder?

21 A Well, he was under -- which time are you talking  
22 about now, sir?

23 Q Well, he answered every question as I heard, but  
24 was there a question, did you kill Gail Miller?

04:03 25 A Not that I recall. We were more accounting,



1           trying to account for his actions. Before you  
2           accuse people, you kind of ask them some questions  
3           to set the feel for it.

04:03 4           Q           What I'm saying is though you let him know that  
5           that morning was important because Gail Miller was  
6           murdered; right?

7           A           Yes.

8           Q           And he was telling you everything he did that  
9           morning?

04:03 10          A           As far as we know, yes.

11          Q           And none of it involved Gail Miller?

12          A           No. It was his actions, where he was going.

13          Q           Yeah. I'm wondering why no denials, he's  
14          answering every question. Perhaps I might ask you  
04:04 15          that question, why didn't you ask him if he did  
16          it?

17          A           We -- he was well aware of what went on and we  
18          were just trying to get it established where he  
19          had been that day and what he had done and we were  
04:04 20          asking for an answer for it.

21          Q           I appreciate that, but I'm wondering why you would  
22          make it significant that he didn't deny when he  
23          was never asked?

24          A           Well, because if somebody was accusing me of  
04:04 25          murder, I sure as the devil would be hollering



1 about it.

2 Q So he was more well behaved than you expected; is  
3 that what the problem was?

4 A No. He was well behaved.

04:05 5 Q And he answered every question?

6 A Yeah.

7 Q And would it be fair to say that when he was  
8 arrested by yourself later on, he perhaps didn't  
9 appear to be taking it as seriously as you might  
04:05 10 have expected?

11 A He was already arrested when I picked him up.

12 Q Okay, but at that time in your presence he didn't  
13 appear to be as concerned or as serious as you  
14 might have expected?

04:05 15 A No, he seemed to be kind of enjoying the  
16 attention.

17 Q Did he say something to that effect?

18 A No, but his actions reflect it.

19 Q His actions?

04:05 20 A Yeah. He was just, wasn't arguing about anything,  
21 he was very congenial about getting along, he  
22 never actually never said no, I didn't do it,  
23 which I would kind of expect.

24 Q But you never asked him if he did it?

04:06 25 A No.





1 Q Okay. And he was congenial and polite?

2 A Yes.

3 Q I take it he was unlike many people you've  
4 arrested?

04:06 5 A He was different.

6 Q Very different wasn't he?

7 A Yes.

8 Q But then again I take it you don't arrest too many  
9 innocent people?

04:06 10 A No, not if I know they are innocent, no.

11 Q Of course not, but he was different than many  
12 people you arrest and most people you arrest are  
13 guilty?

14 A No, there's other people been arrested that  
04:06 15 haven't been guilty.

16 Q But not most?

17 A Not most.

18 MR. WOLCH: Okay. Thank you very much.

19 **BY MR. GIBSON:**

04:07 20 Q Mr. Edmondson, as you know I'm Bruce Gibson. I  
21 just want to touch on something that no one else  
22 has touched on to date and I'm wondering if we can  
23 put up a document, 004819, and if there's a way  
24 that we could highlight that portion so we could  
04:07 25 read that a little bit, that column. I'm not sure



1 that you are familiar with this, it's a  
2 *StarPhoenix* report, and the *StarPhoenix*, as you  
3 are aware was the, still is the local Saskatoon  
4 paper, and the date on that report is December 8th  
04:07 5 of 1989 and it speaks about a gentleman by the  
6 name of Jack Wood who was a Saskatoon police  
7 officer and it talks about Wood being convinced by  
8 an undercover RCMP officer, and maybe I'll just  
9 read that portion into the record here.

04:08 10 "The former police officer agrees that  
11 Jack Wood, his boss at the time, didn't  
12 think Milgaard was the murderer.

13 However, Wood was convinced otherwise  
14 after a street-smart undercover RCMP  
04:08 15 officer talked informally to Milgaard,  
16 who had been brought into the police  
17 station for questioning.

18 "When he came out, he said (to Wood),  
19 'That's your man'."

04:08 20 Now, Wood goes on to say that that report is not  
21 all that accurate and doesn't recall that  
22 particular occasion. I'm wondering if you, in  
23 your capacity as the individual in charge of  
24 plain clothes, recall whether an undercover RCMP  
04:08 25 member was ever placed in cells with David



1 Milgaard back in 1969?

2 A No, there wasn't, and I can -- there was a  
3 question about, when I was asked that and going  
4 back I was trying to think about it and I knew I  
04:09 5 had had one man that I used to put undercover once  
6 in a while with somebody in the cells and he was  
7 apparently got a hold of and he said no, it was a  
8 different case he was working on, that he had  
9 nothing to do with Milgaard, and I know of nobody  
04:09 10 else that was put in the cells with Milgaard.

11 Q And just for the record, if we could just call up  
12 document 066772 and that is the RCMP continuation  
13 report 93-4-20 and that's when members came out  
14 and interviewed you, and if we could go to 066777  
04:10 15 of that, and at the very bottom there, I can just  
16 read that, it says:

17 "When queried as to a possible  
18 undercover operator in Milgaard's cell,  
19 he could only --"

04:10 20 And the next page, please. I guess it would be  
21 78,

22 "-- speculate if anyone was involved  
23 perhaps Bob Brucker GIS at the time  
24 would have been the likely candidate,  
04:10 25 however he could not recall anything in



1                   this regard."

2                   And that's your recollection that you told the  
3                   members in 1993?

04:10 4           A           Yes, because Brucker was the one that we used to  
5           use for that purpose once in a while.

6           Q           All right. And this is something that you may or  
7           may not be aware of, if we could call up document  
8           066780, and it appears to be a short time later  
9           on, again 93/4/26, so about a week later it  
04:11 10          appears that, and again this portion here, it  
11          appears that members of the RCMP contacted Robert  
12          Brucker in Surrey, B.C. via telephone. He  
13          indicated he did do a cell operation at that time,  
14          but it had nothing to do with David Milgaard and  
04:11 15          was on another unrelated matter, and so does that  
16          confirm your recollection then that there was not  
17          an undercover operator placed in the cells with  
18          Milgaard to your recollection?

19          A           Yes, it does, because if we would have placed  
04:11 20          anybody in there, it would have been Mr. Brucker  
21          that would have been in there.

22                   MR. GIBSON: Thank you very much. I don't  
23                   know if there are any more questions for you.

24                   MR. HARDY: No re-examination, Mr.  
04:11 25                   Commissioner.



1 COMMISSIONER MacCALLUM: Thanks. Thank you  
2 very much, sir, you are excused.

3 MR. HODSON: Mr. Commissioner, the next  
4 witness is Ed Rasmussen. I'm not sure whether  
04:11 5 you want to start him today or tomorrow morning,  
6 he will be a bit and we won't get his chief done  
7 today, it will probably be an hour or so, and I'm  
8 fine --

9 COMMISSIONER MacCALLUM: What is tomorrow,  
04:12 10 Thursday?

11 MR. HODSON: Yes.

12 COMMISSIONER MacCALLUM: Is he the only  
13 witness for tomorrow?

14 MR. HODSON: No, we have Mr. Rasmussen, we  
04:12 15 have Mr. Oliver, who will be about 10 minutes,  
16 and Mr. Valila who shouldn't be very long. We'll  
17 have no difficulty getting through the witnesses  
18 tomorrow.

19 COMMISSIONER MacCALLUM: Even if we don't  
04:12 20 use the last 20 minutes?

21 MR. HODSON: Right.

22 COMMISSIONER MacCALLUM: What's your  
23 preference?

24 MR. HODSON: I'm quite fine. My only  
04:12 25 concern, and I don't think Mr. Rasmussen minds, I



1 know that if he's on the stand and we adjourn  
2 he's not allowed to discuss his evidence with  
3 anybody. Perhaps if you just give me one minute,  
4 I'll check with him.

04:12 5 COMMISSIONER MacCALLUM: Okay.

6 (Discussion off the record)

7 COMMISSIONER MacCALLUM: I just point out  
8 some counsel have a habit of leaving early on  
9 Thursday and of course if we give up 15 minutes  
04:13 10 of testimony today, that's probably 15 minutes  
11 they won't hear tomorrow.

12 MR. HODSON: I think we'll be fine. I just  
13 talked to Mr. Rasmussen and I think he would  
14 prefer to start tomorrow at nine if that's all  
04:13 15 right.

16 COMMISSIONER MacCALLUM: That will be fine.

17 (Adjourned at 4:13 p.m.)

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

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