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EDITED TRANSCRIPT OF TELEPHONE CONVERSATION BETWEEN JOYCE MILGAARD AND PAUL HENDERSON.

J. MILGAARD: Paul, tell me about it.

P. HENDERSON: I think we've got some good stuff here.

J. MILGAARD: Have you?

P. HENDERSON: Yeah, a bunch of stuff.

J. MILGAARD: Did you see Albert?

P. HENDERSON: Oh yes, I just bought Albert a steak dinner.

J. MILGAARD: You're kidding?

P. HENDERSON: And spent a long time with him. A lot of interesting things. I'm going to read you the statement from his brother first though.

J. MILGAARD: Okay.

P. HENDERSON: Now I taped his brother, but the God Dam batteries ran out on me though.

J. MILGAARD: Oh you're kidding.

P. HENDERSON: But ah', I think most of it's there. But this is a summary of the good stuff.

Statement of Dennis CADRAIN, I Dennis CADRAIN declare as follows, I am the brother of Albert CADRAIN who is one year older. I live at eighteen forty-one Manning Avenue, in Port Coquitlam, B.C.. Albert is also now living in this area but has no permanent address. I was living at home with my Mother and Father at three three four Avenue O south

in Saskatoon, Saskatchewan, during the period of time that Police were investigating the stabbing murder of Gail MILLER in nineteen sixty nine. I recall Albert leaving town with Ron WILSON, Nichol JOHN, and David MILGAARD on the morning of the murder in January nineteen sixty nine. I also recall the day that my brother returned from Regina following his trip out of town with WILSON, JOHN, and MILGAARD. At this time I told Albert about the murder that had occurred in our neighborhood, on the day that they had left Saskatoon. Albert then told me He'd seen blood on David MILGAARD'S clothing the morning they left town. I have always been under the impression that Albert first learned about the murder from me, on the day he returned home, until now I was not aware that he'd also been questioned, that he'd been questioned about the murder earlier by Regina Police. Albert never told me about this. I told Albert that he should talk to Saskatoon Police about the blood he claimed to have seen on MILGAARD'S clothing. Even though it seemed hard for me to believe that MILGAARD could have been involved. I had met

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David through my brother in nineteen sixty eight and did not consider him to be violent. Albert called Police that night or the next day, I recall that he went to see the Police on his own and that they continued to question him day after day for a long period of time. Maybe for as long as a month. Albert told me at one point that Police were questioning him as though he were a murder suspect. I recall him telling me at a later date that Police finally believed him. He indicated that Police had given him a very hard time. It was a very upsetting time for Albert. At some point it became apparent to me that Albert had given Police information that they plan to use against David MILGAARD. At the time I had no reason to believe that what Albert had told Police was not true. Later I came to have serious concerns about my brother's credibility. Knowing my brother as I do, I am certain that he would not intentionally lie about anything, but I also know that he is prone to exaggeration and suggestion and that he could easily have been coerced and manipulated by Police. If ideas were planted in Albert's mind, he is quite

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possible that, he would come to accept them as the truth. Frankly I would not concenter my brother to have been a reliable witness at that time. And for this reason I have concerns that David MILGAARD may not have received a fair trial. Do you like this?

J. MILGAARD:

I do. I think it's terrific.

P. HENDERSON:

Another concern relates to my sister Celine who was at home on the morning that David MILGAARD and his friends came to our house. Celine told me, some years ago, that she remembered David being in our house that day, and that she did not see any blood on his clothing.

J. MILGAARD:

Wow.

P. HENDERSON:

My sister said her observations never came out in trial because she was not contacted by the defence. It is possible however that she was questioned by Police in our house and told them at that time that she had seen no blood. If that was the case, it would appear that Police may have suppressed important evidence.

J. MILGAARD:

Huh.

P. HENDERSON:

I have additional insights into my brother Albert, that are pertinent to the MILGAARD'S

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case. I prefer not to detail them in writing at this time, but am willing to disclose them to the Justice Department or their representatives. I offer this statement bona fide in the interest of justice. Dated today, signed by Dennis.

J. MILGAARD: That is fantastic.

P. HENDERSON: Okay now, that's the good part, some of the good part. But there's alot more. Did you know that ah' that right after the conviction that Dennis convinced Albert that he was crazy and had him committed?

J. MILGAARD: No.

P. HENDERSON: Yeah, he was committed to University Hospital in Saskatoon where he was diagnosed as a schizophrenic. Put through shock treatments.

J. MILGAARD: Oh my heavens.

P. HENDERSON: Now that's hot stuff.

J. MILGAARD: Uhuh'. That is.

P. HENDERSON: And ah', what convinced ah' Dennis that his brother was not of sane mind is when Albert told him, sometime around the preliminary hearing.

J. MILGAARD: Uhum'.

P. HENDERSON: That he was seeing visions, and he saw, looked up in the clouds and saw David, and

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saw the virgin Mary. She was standing on a serpent and the serpent was David MILGAARD.

J. MILGAARD: Oh,oh. And this was during the trial?

P. HENDERSON: This was before the trial.

J. MILGAARD: Before the trial?

P. HENDERSON: Right.

J. MILGAARD: Oh, this is hot stuff.

P. HENDERSON: Right. Now ah' I spent two hours additionally talking to ah' now this, that's the one thing that ah' that Dennis doesn't want to disclose in writing but, it's going to come out and ah' I tried to get him to document it you know for David ASPER but...

J. MILGAARD: Uhum'.

P. HENDERSON: ...you know he's, the poor guy loves his brother so much and I'll tell you something.

J. MILGAARD: Uhum'.

P. HENDERSON: Shorty CADRAIN does not have a vicious bone in his body, he's just fucking nuts. He's just, he's just not all there.

J. MILGAARD: Okay so then, there's no question that he could not have been involved or?

P. HENDERSON: No, no.

J. MILGAARD: Whatever.

P. HENDERSON: No I don't think so.

J. MILGAARD: And you don't think the FISHER, being scaring

him had anything like that he never knew anything about FISHER.

P. HENDERSON: No I don't think so, I don't think so.

J. MILGAARD: Okay.

P. HENDERSON: Shorty is just like ah' Jackie said, he's ah' you talk to him and he sounds okay until he starts getting on these wild impossible things. And that of course is what tipped off his brother a long time ago.

J. MILGAARD: Uhum'.)

P. HENDERSON: Dennis has had concerns for years that, that this was bogus testimony. Even though he knows his brother would never intentionally lie.

J. MILGAARD: Uhum'.

P. HENDERSON: He feels that ah' that it wasn't right because ah' you know that they, they had a witness that they had very likely coerced, planted, programmed, into believing these things.

J. MILGAARD: Hum.

P. HENDERSON: He's very, very protective of his brother.

J. MILGAARD: He must realize what's going to happen now though, doesn't he?

P. HENDERSON: Yeah, I pushed this to the hilt with him and ah' but you know he read the statement over

and he said that's fair, and I'm here if they want to come and see me, I'll tell, I'll expand upon this.

- J. MILGAARD: Okay.
- P. HENDERSON: Shorty was put under shock treatment, and he was diagnosed as a schizophrenic.
- J. MILGAARD: Um', that is incredible. That is incredible, what about Shorty? Did you get anything from him?
- P. HENDERSON: Look the thing about Shorty is that he believes what he testified to.
- J. MILGAARD: Uhuh'.
- P. HENDERSON: And that's just the nature of him.
- J. MILGAARD: Okay.
- P. HENDERSON: The mental deficiency.
- J. MILGAARD: Uhuh'.
- P. HENDERSON: Shorty will never, never change his mind.
- J. MILGAARD: Right.
- P. HENDERSON: Never ever, and I had a great big long conversation with him afterwards, and he said...
- J. MILGAARD: Did you tell him about FISHER and all the rest of it?
- P. HENDERSON: ...oh sure, sure.
- J. MILGAARD: And there was no way...
- P. HENDERSON: I said how would you feel, I mean when Larry



FISHER if he confesses, is that going to make a difference. He said well, yeah, I guess so, well geez, I just can't understand this because I had my, you see he's got these notions.

J. MILGAARD: Uhuh'.

P. HENDERSON: And they're cemented in his mind.

J. MILGAARD: So there was no way you could swing him around?

P. HENDERSON: Well no, I wouldn't try to. That would be manipulation and he's going to swing right back.

J. MILGAARD: Uhuh'.

P. HENDERSON: No, no what you, what we have to do is to paint the picture of a guy who was not in his right mind.

J. MILGAARD: Yeah, right.

P. HENDERSON: And ah' believe me, get those hospital records. He's not, I mean his own brother will tell you that his got these wild fantasies. He sat right here when we first met and told me, this is on tape you know?

J. MILGAARD: Uhuh'.

P. HENDERSON: He said that, oh yeah, yeah, yeah he broke off the aerial. And you know what he did with the, he took those bloody clothes off,

he took them out and threw them in the garbage can. The garbage truck came right along and hauled it away.

J. MILGAARD: Right then.

P. HENDERSON: Yeah. And I said well now wait a minute, wait a minute. I said let's dig out the transcript take a look at this. So I showed him right there...

J. MILGAARD: Uhuh'.

P. HENDERSON: ...where he testified that David put the clothes in a suitcase and put them in the trunk of the car.

J. MILGAARD: Uhuh'. (affirmative)

P. HENDERSON: And ah' you know, now he's confused.

J. MILGAARD: Yeah.

P. HENDERSON: And later he said Celine will, my sister Celine she'll, she say it too. And Kenny saw it.

J. MILGAARD: Uhuh'.

P. HENDERSON: They saw him go in the garbage can, saw the truck come down. He lives in a fantasy world in many ways.

J. MILGAARD: Uhuh'.

P. HENDERSON: You've heard of the expression, idiots Savant'. He's right about alot of things but, he's mentally deficient in many areas.

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J. MILGAARD: Okay, where are you now?

P. HENDERSON: Vancouver.

J. MILGAARD: In Vancouver.

P. HENDERSON: I'm heading home.

J. MILGAARD: You're at home?

P. HENDERSON: No, I'm in Vancouver.

J. MILGAARD: Oh, at Vancouver.

P. HENDERSON: I just left them yeah.

J. MILGAARD: Okay, ah' so where are you going right now?

P. HENDERSON: Well I'm probably, you know I'm tired. I'm going to have a couple of beers and probably check into a Motel down in Bellingham, then head home tomorrow.

J. MILGAARD: Okay, um'...

P. HENDERSON: You're going to call David though, (unintelligible).

J. MILGAARD: ...where is this Celina?

P. HENDERSON: She's in a, it's on my tape, it's in a small town outside, she's married to a farmer in Saskatoon. I mean in Saskatchewan, not too far from...

J. MILGAARD: Okay, so I think we should get to her.

P. HENDERSON: ...oh sure, right, right.

J. MILGAARD: Before Mrs. CADRAIN.

P. HENDERSON: Ah', that number is on my tape recorder but I, like I said my batteries ran out soah'.

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J. MILGAARD: Okay, ah' so you'll fill Jim in as to what's happening, and maybe, maybe we should get this, I think if we could get her, to say that she saw no blood. His sister.

P. HENDERSON: Well, she should say that she saw no blood because she told her brother she saw no blood.

J. MILGAARD: Yeah.

P. HENDERSON: Okay but, the question is whether she also told that to Police. And that was...

J. MILGAARD: Well that we need to find out.

P. HENDERSON: ...that was put mildly.

J. MILGAARD: Yeah.

P. HENDERSON: Actually he said he was almost positive that she told him, that she told Police that. That was this big concern that they'd suppressed that.

J. MILGAARD: Oh my, I just can't believe it. Well I think, oh I think you've done a wonderful job.

P. HENDERSON: Well it was a good afternoon.

J. MILGAARD: Oh, I think so. So you're going to call David ASPER?

P. HENDERSON: Yeah. I'll be calling him in a couple of hours.

J. MILGAARD: Okay. I'll fill him in with a little bit of

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it, and I'll tell him to expect your call,  
and then in the mean time we'll sort of plot  
where we go from here.

P. HENDERSON: Right, yeah you better start thinking about  
that.

J. MILGAARD: Okay.

P. HENDERSON: Hospital records, University Hospital,  
Celine.

J. MILGAARD: Uhuh'. Alright.

P. HENDERSON: Talk to you later. Bye.

J. MILGAARD: Fantastic Paul. Bye bye.