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 Thursday, February 17th, 2005

Volume 18

Inquiry Proceedings



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Mr. Aaron Fox, Q.C., for Mr. Eddie Karst

Mr. Bruce Gibson, for the RCMP

Mr. Eamon O'Keefe, Esq., for Mr. Larry Fisher



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	1		Transcript of Proceedings
	2		(Reconvened at 10:00 a.m.)
	3		COMMISSIONER MacCALLUM: Good morning.
	4		ALL COUNSEL: Morning.
	5	DEB	ORAH ANNE HALL, continued:
	6	CON	FINUED EXAMINATION BY MR. HODSON:
	7	Q	Good morning, Ms. Hall.
	8	А	Morning.
	9	Q	Yesterday, when we concluded, I think I was asking
10:02	10		you about your whereabouts in 1969 and '70, and I
	11		believe you told us that in June of 1969 you left
	12		home and travelled; is that correct?
	13	A	Yes.
	14	Q	And that I think you told us from June 1969 until
10:02	15		at least February of 1970 you were not in the
	16		Province of Saskatchewan; is that correct?
	17	А	Yes it is.
	18	Q	Were you ever contacted by the Saskatoon City
	19		Police or the Regina City Police in 1969 or 1970
10:02	20		in connection with the David Milgaard matter?
	21	А	No, I was not.
	22	Q	Have you ever been contacted by anybody with the
	23		Saskatoon City Police with respect to the David
	24		Milgaard matter?
10:03	25	A	No.
		1	



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			5
	1	Q	How about any other police force?
	2	A	I spoke to the RCMP after I had been at the
	3		Supreme Court of Canada.
	4	Q	In about 1993?
10:03	5	A	Yes.
	6	Q	Okay. And we'll get to that a bit later. Now I
	7		think you also told us, yesterday, that, and I
	8		think you said it was a couple of weeks after the
	9		motel room incident, that Ute Frank told you that
10:03	10		she heard that David Milgaard had been arrested
	11		for a murder; is that correct?
	12	А	Yes.
	13	Q	Did you have any further contact with Ute Frank
	14		after that time?
10:03	15	А	It was sometime later when I moved back from B.C.,
	16		from British Columbia, for a short period of time.
	17	Q	And do you recall what year that would have been?
	18	А	No, I
	19	Q	Are we talking a couple years or months after?
10:04	20	А	Actually, it would have been I think late 1970, it
	21		would have had to have been because I went west
	22		we went west.
	23	Q	Okay. Are you talking about the year 1970 or the
	24		decade the '70s?
10:04	25	Α	No, the year 1970.
		I	

	F		Page 3231 —————
	1	_	
	1	Q	Okay.
	2	A	My son was born in '71, which was in Vancouver,
	3		which is where I ended up going.
	4	Q	Okay. So in late 1970, in the latter months of
10:04	5		1970,
	6	A	Yeah.
	7	Q	you would have been back in Regina?
	8	А	Yes.
	9	Q	And you would have had contact with Ute Frank?
10:04	10	А	Yes.
	11	Q	Do you recall any discussions with her about David
	12		Milgaard at that time?
	13	A	No.
	14	Q	And then, after that stay in Regina, you moved to
10:04	15		Vancouver; is that right?
	16	A	Yes, uh-huh.
	17	Q	Okay. And then did you stay in touch with Ute
	18		Frank?
	19	A	No, we lost touch after I moved to Vancouver.
10:04	20	Q	When did you first become aware that David
	21		Milgaard had been convicted of the murder of Gail
	22		Miller?
	23	A	I believe 1981.
	24	Q	And how did you become aware?
10:05	25	A	Actually, through a client of mine, Chris O'Brien.

1 Q A client, is that at your hair salon? 2 Α Yes. 3 And can you describe how you became aware of, or what the discussion was with Mr. O'Brien. 4 5 Α Mr. O'Brien had been in for a haircut, he had been 10:05 coming to me for some time but he wouldn't have 6 known my full name, of course. And I had had a 8 blow dryer of mine repaired, and it had a ticker 9 tape with my name on it, and for some reason I 10 just stuck it on my mirror at work. While he was 10:05 11 getting a haircut he must have noticed the name, 12 and didn't twig on him right away, a couple of 13 days later he phoned me at work and asked me if I 14 knew a David Milgaard, and I said "no," the name 15 hadn't rung a bell, then he asked me if I knew an 10:05 16 Ute Frank, and I corrected him and said "it's 17 Ute", and he said "well, you mean you know her", 18 and I said, "oh, yeah, but I haven't seen her in 19 years, we used to be really good friends", and 20 then he got really quite excited and said "you 10:06 21 know, we have been looking for you", and I didn't 22 know what he was talking about, and he wanted to 23 go for lunch and so we did, and that's when he 24 told me about David. But I said "well this guy

25

10:06



doesn't, his name doesn't ring a bell at all", and

	1		he said "well he was known by some nickname, happy
	2		or", and I said "Hoppy", and he said "yeah,
	3		that would be it", and I said "well, yeah, but I
	4		hadn't seen him even for more years than Ute", and
10:06	5		that's when the whole thing unfolded. He told me
	6		where he was, and what had happened, and I knew
	7		absolutely nothing about it.
	8	Q	And what did you understand Chris O'Brien's
	9		connection to be with the David Milgaard matter?
10:06	10	A	I knew he was working for a local radio station,
	11		at the time, in Regina.
	12	Q	Okay.
	13	A	But I had understood he was one of the media
	14		people that had come on board to try and help get
10:07	15		him retried, at the very least, you know.
	16	Q	To help David get
	17	A	Yes.
	18	Q	Did you understand Mr. O'Brien to be working on
	19		behalf of, or in the interests of, David Milgaard
10:07	20		then?
	21	A	Umm, yes, yes.
	22	Q	And what followed, then, what; you had a luncheon
	23		discussion with him and Mr. O'Brien told you that
	24		David had been convicted; is that right?
10:07	25	А	Yes.



			Page 3234 —
	1	Q	And did he tell you other things about the case?
	2	А	Well he told me the reason I said "why would
	3		you be looking for me, I just sort of knew the
	4		guy", and he said "well there was testimony about
10:07	5		a party in a motel room in the north end of
	6		Regina", and he asked if I would mind to go to his
	7		place and take a look at the transcripts of George
	8		Lapchuk, Craig Melnyk, and see what I thought of
	9		what they had testified as to the events that
10:08	10		happened that night.
	11	Q	I see. And then did you go to his place?
	12	A	Yes, yeah.
	13	Q	And he had, I take it, paper copies of the
	14		transcript; did he?
10:08	15	A	Yes.
	16	Q	And did you review those transcripts?
	17	A	Some of them. Some of it. When I guess the
	18		part where they described what they saw happen
	19		from the motel room.
10:08	20	Q	And so this would be the trial transcript of
	21		Melnyk and Lapchuk
	22	A	Yes.
	23	Q	that you looked at?
	24	A	Yes.
10:08	25	Q	And did you say parts of it?

			Page 3235 —
	1	А	Yes, I didn't read the whole thing, it was a stack
	2		of paper a mile high.
	3	Q	And what was your reaction to that at that time?
	4	А	Oh, I couldn't believe what they had said, they
10:08	5		twisted it. I remembered the incident clearly
	6		when it all came back, like actually it was kind
	7		of like a shock, the whole thing and
	8	Q	And
	9	А	And I couldn't believe the context in which they
10:08	10		had said things had happened, it wasn't like that
	11		at all, as far as I was concerned.
	12	Q	And I take it you advised Mr. O'Brien of this?
	13	A	Yes.
	14	Q	And then what happened next with you and the
10:09	15		Milgaard case; did you hear back from Mr. O'Brien?
	16	А	You know, I believe he moved to Winnipeg shortly
	17		after that, and I do not remember whether I had
	18		he said he was gonna, you know, pass this on to
	19		Mrs. Milgaard
10:09	20	Q	Yes?
	21	A	and that I would likely be hearing from her or
	22		somebody from their camp, but I don't believe I
	23		talked to Mr. O'Brien again.
	24	Q	And I'll get to this a bit later, but you swore an
10:09	25		affidavit in 1986?
		ıl .	

	ı		Page 3236 ————
	1	А	Uh-huh.
	2	Q	Would that have been the next time that you had
	3		contact with anybody with respect to the David
	4		Milgaard matter?
10:09	5	A	To the case itself. I had talked to a Sandra
	6		Bartlett, I believe, from the Fifth Estate had
	7		contacted me and said that she had wanted to
	8		interview me on David Milgaard.
	9	Q	And so that
10:10	10	А	But I I'm sorry?
	11	Q	I'm sorry, go ahead.
	12	А	But, other than that, Mr. Asper was the first one
	13		that I remember hearing from.
	14	Q	And I believe that was in 1986; is that right?
10:10	15	A	Yes.
	16	Q	And you think the Fifth Estate contact was before
	17		Mr. Asper?
	18	А	Yes, it was.
	19	Q	Did Mr. O'Brien so he showed you parts of the
10:10	20		transcript, is that right, or you observed parts
	21		of the transcript?
	22	А	Yes.
	23	Q	Did you review any of the statements of Melnyk or
	24		Lapchuk?
10:10	25	A	Not at that time.



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	1	Q	Okay. If we could maybe just I want to go
	2		through, Ms. Hall, some of their evidence and just
	3		have you comment on it. If I could call up,
	4		first, document 002129, please, which is the
10:10	5		statement of George Lapchuk January 19th, 1970,
	6		and I just want to go through parts of this with
	7		you, Ms. Hall. Mr. Lapchuk says, or right here he
	8		says:
	9		"Last spring I was with Craig Melnyk when we
10:11	10		went to a room at the Park Lane Motel.
	11		David and two girls, Ute Frank and Debbie
	12		Hall were there."
	13		Pause there. Does that accord with your
	14		recollection; that's correct?
10:11	15	А	Yes. Yes.
	16	Q	"I had not been drinking or on any drugs at
	17		this time. David was on T.H.C. and was
	18		pretty high."
	19		Would you agree with that?
10:11	20	A	Oh yes.
	21	Q	"During the evening we talked, watched TV,
	22		David had intercourse with Ute several times
	23		and took more drugs."
	24		Do you agree with that?
10:11	25	A	Yes.
			•

1	Q	"The late news came on and something brought
2		about communication about the nurse murder in
3		Saskatoon."
4		Is that correct?
5	А	I couldn't hear the TV myself.
6	Q	You observed it on the TV though?
7	А	Umm,
8	Q	Or, I'm sorry, did you observe it on the TV?
9	A	Actually, from the angle I was at, the bed partly
10		obscured the TV set, so I wasn't really paying
11		attention to the TV at all.
12	Q	So are you able to say whether or not there was a
13		story about the nurse murder on the television
14		either by seeing it or hearing it?
15	A	Well, to the reaction that the fellas had and
16		whatnot, I believe that Craig Melnyk was actually
17		focused on the TV and what was going on, yup.
18	Q	So you don't take issue with what Mr. Lapchuk says
19		here about the story
20	А	No.
21	Q	coming on?
22	А	No.
23	Q	If you could scroll down, please. Mr. Lapchuk
24		says here:
25		"I started bugging hoppy about murdering
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2 3 4 5 A 6 Q 7 A 8 Q 9 A 10 11 12 Q 13 14 15 A 16 17 18 Q 19 20 A 21 Q 22 A 23 Q 24



			Page 3239
	1		this nurse because I knew he had been
	2		questioned about it."
	3		If I could stop there; is that correct?
	4	A	Pretty close. Craig started, but then George
10:13	5		picked it up right away.
	6	Q	Okay. And then Mr. Lapchuk goes on to say:
	7		"He said yeh I did it. Then he blew up and
	8		started to stab with his hand and asked
	9		"where is my paring knife".
10:13	10		If I can stop there, do you agree with that?
	11	A	No, nothing about a paring knife.
	12	Q	Okay.
	13	A	I don't recall anything about a paring knife.
	14	Q	Okay.
10:13	15	А	And he was already punching up the pillow, and
	16		maybe he got a little bit more ambitious at it,
	17		but
	18	Q	Okay. So you don't agree with where Mr. Lapchuk
	19		says "where is my paring knife"?
	20	A	Yeah, no.
	21	Q	You didn't hear that?
	22	A	No, I did not.
	23	Q	And then he says, Mr. Lapchuk goes on:
	24		"He said yeh I stabbed her, I stabbed her 14
10:13	25		times and then she died."



	Ī		Page 3240
	1		This is Mr. Lapchuk's recollection; is that do
	2		you recall words to those effect?
		_	
	3	A	I remember something about stabbing, yes. I don't
	4		remember him saying how many times, no.
10:14	5	Q	Okay. But you do recall Mr. Milgaard saying
	6		something about stabbing?
	7	А	"I stabbed her", yes.
	8	Q	Okay. So when Mr. Lapchuk says he heard David say
	9		"I stabbed her", you would agree with that, that's
10:14	10		what you heard as well?
	11	А	Yes.
	12	Q	And then Mr. Lapchuk says here:
	13		"I got scared and dropped the subject and no
	14		more was said about it."
10:14	15		I don't want you to comment on Mr. Lapchuk's
	16		feelings, but is that consistent with what you
	17		observed?
	18	А	Well, yeah, like it was just a sort of pregnant
	19		silence for a moment and then everything picked up
10:14	20		again.
	21	Q	Okay.
	22	А	I would agree with that, I guess.
	23	Q	And then Mr. Lapchuk says:
	24		"I went home that night and only seen hopy
10:14	25		two,"



		Page 3241			
	1		I think:		
	2		" once more after that, that was a day or		
	3		2 later",		
	4		next page:		
10:14	5		" and I did not bring up any further		
	6		conversation about the murder."		
	7		If I can pause there, would you agree you don't		
	8		have any dispute with that, to your knowledge you		
	9		don't dispute what Mr. Lapchuk says there?		
10:15	10	А	Says right here?		
	11	Q	That he went home?		
	12	А	Oh, yes, I suppose.		
	13	Q	Okay.		
	14	A	Yeah.		
10:15	15	Q	And then Mr. Lapchuk says:		
	16		"I have never had any quarrel or fight with		
	17		David, and I do not hold any ill feeling		
	18		toward him."		
	19		Were you aware as to whether or not at that time		
10:15	20		Mr. Lapchuk had any fight with David or had any		
	21		ill feeling toward him?		
	22	Α	No.		
	23	Q	So in summary, Mr. Lapchuk's statement, is it fair		
	24		to say you dispute or you don't recall hearing		
10:15	25		anything about a paring knife; is that correct?		
	Ĺ		Certified Professional Court Reporters serving P.A. Regina & Saskatoon since 1980		



	Ī		
	1	А	Correct.
	2	Q	And secondly, I think you characterized his motion
	3		with the pillow as punching rater than stabbing;
	4		is that correct?
10:15	5	А	Exactly.
	6	Q	Apart from that, would it be fair to say that you
	7		do not dispute the remainder of Mr. Lapchuk's
	8		statement that I just went through?
	9	A	Yes, correct.
10:15	10	Q	You agree?
	11	А	Yeah.
	12	Q	I'll go to Mr. Melnyk's statement which is 009136
	13		and this is the statement of the same day as
	14		Mr. Melnyk. Have you ever looked at these
10:16	15		statements before?
	16	A	Yes.
	17	Q	In what connection?
	18	A	I believe I had them for my testimony at the
	19		Supreme Court.
10:16	20	Q	Okay.
	21	A	And Mr. Hardy sent me copies a couple of weeks ago
	22		or a month ago.
	23	Q	And we'll just start here, it says:
	24		"Last year in early summer I was with George
10:16	25		Lapchuk here in Regina and happened to meet
		(1	

	ŗ		Page 3243 ————		
	1		David Milgaard one evening at the Park Lane		
	2		Motel. I don't remember the exact month or		
	3		date when we got there. David answered the		
	4		door, he was naked"		
10:16	5		Let me stop there. Do you remember that?		
	6	A	No. He wasn't naked.		
	7	Q	" and invited us in."		
	8		Apart from the fact that you say he wasn't Mr.		
	9		Milgaard wasn't naked, you accept what Mr. Melnyk		
10:17	10		says there?		
	11	А	Yes.		
	12	Q	It says, Mr. Melnyk says:		
	13		"He continued to have intercourse with the		
	14		girl on the bed, this was Ude Frank."		
10:17	15		Do you agree with that or take any issue with		
	16		that?		
	17	А	I don't remember that going on at that point. We		
	18		hadn't been there all that much before the fellows		
	19		showed up, so		
10:17	20	Q	I can't remember yesterday, I think you told me, I		
	21		think you described it as shenanigans?		
	22	А	Yeah. There might have been heavy petting and		
	23		stuff going on by then, but the other came later.		
	24	Q	Okay. It says right here:		
10:17	25		"There was also another girl there on a		
		l			



			Page 3244 ————
	1		chair Debbie Hall, I think she's in
	2		Vancouver now."
	3		And I take it you were there when Mr. Melnyk
	4		arrived?
10:17	5	A	Yes.
	6	Q	And is it possible in January of 1970 that you
	7		were in Vancouver?
	8	А	Yes.
	9	Q	It says:
10:17	10		"During the course of the evening Hopy had
	11		intercourse with Ude several more times and
	12		was taking T.H.C. a form of marijuana taken
	13		by needle."
	14		Do you accept that version of events as true?
10:18	15	А	Sorry, what was that again?
	16	Q	Yeah, that's fine, I'll just read it again. It
	17		says:
	18		"During the course of the evening Hopy had
	19		intercourse with Ude several more times and
10:18	20		was taking T.H.C. a form of marijuana taken
	21		by needle."
	22	А	I'm not sure if he took anything by needle. I saw
	23		him ingest the capsules that he had given me and
	24		Ute, but I'm not sure if he took anything by
10:18	25		needle. I know that Bob did.



			——————————————————————————————————————		
	1	Q	And the balance of that statement, then, do you		
	2		take issue with?		
	3	A	No.		
	4	Q	Next it says, he says:		
10:19	5		"I could tell he was under the influence of		
	6		a drug but he still knew what he was		
	7		saying."		
	8		And I believe he's talking about Mr. Milgaard.		
	9		Would that be consistent with your recollection?		
10:19	10	A	I don't know about him knowing what he was saying		
	11		when he was, like, very high. He was clowning		
	12		around all night. If he was serious about		
	13		anything at any point I would have been surprised.		
	14	Q	But you acknowledge you agree with Mr. Melnyk		
10:19	15		that David was under the influence of drugs?		
	16	A	Oh, yes, yes.		
	17	Q	And then it says:		
	18		"We watched the late show and news and there		
	19		was something about the nurse murder in		
10:19	20		Saskatoon on it."		
	21		If we could pause there. And I take it what you		
	22		told me about Mr. Lapchuk's statement would apply		
	23		here to Mr. Melnyk, that you didn't see the news		
	24		or hear the news on about the murder, but you		
10:19	25		understood that it was on?		



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	1	А	Yes.
	2	Q	I don't want to put words in your mouth. Did I
	3		characterize that properly?
	4	А	Yes, yeah.
10:19	5	Q	Just scroll down a bit more, please. It says:
	6		"George said something to David about it and
	7		David sort of went crazy, he stabbed the
	8		pillow with his hand and was saying 'I
	9		killed her, I killed her, I fixed her!'
10:20	10		Then he rolled on the bed awhile and laughed
	11		hysterically."
	12		If I can pause there. Do you accept that
	13		statement by Mr. Melnyk as being accurate
	14		according to your recollection? You are nodding
10:20	15		your head. I take it
	16	А	Well, "I killed her, I killed her, I fixed her," I
	17		don't remember that, no.
	18	Q	So you remember different words, and I think
	19		you've already described those for us as being "I
10:20	20		stabbed her"?
	21	А	Yeah, him being pretty crude and yes.
	22	Q	In fact, I think what you told us yesterday was,
	23		and I'm quoting from the transcript at page 3216,
	24		something to the effect of:
10:20	25		"Yeah, right, you know, 'I stabbed her and I



	1		fucked her brains out, that's a good time,'
	2		or something and he just threw his pillow
	3		back behind him and laid back."
	4	A	Yes.
10:21	5	Q	Those are the words
	6	А	That's more what I remember. Yeah, that's more
	7		what I remember, but something about stabbed, I do
	8		remember that.
	9	Q	And then what about this part here where it says:
10:21	10		"Then he rolled on the bed awhile and
	11		laughed hysterically."
	12		And he's referring to Mr. Milgaard. Do you
	13		remember that?
	14	A	Well, he flipped the pillow back I wouldn't say
10:21	15		he laid back, he more, like, he jumped back, and
	16		yeah, he was laughing after that, but I wouldn't
	17		call it hysterical, no.
	18	Q	And then Mr. Melnyk carries on and says:
	19		"I said he must be crazy enough to do that
10:21	20		and he said, 'Yeah man I did it'."
	21		Do you recall that or do you take issue with
	22		Mr. Melnyk's
	23	A	I don't recall that.
	24	Q	And then I believe that says:
10:21	25		"That passed over and George and Debbie left
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	1		and I stayed the night with Hoppy and Ude		
	2		and left in the morning before they did. I		
	3		haven't seen Hoppy since."		
	4		Do you accept is that consistent with your		
10:22	5		recollection?		
	6	A	No.		
	7	Q	And what do you dispute in that statement?		
	8	А	Well, I didn't leave to go anywhere with George.		
	9		Like I said, I left after George and Craig had		
10:22	10		already left the room and I just walked home. I		
	11		lived two blocks, possibly two and a half blocks		
	12		away.		
	13	Q	And I believe yesterday you told us that when you		
	14		left, it was just David and Ute?		
10:22	15	А	Correct.		
	16	Q	And		
	17	А	Now		
	18	Q	I'm sorry?		
	19	А	maybe Craig and George came back after I was		
10:22	20		gone, but to that point they had left before me		
	21		and then when I left I just walked home.		
	22	Q	And I think the balance of this goes on with		
	23		Mr. Melnyk's recollection in view of events after		
	24		you had left. Next if I could go to Mr. Melnyk's		
10:23	25		trial evidence which is 002134 and this is the		
		ii			

			1 agc 3247
	1		transcript, Ms. Hall, of Craig Melnyk's evidence
	2		at trial, and I'm not sure if it was in the same
	3		format, but this is the type of document or
	4		perhaps a copy of the same document that
10:23	5		Mr. O'Brien showed you in 1981?
	6	Α	Yes.
	7	Q	Go to page 002139, just call out that portion.
	8		This is Mr. Melnyk being examined by the
	9		prosecutor.
10:23	10		"Q Now who was there when you arrived?
	11		A There was David and Ute Frank"
	12		And then carries on,
	13		A Debbie Hull."
	14		Now your name is H-A-L-L; correct? Apart from
10:24	15		that
	16	А	Correct.
	17	Q	you would agree with Mr. Melnyk's evidence
	18		there?
	19	А	Yes.
10:24	20		It says:
	21		"Q Did you know these two girls before?
	22		A Yes."
	23		Do you agree with that?
	24	А	Well, on a casual acquaintance type of
10:24	25		relationship, yeah.

			Page 3250 ————
	1	Q	Mr. Melnyk says he arrived about 10:30 p.m. Does
	2		that sound correct?
	3	A	I would think that would probably be about the
	4		time frame, yes.
10:24	5	Q	Go to the next page, please, 002140 pardon me,
	6		2141, and Mr. Melnyk is asked the question:
	7		"Q Now, when the local news came on and
	8		throughout it, was it still the same
	9		group of people in the room you've
10:25	10		already mentioned - you, George, David
	11		Milgaard and the two girls?
	12		A Yes.
	13		Q No one new?
	14		A No.
10:25	15		Q And nobody left?
	16		A No."
	17		If I can pause there. I think you told us
	18		Mr. Harris was there?
	19	А	Correct.
10:25	20	Q	And the five people mentioned?
	21	А	Yes.
	22	Q	Then scroll down to the bottom, please, and
	23		Mr. Melnyk is questioned:
	24		"Q And perhaps I should ask you - I gather
10:25	25		this is one of these rooms where the TV
		Ī	

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	1			set is in what amounts to the bedroom
	2			part of the motel unit?
	3		А	Yes.
	4		Q	Now, you said there was something about
10:25	5			the stabbing death of a nurse in
	6			Saskatoon?
	7		А	Yes.
	8		Q	Do you yourself remember anything else
	9			of the item other than that or not?
10:25	10		А	Just that they hadn't got the person
	11			yet."
	12		If I can	pause there, and I take it what you told
	13		me about	the statements applies here, you didn't
	14		see or he	ear the news story, but you believed
10:25	15		there to	be a story about the nurse's murder; is
	16		that cor	cect?
	17	A	Correct.	
	18	Q	And then	if you could go to page 002143, and Mr.
	19		Caldwell	says:
10:26	20		" Q	Now when this news item was completed
	21			so to speak, what happened at the motel
	22			room?
	23		А	Somebody asked David if he had did it,
	24			referring
10:26	25		Q	do you recall who it was?
			~	•



			Page 3252 —————
	1		A No I don't
	2		THE COURT:
	3		Q Was it a man or a woman?
	4		A I couldn't say for sure."
10:26	5		Pause there. Is that correct in accordance with
	6		your recollection?
	7	A	Well, Craig asked him first, then George carried
	8		on.
	9	Q	So Craig and then pardon me, Craig asked first?
10:26	10	A	I believe all he must have gotten out was
	11		something like "You did that, Hoppy, you did it,
	12		didn't you," and then George picked up and was
	13		kind of bugging him about it.
	14	Q	And then the question:
10:27	15		"Q Yes - go ahead?
	16		A He got up on his knees on the bed and
	17		he put a pillow between his legs, sort
	18		of half between his legs and half on
	19		the bed."
10:27	20		Pause there. Do you agree with that?
	21	A	He should have said he was on his knees on the bed
	22		with a pillow between his legs, because he was
	23		already doing that.
	24	Q	Okay. Then carrying on, and I believe this is the
10:27	25		judge now:

			Page 3253 —		
	1		" Q	He got up on his knees and you put a	
	2			pillow where - between his knees?	
	3		А	Yes."	
	4		So the or	nly issue between you and Mr. Melnyk is	
10:27	5		you are	saying what you observed, he was already	
	6		on his k	nees with the pillow between his legs,	
	7		and Meln	yk says that he got on his knees with the	
	8		pillow b	etween his legs?	
	9	A	Yes.		
10:27	10	Q	The ques	tion, next page, and again this is the	
	11		court exa	amining:	
	12		" Q	Yes - well just a minute, before you go	
	13			on - was he in a crouched position or	
	14			was he flat on his stomach on the	
10:28	15			pillow?	
	16		А	He was on the shins of his knees on	
	17			the bed.	
	18		Q	On the shins of his knees; and was his	
	19			body lying on the pillow or was it above	
10:28	20			the pillow?	
	21		А	It was above the pillow.	
	22		Q	Well, was it touching the pillow?	
	23		А	The insides of his legs were.	
	24		Q	Where was his stomach?	
10:28	25		A	Facing the wall. He was sitting	



		Page 3254		
	1		upright only he was on his knees."	
	2		And is that correct with is that in accord	
	3		with your recollection?	
	4	A	Yes.	
10:28	5	Q	Scroll down, please, and then:	
	6		"Q Yes - go ahead?	
	7		A And he started hitting the pillow like	
	8		he was stabbing something.	
	9		Q Just a minute please - go ahead?	
10:28	10		A He was hitting the pillow like he was	
	11		stabbing something and he said - I	
	12		killed her or something fourteen	
	13		times.	
	14		Q I killed her?	
10:28	15		A I'm not sure if it was - I killed her	
	16		- but fourteen times was in there. It	
	17		was either "I killed her" or "I	
	18		stabbed her fourteen times."	
	19		Q You're sure it was either killed or	
10:29	20		stabbed?	
	21		A Yes.	
	22		Q Yes?	
	23		A And then he said "I fixed her."	
	24		Now, we maybe covered this already when we went	
	25		through the statements. Let's just go through	

			Page 3255 ————		
	1		this. Mr. Melnyk says he started hitting the		
	2		pillow like he was stabbing something. Is that		
	3		consistent with your observation?		
	4	А	Not really. I wouldn't say he looked like he was		
10:29	5		stabbing it at all. He was using both hands with		
	6		the pillow.		
	7	Q	And I think you said he was punching it?		
	8	А	Yes, with closed fists.		
	9	Q	And then again I think you've already told us the		
10:29	10		words used, you don't recall the word fourteen		
	11		times?		
	12	А	No.		
	13	Q	And you recall the word stabbing; is that correct?		
	14	A	Yes, stabbed or		
10:29	15	Q	Stabbed?		
	16	А	Yes.		
	17	Q	Do you remember him using the words "I killed		
	18		her," or words to that effect?		
	19	А	No, I don't recall.		
10:29	20	Q	And then I think you already told us you don't		
	21		or did you recall David using the words "I fixed		
	22		her"?		
	23	А	No.		
	24	Q	And then the next page, please, and Mr. Melnyk		
10:30	25		says:		

	Г			Page 3256
				r age 3230
	1		"A	And then he sort of rolled on his side
	2			and started laughing."
	3		And I th	ink you told me that that's correct?
	4	A	He was la	aughing, yes.
10:30	5	Q	And then	down here, Mr. Caldwell asks:
	6		" Q	Now, what happened when this took place?
	7		A	The room sort of - just everybody just
	8			sat there and just sort of looked in a
	9			daze like."
10:30	10		And is th	hat do you agree with that?
	11	А	Well, for	ur of us were in a daze. We were under
	12		the influ	uence, so but yeah, it went quiet for a
	13		minute ar	nd then everybody picked up again.
	14	Q	And then	Mr. Melnyk is asked:
10:30	15		" Q	Just a minute please; was there anything
	16			more said?
	17		A	No.
	18		Q	Yes?
	19		A	And the subject was dropped."
10:31	20		You agree	e with that?
	21	А	Yes.	
	22	Q	And then	Mr. Caldwell asks:
	23		" Q	And after that did some people
	24			eventually leave - did some of the
10:31	25			people leave eventually?



	Ī		Page 3257 ————
	1		A Yes; Debbie Hull asked George to drive
	2		her home.
	3		Q And did they leave?
	4		A Yes."
10:31	5		And can you comment on that, please?
	6	A	Didn't happen.
	7	Q	I believe you said that you walked home?
	8	A	Yes.
	9	Q	Next page, please, 002146, Mr. Melnyk is asked:
10:31	10		"Q Now, during the time you were in the
	11		motel room - and you understand I'm
	12		talking about from when you arrived
	13		through this whole episode until you
	14		left - were you under the influence of
10:32	15		any liquor or intoxicant or any drug or
	16		LSD or anything of that sort whatever?"
	17		Mr. Melnyk answered no. And are you able to
	18		or do you dispute that?
	19	A	I did not see them take anything that night,
10:32	20		George or Craig Melnyk.
	21	Q	Did you observe Mr. Melnyk in a stoned or impaired
	22		state?
	23	A	No.
	24	Q	Now, Mr. Melnyk, I think, when he was
10:32	25		cross-examined by Mr. Tallis, described David's



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	1		laughter as hysterical after this, and you may
	2		have already answered this, what is your
	3		recollection of how long he laughed for and
	4		whether it was hysterical or not?
10:32	5	А	My recollection is it was one long laugh all
	6		night, but at that point he was yeah, it was a
	7		giggly, kind of goofy laugh. I wouldn't take it
	8		as hysterical at all.
	9	Q	Okay. Now those parts that I've just read you of
10:33	10		Mr. Melnyk's examination, do you recall reviewing
	11		those when you were meeting with Mr. O'Brien in
	12		1981?
	13	A	Yes, I think I did, yes.
	14	Q	Is there anything that I just read to you that
10:33	15		sounds new to you that you didn't read when you
	16		were with Mr. O'Brien, and I appreciate it was a
	17		long time ago.
	18	A	I don't think so. I remember that I remember I
	19		was pretty upset with, like I say, how he kind of
10:33	20		twisted some of it.
	21	Q	Let's talk about Mr. Melnyk. Tell me what you
	22		mean by what parts concerned you that you
	23		thought he twisted?
	24	A	Well, outright saying that George had driven me
10:34	25		home bothered me because I know that they would
		ĺ	



	1		have remembered that being well, the fact that
	2		they weren't stoned or under the influence or
	3		anything, I would think that their recollection of
	4		that evening would be a whole lot clearer than it
10:34	5		was.
	6	Q	So the George driving you home, was there anything
	7		else then in Mr. Melnyk's evidence that you
	8		thought I think you said the words were
	9		twisted?
10:34	10	A	Well, them saying he got this crazy look and
	11		started stabbing the pillow and freaking out and
	12		everything. He had been in a happy, jovial mood
	13		all night.
	14	Q	Was there anything else then that and again
10:34	15		just with Mr. Melnyk which I read that I think
	16		your words, you thought he twisted it. Was there
	17		anything else?
	18	A	Well, we all seemed to have heard a different
	19		thing to what David replied, so the fixed her,
10:35	20		I don't agree with that.
	21	Q	Let's go on to Mr. Lapchuk's transcript which is
	22		175604. If you could go to page 175605, please,
	23		and this is Mr. Lapchuk being examined by Mr.
	24		Caldwell:
10:35	25		"Q And I'd like to ask you about an



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	1			occasion in 1969 when I believe you were
	2			together with him and some other people.
	3			Now, what do you remember about the time
	4			of the year this was - do you remember
10:35	5			the exact date, first of all?
	6		A	Not the exact date; I believe it was
	7			in May.
	8		Q	In May; and that would be of '69?
	9		A	Yes sir."
10:35	10		I take i	t you accept that, Ms. Hall, as being
	11		accurate	?
	12	A	Yes.	
	13	Q	Next pag	e, please. I should go to 175607 and
	14		Mr. Lapc	huk is asked:
10:36	15		" Q	Now, when you got in the room who was in
	16			the room?
	17		A	There was Dave - Dave Milgaard, Ute
	18			Frank and Debbie Hull.
	19		Q	And when you say Dave you're referring
10:36	20			to the accused?
	21		A	Yes.
	22		Q	Who answered the door?
	23		А	Dave did.
	24		Q	Did you know the two girls, Ute Frank
10:36	25			and Debbie Hull before that?



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			. ago ozo.
	1		A Yes sir."
	2		And then the court asked a question:
	3		"THE COURT:
	4		Q Were they expecting you?
10:36	5		A No, they weren't."
	6		And other than your name spelled wrong, is that
	7		and, I'm sorry, I believe you also said
	8		Mr. Harris was there?
	9	A	I'm not sure whether Bob arrived before George and
10:36	10		Craig or shortly after.
	11	Q	So you would agree with Mr. Lapchuk's evidence
	12		then here, which I've just read to you, other than
	13		I think you said Mr. Harris may have been there
	14		when Melnyk and Lapchuk arrived?
10:37	15	A	Correct.
	16	Q	Or he may have arrived after, you are not sure?
	17	A	Yeah, he may have been a little bit after them.
	18	Q	And Lapchuk says that David, you and Ute were not
	19		expecting George and Craig?
10:37	20	A	No.
	21	Q	Is that true?
	22	А	No, I didn't know they were coming, no.
	23	Q	Go to the next page, 175608, and Mr. Lapchuk is
	24		asked by Mr. Caldwell:
10:37	25		"Q And would you tell the court the best
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	1		you can remember as to what it was
	2		about - that is, what you remember of
	3		that part of it?
	4	A	I can't remember the exact wording but
10:37	5		it was in some reference to the nurse
	6		being murdered in Saskatoon.
	7	Q	And when that item came on did anything
	8		- or following it I should say did
	9		anything happen?
10:37	10	А	Well, I made a comment to Dave about
	11		his, like he had been picked up and
	12		questioned about this murder and I
	13		made a comment "
	14	Go to the	next page, please, it carries on, and
10:38	15	the part	I skipped there just talks about earlier
	16	questioni	ng, and carrying on here:
	17	" Q	And had you made comments to him
	18		previous to that evening about that
	19		situation?
10:38	20	А	Yes sir.
	21	Q	Alright; on this occasion now after that
	22		news was on the air what did you do?
	23	A	Well, I said to him: Why don't you
	24		admitted it? You did it; you know you
10:38	25		did it."

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	1		If I can pause there, and I think you said Melnyk
	2		spoke first and then Lapchuk. Do you recall
	3		those words being spoken by Mr. Lapchuk?
	4	A	Well, not exactly, but that would have been along
10:38	5		the lines of what he was saying to him, yes.
	6	Q	So you don't dispute Mr. Lapchuk's version of what
	7		was said there?
	8	A	No, no.
	9	Q	And then he says:
10:38	10		"A I just made the comment just to sort of
	11		bother him as a joke."
	12		And is that what you understood as well?
	13	A	Oh, yes, teasing him.
	14	Q	Next page, please.
10:39	15		"Q Alright; what happened when you said
	16		that?
	17		A Well, first of all he got a sort of
	18		funny look and then he jumped off of
	19		the bed and straddled the pillow"
10:39	20		And the court interjects:
	21		"THE COURT:
	22		Q Just a minute, I want to get this down.
	23		He jumped off the bed, is that what you
	24		said?
10:39	25		A Yes.
		1	



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			. Jg. 1-1.
	1		Q And straddled the pillow?
	2		A Yes.
	3		Q Where was the pillow?
	4		A On the floor.
10:39	5		Q Yes?
	6		A And then he said: Where is my paring
	7		knife.
	8		Q He said what?
	9		A Where is my paring knife."
10:39	10		If we can pause there, and I think we've covered
	11		some of this before. I want to get, know whether
	12		you agree with this, Ms. Hall. First of all
	13	A	No, I totally disagree with that. None of it
	14		happened.
10:39	15	Q	Can you tell me which parts of this let's just
	16		go through it and you tell me what you disagree
	17		with.
	18	A	Well, he didn't jump off the bed and the pillow
	19		wasn't on the floor and he didn't say anything
10:39	20		about a paring knife.
	21	Q	Okay. What about did you observe a funny look
	22		on his face, David's face?
	23	A	All night.
	24	Q	Well, this is Mr. Lapchuk's version of what he
10:40	25		observed at the time and so at the time of the
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			Page 3265 ————
	1		news cast or shortly after did you observe
	2		anything different about David's facial
	3		expression?
	4	A	Well, it would go along with the sarcasm. He had,
10:40	5		you know, probably a look of disgust at George
	6		giving him a hard time.
	7	Q	Is that what you recall seeing?
	8	А	Yes. He would be
	9	Q	And just scroll down to the bottom and the court
10:40	10		asks him and Mr. Lapchuk says:
	11		"A And then he went through the motions of
	12		stabbing the pillow - raising his arm
	13		and stabbing the pillow and then he said
	14		· · "
10:41	15		Next page:
	16		" And then he said: Yes I stabbed her,
	17		I killed her, I stabbed her fourteen
	18		times and then she died."
	19		And then carry on down here, Mr. Lapchuk says:
10:41	20		"A And these aren't the exact words. The
	21		only part that I can remember for sure
	22		is that: And then she died. I can't
	23		remember whether it was stabbed her or
	24		killed her but - and then she
10:41	25		died - stands out in my mind."
		.,	



			Page 3266 ————
	4		
	1		Do you agree with that evidence of Mr. Lapchuk?
	2	A	I don't recall him saying anything about "and then
	3		she died". I don't recall that.
	4	Q	And again not to belabour this, but I think with
10:41	5		the pillow, you've already told us that you
	6		thought it was punching rather than stabbing?
	7	A	Yes.
	8	Q	And where Mr. Lapchuk says "Yes, I stabbed her,"
	9		that's consistent with what you remember?
10:41	10	A	Yes.
	11	Q	And I think you've already told us you don't
	12		remember 14 times and you don't recall anything
	13		about I killed her; is that correct?
	14	A	Yes.
10:41	15	Q	And scroll down, please, and Mr. Caldwell asked
	16		Mr. Lapchuk:
	17		"Q Now, what happened when the accused did
	18		these things in the room?
	19		A Well, I was shocked, like I hadn't
10:42	20		expected a display like that, you
	21		know; and I just started looking at
	22		him and I believe everybody else in
	23		the room was looking at him also; and
	24		then he looked up and saw that
10:42	25		everybody - that I was staring at him

			Page 3267 ————
			5
	1		with my jaw hanging down."
	2		Is that consistent with what you remember?
	3	А	No.
	4	Q	In what respect?
10:42	5	А	Well, I wasn't really looking at everybody else in
	6		the room, but us all staring at him slack-jawed, I
	7		certainly didn't. I remember kind of just shaking
	8		my head thinking what an idiot, but that was about
	9		it.
10:42	10	Q	And then the next page, please, 175612, and then
	11		Mr. Lapchuk is asked:
	12		"Q What did he do?"
	13		About Mr. Milgaard.
	14		"A He just looked up and looked at me and
10:43	15		then got up and shrugged his shoulders
	16		and smiled and sort of gave a little
	17		laugh and sat down."
	18		Is that consistent with what you remember?
	19	A	I gather by him saying he looked up at him, that
10:43	20		he was on the floor or he must have been
	21		because if he had been on the bed he would have
	22		been looking down at George.
	23	Q	And the little laugh and smile; do you recall
	24		that?
10:43	25	А	Well, he was laughing after, but and then he

		Page 3208 —
	1	lay back, he didn't sit down, he lay back against
	2	the pillow he was punching up.
	3	${f Q}$ If we could go down to the bottom of that page,
	4	please, and then Mr. Lapchuk is asked:
10:43	5	"Q Did you leave sometime after that?"
	6	And he answered:
	7	"A Do you mean leave to go home like?
	8	Q Yes - leave the room at any rate?
	9	A Well, I left several times during the
10:44	10	night like for cokes and stuff like
	11	that and then I went home about oh I'd
	12	say two thirty.
	13	Q I see; did anyone go with you?
	14	A Not when I went home, no.
10:44	15	Q And had anyone gone with you at any
	16	other juncture of the evening?
	17	A Yes.
	18	Q Who was that?
	19	A Well, I had gone across to the gas
10:44	20	station with Debbie Hull and Dave once
	21	to get some cokes - we had driven
	22	across."
	23	Do you recall that, going in the car with Mr.
	24	Lapchuk to get cokes, or to get something?
10:44	25	A I remember we went across the street to a gas



			1 age 3207
	1		station for pop.
	2	Q	Yeah, and Mr
	3	A	But I don't remember driving. We were just going
	4		across the street.
10:44	5	Q	Okay. And then when Mr. Lapchuk is asked:
	6		"Q I see; did anyone go with you?
	7		A Not when I went home, no."
	8		I think you have already told me that's you
	9		agree with that, you didn't go home Mr.
10:45	10		Lapchuk didn't give you a ride home?
	11	A	Correct.
	12	Q	And just scroll down a bit, stop there. And Mr.
	13		Lapchuk was asked:
	14		"Q And by the time you left finally and for
10:45	15		the last time who was left in the room
	16		when you finally left?
	17		A When I left there was Dave, Ute and
	18		Craig.
	19		THE COURT:
10:45	20		Q What happened the other girl?
	21		A I really can't remember. I believe I
	22		drove her home but I can't really
	23		recall that time that was."
	24		And I think you are the other girl, Ms. Hall, and
	25		I think you have told us that he didn't drive you
			1



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	1		home; is that right?
	2	A	Right, correct, yes.
	3	Q	And then down at the bottom, just scroll down a
	4		bit, Mr. Caldwell asks Mr. Lapchuk:
10:45	5		"Q Now, during the entire time when you
	6		were in the motel room that evening -
	7		net income, I'm talking about from when
	8		you arrived at the room until you
	9		finally left at the very end - that
10:45	10		whole period of time; were you yourself
	11		under the influence of any liquor or
	12		intoxicant or any drug or LSD or
	13		anything of that description?
	14		A No sir."
10:46	15		And I think you have already told me that you did
	16		not observe Mr. Lapchuk either ingesting drugs or
	17		under the influence of drugs; is that correct?
	18	А	Yes, that's correct.
	19	Q	And
10:46	20	А	He didn't appear to be under any influence of
	21		anything.
	22	Q	Okay. And I wonder if you could go to 175615, and
	23		this is Mr. Tallis cross-examining Mr. Lapchuk,
	24		and he says:
10:46	25		"Q Now, you went out on other occasions



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	1		with other people, did you?
	2		A No, not that I can recall. See, I may
	3		have driven Debbie Hull home. This is
	4		the only part that I can't really
10:46	5		recall when I drove her home.
	6		Q I see; you don't recall whether you
	7		drove her home or not that evening?
	8		A No."
	9		And I take it you are saying he didn't drive you
10:46	10		home?
	11	А	Yes.
	12	Q	Now, when you were reviewing the transcript with
	13		Mr. O'Brien, do you recall whether he showed you
	14		this part of the transcript?
10:47	15	А	Yes.
	16	Q	He did?
	17	А	Yes. You know, he might not have, I'm just
	18		thinking about that now, because I thought I
	19		remember recalling, feeling very strongly about
10:47	20		George thinking he drove me home
	21	Q	Okay.
	22	А	and now, when I think back, I don't think I saw
	23		where he said he may have but he couldn't
	24		remember.
10:47	25	Q	I will show you in a bit, Ms. Hall, when you were

			Page 3272 ————
	1		questioned by Eugene Williams of Federal Justice,
	2		and I believe he shows you that part of the
	3		transcript
	4	A	Okay.
10:47	5	Q	and I'll go through that evidence with you and
	6		maybe that will refresh your memory.
	7	А	Okay.
	8	Q	Now when you met with Chris O'Brien, I think you
	9		said 1981 is that correct
10:48	10	Α	Yes.
	11	Q	do you recall him taping your discussion when
	12		you reviewed the transcript?
	13	Α	Yes, he did, uh-huh.
	14	Q	And did he tell you why?
10:48	15	Α	I think it would have just saved a lot of time
	16		instead of him trying to write everything down.
	17	Q	And did he ever provide you with a copy of that
	18		transcript?
	19	А	No.
10:48	20	Q	I'm going to call up, Mr. Commissioner, there is
	21		two documents in our database that purport to be
	22		the transcript of that interview and I'll call
	23		them both up, they are similar, they are not
	24		identical. The first is 178010, and if we could
10:49	25		just call out the top part, please, it says:



			1 ago 0270
	1		"Debbie Hull, late January/81",
	2		Now your name is spelt wrong, it says:
	3		"(With Chris O'Brien) a radio reporter."
	4		Does that sound like a correct date of your
10:49	5		interview with Mr. O'Brien?
	6	A	I would think so, yes.
	7	Q	And I'm just going to go through a couple parts of
	8		this just to have you confirm for me that this
	9		would be that you had a conversation to the
10:49	10		effect of what's reported here. If you could just
	11		scroll down, please, it's not a very good
	12		transcript, stop there. And I think the C is
	13		Chris O'Brien and the D is Debbie Hall:
	14		"So if you were in the motel room at
10:49	15		that time, the only way that you could
	16		understand what was being said was if
	17		everyone stopped talking and paid
	18		attention?
	19		DEBORAH HALL: Yes.
10:49	20		MR. O'BRIEN: And were they quiet, or were
	21		they talking.
	22		DEBORAH HALL: No, everybody was talking
	23		and, you know, being silly because
	24		everybody was high."
10:50	25		Does this sound accurate, Ms. Hall, do you



			1 agc 3274
	1		remember having this type of discussion with Mr.
	2		O'Brien?
	3	A	Yes.
	4	Q	The next document which I will refer to in more
10:50	5		detail is 047724, now this document says
	6		transcript of tape of Paul Henderson and Debbie
	7		Hall, and then the words "Chris O'Brien" are put
	8		in there, and I believe you have been asked about
	9		this before and it's my understanding that
10:50	10		well, let me ask you. Did you ever, were you ever
	11		interviewed by a person by the name of Paul
	12		Henderson?
	13	A	I really do not recall
	14	Q	Okay.
10:50	15	A	talking to a Mr. Henderson at all.
	16	Q	And I believe, when you were interviewed by
	17		Mr. Williams of the RCMP, I believe you confirmed
	18		that this, in fact, was a transcript of your
	19		discussion with Chris O'Brien; do you recall that?
10:51	20	A	I, I think I might, yes, yeah.
	21	Q	And
	22	A	I don't remember any Paul Henderson.
	23	Q	Right. I think, when we go through this, you will
	24		be able to see that it refers to your discussion
10:51	25		with Mr. O'Brien.



			Page 3275
			Fage 3273
	1	A	Okay.
	2	Q	If we could go to page 047725, and then at the top
	3		where it says Henderson and, for the record,
	4		I'll use the words Mr. O'Brien because I believe
10:51	5		that's what it is, he says:
	6		"See, like I could take shorthand, but I
	7		can't. Like I could take down notes,
	8		but I can't take shorthand, so that's
	9		the only way I can do it. But like I
10:51	10		say, that tape will never be used"
	11		And you answer:
	12		"You know, but the only thing is though,
	13		now my mind's just like it's comer
	14		clearer as this goes along, you know.
10:52	15		But if there was any sound at all in the
	16		sense of what they're saying sound, it
	17		was not hearable, you know what I mean."
	18		And I believe this was talking about the
	19		television. Just carry on down two more
10:52	20		paragraphs:
	21		"MR. O'BRIEN: It was not distinguishable.
	22		DEBORAH HALL: Unless, unless everybody was
	23		hushed enough to hear it. It was down
	24		very low. The TV was sputtering and it
10:52	25		wasn't even working really right.

			Page 3276 ————
	1		Static on it and
	2		MR. O'BRIEN: So if you were in the motel
	3		room at that time, the only way you
	4		could understand what was being said was
10:52	5		if everybody stopped talking and paid
	6		attention?
	7		DEBORAH HALL: Yeah."
	8		Do you remember those does that sound like
	9		your discussion with Mr. O'Brien?
10:52	10	A	Yes.
	11	Q	Okay. If you can scroll down to the bottom of the
	12		page, and it says here could you just scroll
	13		back up a bit please:
	14		"Okay",
10:52	15		and it says he begins reading again at footage
	16		number 271 to footage number 310. I believe Mr.
	17		O'Brien was reading the transcript to you, was
	18		that correct, the trial transcript?
	19	A	Yes, I believe so.
10:53	20	Q	And then you answer:
	21		"There was nobody that I noticed paying
	22		any attention to the TV at all."
	23		and then he says:
	24		"MR. O'BRIEN: When a group of kids get
10:53	25		together in a motel room, with girls and
		I	•



		Page 3277 —————
	1	they get stoned together, do they
	2	generally stop and listen to the news?
	3	DEBORAH HALL: No.
	4	MR. O'BRIEN: Especially at 17 years of
10:53	5	age?
	6	DEBORAH HALL: No."
	7	And then you go on here to say:
	8	"Everybody was busy doing their thing.
	9	By this time Ute and David were already,
10:53	10	you know, getting all mushy and
	11	everything, eh. I remember that cause,
	12	actually he was sort of mushy with her
	13	all night and it just went on, you see.
	14	But, uh, Bob Harris was sitting beside
10:53	15	me in two chairs that were in there. He
	16	was on the far side of me so I know for
	17	a fact he wasn't watching TV.
	18	MR. O'BRIEN: Okay. Bob Harris was there?
	19	DEBORAH HALL: Um. mmmm.
10:53	20	MR. O'BRIEN: And he didn't say anything
	21	about Bob Harris being there, did he?
	22	His name came up here in a few
	23	minutes."
	24	So do you recall having a discussion like that
10:54	25	with Mr. O'Brien about Bob Harris being there?



	1	A	Yes.
	2	Q	And then at page 047727 Mr. O'Brien asks:
	3		"MR. O'BRIEN: But after that, nobody new
	4		came into the room and then left again.
10:54	5		But you're pretty sure Bob Harris was in
	6		the room at that time?
	7		DEBORAH HALL: Yeah.
	8		MR. O'BRIEN: This good looking fellow.
	9		And that's funny, cause he was never
10:54	10		called as a witness either.
	11		DEBORAH HALL: Yeah."
	12		Do you recall that discussion with Mr. O'Brien?
	13	A	Yes.
	14	Q	Page 047728 pardon me 047729, and I believe
10:55	15		this is Mr. O'Brien, he says:
	16		"MR. O'BRIEN: So they tested David's
	17		saliva to determine whether or not the
	18		"A" group antigens, which they had
	19		discovered in this foreing blood near
10:55	20		the body, could have been matched up
	21		with David's saliva. As it turned out,
	22		David's saliva showed nothing of that
	23		sort. But his blood gave a positive
	24		indication of being an "A" type blood,
10:55	25		which is an important factor as far as

		Page 3279 —
	1	the Crown evidence is concerned, but
	2	uh so when the mentioned the saliva
	3	test. Like, before he was talking about
	4	saliva tests, that if it turned
10:55	5	positive, that they were going to arrest
	6	him for this. The judge says,"
	7	and then footage:
	8	"Do you remember anything like that?"
	9	And you answer:
10:55	10	"Him asking about that? No, I don't.
	11	MR. O'BRIEN: No one said, hey David did
	12	you really kill that girl in Saskatoon."
	13	and you answer:
	14	"I would have remember that."
10:55	15	"That would have been a shocker."
	16	And you answer:
	17	"If I I really because I knew
	18	nothing about that. When I like that
	19	night at the motel room and that I knew
10:56	20	nothing about him having to take tests
	21	on saliva, or anything else. I knew
	22	I did not know he was in any kind of
	23	trouble at all, by anything I'd heard,
	24	or overheard, or anything."
10:56	25	Now it says here, Ms. Hall, "I would have



			Page 3280 ————
	1		remembered that about the comment about "hey
	2		David did you really kill that girl "; did you
	3		have that discussion with Mr. O'Brien?
	4	А	Yes, but I think I was referring more to the
10:56	5		saliva test business that he was talking about.
	6	Q	Okay.
	7	А	I didn't know anything about him taking any tests
	8		or talking to the police or anything.
	9	Q	But his comment or his question here:
10:56	10		"No one said, hey David did you really
	11		kill that girl in Saskatoon?"
	12		I think you have told use today that you recall
	13		Mr. Melnyk and Mr. Lapchuk both saying words to
	14		that effect?
10:56	15	А	Yes.
	16	Q	If you can scroll down, please, and then no,
	17		scroll back up, please, here. And then Mr.
	18		O'Brien says:
	19		"MR. O'BRIEN: O.K., so if somebody had
10:56	20		said, hey David, did you really kill
	21		that girl, that would sort of "kill that
	22		girl" that would sort of peak, wouldn't
	23		it.
	24		DEBORAH HALL: Yeah, because, like I say,
10:57	25		everything I was noticing a lot of
			4



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	1	things that I wouldn't have normally if
	2	I'd been probably just sitting ther
	3	bored."
	4	And then he carries on, and referring to footage,
10:57	5	and I'll:
	6	" he was on his shins, they're trying
	7	to establish his exact position, O.K.,
	8	they're trying to pinpoint his
	9	position, which is detail, detail.",
10:57	10	and then you answer:
	11	"Lies that whole right there. That
	12	is definitely a lie and I can tell I
	13	remember Dave getting up and doing this
	14	with the pillow."
10:57	15	And he says:
	16	"He did?"
	17	and the next page:
	18	"He did get up and do something like
	19	that. But, by this time him and Ute
10:57	20	were on the bed together, naked, both of
	21	them. She was under the covers, covered
	22	up, and he was flaunting his nakedness
	23	so it didn't bother him any. And all he
	24	was doing was fluffing up the pillow and
10:57	25	redepositing himself, so to speak, you



			Page 3282
	1		know."
	2		If I can pause there, do you remember using those
	3		words, "lies," with Mr. O'Brien?
	4	A	Yes, I think I did.
10:58	5	Q	And do you know what you were referring to?
	6	A	Well the way they were describing what he had done
	7		with the pillow, and such forth, I just thought it
	8		was totally crazy.
	9	Q	So, I'm sorry, it was the positioning of the
10:58	10		pillow? The part that you said was lies now
	11		it's hard to tell because the transcript doesn't
	12		say what he was reading from.
	13	A	Yeah, and it was, you know, I was pretty excited
	14		when he just kind of threw this at me and I in
10:58	15		hindsight now I think I started thinking about it
	16		an awful lot harder after I initially talked to
	17		him about this.
	18	Q	Okay.
	19	A	But I think it was I was referring to the way
10:58	20		they described how he, you know, jumped on this
	21		pillow and started stabbing it and got all crazy
	22		looking and so forth.
	23	Q	When you say "crazy looking", where did you take
	24		that, where did you hear that from?
10:58	25	A	Well when George said he had a funny look and
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1 Craig said something about him looking strange, or 2 something, and I can't remember exactly what it 3 was. 4 And then Mr. O'Brien says: Okay. 5 "Did he say anything?" 10:59 6 and you answered: 7 "He propped himself up against the wall 8 with that pillow, as a matter of fact. 9 Now there was a lot of people O.K. 10 talking at once, cause you know, there's 10:59 11 conversation with this, that and the 12 other. Now, I might have been in a 13 conversation with Bob at the time 14 because I was talking to him a lot so I 15 did not hear anybody say anything to 10:59 16 him, but I don't remember him saying 17 anything like killed or stabbed, or 18 anything. He was just pounding this 19 pillow and he redeposited himself on the 20 You know what I mean. 10:59 21 was sitting... he was lying down before 22 and then he just got up and was fluffing 23 his pillow and up and went like this and 24 then just sat back. And then he was... 25 he was laughing, I remember him laughing 10:59



Like, he

	1		about something, but I did not like I
	2		had heard him say kill or stab or
	3		anything like I would have heard it."
	4		Now I think that's different than what you have
10:59	5		told us yesterday and today?
	6	А	Yeah, and I don't recall this conversation part at
	7		all, I really don't. So I don't know whether,
	8		like I say, at the time I was just numb about it,
	9		maybe, I don't know. Like I say, I had to start
11:00	10		really thinking about what happened that night
	11		after that.
	12	Q	Umm, yesterday and today you told us your
	13		recollection of the words that you heard David
	14		say, and I think the words "stabbing," did you
11:00	15		tell do you remember if you told Mr. O'Brien
	16		that in 1981?
	17	А	No, I can't recollect at all. I remember we were
	18		at his place going over all this for quite some
	19		time, so but I don't remember
11:00	20	Q	Okay.
	21	А	exactly. I don't. Actually, reading through
	22		this, I'm kind of frowning going I don't remember
	23		a lot of things that were said on this thing.
	24	Q	Okay. Go to the next page, 047731, and the part
11:01	25		here where Mr. O'Brien says:
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	1		"MR. O'BRIEN: But if he had said anything
	2		of this nature it would have peaked your
	3		interest.
	4		DEBORAH HALL: If he if he'd said it
11:01	5		loud enough I would have heard it even
	6		in a conversation with somebody."
	7		Do you recall telling Mr. O'Brien that?
	8	A	Hmm. I guess I must have.
	9	Q	If you could just scroll down to the next
11:01	10		paragraph and here you describe in fair detail
	11		Mr. Harris injecting something by needle, and it
	12		says "this stuff, because I remember I was
	13		appalled by that," and I think that's what you
	14		told us yesterday, didn't you, or this morning; is
11:02	15		that right?
	16	А	Yes.
	17	Q	Okay. Does this paragraph here and I won't
	18		read it but does that sound like something you
	19		would have told Mr. O'Brien at the time?
11:02	20	А	Yes.
	21	Q	And if you could scroll down, please, it says
	22		here:
	23		"But do you remember,"
	24		MR. LOCKYER: Mr. Henderson. You said Mr.
11:02	25		O'Brien, you meant Mr. Henderson?
		ii	



		1 agc 3200
	1	MR. HODSON: No, I meant Mr. O'Brien.
	2	MR. LOCKYER: Oh.
	3	MR. HODSON: It says Mr. Henderson, for the
	4	record I believe the witness has said this is a
11:02	5	discussion with Mr. O'Brien.
	6	MR. LOCKYER: I see, yes.
	7	BY MR. HODSON:
	8	Q Yeah. And you are asked here:
	9	"But do you remember David being up on
11:02	10	his knees on the bed?
	11	DEBORAH HALL: Yeah I remember him doing
	12	that, but he
	13	MR. O'BRIEN: Fluffing the pillow
	14	DEBORAH HALL: Yeah andandhe, you know,
11:02	15	had it between his knees and he was
	16	hitting the pillow, but you know, he was
	17	just fluffing it up and then he jammed
	18	it behind him and sat against the
	19	wall like the headboard of the bed
11:02	20	was a big, tall flat board.
	21	MR. O'BRIEN: He didn't exclaim in a loud
	22	voice that he stabbed, that he didn't
	23	look as though he was being violent with
	24	the pillow.
11:03	25	DEBORAH HALL: Well anybody punching a
		



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	1		pillow to soften it up, looks like
	2		they're being violent. If you want to
	3		take it that way
	4		MR. O'BRIEN: O.K. So he did punch the
11:03	5		pillow?
	6		DEBORAH HALL: Well, sure he was, you know,
	7		fluffing it up. Like he was on his
	8		knees and he grabbed his pillow and he
	9		went like this like and then he put
11:03	10		it back and sat back with it.
	11		MR. O'BRIEN: O.K. alright
	12		DEBORAH HALL: I can't believe that. Boy,
	13		did they ever twist things. But this
	14		.this bit here is definitely a lie. I
11:03	15		did not ask George Lapchuk anything
	16		wouldn't even ask George Lapchuk that.
	17		I wouldn't even talk to that guy, if I
	18		could get away with it."
	19		Now a couple things. This last point, I presume
11:03	20		that is about asking George for a ride home, is
	21		that right?
	22	A	I believe so, yes.
	23	Q	Now what I just read to you, Miss Hall, does that
	24		sound accurate as to what you would have told Mr.
11:04	25		O'Brien at the time?

	1		Page 3288 ————
			age sizes
	1	А	Yes. I think, yes, it would be.
	2	Q	Now just back, I think when you said "this part
	3		here is definitely a lie" about George driving you
	4		home, and I think you told me earlier that and
11:04	5		I don't want to put words in your mouth but
	6		about whether Mr. O'Brien showed you the part of
	7		Mr. Lapchuk's transcript where Mr. Tallis asked
	8		him about driving you home and he said "I don't
	9		recall," or words to that effect?
11:04	10	А	Yes.
	11	Q	Do you know if, now that we've gone through this,
	12		do you remember if he showed you that part of the
	13		transcript?
	14	А	The part where George said he drove me home or
11:04	15		thought he may have?
	16	Q	Both?
	17	А	I don't, like I say, I don't recall if I actually
	18		saw where he said he might have driven me home and
	19		he couldn't remember.
11:04	20	Q	Okay. So you don't remember if that was shown to
	21		you?
	22	А	No, I don't remember that, but I do remember
	23		reacting to him saying initially that he drove me
	24		home, because the first thing I said was "I
11:05	25		walked".



			Page 3289
	1	Q	Okay. Now if you could just scroll down here, if
	2		you could just go back to the main page, please,
	3		where it says here, reading it, footage:
	4		" so according to Melnyk, George took
11:05	5		you, left, dropped you off and George
	6		went home and neither of them returned.
	7		So, in other words, Melnyk never left
	8		the hotel room. Because, if George had
	9		come back he would have uh"
11:05	10		and you said:
	11		"He lied."
	12		Right?
	13	A	Melnyk never yup.
	14	Q	Then you go
11:05	15	A	I think I must have.
	16	Q	Then you go on to say:
	17		"He lied. Because he",
	18		and I think you are talking about Melnyk:
	19		" if he would have said I did leave,
11:05	20		but came back and stayed the night, I
	21		would believe that."
	22		And I think that's what you told me this morning;
	23		correct?
	24	A	Yes, yes.
11:05	25	Q	Page 047733, call out that, Mr. O'Brien asks you:

			1 age 3270
	1		"Isn't that crazy, eh. Now you saw
	2		David Milgaard mistreating a pillow,
	3		either for the purposes of venting
	4		frustrations or to soften it up to put
11:06	5		it against his back and sit on it,
	6		alright, or lean against, but you never
	7		heard "yes, I stabbed her, I killed her,
	8		I stabbed her 14 times and she died"?
	9		And you say:
11:06	10		"DEBORAH HALL: No. I definitely didn't
	11		hear anything like that, no."
	12		Do you recall having that conversation with Mr.
	13		O'Brien?
	14	A	Yes.
11:06	15	Q	Okay. And is that, what you told him, is that
	16		true?
	17	A	I believe so, yes.
	18	Q	And I think you have told us yesterday and today
	19		that you did hear words like and not those
11:06	20		exact words, but you did hear the words "I stabbed
	21		her"?
	22	А	Yes, I did, do recall "I stabbed her".
	23	Q	Okay. Do you know why you wouldn't have told Mr.
	24		O'Brien that at the time?
11:06	25	А	Like I said, I think I was kind of shell-shocked

			Page 3291 ————
	1		by the whole thing, and rather excited, and just
	2		babbling a lot of the time I think.
	3	Q	Okay.
	4	A	Until I actually sat down and clearly thought
11:07	5		about the events of that evening.
	6	Q	Okay.
	7	A	If he had given me a couple of days to sort of
	8		read it over and think about it and maybe, you
	9		know, put it all together, I think I would have
11:07	10		been a little bit more coherent about it.
	11	Q	Now on page 047739, and there is a part here where
	12		it looks like Mr. O'Brien asks you again about the
	13		comments, and he says:
	14		"Yeah,"
11:08	15		or you say:
	16		"Yeah and then he leaned back on the bed
	17		and he was laughing."
	18		And Mr. O'Brien says:
	19		" but I stabbed her, I killed her 14
11:08	20		times just wasn't there
	21		DEBORAH HALL: Not that I heard. Of
	22		course, like I say, my direct my
	23		attention might have been directed
	24		somewhere else when that was said. If
11:08	25		it was said, but I can't really see if
		1	



		1 age 3272
	1	he said it in a loud enough voice, how I
	2	wouldn't have heard it.
	3	MR. O'BRIEN: That's right.
	4	DEBORAH HALL: You know what I mean,
11:08	5	because you're, like I said my
	6	awareness and everything was really
	7	peaked that night"
	8	Do you recall that discussion with Mr. O'Brien?
	9	A Yes. Vaguely.
11:08	10	Q Now at page 047745 Mr. O'Brien brings it up again
	11	and he says:
	12	"O.K. there was also a comment made
	13	recently. This is this is
	14	interesting the comment was made that
11:09	15	after it's not in the transcripts,
	16	it wasn't brought out in the trial, but
	17	this is something that Lapchuk told us
	18	last week. He said that after David had
	19	made the motions with the pillow and
11:09	20	said " yes I stabbed her, I killed her
	21	14 times" that David also made a remark
	22	to the effect that he screwed her in the
	23	snowbank and this is his exact words.
	24	David said I screwed her in the
11:09	25	snowbank.

	1		DEBORAH HALL: I don't recall anything like
	2		that. Any kind of a conversation like
	3		that. Needless to say, I would have
	4		been hysterically if I heard him talk
11:09	5		like that."
	6		And then he says:
	7		"I stabbed her 14 times, I screwed her
	8		in the snowbank. You didn't hear
	9		anything to that effect?"
	10		And you say:
	11		"You see, the first time I heard
	12		anything about it was after that night
	13		and Ute and I were together day after
	14		day all the time",
11:09	15		and then you go on talk about a conversation. Do
	16		you recall this discussion with Mr. O'Brien?
	17	A	I don't remember George saying anything about
	18		screwed her in a snowbank, but I would definitely
	19		say I didn't hear anything like that.
11:10	20	Q	Do you recall Mr. O'Brien telling you that this is
	21		what, he says here, "Lapchuk told us last week,"
	22		and the additional words?
	23	A	No, I don't recall that, I really don't.
	24	Q	Okay. So I take it, after this interview with Mr.
11:10	25		O'Brien was complete, did you hear from him again

	ſ		Page 3294 ————
			5
	1		after this meeting at his house?
	2	А	Do you know, I don't even remember doing another
	3		haircut for him, I think he moved.
	4	Q	Well, let me put it this
11:10	5	А	It's
	6	Q	I'm sorry, go ahead?
	7	A	I just, I don't remember having any more contact
	8		with him after that.
	9	Q	Since this meeting with Chris O'Brien in what
11:11	10		appears to be January 1981, have you talked to him
	11		since?
	12	А	No.
	13	Q	Now I think the next item in the sequence was that
	14		you said you were contacted by the Fifth Estate;
	15		is that right?
	16	A	I believe it was the Fifth Estate first.
	17	Q	And how did that come about?
	18	A	I think they called me at work.
	19	Q	Okay.
11:11	20	A	I'm not sure exactly how they contacted me. I
	21		remember being surprised, because I wondered off
	22		and on what was going on, but I hadn't heard
	23		anything so
	24	Q	Did you try and reach Mr. O'Brien?
11:11	25	A	No. I didn't know how to.
		I	

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	1	Q	And so this call from Fifth Estate, would it
	2		what year would that have been, do you remember?
	3	A	Oh, I can't recall when that would have been at
	4		all.
11:12	5	Q	Okay. It would be you talked to Mr. O'Brien in
	6		1981?
	7	A	Uh-huh.
	8	Q	And I think we'll get to your dealings with
	9		Mr. Asper in 1986; would it be between '81 and
11:12	10		'86?
	11	A	Yes, it would have been.
	12	Q	And do you know how the Fifth Estate got ahold of
	13		you, or knew to call you, or why they called you?
	14	A	Again, I think it was I'm not sure of that, you
11:12	15		know, I can't recall. I don't know whether they
	16		told me that they were looking into this Milgaard
	17		case or what it was.
	18		COMMISSIONER MacCALLUM: Excuse me,
	19		Mr. Hodson. Where were you, ma'am, at this time;
11:12	20		were you in Regina?
	21	A	Yes, I was.
	22		COMMISSIONER MacCALLUM: And that's where
	23		you talked to O'Brien?
	24	A	Yes.
11:12	25		COMMISSIONER MacCALLUM: Thank you. Sorry.
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	1	BY I	MR. HODSON:
	2	Q	And was there attention they were inquiring
	3		about the motel room incident; is that right?
	4	A	Yes.
11:12	5	Q	And your recollection?
	6	A	Yes.
	7	Q	And did you, in fact, do a taped interview for
	8		a television interview for them?
	9	А	I don't think it was a televised interview.
11:13	10	Q	Do you remember showing them how the pillow was
	11		fluffed?
	12	A	That, that was a different thing, much later on,
	13		actually.
	14	Q	Okay.
11:13	15	А	Where I let's see. I can't remember the folks
	16		I talked to at that time.
	17	Q	Okay. Maybe we'll just show this video, it's very
	18		short, and maybe you maybe this will help you
	19		tell us when this may have been. If we could have
11:13	20		the video, please.
	21		(Videotape played)
	22		"DEBORAH HALL: He was fluffing it so he was
	23		doing this sort of thing.
	24		REPORTER: Right.
11:13	25		DEBORAH HALL: And then he flipped it behind
		ñ	



			——————————————————————————————————————
	1		his back, and that was it.
	2		REPORTER: Deb Hall was also in that motel
	3		room. She was never called to testify.
	4		Last November, when she was interviewed
11:13	5		by the Justice Department, she made it
	6		clear she thinks Milgaard's reenactment
	7		was nothing but a joke.
	8		DEBORAH HALL: I really don't think he was
	9		serious at all, like I'm absolutely 100
11:13	10		percent positive he was not serious
	11		myself. I mean it would have scared me.
	12		I would have been out of there like it
	13		was lit on fire, and I didn't think
	14		anything of it at all."
	15		(Videotape ends)
	16	BY I	MR. HODSON:
	17	Q	Now just for the record, to assist you, in
	18		November of 1989 is when Mr. Eugene Williams
	19		interviewed you.
11:14	20	A	Uhum.
	21	Q	And I think that's so is it fair to that that
	22		tape would have been sometime in 1990, '91, is
	23		that
	24	А	Probably somewhere in there, yes.
11:14	25	Q	And that's not the interview, then, that you
			1



			——————————————————————————————————————
	1		talked about combine about
	1	_	talked about earlier about
	2	A	No.
	3	Q	And you recall this media interview with someone
	4		asking you about the motel room incident?
11:14	5	А	Yes.
	6	Q	And that video that we showed you about the
	7		pillow; does that accurately describe what you
	8		observed of Mr. Milgaard that night, what you were
	9		doing to the pillow?
11:14	10	A	Yeah, except, well I said to them I wasn't, you
	11		know, comfortable with getting on a bed on my
	12		knees and bouncing around and whatnot, and they
	13		said "well, just sit there and do it."
	14	Q	I hesitate to use the word "reenactment" again
11:14	15	А	Yeah, exactly.
	16	Q	but you were describing what you observed Mr.
	17		Milgaard did with the pillow?
	18	А	Yeah.
	19	Q	And that video we saw, is that what you saw Mr.
11:15	20		Milgaard do with the pillow?
	21	А	Basically.
	22	Q	Pardon?
	23	А	I don't think I had my fists clenched all the time
	24		but, you know, he was banging it in up-and-down
11:15	25		motion.



			· ·
	1	Q	This is an appropriate time to break,
	2		Mr. Commissioner.
	3		COMMISSIONER MacCALLUM: We'll take 15
	4		minutes, and please don't discuss your evidence,
11:15	5		ma'am.
	6		(Adjourned at 11:15 a.m.)
	7		(Reconvened at 10:35 a.m.)
	8		MR. HODSON: Mr. Commissioner, at the break
	9		I've had a request by some counsel to locate the
11:36	10		original tape that this transcript is taken from,
	11		and there's actually two transcripts that I
	12		referred to, and just for the record, they are
	13		178010 and 047724, and the second one is the one
	14		I've been referring the witness to, it's the one
11:36	15		that has Paul Henderson on it, but I think it's
	16		Chris O'Brien, and there are some slight
	17		differences between the two transcripts, so I
	18		think we will play the tape. And, Ms. Hall, if
	19		you could just listen, we'll go through the audio
11:37	20		tape and once that's done I'll have some
	21		questions for you.
	22		COMMISSIONER MacCALLUM: Is the voice of
	23		O'Brien on both tapes?
	24		MR. HODSON: I'm sorry, we've got one tape
11:37	25		and two transcripts.
		I	

	1	COMMISSIONER MacCALLUM: Two transcripts,
	2	all right.
	3	MR. HODSON: And the transcripts, I've
	4	reviewed both transcripts, they are of the same
11:37	5	interview, although they are not word for word.
	6	COMMISSIONER MacCALLUM: So will there be
	7	any question that what is purportedly Henderson
	8	on what we've seen here is really O'Brien?
	9	MR. HODSON: I believe Ms. Hall has
11:37	10	confirmed that, but I'll get her to confirm it.
	11	Why don't we start the tape for a bit and then
	12	I'll pause and we'll just confirm it for the
	13	record.
	14	(TAPE RECORDING OF INTERVIEW OF DEBORAH HALL BY CHRIS
05:27	15	O'BRIEN)
	16	CHRIS O'BRIEN: January of 1970. The
	17	preliminary was sometime before this, it was in
	18	1969, but the trial wasn't until now, this is
	19	about six months after the motel room incident.
05:27	20	DEBORAH HALL: Uh-huh.
	21	CHRIS O'BRIEN: Okay.
	22	DEBORAH HALL: I would have been in B.C.
	23	CHRIS O'BRIEN: Okay. Yeah, right.
	24	(TAPE STOPPED)
	25	BY MR. HODSON:



		——————————————————————————————————————
		1 age 3301
	1	Q Pause stop there, please. Ms. Hall, is that
	2	your voice, or do you want us to play some more?
	3	A I think so.
	4	Q Is that Mr. O'Brien do you recall?
05:27	5	A I believe it would be Chris.
	6	Q Okay. Carry on then.
	7	(TAPE RESUMED)
	8	CHRIS O'BRIEN:
	9	where is your home da da da
05:28	10	(inaudible) so is back (inaudible) what
	11	he did he was a drywaller
	12	(inaudible) David Edgar Milgaard, is he
	13	in court today? (Inaudible) Yeah,
	14	okay. Okay, and I believe you had
05:29	15	occasion in the spring of 1969 to be
	16	together with Milgaard and some other
	17	people? Yes. And what was the best you
	18	could say in May. In May? Blah blah
	19	blah yes (inaudible). I went to
05:30	20	Edmonton. It would be in June. Pardon
	21	me? In June. (Inaudible). And who
	22	were first with in the the son of the
	23	man he worked for, he worked for the guy
	24	Nick Lapchuk, which is George's
	25	

And this

middle name .. (inaudible).

05:30 25

1 was in Regina was it? Yes. Did you and 2 George run into any other youths that 3 you knew that evening, any other 4 Yes. And who were they? persons? Bob 5 Harris and Gary Silljer. 05:31 6 DEBORAH HALL: Oh, Silljer. 7 CHRIS O'BRIEN: Now who is, the hell is 8 Gary Silljer? Just keep reading there. 9 my cigarettes? 10 DEBORAH HALL: First name Gary. 05:32 CHRIS O'BRIEN: 11 12 ... okay, where was that? Park Lane 13 Motel. Did you go with them? 14 I just skimmed this briefly (inaudible) and I 15 hadn't got this far. Da da da da. See, Caldwell 05:33 16 is the prosecuting attorney, a guy named Tallis 17 is the defence and he was just useless. 18 ... I want to go to now what was said, 19 but you talked with them, you and 20 As a result of that did 05:33 George? Yes. 21 you go somewhere? Yes. Where was that? 22 Park Lane Motel. Da da da da. The 23 Court: Did you go with them? No. 24 Whereabouts is the Park Lane? Right by 25 the outskirts of the city...



		Page 3303 —————
	1	And it is not only more 2
		And it's not any more?
	2	DEBORAH HALL: No. It was on Albert
	3	Street. It's not there any more.
	4	CHRIS O'BRIEN: Oh, it's not?
05:34	5	DEBORAH HALL: There's a car lot or a
	6	garage or something there now.
	7	CHRIS O'BRIEN: Oh, really.
	8	DEBORAH HALL: Yeah. It was just, you
	9	know, a one-story building.
05:35	10	CHRIS O'BRIEN: Oh, oh, okay.
	11	is that the north end of Albert
	12	Street? North end, yes. Woolco? Yes,
	13	right across the street from Woolco
	14	DEBORAH HALL: Uh-huh.
05:35	15	CHRIS O'BRIEN:
	16	and did you go up to the room? Yes.
	17	And do you remember the room number or
	18	not? No. And did you knock on the
	19	door? Yes. And who answered? David.
05:36	20	And any time you say David, you are
	21	talking about the accused? Did you and
	22	George go in? Yes.
	23	So apparently he came with George Lapchuk that
	24	night according to his statement.
05:36	25	now, who was there when you arrived?
00.00	_3	a

	1	It was Debbie and Ute Frank. All right.
	2	Now, is this a girl
	3	DEBORAH HALL: David?
	4	CHRIS O'BRIEN: Yeah, David.
05:37	5	and how do you spell that
	6	(inaudible) and Debbie Hall, did you
	7	know those two girls before? Yes.
	8	Okay, this is Craig Melnyk, right.
	9	what time would you estimate you
05:37	10	arrived there? About 10:30. And that
	11	would be p.m.? Yes. Television set?
	12	Yes. And any time while you were there
	13	was it turned on? Yes. And when it was
	14	on was the sound turned on that you
05:38	15	could hear the sound? Yes
	16	It wasn't. Okay, that's interesting. I'll make
	17	a note of the page number. If that bothers you,
	18	I can turn it off.
	19	DEBORAH HALL: No. Well (laughing)
05:38	20	no, it's okay.
	21	CHRIS O'BRIEN: Okay. See, like I could
	22	take shorthand, but I can't, like I could take
	23	you down in notes, but I can't take shorthand, so
	24	that's the only way I can do it.
05:39	25	DEBORAH HALL: Yeah.



	1	CHRIS O'BRIEN: But like I say, that tape
	2	will never be used.
	3	DEBORAH HALL: You know, the only thing is
	4	though now my mind is just, like, it's coming
05:39	5	clearer as this goes along, you know, but if
	6	there was any sound at all in the sense of what
	7	they are saying sound, it was not hearable, you
	8	know what I mean?
	9	CHRIS O'BRIEN: It was not distinguishable?
05:40	10	DEBORAH HALL: Unless everybody was hushed
	11	enough to hear it.
	12	CHRIS O'BRIEN: Uh-huh, uh-huh.
	13	DEBORAH HALL: It was down very low. The
	14	TV was sputtering and it wasn't even working
05:40	15	really right, static on it and
	16	CHRIS O'BRIEN: So if you were in the motel
	17	room at that time, the only way you could
	18	understand what was being said was if everyone
	19	stopped talking and paid attention?
05:40	20	DEBORAH HALL: Yeah.
	21	CHRIS O'BRIEN: And were they quiet or were
	22	they talking?
	23	DEBORAH HALL: No, everybody was talking
	24	and, you know, being silly because everybody was
05:41	25	high.



		1 agc 3300
	1	CHRIS O'BRIEN: A regular party atmosphere?
	2	DEBORAH HALL: Yeah, but not really
	3	well, some loud guffaws and things like that, but
	4	other than that, not noisy.
05:41	5	CHRIS O'BRIEN: Okay, all right.
	6	DEBORAH HALL: But
	7	CHRIS O'BRIEN: But no one was paying much
	8	attention to the TV at any rate?
	9	DEBORAH HALL: No.
05:41	10	CHRIS O'BRIEN: Okay.
	11	do I understand that it was as a
	12	result of information obtained from
	13	Harris and (inaudible) that you located
	14	the accused at Park Lane? Yes
05:42	15	DEBORAH HALL: Uh-huh.
	16	CHRIS O'BRIEN:
	17	did there come at a time that
	18	evening when the news came on the
	19	television? Yes. And at that time in
05:42	20	Regina what did the news come on? 11
	21	o'clock. (Inaudible) national and local
	22	television news? Okay. You have two
	23	national news don't you, CTV national
	24	news and the CBC? No, I don't think so,
05:43	25	just CTV, I would have got their news.



		g
	1	So (inaudible) after the CTV is over,
	2	anyway, that's from a local station,
	3	right, that would carry a local news
	4	program or a news event like this
05:43	5	DEBORAH HALL: Uh-huh.
	6	CHRIS O'BRIEN:
	7	whatever station this was, did there
	8	come a local segment, so to speak? Yes.
	9	What time did you recall that as being?
05:44	10	About 11:15.
	11	Well, that's close enough, 11:20, because I know
	12	for a fact
	13	DEBORAH HALL: Uh-huh.
	14	CHRIS O'BRIEN:
05:44	15	and was that still on and the volume
	16	still on? Yes
	17	So he says the volume was still on.
	18	now, when the local news came on and
	19	throughout it, was it still the same
05:44	20	group of people in the room you've
	21	already mentioned, you, George, David
	22	Milgaard and the two girls? Yes. No
	23	one new? No. And no one left? No.
	24	And was there some item on the local
05:45	25	news which led to some discussion? Yes.



		i ago occo
	1	Alright; now can you tell us as I
	2	understand it The Court, this is
	3	where the judge okay interprets.
	4	What did the news relate to? It was to
05:45	5	the stabbing death of the nurse here in
	6	Saskatoon
	7	Did you hear that?
	8	DEBORAH HALL: There was nobody that I know
	9	who was paying attention to the TV at all.
05:46	10	CHRIS O'BRIEN: When a group of kids get
	11	together in a motel room with girls and they get
	12	stoned together, do they generally stop and
	13	listen to the news?
	14	DEBORAH HALL: No.
05:46	15	CHRIS O'BRIEN: Especially at 17 years of
	16	age.
	17	DEBORAH HALL: No.
	18	CHRIS O'BRIEN: No. Okay. This is
	19	DEBORAH HALL: Everybody was busy doing
05:46	20	their thing. By this time Ute and David were
	21	already, you know, getting all mushy and
	22	everything, eh
	23	CHRIS O'BRIEN: Okay.
	24	DEBORAH HALL: I remember that, because
05:46	25	actually he was sort of mushy with her all night



	1	and it just went on, you see, but Bob Harris was
	2	sitting beside me in two chairs that were in
	3	there, he was on the far side of me, so I know
	4	for a fact he wasn't watching TV.
05:47	5	CHRIS O'BRIEN: Okay. Bob Harris was
	6	there.
	7	DEBORAH HALL: Uh-huh.
	8	CHRIS O'BRIEN: Okay. He didn't say
	9	anything about Bob Harris being there, did he, at
05:47	10	least his name comes up here in a few minutes.
	11	okay, the same group of people in
	12	the room you've already mentioned, you,
	13	George, okay, Lapchuk, David Milgaard,
	14	and the two girls? Yes. No one new?
05:47	15	No. And no one left? No. Okay da
	16	da da da all right, perhaps I should
	17	ask you again if this is one of these
	18	rooms where the TV set is in what
	19	amounts to the bedroom part of the motel
05:48	20	unit? Right
	21	DEBORAH HALL: Bob was there, Bob was
	22	there, because this person, this who is this
	23	talking again?
	24	CHRIS O'BRIEN: This is Craig Melnyk.
05:49	25	DEBORAH HALL: Okay. Now this is the



	1	fellow that I can't place unless I saw his face.
	2	CHRIS O'BRIEN: Yeah.
	3	DEBORAH HALL: Okay. So the thing is I
	4	can't even clearly say that he was actually there
05:49	5	at that time. I remember there was some
	6	people and this coming and going business,
	7	that's a lie too, because there were people that
	8	came and then left.
	9	CHRIS O'BRIEN: There were?
05:49	10	DEBORAH HALL: Sure.
	11	CHRIS O'BRIEN: It says here da da da
	12	no one new? No. And nobody left?
	13	No
	14	DEBORAH HALL: But you see what I mean, by
05:50	15	the people that came and left would have been him
	16	and George because George was not there later on,
	17	I remember that
	18	CHRIS O'BRIEN: Oh, okay.
	19	DEBORAH HALL: because I did not like
05:50	20	that guy.
	21	CHRIS O'BRIEN: All right. So in the time
	22	that these guys were there, okay, when you think
	23	somebody new came it could have been George and
	24	Craig?
05:50	25	DEBORAH HALL: It was George and Craig,



		rage 5511
	1	yeah, it would be those two guys.
	2	CHRIS O'BRIEN: Okay. But after that
	3	nobody new came into the room and then left
	4	again?
05:50	5	DEBORAH HALL: No.
	6	CHRIS O'BRIEN: But you are pretty sure Bob
	7	Harris was in the room at that time?
	8	DEBORAH HALL: Yeah.
	9	CHRIS O'BRIEN: This good looking fella?
05:50	10	DEBORAH HALL: Yeah.
	11	CHRIS O'BRIEN: And that's funny, because
	12	he was never called as a witness either.
	13	DEBORAH HALL: Yeah.
	14	CHRIS O'BRIEN: Bob Harris. All right.
05:51	15	Okay, this is we're getting into some
	16	interesting parts da da da da
	17	DEBORAH HALL: What did this relate to,
	18	yeah.
	19	CHRIS O'BRIEN: I gather this is one of
05:52	20	these rooms where the TV set is in what amounts
	21	to the bedroom part of the motel unit, which is,
	22	like, it's right in the bedroom and it's a one
	23	room thing?
	24	DEBORAH HALL: Yeah, it's just one room and
05:53	25	a bathroom, yeah.



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05:54

CHRIS O'BRIEN: Right, yes.

... now, you said there was something about the stabbing death of a nurse in Saskatoon? Yes. Do yourself remember anything else of the item other than that or not? Just what they hadn't -- just that they hadn't got the person yet. So he says, well, all I remember about the news on the TV that night was that they were still looking for the accused or still looking for the suspect or they hadn't got anybody convicted yet ...

DEBORAH HALL: Uh-huh.

CHRIS O'BRIEN: Is what he's saying, so he's saying that not only did he hear the news, but he heard a particular item and was able to distinguish something about that particular item, the fact that they were still looking for the accused. Did you hear that? Were you sitting close to the TV at any time in the room?

DEBORAH HALL: The room was so small the TV wouldn't even have been that far away from me from where I was sitting. It wasn't that -- as a matter of fact, I would have to be sitting just



	1	on this side of the table to where the TV was
	2	'cause when you opened the door the TV was right
	3	beside the door. Like, the door swung clear of
	4	the TV, but it was right there.
05:54	5	CHRIS O'BRIEN: Okay.
	6	DEBORAH HALL: I remember that room, I
	7	remember it all now, like, I remember the colour
	8	of walls. It was room number 18 too.
	9	CHRIS O'BRIEN: You remember that?
05:54	10	DEBORAH HALL: Sure.
	11	CHRIS O'BRIEN: Very good.
	12	DEBORAH HALL: Yeah.
	13	CHRIS O'BRIEN: Excellent, excellent. Even
	14	these guys don't remember, you know, the items.
05:55	15	See, this is the thing I'm questioning, if
	16	DEBORAH HALL: You see, the thing is I was
	17	high and it was one of the few times that I, you
	18	know like, okay, I was 15 at the time, I think
	19	I had smoked pot three times up until then and
05:55	20	this is the first time I did any kind of a
	21	chemical.
	22	CHRIS O'BRIEN: Uh-huh.
	23	DEBORAH HALL: It was supposed to be THC
	24	and they explained that to be synthetic
05:55	25	marijuana.
	,,,	



		1 age 3314
	1	CHRIS O'BRIEN: Right.
	2	DEBORAH HALL: So I thought it was safe to
	3	take it.
	4	CHRIS O'BRIEN: Right.
05:55	5	DEBORAH HALL: So my perceptions that night
	6	were just really explosive colours, everything,
	7	listening and watching and being aware
	8	CHRIS O'BRIEN: You were aware of what was
	9	going on around you?
05:56	10	DEBORAH HALL: Oh, a lot, yeah. I was
	11	like, I was really enjoying myself, but I really
	12	noticed everything, touch, everything.
	13	CHRIS O'BRIEN: Okay.
	14	DEBORAH HALL: Colours that like, now
05:56	15	it's like I'm looking back into a dream going
	16	through all of this and when we walked up to the
	17	door I remember looking up and they were gold
	18	letters and it had 18 on it.
	19	CHRIS O'BRIEN: Okay. Da da da da da.
05:56	20	So you couldn't have been any more than, say,
	21	five or six, 10 feet perhaps from the television
	22	set?
	23	DEBORAH HALL: Not even, no.
	24	CHRIS O'BRIEN: And if the TV had been
05:57	25	turned up, you would have been aware of that? $lacktree$



DEBORAH HALL: Yeah, yeah.

> CHRIS O'BRIEN: Okay. Somebody asked David, like, before he was talking about a saliva test apparently to determine the blood grouping they found. They can -- blood has certain particles called antigens which are also found in other parts of body fluids like urine, tears, saliva, this sort of thing, right.

> > Yeah. DEBORAH HALL:

CHRIS O'BRIEN: So they tested David's saliva to determine whether or not the A group antigens, which they had discovered in this foreign blood near the body, could have been matched up with David's saliva. As it turned out, David's saliva showed nothing of that sort, but his blood gave a positive indication of being an A type blood which is an important factor as far as the Crown evidence is concerned, but so when they measured the saliva test -- like, before he was talking about a saliva test, that if it turned positive, that they were going to arrest him for this. The judge says --

> ... just a minute, please, before this news went on are you saying that there was some discussion about a saliva test?





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1 Just a minute please. Yes. And that 2 was by the accused Milgaard? Yes. 3 what did you say? If the saliva test turned positive he would be arrested. 4 5 This was before the news started? 05:59 Yes. This was before the motel room, sometime 6 7 before he went to the -- yes, some other 8 day. Yes... 9 So it was sometime before? DEBORAH HALL: 10 Uh-huh. 05:59 Okay. 11 CHRIS O'BRIEN: 12 ... go ahead now. And I take it that 13 the other discussion at the earlier 14 time, you and David were involved in I take it that --15 that weren't you? 05:59 16 other discussions, okay. Yes, like 17 there was me and David and George 18 different times at the -- and at the 19 motel room somebody asked him if he did 20 it, like, we used to kid him about it. 06:00 21 You say you used to kid him about it? 22 Before this incident at the motel 23 room? Yes. Go ahead. Now, when this 24 news item was completed so to speak,



what happened at the motel room?

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	1	Somebody asked David if he had did it,
	2	referring do you recall who it was?
	3	No, I don't
	4	Do you remember anything like that?
06:00	5	DEBORAH HALL: Him asking about that?
	6	CHRIS O'BRIEN: Yeah.
	7	DEBORAH HALL: No.
	8	CHRIS O'BRIEN: No one said, "hey, David,
	9	did you really kill that girl in Saskatoon?"
06:01	10	DEBORAH HALL: I would have remembered
	11	that.
	12	CHRIS O'BRIEN: That would have been a
	13	shocker?
	14	DEBORAH HALL: If I really, because I
06:01	15	knew nothing about that when I like, that
	16	night at the motel room and that, I knew nothing
	17	about him having to take tests on saliva or
	18	anything else. I did not know he was in any kind
	19	of trouble at all by anything I had heard or
06:01	20	overheard or anything.
	21	CHRIS O'BRIEN: Okay. So if somebody had
	22	said, "hey, David, did you really kill that
	23	girl?" that would sort of kill that girl, that
	24	would sort of pique wouldn't it?
06:01	25	DEBORAH HALL: Yeah, because, like I say,
		lacksquare



1 everything -- like, I was noticing a lot of things that I wouldn't have normally if I had 2 3 been probably just sitting there bored, you know. 4 CHRIS O'BRIEN: Okay. Da da da .. 5 ... do you recall who it was, was it a 06:02 6 plan or a woman? I couldn't say for 7 Go ahead. He got up on his knees 8 on the bed and he put a pillow between 9 his legs sort of half between his legs 10 and half on the bed .. he got up on his 06:02 11 knees and put a pillow where, between 12 his knees? Yes. On the bed? He was on 13 his shins... 14 They are trying to establish his exact position, 15 okay. 06:02 ... he was on his shins on his knees on 16 17 the bed. On the shins of his knees and 18 was on the body. Lying on the pillow or 19 was it above the pillow? It was above 20 Well, was it touching the 06:03 the pillow. 21 The inside of his legs were. pillow? 22 Was he on his stomach? Where was he? 23 Where was his stomach? Facing the wall. 24 He was sitting upright only he was on 25 his knees ...



1 They are trying to pinpoint his position which is 2 detail detail. 3 ... oh, I see, he was sitting upright? 4 Yes, go ahead. And he started 5 hitting the pillow like he was stabbing 06:03 6 something. Just a minute, please. 7 He was hitting the pillow like ahead. 8 he was stabbing something and he said I 9 killed her or something 14 times. 10 killed her? I'm not sure if it was I 06:04 11 killed her, but 14 times was in there. 12 It was either I killed her or I stabbed 13 her 14 times. You are sure it was either killed or stabbed? 14 Yes. Yes. 15 And then he said I fixed her? Yes. 06:04 And 16 then he sort of rolled on his side and 17 started laughing? Yes. Craig, do you recall whether this was done with one or 18 19 both or either hand or what the 20 situation was? I don't remember. 06:04 21 Pardon? I can't remember. Now what 22 happened when this took place? The room 23 sort of -- well, just everybody sat 24 there and just sort of looked in a daze

like.

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06:05



Was

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And what happened then?

	1	there anything more said? No. Yes.
	2	And it looks like it was dropped. And
	3	after that did some people eventually
	4	leave, did some of the people leave
06:05	5	eventually? Yes. Debbie Hall asked
	6	George to drive her home. And did they
	7	leave? Yes. And did you leave then or
	8	later? No, I stayed the night says
	9	Craig Melnyk.
06:05	10	DEBORAH HALL: Nah, that whole right there,
	11	that is definitely a lie, and I can tell you I
	12	remember Dave getting up and doing this with the
	13	pillow.
	14	CHRIS O'BRIEN: He did?
06:06	15	DEBORAH HALL: Yeah, he did get up and do
	16	something like that, but by this time him and Ute
	17	were on the bed together
	18	CHRIS O'BRIEN: Ute was
	19	DEBORAH HALL: naked, both of them.
06:06	20	CHRIS O'BRIEN: Okay.
	21	DEBORAH HALL: She was under covers,
	22	covered up
	23	CHRIS O'BRIEN: Uh-huh.
	24	DEBORAH HALL: but he was, you know,
06:06	25	like I say, he was flaunting his nakedness, so it



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06:08

didn't bother him any, and all he was doing was
fluffing up the pillow and --

CHRIS O'BRIEN: Did he say anything?

DEBORAH HALL: -- redepositing himself so to speak, you know.

CHRIS O'BRIEN: Did he say anything? DEBORAH HALL: He propped himself up against the wall with the pillows as a matter of Okay, now, there was a lot of people talking at once because, you know, there was conversations with this, that and the other. Now, I might have been in a conversation with Bob at the time because I was talking to him a lot, so I did not hear somebody say anything to him, but I don't remember him saying anything like killed or stabbed or anything. He was just pounding this pillow and he redeposited himself on this bed, you know what I mean. Like, he was lying down before and then he just got up and was fluffing this pillow up and went like this and just sat back, and then he was laughing, I remember him laughing about something, but I did not -- like, if I had heard him say kill or stab or anything like that, I would have heard it.

CHRIS O'BRIEN: You would have heard that?



		Page 3322
	1	DEBORAH HALL: And
	2	CHRIS O'BRIEN: About how far away from him
	3	were you?
	4	DEBORAH HALL: Well, like I said okay,
06:08	5	like, if I was sitting in the chair here, Bob
	6	would have been sitting here, TV well, about
	7	as far as away as that stereo.
	8	CHRIS O'BRIEN: Okay.
	9	DEBORAH HALL: That's about as far as the
06:09	10	TV would have been away from me.
	11	CHRIS O'BRIEN: So five or six feet. And
	12	the bed?
	13	DEBORAH HALL: And the bed was within,
	14	like, I could have reached over and touched the
06:09	15	edge of it like that.
	16	CHRIS O'BRIEN: So two to three feet?
	17	DEBORAH HALL: Yeah.
	18	CHRIS O'BRIEN: And David was on that bed?
	19	DEBORAH HALL: Uh-huh.
06:09	20	CHRIS O'BRIEN: Was he closer to you or was
	21	Ute closer to you?
	22	DEBORAH HALL: He was closer. She was at
	23	the, like, the far side.
	24	CHRIS O'BRIEN: She was on the far side?
06:09	25	DEBORAH HALL: Yeah.



	1	CHRIS O'BRIEN: So David was about four
	2	feet away?
	3	DEBORAH HALL: Actually, she was kind of
	4	angled, but her head was onto the far side and he
06:10	5	just kind of crunched up in the corner at the
	6	front of the bed.
	7	CHRIS O'BRIEN: Okay. Close to you?
	8	DEBORAH HALL: Yeah.
	9	CHRIS O'BRIEN: Four, five feet away from
06:10	10	you?
	11	DEBORAH HALL: Uh-huh, and he would have
	12	been over, angled more towards Bob's you know,
	13	like, on that kind of an angle, you see. I was
	14	at, like, the foot of the bed, where the foot of
06:10	15	the bed was.
	16	CHRIS O'BRIEN: Okay.
	17	DEBORAH HALL: So he would have crouched up
	18	closest to us at the head of the bed.
	19	CHRIS O'BRIEN: But if he had said anything
06:10	20	of this nature, it would have piqued your
	21	interest?
	22	DEBORAH HALL: If he had said it loud
	23	enough, I would have heard it even in a
	24	conversation with somebody.
06:11	25	CHRIS O'BRIEN: Okay. There was no loud



		1 ago 552 1
	1	stereo, there was no loud television?
	2	DEBORAH HALL: No.
	3	CHRIS O'BRIEN: There was just general
	4	conversation in the room?
06:11	5	DEBORAH HALL: Uh-huh.
	6	CHRIS O'BRIEN: Okay.
	7	what happened when this took place, the
	8	room sort of just everybody just sat
	9	there and just sort of looked in a daze like
06:11	10	
	11	DEBORAH HALL: Okay. Well, where that came
	12	in, that's true, but that happened throughout the
	13	evening, because everybody was so high.
	14	CHRIS O'BRIEN: Uh-huh.
06:11	15	DEBORAH HALL: And as a matter of fact, I
	16	remember Bob Harris actually, when he got to the
	17	hotel room, he had actually injected it into his
	18	vein.
	19	CHRIS O'BRIEN: Oh, he did.
	20	DEBORAH HALL: Because I remember I was
	21	appalled by that.
	22	CHRIS O'BRIEN: Uh-huh.
	23	DEBORAH HALL: Like, the idea of doing
	24	something like that was just ridiculous as far as
	25	I was concerned because I got high just by

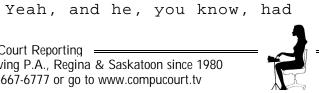
1	swallowing this capsule and I couldn't understand
2	why he was doing it and he sat back in his chair
3	and, like, he was really high, that fellow was
4	really high from that, because he sat back in the
5	chair and he was just, like, he I don't know,
6	really happy, you know what I mean.
7	CHRIS O'BRIEN: Okay. Just buzzed right
8	up?
9	DEBORAH HALL: Like, he was right stoned
10	from doing that, and that's why he said he did
11	it, he says because you get such a rush from it
12	when you just first put it in with the needle,
13	it's really an experience.
14	CHRIS O'BRIEN: Okay.
14 15	CHRIS O'BRIEN: Okay. DEBORAH HALL: So he was a pretty high
15	DEBORAH HALL: So he was a pretty high
15 16	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly
15 16 17	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly say that he
15 16 17 18	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly say that he would have been able to say that he heard Hoppy say anything like that either,
15 16 17 18 19	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly say that he would have been able to say that he heard Hoppy say anything like that either, because we were kind of talking together.
15 16 17 18 19 20	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly say that he would have been able to say that he heard Hoppy say anything like that either, because we were kind of talking together. CHRIS O'BRIEN: But you do remember David
15 16 17 18 19 20 21	DEBORAH HALL: So he was a pretty high fellow and everything. Like, I can't honestly say that he would have been able to say that he heard Hoppy say anything like that either, because we were kind of talking together. CHRIS O'BRIEN: But you do remember David being up on his knees on the bed?

06:13

06:13

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06:13



DEBORAH HALL:

	1	it between his knees and he was hitting the
	2	pillow, you know, but he was just fluffing it up
	3	and then he jammed it behind him and sat against
	4	the wall, like, the head-board of the bed was a
06:14	5	big tall flat board.
	6	CHRIS O'BRIEN: Okay. He didn't exclaim in
	7	a loud voice that he stabbed, that he didn't
	8	he didn't look as though he was being violent
	9	with the pillow?
06:14	10	DEBORAH HALL: Well, anybody punching a
	11	pillow to soften it up looks like they are being
	12	violent.
	13	CHRIS O'BRIEN: Okay.
	14	DEBORAH HALL: If you want to take it that
06:14	15	way.
	16	CHRIS O'BRIEN: Okay. So he did punch the
	17	pillow?
	18	DEBORAH HALL: Well, sure, he was, you
	19	know, fluffing it up. Like, he was on his knees
06:15	20	and he grabbed this pillow and he went like this,
	21	like and then he put it back and sat back with
	22	it.
	23	CHRIS O'BRIEN: Okay, all right. Dum da
	24	dum.
06:15	25	DEBORAH HALL: I can't believe that. Boy,

	1	did they ever twist things. But this bit here is
	2	definitely a lie. I did not ask George Lapchuk
	3	anything. I wouldn't even talk to that guy if I
	4	could get away with it.
06:16	5	CHRIS O'BRIEN: Okay. And after that did
	6	somebody
	7	DEBORAH HALL: To ask him to take me home
	8	was to invite rape as far as I was concerned.
	9	That's what kind of animal that guy was.
06:16	10	CHRIS O'BRIEN: Okay.
	11	did some people leave eventually?
	12	Yes. Debbie Hall asked George to drive
	13	her home.
	14	He seems positive on that.
06:16	15	and did they leave? Yes. And did
	16	you leave then or later? No, I stayed
	17	there the night
	18	DEBORAH HALL: That is all a lie, that is a
	19	lie, because if he said he left and came back
06:16	20	later I would say, well, maybe he did, but
	21	CHRIS O'BRIEN: He doesn't say that.
	22	DEBORAH HALL: No.
	23	CHRIS O'BRIEN:
	24	just a minute, please. You stayed
06:17	25	the night? Yes. Who else stayed the
		4



		- 3
	1	night? There was Ute Frank and David.
	2	What happened to George, did he come
	3	back? No, he went home
	4	So according to Melnyk, George took you, left,
06:17	5	dropped you off and George went home and neither
	6	of them returned, so in other words, Melnyk never
	7	left the hotel room
	8	DEBORAH HALL: No.
	9	CHRIS O'BRIEN: because if George had
06:17	10	come back, he would have
	11	DEBORAH HALL: He lied.
	12	CHRIS O'BRIEN: Okay.
	13	DEBORAH HALL: He lied because if he would
	14	have said I did leave but came back and stayed
06:17	15	the night, I would believe that.
	16	CHRIS O'BRIEN:
	17	and the other girl, I take it when
	18	she left stayed till two? Yes.
	19	Now, during the time you were in the
06:18	20	motel room, and you understand I'm
	21	talking about from when you arrived
	22	through this whole episode until when
	23	you left, were you under the influence
	24	of any liquor or intoxicant or any drug
06:18	25	or LSD or anything of that sort,



		1 agc 3327
	1	whatever? No
	2	This is Craig Melnyk. But you don't know Craig
	3	for sure do you?
	4	DEBORAH HALL: No, and I don't know whether
06:19	5	he was one of the people that took that stuff.
	6	CHRIS O'BRIEN: Okay.
	7	DEBORAH HALL: I don't know.
	8	CHRIS O'BRIEN: Okay. So that could be
	9	just as truthful as anything?
06:19	10	DEBORAH HALL: Yeah.
	11	CHRIS O'BRIEN:
	12	have you taken any do you take
	13	drugs
	14	They go into a long expose about taking drugs.
06:19	15	DEBORAH HALL: Yes, and all that, yeah.
	16	CHRIS O'BRIEN: T.H.C.?
	17	DEBORAH HALL: Yeah.
	18	CHRIS O'BRIEN: It's sort of a synthetic
	19	marijuana, it's in a powder form.
11:59	20	DEBORAH HALL: Uh-huh.
	21	CHRIS O'BRIEN: this is the cross-exam.
	22	Page if I umm, okay, David was on
	23	under the influence of something, yes
	24	•••
12:00	25	DEBORAH HALL: Uh-huh.



	1	CHRIS O'BRIEN: there wasn't any liquor
	2	around
	3	Do you remember seeing any booze that night?
	4	DEBORAH HALL: No, no liquor.
	5	CHRIS O'BRIEN: Just drugs, eh.
	6	DEBORAH HALL: Nobody was old enough to get
	7	any.
	8	CHRIS O'BRIEN: Isn't that crazy, eh.
	9	DEBORAH HALL: Uh-huh.
12:00	10	CHRIS O'BRIEN: Okay.
	11	I take it that when you told my
	12	learned friend about this incident and
	13	you described him banking, striking the
	14	pillow, I suggest to you that after this
12:00	15	took place he sort of rolled over on his
	16	side of the bed
	17	Now you saw David Milgaard mistreating a pillow,
	18	I for the purpose of venting frustrations or
	19	to soften it up to put it against his back and
12:01	20	sit on it.
	21	DEBORAH HALL: Uh-huh.
	22	CHRIS O'BRIEN: Or lean against it?
	23	DEBORAH HALL: Uh-huh.
	24	CHRIS O'BRIEN: But you never heard "yes, I
12:01	25	stabbed her, I killed her, I stabbed her 14 times \P



		Page 3331
	1	and she died"?
	2	DEBORAH HALL: No, I definitely didn't hear
	3	anything like that, nope.
	4	CHRIS O'BRIEN: And he said.
12:01	5	he started to laugh, I suggest to
	6	you that he started to laugh, as you
	7	described it, hysterically. Yes, well
	8	he was laughing. Yes, well didn't you
	9	tell the police that he turned over on
12:01	10	his side and was laughing hysterically,
	11	yes, and you still today, do you agree
	12	with that today, that you well he was
	13	laughing, not laughing hysterically,
	14	yes, pardon yes
12:01	15	I haven't read this part yet. Okay. Let's go
	16	right to, this is Melnyk, let's go right to
	17	Lapchuk's testimony and see what old Georgie has
	18	to say about
	19	DEBORAH HALL: Hmm.
12:01	20	CHRIS O'BRIEN: that exact incident.
	21	Okay. Lapchuk, page 1041, so he must be the next
	22	witness.
	23	DEBORAH HALL: Debbie Hall? What's this?
	24	CHRIS O'BRIEN: I take it you saw Mr.
12:02	25	Lapchuk fairly frequently, yes, when was



	1	the last time you saw him, about a half
	2	an hour ago, I take you see him pretty
	3	well every day in the last little while,
	4	I take it that occasional in the Park
12:02	5	Lane Motel would say sometime in May,
	6	yes, and was there only one occasion
	7	where this group of five were in that
	8	motel in that particular room, yes, so
	9	we're talking about one specific
12:02	10	occasion when Lapchuk Debbie Hull, Ute
	11	Frank, you and David were there, yes.
	12	DEBORAH HALL: They keep omitting this Bob,
	13	and Bob was there, Bob Harris. Only one he
	14	Bob Harris was there.
12:02	15	CHRIS O'BRIEN: Okay, that's page 1036,
	16	okay.
	17	in this particular news item there
	18	was some reference to stabbing but you
	19	can't remember the details of it that
12:03	20	were discussed, yes
	21	Wow, that television, it keeps coming up.
	22	DEBORAH HALL: Yeah.
	23	CHRIS O'BRIEN: Okay.
	24	DEBORAH HALL: Yup. And they are placing
12:03	25	an awful lot of importance on it for somebody
		1



that wasn't even paying attention to it, as far as I'm concerned.

CHRIS O'BRIEN: I'll say.

DEBORAH HALL: It was on but --

CHRIS O'BRIEN: Okay.

... this is the incident in the motel which you have just related to the effect that the accused had said that he had stabbed or killed somebody 14 times, when did you first mention that to anybody, two weeks ago, I was trying to establish -- the investigation -- okay. Let's go to 1041. Lapchuk, okay, it's Lapchuk -- location of the accused --May of 69 -- evening so to speak -- did you and Melnyk meet some other people -yes, who were they -- Robert Harris and Gary Silljer, and did you know both them before that, yes sir, and I take it that you met them somewhere in Regina too, yes, after talking to them did you go somewhere yes, where did you go, what did you have for transportation, my dad's truck, you and Craig used it, is that right, yes, and do you know exactly

1 the room you went to the number or not, 2 not exactly, no, what time did you get 3 to the Park Lane, I would say about 4 10:30, and did you to go a room, yes, 5 directly upon arrival, yes, and did you 12:04 6 knock on the door, yes, and were you admitted into the room, yes, now when 8 you got in the room who was in the room, 9 there was Dave Milgaard, Ute Frank and 10 Debbie Hull, and when you say Dave you 12:04 11 are referring to the accused, yes, who 12 answered the door, Dave did, did you 13 know the two girls, Ute Frank and Debbie 14 Hall before that, yes, sir, were you --15 this is Lapchuk -- were they expecting 12:04 16 you, no they weren't, and who was there, 17 this being a motel room was there -- and 18 was there a TV set, yes, is this the 19 same room the -- was in after the last 20 time you were there, yes, the volume up 12:05 21 on it to the extent that you could hear 22 it all right ... 23 DEBORAH HALL: Uh-huh. 24 CHRIS O'BRIEN: Was the volume up on that 25 Think back, was that television; was the TV 12:05 TV?



	1	set on that anybody sitting in the room
	2	DEBORAH HALL: There, now, there would be
	3	volume, but it was not hearable, you know what I
	4	mean. It was just really low, just to have the
12:05	5	noise in the background, do you know what I mean.
	6	CHRIS O'BRIEN: Right, right.
	7	DEBORAH HALL: But nobody was paying
	8	attention to it, you know.
	9	CHRIS O'BRIEN: Especially the news, eh.
12:05	10	DEBORAH HALL: Come on. Yeah.
	11	CHRIS O'BRIEN: Okay.
	12	was the volume up on it, yes, sir,
	13	and did this come TV news during the
	14	evening, yes, as part of the TV news did
12:05	15	there come to be a local news segment,
	16	yes sir, and what time, approximately
	17	quarter to 11 right after The National,
	18	by the time the news came on were the
	19	same five people you had mentioned with
12:05	20	you in there, was there an item on the
	21	local news that attracted your attention
	22	in that room, yes
	23	DEBORAH HALL: This thing is beeping.
	24	CHRIS O'BRIEN: Oh, good, thank you very
12:06	25	much.



		· · · · · · · · · · · · · · · · · · ·
	1	(Tape stopped/started)
	2	CHRIS O'BRIEN: as part of the, now
	3	what's your memory of what time, da da
	4	da, the same five people you have
12:07	5	mentioned are still in that room, yes,
	6	was there an item in the local news that
	7	attracted your attention in the room,
	8	yes, attracted your attention, so the
	9	court
12:07	10	DEBORAH HALL: Okay. Now this makes me
	11	wonder, because now you going through this and
	12	that, if they talked to this Dave about this
	13	before their attention might have been riveted on
	14	the TV for that.
12:07	15	CHRIS O'BRIEN: More so than yours because
	16	you were unaware
	17	DEBORAH HALL: More so than mine because I
	18	was unaware of any of that. Now they might have
	19	caught that because they were, you know, like
12:07	20	they kept going on here about kidding him
	21	previously to that and everything.
	22	CHRIS O'BRIEN: Right.
	23	DEBORAH HALL: Maybe, just maybe, just like
	24	I say, like this is just
12:07	25	CHRIS O'BRIEN: Okay. Good point.
		lacklacklack



	1	DEBORAH HALL: You know, that they might
	2	have been watching that because of it, you know,
	3	maybe they are not lying but I I'm not saying
	4	that they, unless they were really straining to
12:07	5	hear
	6	CHRIS O'BRIEN: Uh-huh? They would
	7	DEBORAH HALL: that they could actually
	8	hear it.
	9	CHRIS O'BRIEN: They would have to be
12:07	10	straining to hear that
	11	DEBORAH HALL: Yeah.
	12	CHRIS O'BRIEN: above the chatter?
	13	DEBORAH HALL: Yeah, they would have to
	14	really pay attention and probably use mouth
12:07	15	association of what they were saying, sort of
	16	thing, you know what I mean.
	17	CHRIS O'BRIEN: Okay.
	18	I can't remember the exact wording
	19	but it was in some of reference to the
12:08	20	nurse being murdered in Saskatoon
	21	DEBORAH HALL: Yeah.
	22	CHRIS O'BRIEN: and when that item came
	23	on did anything or following it should I
	24	say anything happen, well I made a
12:08	25	comment to Dave about his, like he had



1 been picked up and questioned about this 2 murder and I made a comment just quickly 3 4 DEBORAH HALL: Yeah. 5 CHRIS O'BRIEN: ... you knew he had been 12:08 6 picked up, yes sir, now DEBORAH HALL: Okay. Now, you see, I 8 didn't know anything about this. 9 CHRIS O'BRIEN: Okay. So that could have 10 been just idle comment back and forth that you 12:08 11 weren't paying any attention to? 12 DEBORAH HALL: Right. 13 CHRIS O'BRIEN: ... so could I just go 14 back, George, I take it you knew that 15 before this whole incident, yes, and I 12:08 16 just said he had been picked up for 17 questioning, yes, did you know that, he 18 had told us this, that's David, yes, on 19 this occasion now after the news was on 20 the air what did you do, well I said to 12:08 21 him well why don't you admit it, you did 22 it, you know you did it, just a minute, 23 why don't you admit it, you know you did 24 it, yes, I just made a comment just to 25 sort of bother him as a joke, yes, then 12:08



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12:09

things started happening, all right, now I take it from what you say that you have made a similar joking comment in the past to David, yes, and the well before this time, what happened when you said that, well first of all he got a sort of funny look and then he jumped off the bed and straddled the pillow, just a minute, I want to get this down, he jumped off the bed, is that what you said, yes, on the pillow, yes, where was the pillow, on the floor, yes, and then he said where is my paring knife, he said what, where is my paring knife, now are you using, I'd like you to tell the court anywhere where you are using exact words or words to a certain effect, well I believe this, to my remembrance this was the exact words, in this instance, yes, yes, then he went through the motions of stabbing the pillow, raising his arms and stabbing the pillow, and then he said, just a minute, he went through the motions of stabbing the pillow, with both hands or one, I can't

25

12:10

remember, yes, and then he said yes, I stabbed her I stabbed her, I stabbed her, I stabbed her 14 times and then she died, just a minute, he said yes, I stabbed her, I stabbed her 14 times, and then she died, yes, and they aren't the exact words the only part that I can remember sure is that, and then she died, I can't remember whether it was stabbed her or killed her but and then she died stands out in my mind, thank you, go ahead, now what happened when the accused did these things in the room, well I was shocked, like I hadn't expected a display like that you know, and I just started looking at him and I believe everybody else in the room was looking at him also and then he looked up and saw that everybody, that I was staring at him with my jaw hanging down, I'm sorry, talk louder, I was staring at him, yes, and you think everybody else was staring at him, yes, well I didn't look around the room but everything was al of a sudden quiet so, all right, and

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	1	you were staring at him, yes, what did
	2	he do, he just looked up and looked at
	3	me and then got up and shrugged his
	4	shoulder and smiled and sort of gave a
12:10	5	little laugh and sat down, you were the
	6	person who did this, made a remark to
	7	him, yes, now did you, as I understand
	8	it would still be the same party of
	9	people who did you leave sometime
12:10	10	after that, did you leave to go home
	11	like, yes, leave the room, well I left
	12	several times during the night, like for
	13	cokes and stuff like that and then I
	14	went home about oh I would say two
12:11	15	thirty, actually, did anyone go with
	16	you, not when I went home, no, and had
	17	anyone gone with you at any other
	18	juncture in the evening, yes, who was
	19	that, well I had gone across to the gas
12:11	20	station with Debbie Hull and Dave once
	21	to get some cokes, we had driven across
	22	
	23	Do you remember that?
	24	DEBORAH HALL: Uh-huh.
12:11	25	CHRIS O'BRIEN: You did do that?



	1	DEBORAH HALL: Uh-huh.
	2	CHRIS O'BRIEN: Okay.
	3	and by the time you left finally and
	4	for the last time you left the room who
12:11	5	was finally left, when I left there was
	6	Dave, Ute and Craig
	7	DEBORAH HALL: Hmm.
	8	CHRIS O'BRIEN: by the time you left
	9	finally and for the last time who was
12:11	10	left in the room when you finally left,
	11	when I left there was Dave, Ute and
	12	Craig
	13	DEBORAH HALL: When he left he left with
	14	that Craig guy, he would have had to have,
12:11	15	because after George left there was just Bob and
	16	me and Dave and Ute. And 2:30 is way too late,
	17	because I know for a fact I didn't get home that
	18	late.
	19	CHRIS O'BRIEN: what happened to the
12:12	20	other girl, I can't remember, I believe
	21	I drove her home but I really can't
	22	recall what time that was
	23	He didn't drive you home that night?
	24	DEBORAH HALL: Umm-umm. No. I only lived
12:12	25	2 1/2 blocks away, I walked it in two, five

		· ·
	1	minutes, whatever it was. And it was a chilly
	2	night, I remember, because I wasn't warm, warm in
	3	a dress.
	4	CHRIS O'BRIEN: when I left there was
12:12	5	Dave, Ute and Craig
	6	DEBORAH HALL: When he left there was Dave,
	7	Ute, Deb and Bob.
	8	CHRIS O'BRIEN: Page 1050. Okay, you see
	9	he was pretty blasted, probably.
12:12	10	DEBORAH HALL: He they all were, we all
	11	were.
	12	CHRIS O'BRIEN: Okay. So
	13	DEBORAH HALL: We were all pretty high.
	14	Now I don't know about this Craig person, he
12:13	15	could be telling the truth about not being high.
	16	CHRIS O'BRIEN: Yeah?
	17	DEBORAH HALL: But like I said, Bob was
	18	useless for tits up in the wind, like all he did
	19	was just sort of lie there.
	20	CHRIS O'BRIEN: Uh-huh.
	21	DEBORAH HALL: You know, and I was kind of
	22	concerned with him, you know, because I thought
	23	he was OD'ing or something, I didn't know, you
	24	know.
	25	CHRIS O'BRIEN: Uh-huh.



	1	DEBORAH HALL: But when George left there
	2	was that was it, when those I'm sure that
	3	that Craig left with him.
	4	CHRIS O'BRIEN: Okay George says
12:13	5	DEBORAH HALL: You see, now this is where
	6	the lying comes in with this Craig saying he
	7	stayed and stayed the night, because he didn't.
	8	He didn't stay the night. No way.
	9	CHRIS O'BRIEN: Okay.
12:13	10	now during the entire time you were
	11	in the motel that evening, I'm talking
	12	about from when you arrived at the room
	13	until you finally left at the very end,
	14	that whole period of time were you
12:13	15	yourself under the influence of either
	16	liquor, intoxicant, or any drug or LSD
	17	or anything of that description, no, sir
	18	
	19	Now, to your best recollection, was George
12:13	20	Lapchuk taking drugs that night? Did he take any
	21	when he came to the room?
	22	DEBORAH HALL: He came, he came in there
	23	with Bob, wasn't it, or who did he go in there
	24	with.
12:14	25	CHRIS O'BRIEN: I think he came



		Page 3345 ————
	1	DEBORAH HALL: He said.
	2	CHRIS O'BRIEN: He said Melnyk.
	3	DEBORAH HALL: Oh, Craig.
	4	CHRIS O'BRIEN: Yeah, he said he and Craig
12:14	5	took my dad's truck and drove over, so he and
	6	Melnyk could have shown up together.
	7	DEBORAH HALL: Yeah, yeah. I can't really
	8	remember if he took anything when he was there or
	9	not.
12:14	10	CHRIS O'BRIEN: And, if he did, he wouldn't
	11	tell you about it anyways?
	12	DEBORAH HALL: No.
	13	CHRIS O'BRIEN: So he could have been
	14	straight?
12:14	15	DEBORAH HALL: He could have been, yeah.
	16	CHRIS O'BRIEN: Okay.
	17	that's all right. I arrived
	18	approximately 10:30
	19	DEBORAH HALL: Yeah.
12:14	20	CHRIS O'BRIEN: were you with Craig
	21	Melnyk, yes
	22	DEBORAH HALL: Oh, I see.
	23	CHRIS O'BRIEN: and this meant there
	24	were five of you in the room, yes, the
12:14	25	five that have just been mentioned in



		ŭ
	1	evidence here and now just so you
	2	DEBORAH HALL: They keep omitting Bob. Bob
	3	was there.
	4	CHRIS O'BRIEN: I wonder why.
12:14	5	DEBORAH HALL: Yeah.
	6	CHRIS O'BRIEN: Well Bob would be so
	7	blasted out he wouldn't remember anything
	8	anyways, would he?
	9	DEBORAH HALL: Yeah, I don't think so.
	10	(Phone rings)
	11	DEBORAH HALL: They totally.
	12	CHRIS O'BRIEN: Omitting Bob Harris?
	13	DEBORAH HALL: Bob Harris, yeah.
	14	CHRIS O'BRIEN: I wonder why.
12:15	15	DEBORAH HALL: And as a matter of fact,
	16	because I remember when those guys left, now I
	17	can't remember no, Bob was there after they
	18	left, after George left, so this Craig guy must
	19	have gone with George, otherwise he wouldn't have
12:15	20	been able to get home or wherever he was going,
	21	eh.
	22	CHRIS O'BRIEN: Okay. So likely when he
	23	left, and I think he says that they left
	24	together oh, no, Melnyk says that he stayed
12:15	25	the night.

	1	DEBORAH HALL: Right.
	2	CHRIS O'BRIEN: Yeah.
	3	DEBORAH HALL: And like if he had said he
	4	had left the with George and then came back, I
12:15	5	could see it, but no way he was there.
	6	CHRIS O'BRIEN: Okay, let's go through,
	7	through to this.
	8	there is no danger of there being
	9	any other occasions, now I gather from
12:15	10	what you have told My Learned Friend
	11	that you were in and out of the motel on
	12	the evening in question, yes,
	13	occasionally, you left for home around
	14	2:30, yes, now you mentioned that on one
12:16	15	occasion you were over at the gas
	16	station and on that occasion you said
	17	David was with you, now you people
	18	out you went out on other occasions
	19	with other people, did you, no, not that
12:16	20	I can recall, see I may have driven
	21	Debbie Hull home, this is the only part
	22	that I can't really recall when I drove
	23	her home
	24	Of course he couldn't recall it, he didn't do it.
12:16	25	DEBORAH HALL: Yeah.

1 CHRIS O'BRIEN: ... I see, you don't recall 2 whether you drove her home or not that 3 evening, no, well you told My Learned Friend that you left several times 4 5 during the night, what did you mean bu 12:16 that, what several times are you 6 referring to, well I helped him move the 8 truck once, that accounts for one also, 9 I see -- that you hadn't taken any drugs 10 that day, no, had you taken any drugs on 12:16 11 a previous occasion, approximately a 12 week previous, yes, and again I thought 13 you said the pillow was on the floor, 14 David was down on the floor, yes, 15 pounding this pillow in the manner, and 12:16 16 now I take it that it is common ground 17 that at the same time he was high, yes 18 sir, and by that I mean under the 19 influence of something which you took to 20 be drugs, yes sir, was he naked, yes 12:16 21 sir, and this is when he came down on 22 the pillow, floor, is that correct, yes 23 sir, now then I gather that you left 24 Craig there, you're quite sure of that, 25 Craig remained, yes sir ... 12:17



1 DEBORAH HALL: Hmm. 2 CHRIS O'BRIEN: ... and there was only this 3 one incident that you have described to 4 Mr. Caldwell that took place when you 5 were there, yes, just the one time, 12:17 6 pardon, yes, just the one time, now as I understand it you were the one that 8 started bugging David, yes sir, and 9 bugging him is a term ... 10 DEBORAH HALL: Yeah, and he would have too. 12:17 11 CHRIS O'BRIEN: ... now this was in 12 relation to a news item that was on the 13 TV, what was the -- well now did you do 14 the bugging before or after the news, afterwards, after I heard the comment on 15 12:17 16 TV, after, did you know what the comment 17 was, no sir, did anyone else participate 18 in the bugging, no, you were the only 19 This is the shrugging of one, yes. 20 shoulders and giving a little laugh was 12:17 21 after he got off the pillow, yes sir, I 22 see, and where did he sit after he got 23 up off the pillow, on the bed, I see and 24 you were in some other conversation, I 25 tried to changing subjects because I 12:18



		3
	1	wanted to drop it, that was the spent
	2	some time in jail, forgery, other, okay
	3	
	4	How about just going over, as far as you can
12:18	5	remember, just the events of that evening for me,
	6	okay, from the time you arrived at the motel?
	7	DEBORAH HALL: Okay. We had already taken
	8	the T.H.C. when we were downtown, by the time we
	9	got there everybody was getting pretty high.
12:18	10	CHRIS O'BRIEN: And you came in a cab?
	11	DEBORAH HALL: Yeah.
	12	CHRIS O'BRIEN: And there was a bunch of
	13	you?
	14	DEBORAH HALL: Yeah.
12:18	15	CHRIS O'BRIEN: And Bob Harris was with
	16	you?
	17	DEBORAH HALL: I'm sure he was, yeah, he
	18	was with us there. Could have been just the four
	19	of us in there, because I sure can't remember
12:19	20	anybody else being with us.
	21	CHRIS O'BRIEN: Okay. So you walked
	22	DEBORAH HALL: And Ute and Dave were in the
	23	front, and then us in the back, and then that
	24	would have been it.
12:19	25	CHRIS O'BRIEN: You walked down the hallway



		rage 3331
	1	into room, and David was in there already by
	2	himself, after he had checked in?
	3	DEBORAH HALL: Umm, it was one of those
	4	motor hotels, you walked right in the front door.
12:19	5	CHRIS O'BRIEN: Oh, I see, okay, yeah.
	6	DEBORAH HALL: So when you were in there,
	7	that was it, that was the room, and the bathroom,
	8	a little tiny bathroom
	9	CHRIS O'BRIEN: Okay.
12:19	10	DEBORAH HALL: off in the left corner,
	11	back corner.
	12	CHRIS O'BRIEN: Okay.
	13	DEBORAH HALL: So, I don't know, just a
	14	bunch of silly talking and everything all night
12:19	15	long until well I guess what time would we've
	16	gotten there, about 9:00 or so, something like
	17	that.
	18	CHRIS O'BRIEN: Okay.
	19	DEBORAH HALL: Maybe 9:30.
12:19	20	CHRIS O'BRIEN: And who was in the room
	21	from 9:30 until 10:30.
	22	DEBORAH HALL: Well there would have been
	23	me and Bob and Ute and Dave.
	24	CHRIS O'BRIEN: And that was it?
12:19	25	DEBORAH HALL: Yeah.



		Page 3352 ————
	1	CHRIS O'BRIEN: The four of you?
	2	DEBORAH HALL: Uh-huh.
	3	CHRIS O'BRIEN: Okay. And then at around
	4	10:30, or later in the evening, two other people
12:19	5	showed up?
	6	DEBORAH HALL: That would have been Craig
	7	and his friend, and I don't think I probably know
	8	that guy very well, because I don't remember him
	9	well.
12:20	10	CHRIS O'BRIEN: Who, Melnyk?
	11	DEBORAH HALL: Yeah.
	12	CHRIS O'BRIEN: And
	13	DEBORAH HALL: I probably didn't know him
	14	at the time very well.
12:20	15	CHRIS O'BRIEN: And, Craig Melnyk and
	16	but you knew Lapchuk?
	17	DEBORAH HALL: Oh yeah.
	18	CHRIS O'BRIEN: Okay.
	19	DEBORAH HALL: I knew George. So they came
12:20	20	and everybody was just, you know, ne, ne, being
	21	stoned and everything, and it was at the hotel
	22	room that Bob did that in his vein.
	23	CHRIS O'BRIEN: He shot up with a needle?
	24	DEBORAH HALL: Yeah.
12:20	25	CHRIS O'BRIEN: At the hotel room?



	1	DEBORAH HALL: At the hotel room.
	2	CHRIS O'BRIEN: And then he was
	3	DEBORAH HALL: Dave did it for him, as a
	4	matter of fact.
12:20	5	CHRIS O'BRIEN: He helped him put the
	6	needle in?
	7	DEBORAH HALL: Well he, yeah, he injected
	8	him with it.
	9	CHRIS O'BRIEN: Okay.
12:20	10	DEBORAH HALL: And like I say, Bob was
	11	right out of it, and matter of fact I think he
	12	had taken some earlier on and then he wanted some
	13	more, you see, so Dave said "oh sure", you know,
	14	"I like to see everybody high all the time", he
12:20	15	was that type of guy. They were all having a
	16	good time, you know, so that's why I think he was
	17	especially stoned, because he had quite a bit in
	18	his system.
	19	CHRIS O'BRIEN: Okay. Now what about this
12:21	20	thing with the pillow?
	21	(Phone rings)
	22	DEBORAH HALL: So the bit with the pillow,
	23	I was definitely talking to somebody because I
	24	didn't hear any conversation, I like I wasn't
12:21	25	paying attention to a conversation that led to



1 him doing that, but I was not alarmed at the fact 2 that it looked like he was being violent when I 3 saw him do this with the pillow, it looked to me 4 like he was just -- he wasn't on the floor. 5 CHRIS O'BRIEN: He was on the bed? 12:21

DEBORAH HALL: Yeah.

CHRIS O'BRIEN: As far as you remember?

DEBORAH HALL: Yeah.

CHRIS O'BRIEN: Yeah, one testified he was on the bed, one testified he was on the floor too.

> DEBORAH HALL: Yeah.

CHRIS O'BRIEN: Whatever.

DEBORAH HALL: Yeah. He wasn't on the floor, but what came with that is that, that episode with him on my knee came after that, you know. Like he got up from the bed, like it looked to me, like I had said, I wasn't alarmed, like I said, you know, sometimes I wondered about the guy, but I was not alarmed by watching him fluff up this pillow, you know, beating the hell out of it and putting it back and just flopping back on the bed. Everybody was laughing, and this was all night, everybody was having a good time.

	1	CHRIS O'BRIEN: Well sure.
	2	DEBORAH HALL: And he could have been
	3	laughing at anything. I remember him laughing,
	4	but I don't remember any conversation like that,
12:22	5	because I would have remembered that, it would
	6	have freaked me right out, you know.
	7	CHRIS O'BRIEN: There was an incident
	8	DEBORAH HALL: More or less I was a misfit
	9	among these misfits, because I shouldn't have
12:22	10	been hanging around people like that for the type
	11	of person I was at all.
	12	CHRIS O'BRIEN: Uh-huh ?
	13	DEBORAH HALL: I didn't get off on any of
	14	their bullshit.
12:22	15	CHRIS O'BRIEN: So you remember the fact
	16	that David did, at one point on the bed, either,
	17	well, punch, beat, or fluff a pillow.
	18	DEBORAH HALL: Yeah, and then he leaned
	19	back on the bed, and he was laughing. And then
12:22	20	
	21	CHRIS O'BRIEN: But "I stabbed her, I
	22	killed her 14 times" just wasn't there?
	23	DEBORAH HALL: No, not that I heard. Of
	24	course, like I say, my direct my attention
12:22	25	might have been directed somewheres else when



	1	that was said, if it was said. But I can't
	2	really see, if he said it in a loud enough voice,
	3	how I wouldn't have heard it.
	4	CHRIS O'BRIEN: That's right.
12:22	5	DEBORAH HALL: You know what I mean,
	6	because you are, like I said, my awareness and
	7	everything was really piqued that night, and
	8	CHRIS O'BRIEN: Was he hyper that night?
	9	DEBORAH HALL: Yeah, he was pretty hyper,
12:23	10	yeah, yeah. Bouncing around and
	11	CHRIS O'BRIEN: He was jumping around just
	12	like
	13	DEBORAH HALL: Well he was just being
	14	really, like he was just electric, you know.
12:23	15	CHRIS O'BRIEN: He was laughing?
	16	DEBORAH HALL: Yeah. And
	17	CHRIS O'BRIEN: And if he was active enough
	18	to stab or make motions to that effect on this
	19	pillow,
12:23	20	DEBORAH HALL: Yeah.
	21	CHRIS O'BRIEN: and was to say anything
	22	to the effect that "yes, I stabbed her, I killed
	23	her 14 times", do you expect that, in that
	24	condition, he would have
12:23	25	DEBORAH HALL: Been serious?



		l ago oco,
	1	CHRIS O'BRIEN: No.
	2	DEBORAH HALL: Oh.
	3	CHRIS O'BRIEN: Do you expect he would have
	4	said it in a level that was quiet, a near-whisper
12:23	5	or a near-monotone, if he was hyper?
	6	DEBORAH HALL: No, no, he wasn't quiet all
	7	night.
	8	CHRIS O'BRIEN: He was he was loud and
	9	raunchy all night?
12:23	10	DEBORAH HALL: Yeah, he was always a
	11	raunch, and he never did anything quietly. He
	12	liked attention, you know.
	13	CHRIS O'BRIEN: Uh-huh?
	14	DEBORAH HALL: And this is what leads me to
12:23	15	believe that too, also, if he did in fact say
	16	this I would suspect he was farting around even.
	17	CHRIS O'BRIEN: Oh, like, likely he was,
	18	and likely that was the intention of it, you
	19	know, to be farting around, but
12:24	20	DEBORAH HALL: Yeah, but I wouldn't say
	21	that he looked violent when he did the motion
	22	with the pillow, and then it was almost directly
	23	after that that he got up and sat on my lap
	24	naked.
12:24	25	CHRIS O'BRIEN: Naked on your lap?



	1	DEBORAH HALL: And he says and then he
	2	invited me into his bed, you see. So, needless
	3	to say, he was joking around lots.
	4	CHRIS O'BRIEN: Right.
12:24	5	DEBORAH HALL: You know, he was. And I
	6	just said "no thanks, I think you have got your
	7	hands full", sort of thing, you know. Because
	8	Ute liked him, you know. Well, it was one of her
	9	likes, she was in like, you know.
12:24	10	CHRIS O'BRIEN: She was in like with David?
	11	DEBORAH HALL: Yeah, yeah.
	12	CHRIS O'BRIEN: So she was sleeping with
	13	him?
	14	DEBORAH HALL: Yeah. And she was my best
12:24	15	friend, as if I am going to jump right in there
	16	anyway, you know. I wasn't attracted to him in
	17	that sense anyway, you know, but he did his
	18	thing.
	19	CHRIS O'BRIEN: Okay. What happened after
12:24	20	he sat on your lap, made you an offer and you
	21	refused, he went back to bed with Ute?
	22	DEBORAH HALL: Yeah, he just, he bounced
	23	into the bed. He just literally just jumped
	24	right on the bed and grabbed the covers and
12:25	25	slumped underneath the covers with her and was



	1	giggling and laughing and carrying on, you know.
	2	CHRIS O'BRIEN: Okay. Umm
	3	DEBORAH HALL: He literally jumped right
	4	into it, Christ, I thought he was going to break
12:25	5	it.
	6	CHRIS O'BRIEN: And about what time of the
	7	night did these other people leave? Bob was
	8	still there, Craig Melnyk was still there, and
	9	George Danchuk (sic) was still there when he got
12:25	10	back into bed.
	11	DEBORAH HALL: George who?
	12	CHRIS O'BRIEN: George Danchuk sorry
	13	Lapchuk.
	14	DEBORAH HALL: Yeah.
12:25	15	CHRIS O'BRIEN: Yeah.
	16	DEBORAH HALL: Yeah, oh yeah, but then I
	17	think it was pretty well the same thing all
	18	around, everybody was a little uncomfortable with
	19	them messing around by everybody? I mean they
12:25	20	were under covers but you knew what was going on,
	21	you know, everybody was kind of looking the other
	22	way sort of thing. But this Craig fellow must
	23	have left with, like I say, because I obviously
	24	don't know the guy or didn't know him at the
10.05	25	+ i m a



12:25 25

time.

1 CHRIS O'BRIEN: Could he have been in the bathroom for any length of time when you left? 2 3 DEBORAH HALL: When I left? 4 Yeah? CHRIS O'BRIEN: Could he have --5 DEBORAH HALL: The bathroom door was open, 12:26 6 that was the only light in the room, besides the 7 TV. 8 And Melnyk wasn't CHRIS O'BRIEN: I see. 9 lying on the floor by the bed in a position where 10 you couldn't see him when you left? All right. 12:26 11 DEBORAH HALL: I don't remember anybody 12 being there besides me. Because, you see, when 13 Ute -- we did not know where Dave hid his little 14 stash, right. 15 CHRIS O'BRIEN: Right. 12:26 16 17 18 19 20 12:26

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12:26

DEBORAH HALL: And I said I was going to go because I was bored and I wasn't high any more, and he says "well just a 'sec, just a 'sec, you know, we'll get you high again, you can have a good time, you know, but he -- he said "just a minute", and he went into the bathroom, he was in the bathroom. That's when Ute said, I says "I don't want to stay, you know, I'll leave you guys alone", and she goes "well don't take it", I says "I'm not going to go home high either", that was



	1	the idea.
	2	CHRIS O'BRIEN: That's right.
	3	DEBORAH HALL: I didn't want to go home
	4	high either, I knew my folks would be in bed but,
12:27	5	you know, I would be just buzzing around half the
	6	night, you know.
	7	CHRIS O'BRIEN: You had had your share.
	8	DEBORAH HALL: Yeah, that was about it, and
	9	she says "well don't take it, just make it look
12:27	10	like you've taken it and save it". Exactly what
	11	I was saving it for was election days at the
	12	school, you know, we used to go to school
	13	periodically high, eh.
	14	CHRIS O'BRIEN: Uh-huh.
	15	DEBORAH HALL: We
	16	CHRIS O'BRIEN: You were buzzed to go to
	17	class, sure, yeah.
	18	DEBORAH HALL: Yeah.
	19	CHRIS O'BRIEN: Yeah.
12:27	20	DEBORAH HALL: So I says "great, election
	21	day", because I was running around and I was on
	22	the committee for, you know, one of the guys that
	23	was elected on the SRC and everything, so I
	24	thought that would be a great day to do that. So
12:27	25	this is how this all came about. Then he came



	1	out of the bathroom and took the, the heating
	2	control thing off the wall, and that's where he
	3	had it.
	4	CHRIS O'BRIEN: I see.
12:27	5	DEBORAH HALL: You see, he had put it in
	6	there, but that was before anybody really noticed
	7	or saw him do it or anything, when he first got
	8	into the room I guess.
	9	CHRIS O'BRIEN: And so then he gave you a
12:27	10	cap?
	11	DEBORAH HALL: And he gave me a cap to
	12	take, and I said "well, okay", so I made the
	13	motions of popping it but I put it in the palm of
	14	my hand and just closed my hand after that.
12:27	15	CHRIS O'BRIEN: All right.
	16	DEBORAH HALL: So he did not know I had it,
	17	so I stayed for a few minutes more, and maybe,
	18	just maybe it would have been more like toward
	19	1:30 or 2:00, but it was not like early dawn in
12:28	20	the morning or anything like.
	21	CHRIS O'BRIEN: So it was an hour or two
	22	past midnight?
	23	DEBORAH HALL: It must have been, yeah, it
	24	must have been. Because, well, there was still
12:28	25	TV on.
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		1 age 3303
	1	CHRIS O'BRIEN: Uh-huh, uh-huh.
	2	DEBORAH HALL: There was still TV on so
	3	CHRIS O'BRIEN: Was anybody watching it?
	4	DEBORAH HALL: No, no, not paying any
12:28	5	attention.
	6	CHRIS O'BRIEN: Okay. When do you first
	7	remember the absence of Melnyk and Lapchuk?
	8	DEBORAH HALL: It was before that.
	9	CHRIS O'BRIEN: Before you got the extra
12:28	10	DEBORAH HALL: Before, before, yeah, they
	11	were gone, they were gone already. Umm
	12	CHRIS O'BRIEN: And you stayed for about
	13	how long?
	14	DEBORAH HALL: And then even Bob was gone
12:28	15	when that episode went on with him giving me some
	16	more to take.
	17	CHRIS O'BRIEN: Okay. So, by this time,
	18	there was
	19	DEBORAH HALL: There was just the three of
12:28	20	us in there.
	21	CHRIS O'BRIEN: Just the three of you?
	22	DEBORAH HALL: There is no way, like that,
	23	like okay, you know, even if the guy had crashed
	24	behind the bed or something, thinking about it, I
12:28	25	don't think he would have had enough room to be

	1	on that side of the bed, and besides that the
	2	room was so small, it was really small. There
	3	with the six of us in there it was organized
	4	confusion, you know, with people talking and
12:29	5	CHRIS O'BRIEN: Fairly crowded?
	6	DEBORAH HALL: Yeah, for a small room like
	7	that, it was the size of a bedroom is what it
	8	was.
	9	CHRIS O'BRIEN: And, had the people left,
12:29	10	you would have noticed.
	11	DEBORAH HALL: Oh, yeah.
	12	CHRIS O'BRIEN: And they didn't?
	13	DEBORAH HALL: And, you know, I'm sure
	14	that, when George left, he must have taken this
12:29	15	Craig with him. He must have. Because I don't
	16	remember him being there after that, just Bob
	17	being there, and then Bob was gonna leave.
	18	CHRIS O'BRIEN: About what time do you
	19	think Lapchuk left?
12:29	20	DEBORAH HALL: Oh God, you know when you
	21	are high time is disoriented, you know.
	22	CHRIS O'BRIEN: Yeah, yeah, I know.
	23	Especially that long ago.
	24	DEBORAH HALL: Yeah, and it seems, it seems
12:29	25	like there was a fair lapse of time.



	1	CHRIS O'BRIEN: Okay. You were the third
	2	wheel when there was Ute and David and yourself?
	3	DEBORAH HALL: Yeah.
	4	CHRIS O'BRIEN: And
12:29	5	DEBORAH HALL: And if there was anyone else
	6	in there now I remember, there wasn't, he
	7	wasn't there, this guy, he wasn't there. Because
	8	Bob was the last one to leave of the bunch of
	9	people that left, so I can't honestly say that I
12:30	10	know exactly when this Craig guy left
	11	CHRIS O'BRIEN: Uh-huh.
	12	DEBORAH HALL: or George for that
	13	matter, but I remember George leaving, I was
	14	greatly relieved, really relieved, because I have
12:30	15	no use for that man.
	16	CHRIS O'BRIEN: You yeah, you didn't
	17	like him at all?
	18	DEBORAH HALL: At all, no. So I was phew,
	19	you know. And to have him drive me home was just
12:30	20	to invite trouble as far as I was concerned, I
	21	never would have thought of such a thing.
	22	Besides that, I had no intentions, I thought it
	23	was great we were down there because I could just
	24	walk home anytime I wanted to, you know, which is
12:30	25	what I did, I walked home.



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12:31

So, when I left, there was just Dave and Ute there. This guy would have had to have come back if he had spent the night, and how he would have gotten back there I don't know if he drove down there with George, because Bob was the last person to leave before me, Bob Harris.

And I really don't remember how he left either, like I didn't pay any attention to it, once they were out the door I didn't worry about how they were getting home or anything, you know.

CHRIS O'BRIEN: Uh-huh?

DEBORAH HALL: I didn't worry about that, I just -- but as far as times go, maybe, maybe it would have been as little as an hour before I left that George and those guys left, and then maybe a half an hour -- well I know for sure it was a short period of time after Bob left that I decided there wasn't any reason to stay around here just to sit and watch those two.

CHRIS O'BRIEN: Right.

DEBORAH HALL: So yeah, maybe about 1:00, but I can't see 2:30 or so. I really don't think it was that late that I went home. I really am sure. Because we got high awful early in the evening. We were getting high, like I say, we



1 must have gotten to that hotel room at 9:00, we 2 were already off, all of us. 3 CHRIS O'BRIEN: When you got there --4 Which takes, whatever, it DEBORAH HALL: 5 depends on the person I guess, 20 minutes, half 12:31 6 an hour, whatever, so needless to say, it was a 7 long night by the time, you know, one or two 8 o'clock rolled around. That's being high for 9 quite some time. 10 CHRIS O'BRIEN: Okay. There was also a 12:32 11 12 13 14 15 12:32 16

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comment made recently, this is interesting, the comment was made that after -- it's not in the transcripts, it wasn't brought out at the trial, but this is something Lapchuk told us last week, he said that after David had made the motions with the pillow and said "yes, I stabbed her, I killed her 14 times," that David also made a remark to the effect that he screwed her in the snow bank, and this is his exact words, "David said I screwed her in the snow bank."

DEBORAH HALL: I don't recall anything like that, any kind of a conversation like that. Needless to say, I would have been hysterical if I had heard him talk like that.

CHRIS O'BRIEN: "I stabbed her 14 times, I



screwed her in the snow bank," you didn't hear anything to that effect?

DEBORAH HALL: No. You see, the first time I heard anything about it was after that night and Ute and I were together day after day, all the time. If we weren't together, we were on the phone together, you know, it was that type of a buddy relationship, and I can remember us walking down the street one day and she said, "Did you know that Hoppy's in jail?" Now, this was all brought out to me from Ute before I took off which was not much time after that night.

CHRIS O'BRIEN: Right.

DEBORAH HALL: You know. So she says did you know that he was in jail, and I said "no, why," and she said "apparently he raped and killed a nurse in Saskatoon," and my reaction was, "well, I wouldn't put it past him," because he was such an off type of boy, you know. Like, I honestly can't say I ever saw him straight though, he was always stoned, any time I ever saw him he was always on something, but that could have been -- you know, that could have explained his kind of strangeness.

CHRIS O'BRIEN: Tell me about your feelings



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	1	about David, what did David do to you emotionally
	2	or psychologically?
	3	DEBORAH HALL: Distrust, I always felt
	4	distrust for the guy. Like, I didn't trust him
12:34	5	at all. Incidents is what had probably done that
	6	too, like, finding out that he ripped this guy
	7	off for his money for that stuff that we got high
	8	on that night.
	9	CHRIS O'BRIEN: Right.
12:34	10	DEBORAH HALL: Something like that. No
	11	respect for him to be able to lower my girlfriend
	12	the way he did that night, that's exactly what I
	13	felt, is he lowered her like that. She was so
	14	emotionally
12:34	15	CHRIS O'BRIEN: Took advantage of her
	16	insecurities?
	17	DEBORAH HALL: unstable with men, yeah,
	18	he took advantage of that, so that's the whole
	19	thing, distrust. To be able to come and sit on
12:34	20	my knee and say why don't you join us, that
	21	turned me off to him, you know. I didn't really
	22	respect the person at all, respect him as a
	23	person. He seemed to be awfully flippant and,
	24	you know



Did he scare you?

CHRIS O'BRIEN:

12:35 25

1 DEBORAH HALL: Yeah, in a way he did. 2 Like, sometimes you just -- I don't know, there 3 was times I think, whoa, you know, slow down, you 4 know, because he always seemed -- like, not 5 always, but there was times when he would 12:35 over-react to something quite simple, you know. 6 7 CHRIS O'BRIEN: Okay. 8 DEBORAH HALL: He seemed to fly off the 9 handle easily.

CHRIS O'BRIEN: Were you ever contacted by the police --

DEBORAH HALL: No.

CHRIS O'BRIEN: -- to appear in court?

DEBORAH HALL: I knew nothing about No. all this. Like, I thought -- I remember when Ute told me about it, I went "oh, yeah," I says, "you are kidding, " and, like, it was disbelief at the same time because murder, I mean, holy shit, you know, and I thought Jesus Christ, I was in the same room with that guy and everything else and, you know, I would have never have guessed, that's exactly what I thought, because that night at the motel room was the most contact I ever had over a period of time at all with that quy. I saw him on occasion with a group of people in the park or

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1 whatever, everybody went their ways all the time, 2 you know what I mean, they were never just 3 sitting there for hours together, that was the only night that I ever had a long length of time 4 5 with the guy at all in that kind of a sense. Ι 12:36 think maybe I saw him four to five times any 6 other time when I met him before that night. 8 Like, he wasn't one of my pals or anything like 9 that, I did not know him at all, he was an 10 acquaintance, one that -- along with a lot of the 12:36 11 other ones, Lapchuk -- Lapchuk I knew better 12 because he was always around and he was just a 13 I never trusted that guy. I wouldn't 14 even talk to him. I would stand back, Ute had 15 something to say to him, I would just stand there 12:36 16 and not even look at him, you know, be looking 17 around, be bored, you know. So, like, it's not 18 only him, but a lot of those people I didn't have 19 much use for. I remember Bob because I thought 20 he was a nice quiet guy, he seemed really decent, 12:36 21 like, he didn't seem to be perverse in any way or 22 anything like that, he just enjoyed getting high 23 once in a while and just minded his own business. 24 CHRIS O'BRIEN: Okay.

= Meyer CompuCourt Reporting



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12:37

(TAPE ENDS)

			g - s
	1		MR. HODSON: That's the end of the tape,
	2		Mr. Commissioner, and probably an appropriate
	3		time to break.
	4		COMMISSIONER MacCALLUM: Two o'clock.
12:37	5		Don't discuss your evidence, please.
	6		(Adjourned at 12:37 p.m.)
	7		(Reconvened at 2:07 p.m.)
	8	BY	MR. HODSON:
	9	Q	Thank you, Mr. Commissioner. For the record, that
02:07	10		audio tape is document ID number 230177. Now,
	11		Ms. Hall, before the break we had an opportunity
	12		to listen to that tape and can you confirm for me
	13		that that was a discussion between you and Chris
	14		O'Brien in or about January, 1981?
02:07	15	A	Yes, it was, yes.
	16	Q	And are you able to tell us whether that taped
	17		that that tape recorded all of the conversation
	18		between you and Mr. O'Brien that day?
	19	A	I really couldn't. I don't know. I couldn't I
02:08	20		don't know.
	21	Q	Do you recall the tape going off in the middle of
	22		the discussion or anything of that nature?
	23	А	Well, yes, because he had to switch sides on the
	24		tape, I remember that, but whether anything was
02:08	25		said when it was off, I don't really remember.

			Page 3373 —
	1	Q	Okay. Now, I think, just if we can go this
	2		chronologically, I think that interview was
	3		January, 1981, you told us this morning you had a
	4		call from the Fifth Estate sometime between 1981
02:08	5		and 1986, and I believe you told us earlier that
	6		you were contacted by David Asper in 1986. Is
	7		that correct?
	8	A	Yes.
	9	Q	Can you tell us how that came about?
02:08	10	A	I received a phone call from him at home one
	11		evening, I was just at home.
	12	Q	And what do you recall of that discussion?
	13	A	He identified who he was and asked me if he could
	14		take if I would give him an affidavit
02:09	15	Q	Yes.
	16	A	and so he had me relate everything I could
	17		remember over the phone while he wrote it all
	18		down.
	19	Q	And do you know how he got your name?
02:09	20	А	I would assume it was through Chris O'Brien.
	21	Q	Do you recall whether Chris O'Brien's name came up
	22		in that discussion?
	23	A	It may have, but I can't really remember whether
	24		he told me that's where he got the number from or
02:09	25		not.

			Page 3374 —————
	1	Q	The transcript of your discussion with Mr. O'Brien
	2	~	that we went through this morning from that taped
	3		discussion, did you have a copy of that at the
	4		time?
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02:09	5	A	No.
	6	Q	Have you ever been provided with a copy of that
	7		transcript?
	8	А	Yes.
	9	Q	And when was that, other than in connection with
02:09	10		these proceedings?
	11	А	I believe it was before I testified at the Supreme
	12		Court.
	13	Q	And do you know when you had your discussion with
	14		David Asper in 1986 whether he had a copy of the
02:10	15		transcript?
	16	А	I don't know.
	17	Q	So you had a conversation with him and related
	18		what you knew and I presume it was about the motel
	19		room incident?
02:10	20	А	Yes.
	21	Q	And what happened next?
	22	А	He told me that he would have to come to Regina
	23		and have me read it over, make sure there was no
	24		errors or omissions, and then sign it.
02:10	25	Q	And did he tell you what he needed the affidavit

			——————————————————————————————————————
	1		for?
	2	A	Yes, he said that he was hoping to have things
	3		move along for David possibly, if nothing else a
	4		retrial or he was hoping that it would be
02:10	5		pertinent enough to start things rolling with
	6		possible, possibly getting him released or retried
	7		or something.
	8	Q	If we could call up the affidavit, please, 026356,
	9		and does this look familiar, Ms. Hall?
02:11	10	A	Yes.
	11	Q	And if we could go to the next page, please,
	12		026357, and you'll see here it talks about an
	13		application to the Minister of Justice pursuant to
	14		section 617 of The Criminal Code of Canada. Do
02:11	15		you recall any discussion with Mr. Asper about Mr.
	16		Milgaard applying for relief from the federal
	17		Minister of Justice?
	18	A	I guess that's who it would have been, yes.
	19	Q	And did you know that this affidavit was going to
02:11	20		be used by Mr. Milgaard or his legal counsel for
	21		certain proceedings?
	22	A	Yes.
	23	Q	Did you ask Mr. Asper I take it this is in
	24		1986. Would it be fair to say that it had been
02:12	25		five years since you had heard from anybody about

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	1		this matter other than the Fifth Estate?
	2	A	To my recollection, yes.
	3	Q	Did you raise that with Mr. Asper or ask him about
	4		that?
02:12	5	А	I think I must have said that I was surprised it
	6		took so long to hear from anybody because Chris
	7		was so excited about it all.
	8	Q	And do you recall his response?
	9	A	Well, I guess he said these you know, I don't,
02:12	10		but somehow I think the tone was something like
	11		these things take time and we've been trying to
	12		get things together and yeah.
	13	Q	And were you aware that this affidavit was in fact
	14		used by Mr. Milgaard in December, 1988 in his
02:13	15		application to the federal Minister of Justice to
	16		review his conviction?
	17	A	Was I aware that
	18	Q	Yes.
	19	А	I don't know if I was aware of the exact date it
02:13	20		was used, but I knew it was going to be used for
	21		something like that, yes.
	22	Q	So if we could go to the next page, 026358, and
	23		just go through parts of it. Perhaps we should go
	24		to the last page, 026362, and is that your
02:13	25		signature?
		11	.



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	1	A	Yes. Yes, it is.
	2	Q	And you would have sworn the contents of this
	3		affidavit to be true?
	4	A	Yes.
02:13	5	Q	Go back to page 026358 and call out paragraph 7,
	6		please.
	7		"That approximately 5 years ago a radio
	8		reporter named Chris O'Brien informed me
	9		that David Milgaard had been convicted of
02:14	10		the murder of Gail Miller and that two
	11		witnesses, namely, George Lapchuk and Craig
	12		Melnyk had given certain evidence at the
	13		trial."
	14		And I take it the Chris O'Brien discussion was
02:14	15		the one that we heard this morning?
	16	A	Yes.
	17	Q	Next paragraph, please:
	18		"That until so informed by Chris O'Brien I
	19		had no knowledge whatsoever that David
02:14	20		Milgaard had been convicted. I recall
	21		shortly after seeing David Milgaard in late
	22		May of 1969 that Ute Frank told me that
	23		David Milgaard had been arrested but I did
	24		not believe her."
02:14	25		And I think that's what you told us this morning;
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	1		correct?
	2	А	Correct.
	3	Q	Paragraph 9, it says:
	4		"That until Chris O'Brien showed me the
02:14	5		transcript of the evidence of George Lapchuk
	6		and Craig Melnyk I had no idea that they had
	7		so testified."
	8		And I believe that's what you told us this
	9		morning; correct?
02:14	10	А	Correct.
	11	Q	Next paragraph:
	12		"That as soon as I read the evidence of
	13		George Lapchuk and Craig Melnyk I
	14		immediately remembered the evening in
02:15	15		question and was shocked at how it was
	16		described by them."
	17		I have a couple of questions there; one, it says
	18		I immediately remembered the evening. Do I take
	19		it from that that until you met with Mr. O'Brien,
02:15	20		you had not thought about that evening in the
	21		motel room?
	22	A	No.
	23	Q	You agree with that?
	24	A	I wouldn't agree that I immediately remembered the
02:15	25		evening in question. I remembered most of it,

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	1		but, you know, later when I had time to recall
	2		things that happened, it seemed to make a lot more
	3		sense when I actually thought harder on it.
	4	Q	Let me try the question again. My question was,
02:15	5		from the time of the incident until 1981 when
	6		Mr. O'Brien talked to you about it, is it fair to
	7		say that you did not think about that evening?
	8	A	Oh, no, not at all.
	9	Q	You are agreeing with me, you didn't think about
02:15	10		it?
	11	А	Yeah, I didn't think about it at all.
	12	Q	Thanks. And then you go on to say that you were
	13		shocked at how it was described by them. Why were
	14		you shocked and what were you shocked at?
02:16	15	A	Well, again it was the context of David's attitude
	16		that they were describing, it was it wasn't
	17		anything like remembering him turning psychotic
	18		and violent at all, so that's what surprised me,
	19		was how they twisted it around.
02:16	20	Q	And what parts are you saying they twisted around
	21		that shocked you?
	22	A	Well, the reenactment.
	23	Q	Next page, please, 026359, paragraph 12 and 13,
	24		you say:
02:16	25		"That I am able to remember the events on



	1		the evening in question because that night
	2		was the first time I had taken what I
	3		considered to be a strong drug. I ingested
	4		what I believed to be a tablet of THC, which
02:17	5		I was advised at the time was some kind of
	6		synthetic marijuana.
	7		That the taking of this drug did not affect
	8		my memory and in fact it seemed to make the
	9		events much clearer in my mind."
02:17	10		Is that the evidence that you gave at the time,
	11		Ms. Hall?
	12	A	Yes.
	13	Q	And is that what you say today?
	14	A	Well, much clearer back then than it is now,
02:17	15		that's for sure.
	16	Q	When you say back then, are you talking about
	17		1986?
	18	A	Exactly, yes.
	19	Q	Do I take it from paragraph 12 and 13 that you are
02:17	20		saying that the drug, that the drugs you ingested
	21		that evening enhanced your ability to remember
	22		what happened, or am I reading that wrong?
	23	A	No, yeah, that would be correct.
	24	Q	And then go to just scroll down to 14. Just go
02:18	25		back to the full document, please. I'm not going

1 to go through all of this, Ms. Hall, but just so you know what I'm referring to, it says: 2 3 "That my recollection of what happened in 4 the latter part of May, 1969 is as follows:" 5 And then I want to go to the next page, please, 02:18 6 and this is part of what you are saying you 7 recalled. It says: 8 "By the time we arrived at the motel the 9 three of us were fairly well under the 10 influence of drugs. 02:18 A short time after arriving at 11 12 the motel, George Lapchuk and Craig Melnyk 13 appeared. I did not know Craig Melnyk 14 although I had seen him hanging around 15 Victoria Park and the Balmoral Cafe in 02:18 16 Bob Harris also arrived at the Regina. 17 motel room a short time after we arrived." 18 And I think that's what you've told this inquiry; 19 correct? 20 02:18 Correct. 21 Next paragraph: 22 "George Lapchuk and Craig Melnyk did not 23 partake of the drugs that we had purchased 24 and I do not know whether they were under 25 the influence of drugs or not. 02:18 Bob Harris



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	1		took some kind of drug in the hotel room and
	2		it made him very impaired. I remember this
	3		very clearly because it was the first time
	4		that I had seen someone use a needle to
02:19	5		inject drugs. I can very clearly recall
	6		seeing his head go back and hit the wall and
	7		his eyes roll in his head after he put the
	8		needle in his arm."
	9		And is that a truthful recollection?
02:19	10	A	Yes.
	11	Q	And that's what you told us more or less this
	12		morning?
	13	А	Yes.
	14	Q	Next paragraph, it says:
02:19	15		"I remember that the television set in the
	16		room was on but that no one was really
	17		watching it. The volume was quite low and
	18		in order to hear it one had to be
	19		specifically concentrating on the television
02:19	20		set. There was a party atmosphere in the
	21		room and I recall that everyone was engaged
	22		in lively conversation."
	23		And is that something you told Mr. Asper at the
	24		time?
02:19	25	A	Correct, yes.



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	1	Q	And today you say that's truthful?
	2	A	Yes.
	3	Q	Next page, please. You go on to say:
	4		"I remember seeing news pictures of the Gail
02:20	5		Miller murder on the television set but
	6		could not hear what was being said."
	7		If I can pause there. I think you told us this
	8		morning that you and I could have it wrong
	9		but I think you said you don't recall seeing
02:20	10	A	Well, it was the bed was partially in the way.
	11		I knew the news was on and I guess I could say
	12		that I would assume that's what I saw.
	13	Q	Okay.
	14	A	Because I couldn't hear anything.
02:20	15	Q	I'm sorry, you couldn't hear anything?
	16	А	Well, I couldn't hear the volume on the TV. Like,
	17		I couldn't hear what was being said on the TV.
	18	Q	And then you say:
	19		"As I previously indicated, everyone in the
02:20	20		room was chattering back and forth. At one
	21		point Craig Melnyk said to David Milgaard,
	22		"you did it didn't you". As Craig Melnyk
	23		was saying this, David Milgaard was punching
	24		the pillow trying to fluff it up. I
02:20	25		remember him saying, in response to Craig
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	1		Melnyk, "oh yeah right" in a sarcastic or
	2		joking manner. David Milgaard then put the
	3		pillow back against the head-board and
	4		leaned back and crossed his arms against his
02:21	5		chest. I believe his response to the
	6		comment made by Craig Melnyk was in a joking
	7		manner. At no time did David Milgaard use
	8		the pillow to reenact the murder. My
	9		interpretation of David Milgaard's response
02:21	10		was that it was a completely innocent and
	11		perhaps crudely comical comment. I know
	12		that if I had thought he was serious I would
	13		have left immediately. No one in the room
	14		thought anything of that particular
02:21	15		conversation."
	16		Now, is that what you would have advised Mr.
	17		Asper about your recollection of the evening?
	18	A	Yes.
	19	Q	Now, I note, Ms. Hall, in describing what you
02:21	20		remember David Milgaard saying in regard to Craig
	21		Melnyk, you say "oh yeah right" and that the words
	22		that you told us yesterday and this morning, and I
	23		quote, "I stabbed her and I fucked her brains out,
	24		that's a good time," are not in the affidavit.
02:21	25		You agree?



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	1	A	Yes.
	2	Q	Do you know why
	3	А	No.
	4	Q	Do you recall whether you told Mr. Asper about
02:22	5		hearing those words from David Milgaard?
	6	А	Now, I knew I was telling him the events for an
	7		affidavit and I was a little hesitant to say
	8		fucked her brains out because if you notice
	9		further down I said it was a crudely comical
02:22	10		response, so at the time I didn't think it was
	11		going to be all that necessary to put it word for
	12		word because I was hesitant to use that language I
	13		guess you would say.
	14	Q	What about the words "I stabbed her"?
02:22	15	А	I don't know why I wouldn't have told him that
	16		because I do recall something about stabbed her.
	17		Now, we were doing this over the phone too and I
	18		had distractions going on, my son was living with
	19		me at the time, the TV was on and things, I don't
02:22	20		know whether I got distracted at times for or
	21		whether I just wasn't aware of how absolutely
	22		pinpoint everything had to be.
	23	Q	Do you recall whether you told Mr. Asper that you
	24		heard Mr. Milgaard say words to the effect "I
02:23	25		stabbed her and I fucked her brains out, that's a
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	1		good time"?
	2	A	Not at that time I don't think I did.
	3	Q	Okay. Now, you'll see here there's a space there.
	4		Was there something in the affidavit, Ms. Hall,
02:23	5		that was maybe taken out or do you remember that?
	6	A	No, I don't remember. I was looking at that
	7		trying to think, but I don't think anything was
	8		taken out of there.
	9	Q	Now, when you were reviewing this affidavit with
02:23	10		Mr. Asper, do you recall where that took place?
	11	A	Pardon me?
	12	Q	Where did that take place, when you actually
	13		physically signed the affidavit?
	14	A	Oh, it was a we met for lunch at a restaurant
02:24	15		on south Albert Street. I'm not sure I can
	16		remember the restaurant.
	17	Q	And did Mr. Asper have this typed affidavit with
	18		him?
	19	A	Yes.
02:24	20	Q	And you would have read it through with him?
	21	A	Yes.
	22	Q	And do you recall if he asked you any further
	23		questions or said anything to you?
	24	A	Gee, well, I believe we talked about things and
02:24	25		I can't remember if he asked me anything else.
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	1	Q	Just scroll down here, please, and your affidavit
	2		then goes on to say, and again this is in
	3		paragraph 14 of the affidavit where you are saying
	4		that my recollection of what happened in the
02:24	5		latter part of May, 1969 is as follows, and you
	6		say:
	7		"Craig Melnyk and George Lapchuk both lied
	8		when they stated in their evidence at trial
	9		that David Milgaard reenacted the murder by
02:25	10		going through a series of stabbing motions
	11		against the pillow."
	12		If I can stop there. Do you recall if there was
	13		something in that affidavit that was taken out?
	14		I'm not suggesting there is, just that there's a
02:25	15		space there.
	16	A	Yeah.
	17	Q	Do you recall?
	18	А	No, I don't recall anything in there, no.
	19	Q	And you say here that:
02:25	20		"Mr. Melnyk and Mr. Lapchuk both lied when
	21		they stated in their evidence at trial that
	22		David Milgaard reenacted the murder by going
	23		through a series of stabbing motions against
	24		the pillow."
02:25	25		What did you mean when you said they both lied?
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	1	A	Well, I think lied is a strong word now. I would
		A	
	2		have more likely should have said something
	3		like I don't know what I would have said. Lied
	4		is kind of a strong word. Misrepresented what
02:26	5		happened that night.
	6	Q	In what way?
	7	A	Well, like I say again, the way they took the
	8		whole scenario of what Dave was doing out of
	9		context. To me that was, like, a lie. When I
02:26	10		thought about it afterward I thought these guys,
	11		as far as I know, weren't even stoned, so they
	12		don't have an excuse to say that he freaked out
	13		and started stabbing a pillow and such forth,
	14		so
02:26	15	Q	At this time, the time that you swore this
	16		affidavit, had you talked to either Mr. Melnyk or
	17		Mr. Lapchuk and asked them what they had construed
	18		Mr. Milgaard's comments on that evening?
	19	A	Mr. Lapchuk and I bumped into each other from time
02:26	20		to time and I remember bumping into him in a bar
	21		in Regina after the Fifth Estate people had talked
	22		to me.
	23	Q	Would that have been before you swore this
	24		affidavit?
02:27	25	A	Yes, it would have been.



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	1	Q	And do you recall your discussion with
	2		Mr. Lapchuk?
	3	A	Well, I said to him, I said "George, you'll never
	4		guess who I was just talking to," and he said
02:27	5		"Who's that?" I said a Sandra Bartlett from the
	6		Fifth Estate, and he frowned at me and he said
	7		"Well, why?" and I said "They've been asking me
	8		about David Milgaard," and he became very hostile,
	9		he said "Tell them to fuck off, the guy did it,
02:27	10		just leave it alone," and that kind of took me
	11		back and I said, "Well, why shouldn't I talk to
	12		them, I have nothing to hide, do you?" and he was
	13		drinking a beer, he pounded it back and he slammed
	14		it on the bar and he just walked away and that was
02:28	15		the end of that conversation. We never talked
	16		about it again.
	17	Q	And that was before you would have sworn this
	18		affidavit; is that correct?
	19	A	Yes.
02:28	20	Q	So back on, I think you say both lied and you are
	21		saying maybe misrepresent would have been a better
	22		word; is that I don't want to put words in your
	23		mouth.
	24	A	Well, they both took it out of context or
02:28	25		something. Lied is a bit of a strong word because



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	1		maybe in their mind they weren't lying.
	2	Q	Pardon me?
	3	A	I said maybe in their mind they weren't lying,
	4		maybe that's what they perceived to have happened
02:28	5		that night.
	6	Q	When you say they took it out of context, what
	7		were you relying upon in your mind to know the
	8		context within which Mr. Melnyk and Mr. Lapchuk
	9		took Mr. Milgaard's actions and words that
02:28	10		evening?
	11	А	Again, it was his attitude.
	12	Q	Pardon me?
	13	A	David's attitude. They made it sound like he was
	14		psychotic or something all of a sudden, you know.
02:29	15	Q	When you say they made it sound, are you talking
	16		about Mr. Lapchuk and Mr. Melnyk?
	17	А	Yes, but both their testimonies on how he looked
	18		and how he behaved.
	19	Q	Let me try it this way. Is it correct to say that
02:29	20		you interpreted the context I think your words
	21		were that the context within which they observed
	22		Mr. Milgaard's actions and words.
	23	А	Right.
	24	Q	Right. And in order for you to understand the
02:29	25		context in which Mr. Melnyk and Mr. Lapchuk had
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	1		with respect to those events, were you relying
	2		solely on the written transcript that you had read
	3		with Mr. O'Brien?
	4	A	No, no, and my observations that night for what I
02:29	5		remembered.
	6	Q	Let me try it a different way, Ms. Hall. I think
	7		what you said is that you believed that Mr. Melnyk
	8		and Mr. Lapchuk construed Mr. Milgaard's actions
	9		in a way different than you construed it; is that
02:30	10		fair?
	11	A	Yes.
	12	Q	And my question is how did you reach the
	13		conclusion or how did you know the context in
	14		which Mr. Melnyk and Mr. Lapchuk viewed the events
02:30	15		of that evening?
	16	A	From reviewing their testimonies and yeah, from
	17		reviewing what they testified at the trial.
	18	Q	Right. So that you reached the conclusion in your
	19		mind about the context within which Mr. Melnyk and
02:30	20		Mr. Lapchuk viewed those events by reading the
	21		transcript with Mr. O'Brien in January of 1981; is
	22		that correct?
	23	A	Yes.
	24	Q	Now, is there anything else, when you say here
02:30	25		that they both lied, when you say Mr. Melnyk and $lacktrian$

	1		Mr. Lapchuk lied or misrepresented or whatever
	2		words you had used, is there anything else in
	3		their evidence that you say or that you were
	4		referring to when you put this in the affidavit?
02:31	5	А	I didn't understand that.
	6	Q	I just want to make sure that you tell me
	7		everything that you say when you swore this
	8		affidavit in 1986 you said that Mr. Melnyk and
	9		Mr. Lapchuk lied at the trial and I want to make
02:31	10		sure I get you to tell me everything that you say
	11		was a lie on their part in your mind at the time.
	12	А	Well, we went over all of that.
	13	Q	That's fine. Is there anything in addition to
	14		what you've already told us?
02:31	15	A	Oh, in addition. Not that I can recall, no.
	16	Q	And it just finishes off, it says:
	17		"Also I'm advised that George Lapchuk said
	18		at the trial that he had driven me home that
	19		night but, the truth is that I lived
02:32	20		approximately 4 blocks from the motel and
	21		walked home."
	22		And I think we've already covered that in detail;
	23		have we not?
	24	А	Yes.
02:32	25	Q	And then scroll down to paragraph 16, it says:
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	1		"That approximately two weeks after the
	2		evening at the Park Lane Motel I ran away
	3		from home. I headed to Toronto and stayed
	4		there for a couple of weeks and then moved
02:32	5		onto Montreal. There my natural father
	6		caught up with me and convinced me to move
	7		to the town of Nelson, in British Columbia,
	8		with him."
	9		And that's what you've told me; correct?
02:32	10	A	Correct.
	11	Q	Now, after this affidavit was completed, Ms. Hall,
	12		did you have further contact or what was the
	13		next contact you had from somebody in connection
	14		with this matter?
02:33	15	A	Do you mean from
	16	Q	Did you hear back from Mr. Asper after you met
	17		with him on this occasion in 1986?
	18	А	Yes.
	19	Q	And when was that?
02:33	20	А	I can't remember. I believe it was prior to my
	21		interview with Mr. Williams from the justice
	22		department because Mr. Asper was calling to tell
	23		me or, well, basically tell me that this was
	24		what was that he was going to come out to
02:33	25		interview me.
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	1	Q	So Mr. Asper phoned you and told you that Eugene
	2		Williams was coming to see you?
	3	A	Yes, and
	4	Q	I'm sorry?
02:33	5	A	And everybody else pertinent too, but he wanted to
	6		come and interview me also.
	7	Q	I'm sorry, that Mr. Williams wanted to come and
	8		interview you?
	9	A	Yes.
02:33	10	Q	Had you heard from Mr. Williams or anybody from
	11		the Department of Justice before you got Mr.
	12		Asper's call?
	13	A	I can't really recollect whether I did or not.
	14		I'm sure Mr. Williams' camp must have called to
02:34	15		set up, you know, an interview.
	16	Q	Did you hear from Mr. Asper before you heard from
	17		Mr. Williams?
	18	A	I believe so.
	19	Q	Now and I think, and I'll show you a document
02:34	20		here to assist you, it's 001285, and this
	21		indicates an examination of Deborah Hall, November
	22		6, 1989, if you can go to the next page, please,
	23		and it looks as though, Ms. Hall, that
	24		Mr. Williams conducted an examination of you I
02:34	25		believe yes, under oath before a court reporter

	1		in Regina on November 6th, 1989. Do you recall
	2		that?
	3	А	Yes.
	4	Q	And did Mr. Williams tell you what he was
02:35	5		questioning you about or for what purpose?
	6	A	Yes.
	7	Q	And what did he tell you?
	8	А	Well, he was he wanted to go over my
	9		recollection of the events in the motel room that
02:35	10		night regarding David Milgaard.
	11	Q	Okay. If we can go to the next page please,
	12		081287, and in fact the first question,
	13		Mr. Williams says there is:
	14		"Q Deborah, I have before me a six page
02:35	15		Affidavit, it appears to be dated
	16		November 23, 1986. I notice that it is
	17		that of a Deborah Hall. There are
	18		corrections in the heading?
	19		A Yes."
02:35	20		So I take it that Mr. Williams was asking you
	21		questions about your affidavit as well?
	22	А	Yes.
	23	Q	To page 081300, please. And Mr. Williams is
	24		asking, here, about your meeting with Mr. O'Brien.
02:36	25		He asks you:
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	1		"Q Now, in 1981 Chris O'Brien approached
	2		you?
	3		A Yes.
	4		Q What transpired then?
02:36	5		A Chris had kind of put two and two
	6		together as to who I was, I guess. I
	7		had been cutting his hair for some-
	8		time and he saw my name on a mirror.
	9		And he told me later that they were
02:36	10		looking for a Debbie Hull, and the
	11		Hull kind of threw him off at first,
	12		but he just thought he couldn't lose
	13		by asking me."
	14		So I take it you told Mr. Williams the same
02:37	15		events you told us this morning about how you met
	16		Mr. O'Brien?
	17	А	Yes, I did.
	18	Q	Next page, please. Question 103 Mr. Williams
	19		asked:
02:37	20		"Q As a result of your conversation with
	21		this Mr. O'Brien, what did you learn?
	22		A Well, I was quite surprised to find
	23		out that this so called gossip that I
	24		thought was happening at the time Ute
02:37	25		told me about David, was true; that he
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	1		was in jail and I was quite shocked by
	2		it all. I couldn't really believe
	3		that it had actually happened."
	4	Next pag	e:
02:37	5	" Q	Did you learn anything else?
	6	A	He took me by his place, because he
	7		wanted me to read over the court
	8		transcripts of the night that we were
	9		all together at the party. And when I
02:37	10		read what Melnyk and Lapchuk said, it
	11		just sort of like shocked me, because
	12		it just - it was like a slap in the
	13		face. I couldn't believe that they'd
	14		said what they said.
02:37	15	Q	How long did it take you to read the
	16		transcript?
	17	A	He only - he only flipped it to the
	18		area where I was pertaining - you
	19		know, I didn't read - it was quite
02:38	20		large, and the only part that I read
	21		was Lapchuk's and Melnyk's testimony.
	22		So, it took me a matter of five, ten
	23		minutes, or whatever to read through
	24		it.
02:38	25	Q	You say you read Melnyk and Lapchuk's

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	1			testimony?
	2		A	Right.
	3		Q	Did you read all of Melnyk's and
	4			Lapchuk's testimony?
02:38	5		A	Yes.
	6		Q	You're certain of that?
	7		А	Unless there was something further
	8			along in the trial where they had him
	9			brought back again, or something, I
02:38	10			don't know. But he opened it to one
	11			particular area and I read through
	12			that area of the transcripts."
	13	And	then	Mr. Williams says at 109:
	14		" Q	I have this document it's an extract of
02:38	15			the transcript, from pages 1010 to page
	16			1066. Is this what you read?
	17		А	I didn't read any of the - no, none of
	18			this about Melnyk's name or anything
	19			like that.
02:38	20		Q	So, you didn't read the entire
	21			transcript?
	22		A	I guess I didn't, no.
	23		Q	To read fifty-six pages would take a
	24			little longer than five minutes?
02:38	25		A	Yes. He just - he just opened it to
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	1		where they were talking about the
	2		night in question itself.
	3		Q Now, while you were in the room, did you
	4		leave the room for any reason?
02:39	5		A No."
	6		Oh, I'm sorry, this goes on to the motel room.
	7		So that's what you would have told Mr. Williams
	8		about your meeting with Mr. O'Brien?
	9	А	Yes.
02:39	10	Q	And that's true?
	11	А	Yes.
	12	Q	Go to the bottom, here, question 115 Mr. Williams
	13		says:
	14		"Q Now, you say you were advised that
02:39	15		Lapchuk said certain things. By whom
	16		were you advised?
	17		A Actually, when I looked at that -
	18		Mr. Asper kind of did this all over
	19		the phone and I told him that I read
02:39	20		in the transcript that George Lapchuk
	21		had said that he had driven me home
	22		that night."
	23		Next page:
	24		"Q Yes?
02:39	25		A So, actually I am advised, is not
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	1			really true.	. Well, other than I read
	2			the transcri	pt saying that he had said
	3			that.	
	4		Q	All right.	Did you read page 1050 of
02:39	5			the transcri	pt where the Court is asking
	6			Mr. Lapchuk,	two-thirds of the way down,
	7			"What happen	ned to the other girl?" And
	8			his answer w	was "I really can't remember.
	9			I believe I	drove her home, but I can't
02:40	10			really recal	ll what time that was." Do
	11			you recall s	seeing that?
	12		A	Yes. That's	s the part that I was
	13			referring to	o in there."
	14	And t	then	question 118	3:
02:40	15		" Q	Did you also	read at page 1052 when he's
	16			being cross-	examined by Mr. Tallis,
	17			about a thir	ed of the way down, and he
	18			says:	
	19			"Q Now	you went out on other
02:40	20			occ	casions with other people,
	21			did	l you?
	22			A No,	, not that I can recall.
	23			See	e, I may have driven Debbie
	24				ll home. That is the only
02:40	25				rt that I can't really recall
				-	•

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	1				when I drove her home.
	2			Q	I see. You don't recall
	3			×	
					whether you drove her home or
	4				not that evening?
02:40	5			A	No."
	6		Mr. Will	iams says	:
	7		" Q	Did you	read that?"
	8		And your	answer i	s I'm not sure if that's a
	9		yes or a	no. Nex	t page:
02:40	10		" Q	Would yo	u agree with me that from his
	11			response	, he really - he does not know
	12			whether	or not he drove you home?
	13		А	Yes, I w	ould agree with that.
	14		Q	All righ	t. So, that it's not fair to
02:40	15			say that	
	16		A	But.	
	17		Q	he l	ied when he said that
	18		А	Well, ye	ah, that's true. But you'd
	19			have to	understand George Lapchuk too,
02:41	20			because	George Lapchuk had been sort
	21			of after	me."
	22		Now that	accurate	ly sets out what you told
	23		Mr. Will	iams?	
	24	А	Yes.		
02:41	25	Q	What did	you mean	when you say that:
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	1		" you'd have to understand George
	2		Lapchuk too, because George Lapchuk had
	3		been sort of after me."
	4	A	Well he, he was always flirting with me and stuff,
02:41	5		I couldn't stand the guy.
	6	Q	Now I don't want to misconstrue what you said to
	7		Mr. Williams here, but it appears that
	8		Mr. Williams asked you, after he read Mr. Tallis'
	9		questioning of Mr. Lapchuk, that maybe Mr. Lapchuk
02:41	10		hadn't said for certain that he drove you home,
	11		and it appears that you accept that by saying
	12		"Yes, I would agree with that."
	13		Is that a fair summary?
	14	А	Yes, I suppose.
02:41	15	Q	And then down at the bottom, 126:
	16		"Q At what time did Bob Harris leave?
	17		A I don't remember. No.
	18		Q All right.
	19		A I don't even remember if he was there
02:42	20		when the TV thing was on.
	21		Q It's possible he could have been gone?
	22		A Something tells me he didn't last very
	23		long, because he was really impaired.
	24		He was quite out of it."
02:42	25		And I think that is that truthful information
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	1		that vou	provided Mr. Williams?
	2	A	Yes.	provided Mr. Williams.
	3	Q	Now to p	age 001316, and here Mr. Williams asks you
	4		about th	e pillow:
02:43	5		" Q	And I take it at that point in time, the
	6			pillow was how?
	7		А	It was - it was in front of him. He
	8			had taken it from behind his back in
	9			the first place, and was pumping up
02:43	10			this pillow when he was asked if he
	11			had done it - or told or whatever,
	12			that he had done this. He was already
	13			- he was already bouncing on the bed
	14			and fluffing up his pillow when he was
02:43	15			asked.
	16		Q	All right. Now, after the question was
	17			put to him, after he was asked that
	18			question, he continued, as you say,
	19			moving up and down in a vertical motion,
02:44	20			vigorously?
	21		А	Bouncing on the bed, yes.
	22		Q	Yes?
	23		А	Yeah, and
	24		Q	He arms were moving.
02:44	25		A	punching the pillow by this time.
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	1		0	He was numbing the millers
	1		Q	He was punching the pillow?
	2		А	Right. But not - yeah, punching it.
	3		Q	And that punching motion
	4		А	Closed fists.
02:44	5		Q	was a closed fist. Was it a
	6			vertical up and down motion?
	7		А	No, sideways, sideways.
	8		" Q	It was a sideways motion?
	9		А	Sideways and this ways."
02:44	10		Next pag	e, please. And then at question 213
	11		Mr. Will	iams says:
	12		" Q	And do you recall him saying anything at
	13			the time that he was making this
	14			sideways and vertical motion?
02:44	15		А	Something like oh, yeah sure, or oh,
	16			yeah, right, in a sarcastic tone. You
	17			know, I mean it was something to that
	18			effect."
	19		Would you	u have given that information to
02:44	20		Mr. Will	iams at the time?
	21	А	Yes.	
	22	Q	Now if I	could go ahead to page 001320, actually
	23		to 319 p	lease, and this is where Mr. Williams has
	24		asked yo	u about your observations and:
02:45	25		" O	After he sat back. With a
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	1	A	But everybody was laughing at his
	2		response, after.
	3	Q	They were?
	4	А	Yeah. Smiling, laughing, sort of
02:45	5		snickering under their breath,
	6		whatever.
	7	Q	You heard that?
	8	A	Yeah. That's what I did.
	9	Q	All right. You didn't believe it?
02:45	10	A	No.
	11	Q	You, at that time
	12	A	I thought he was a bit sick for his
	13		remark, you know, because he had said
	14		something about - excuse my language
02:45	15		but I remember it as such - "fucking
	16		her brains, oh, yeah, right, I stabbed
	17		her I don't know how many times and
	18		then I fucked her brains out. Right."
	19		You know, something like in that
02:46	20		respect. It was crude; it was crude,
	21		and it was, you know, sarcastic.
	22	Q	That is your recollection of what
	23		Milgaard said?
	24	A	Mmhmm, yeah."
02:46	25	So you w	ould have told Mr. Williams that?



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	1	A	Yes.
	2	Q	And would that have been the first time, Ms. Hall,
	3		that you would have told anybody about those words
	4		that you heard said in the motel room?
02:46	5	А	Probably. Probably was. I thought, by then,
	6		that, I mean, this man was from the justice
	7		department, I had to tell it exactly like it was
	8		that I remembered it.
	9	Q	Okay.
02:46	10	A	Whether I didn't like using the language or not.
	11	Q	And what is here in question 238, that is your
	12		best recollection, at the time, as to what was
	13		said?
	14	А	Yes, it is.
02:46	15	Q	And then the next page, 242, and then Mr. Williams
	16		says:
	17		"Q All right. But there is no doubt in
	18		your mind that he said that at the time?
	19		A No, no doubt."
02:47	20		And then scroll down, if we could go back to the
	21		full page, please, just call out that part.
	22		Mr. Williams says:
	23		"Q Okay. And there's no doubt that he said
	24		that at or about the about the time that
02:47	25		he was, in your words, pumping up the
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	1			pillow, as you've described it to us?
	2		A	Yeah, fluffing up the pillow, punching
	3			the pillow."
	4		Etcetera.	. Is that correct?
02:47	5	A	Yes.	
	6	Q	And page	001323, please actually, just go back
	7		to 001322	2, Mr. Williams asks you:
	8		" Q	I understand you to say though, that
	9			you don't dispute the fact that there
02:48	10			was a pumping motion on the pillow.
	11			There was a hitting, striking of the
	12			pillow. There was a jumping up on the
	13			bed, and that there were words said
	14			about the stabbing and the fucking of
02:48	15			her brains, by Milgaard at that time?
	16		A	Right, but it wasn't a one-handed
	17			motion. It was two hands on the
	18			pillow.
	19		Q	All right. But those events occurred?
02:48	20		А	Yes.
	21		Q	Okay. And where you take issue with
	22			Lapchuk and Melnyk is in what those
	23			motions signified?
	24		А	Yes."
02:48	25		And that	's truthful?
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	1	A	Yes.
	2	Q	And can you tell us, what did you make of what Mr.
	3		Milgaard said and did, how did you interpret that?
	4	А	What did I make of it?
02:48	5	Q	Yes?
	6	A	Again, the hitting the pillow thing and
	7	Q	Yes. You have made mention in the transcript of
	8		sarcastic tone
	9	A	Yeah.
02:48	10	Q	but I would like you to just tell us; how did
	11		you interpret or construe what Mr. Milgaard said
	12		and did?
	13	A	I took it as a negative response to somebody
	14		giving him a hard time, and nothing more, really.
02:49	15	Q	Did you believe he was being serious?
	16	А	No.
	17	Q	Now I understand, Ms. Hall, that you testified at
	18		the Supreme Court of Canada as well, at the
	19		reference for Mr. Milgaard?
02:49	20	A	Yes.
	21	Q	If I could call up 047622, and this is the
	22		transcript, go to page 047632, and do you recall
	23		being examined by Mr. Wolch, counsel for David
	24		Milgaard?
02:49	25	A	Pardon me?



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1	Q	Do you r	ecall being examined by Mr. Wolch on
2		behalf o	f David Milgaard?
3	A	Yes, I d	0.
4	Q	And Mr.	Wolch asks:
5		" Q	When the newscast came on did anybody
6			say anything or do anything that you
7			recall?
8		А	Greg Melnyk listened to what was ever
9			on the TV and then turned around and
10			said to David, "You did it, didn't
11			you?" I recall George Lapchuk chiming
12			in, like kind of cajoling him, saying,
13			"'fess up, Hoppy. You know you did
14			it."
15		Q	"'Fess up, Hoppy." Hoppy was the name
16			that David
17		А	Yes, that was the name I knew him by
18			at the time. It was a nickname.
19		Q	Okay. And what was David doing when
20			they made those comments?
21		А	Well, he was in the process of jumping
22			around on the bed, being a fool and
23			playing with a pillow, kind of
24			punching it up and things at the time
25			he was asked?

1 He responded to --2 Tell us exactly what he said to the best 0 3 of your memory. He responded to the question while he 4 Α 5 -- and he was actually bouncing was on the bed too and punching up this 6 pillow. He said, "Yeah, sure. 8 stabbed her and fucked her brains out, 9 that's a really good -- you know, it's 10 a really good time for me." 11 Q He made a comment -- take your time. 12 Don't worry about it. Just take your 13 time. 14 I think -- it was very -- it was a Α 15 crude remark and it was sarcastically 16 said. 17 And after the remark was made what, if 0 18 anything, did you do? 19 I couldn't understand why they even 20 asked him that. My thoughts were what 21 an asshole. Like, it was kind of a 22 silly, crude thing to say about 23 something. He just kind of leaned 24 back on the bed with this pillow 25 behind his back and just sort of

	1		smirked about it and that was it."
	2		That's the evidence you gave before the Supreme
	3		Court of Canada?
	4	A	Yes it is.
02:51	5	Q	And that's truthful evidence today?
	6	A	Yes it is.
	7	Q	And then the next page, 047634, Mr. Wolch asks
	8		you:
	9		"Q Regarding the other people, did anybody
	10		react or do anything or anything at all?
	11		A I think everybody pretty much did the
	12		same thing I did. We just kind of
	13		looked at him for a minute kind of
	14		trying to figure out like what that
	15		was all about, but then conversations
	16		just started up again and that was it.
	17		It just passed."
	18		I think that's what you have already told us;
	19		correct?
02:52	20	A	Yes, yes.
	21	Q	Page 047665, please, or 664. And here you were
	22		asked, you were being questioned by Mr. Neufeld
	23		about what you had told Mr. Williams in your
	24		interview about whether it was Craig Melnyk or
02:53	25		George Lapchuk who had made the comment to Mr.
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1 Milgaard, do you remember being asked about that? 2 Maybe start here: 3 " O And Mr. Williams asked you if in fact it 4 could have been Mr. Lapchuk who in fact 5 made the accusation. Do you remember 6 those questions and answers? Yes, I do. Α 8 In fact, you agreed with him that that Q 9 could be the way it was, given what you 10 had read in Mr. Lapchuk's 11 transcript? 12 Α (No response) 13 Q You agreed with Mr. Williams to that effect? 14 15 Yes, I did. Α 16 Is there a reason why you are different 0 17 on that today? Let me make sure I 18 understand what your evidence on that 19 issue was today. I thought I heard you 20 testify with respect to Mr. Wolch's 21 question that Craig Melnyk made the 22 suggestion. You said George chimed in. 23 Α Yes. 24 Would you agree with me that that's not 25 what you told Mr. Williams?

		Page 3413 —————
1	А	Yes.
2	Q	Why is there a difference? Can you tell
3		me?
4	A	Because at that point in time I was
5		really quite confused by the time we
6		got to that part of the interview of
7		Mr? Williams. I kind of allowed him
8		to put words in my mouth.
9	Q	Oh. How did you feel he was putting
10		words in your mouth?
11	А	By telling me, "Would you agree that
12		it was George Lapchuk that might have
13		confronted him about this?" He
14		confused me.
15	Q	Did he tell you that you had to agree
16		with him?
17	А	No, but
18		By that time I thought maybe
19		that he might have been right, but
20		thinking upon it now it was both of
21		them.
22	Q	I see. So you now think it was both of
23		them.
24		Would you agree with me that your memory
25		for events should have been better two
		1

			Page 3414 —————
	1		or three years ago than it is today?
	2		A I was very nervous with Mr. Williams,
	3		very nervous."
	4		Do you recall that exchange with Mr. Neufeld?
02:55	5	A	Oh yes.
	6	Q	And, can you tell me, did you believe that
	7		Mr. Williams had put words in your mouth?
	8	A	Yes, I did.
	9	Q	In what sense; can you explain?
02:55	10	А	It's kind of like he led me into what was said at
	11		times, you know, it was and then he was a very
	12		intimidating man, I was not comfortable with him
	13		at all. So
	14	Q	He I'm sorry, go ahead?
02:55	15	A	So I don't know whether I, you know, just kind of
	16		was going along with it just to get it over with
	17		and get out of there.
	18	Q	Was there anything in your interview with
	19		Mr. Williams that you said that, later, you looked
02:56	20		at and said "no, that's not right," other than
	21		who, who spoke first, Melnyk or Lapchuk?
	22	A	I remember, when Mr. Neufeld pointed that out to
	23		me,
	24	Q	Yes?
02:56	25	A	remembering that there had been omissions of

			Page 3415
	1		things I said about George. They just weren't
	2		there.
	3	Q	Okay. And
	4	А	And I assumed it was because it wasn't pertinent
02:56	5		to anything, I I didn't think to say "look,
	6		there is something missing here."
	7	Q	If I could just clarify, when you say "there is
	8		something missing", are you talking about the
	9		transcript of your examination by Mr. Williams?
02:56	10	A	Yes.
	11	Q	And did you have a chance to review that before
	12		you testified at the Supreme Court, or were you
	13		given a copy of it?
	14	А	I must have had, I think. Mr. Asper probably
02:57	15		would have given me a copy, I think.
	16	Q	So are you suggesting that, in the transcript of
	17		Mr. Williams' examination of you and this was
	18		before you went to the Supreme Court of Canada
	19	А	Yes.
02:57	20	Q	are you saying that there's parts of that
	21		transcript that are missing?
	22	А	Parts that I remember, like I say, specifically
	23		things I said about George.
	24	Q	Okay. What specific things did you say about Mr.
02:57	25		Lapchuk that are not in the transcript of your
			4

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	1		interview with Mr. Williams?
	2	Α	Well I remember telling Mr. Williams, I believe
	3		I should have stopped you when you were there, you
	4		were pointing out some part in there when he was
02:57	5		asking me about going out with George, and I said
	6		"you would have to understand George", and I
	7		said I told him that George, if he wasn't under
	8		the influence of drugs that night, there is no way
	9		George wouldn't have remembered the events a lot
02:57	10		more clearly.
	11	Q	Okay. And so you told Mr. Williams that?
	12	A	Yes.
	13	Q	Did you ever get the transcript of your meeting
	14		with Mr. Williams and have a chance to go through
02:58	15		it and read it in its entirety?
	16	A	I can't recall.
	17	Q	Okay. So, when Mr. Neufeld is examining you here
	18		at the Supreme Court of Canada, I think you are
	19		saying you are talking about who started to bug
02:58	20		David Milgaard first, Craig Melnyk or George
	21		Lapchuk?
	22	A	Yes.
	23	Q	And I think, at the Supreme Court of Canada, you
	24		disagree with Mr. Lapchuk's evidence and say "no,
02:58	25		it was Mr. Melnyk who"

			Page 3417 —————
	1	А	Well, like I said, all that Mr. Melnyk said was
	2		that after he was obviously watch he was
	3		very he was the closest to the TV set, he and
	4		George I guess, we were on the other side, and he
02:59	5		turned and started it by saying "you did it,
	6		Hoppy," I believe, and then George just picked it
	7		up right from there.
	8	Q	When Mr. Williams interviewed you in November of
	9		1989, when he asked you about what you observed
02:59	10		David Milgaard do and say in the motel room, did
	11		he put any words in your mouth, to use your
	12		terminology, or were those your words?
	13	А	I'm sorry?
	14	Q	Okay. In your evidence at the Supreme Court of
02:59	15		Canada you said that you allowed Eugene Williams
	16		to put words in your mouth when you were asked
	17		about George Lapchuk and Craig Melnyk and who
	18		started bugging Mr. Milgaard first; do you
	19		remember that?
02:59	20	А	Yes.
	21	Q	And my and I think you then said that you were
	22		uncomfortable at the interview with Mr. Williams,
	23		and my question is when Mr. Williams asked you
	24		about what you observed and heard Mr. Milgaard say
02:59	25		and do in the motel room that evening, did

			Page 3418 ————
	1		Mr. Williams put any words in your mouth or tell
	2		you to say something that you didn't believe to be
	3		true?
	4	А	No.
03:00	5	Q	Those were your answers?
	6	А	Those were my answers.
	7	Q	And were they in any way influenced by
	8		Mr. Williams?
	9	А	No. I was trying to be a bit argumentative with
03:00	10		him but it wasn't working.
	11	Q	Okay. And why were you trying to be argumentative
	12		with him?
	13	А	Well, like I say, he was his whole attitude was
	14		I had the impression that he already had his
03:00	15		mind made up over everything before we even sat
	16		down.
	17	Q	And did you
	18	А	So, to me, it was just I felt like it was a
	19		waste of time to even be there with that man.
03:00	20	Q	And did you take that from what he had said to you
	21		or discussions with you?
	22	A	It was, it was just his demeanour and tone and, I
	23		mean, I guess you could probably construe it as
	24		being professional, but I mean I have talked to a
03:01	25		few of you lawyer guys along the way, and you are



		Page 3419 —
1		not all that anal, if I could put it that way.
2		COMMISSIONER MacCALLUM: That what, not all
3		that what?
4	A	Anal.
5		COMMISSIONER MacCALLUM: "Anal"?
6	A	Yes.
7	BY I	MR. HODSON:
8	Q	I'm scared to ask how I'm doing but I don't
9		want an answer.
10		The evidence that you gave at
11		the Supreme Court of Canada and I think you
12		have said earlier that you were nervous there
13		but is it, the evidence that you gave, would that
14		have been your truthful evidence to the best of
15		your recollection at the time?
16	A	Yes, it would have.
17	Q	If you could go to page 047690, full page, please.
18		Again, this is Mr. Neufeld questioning you, and he
19		says:
20		"Q Perhaps I can sum it up. I appreciate
21		what the Court is thinking.
22		You have, basically, said to
23		Mr. Williams, and to others, in your
24		affidavit that you felt Mr. Lapchuk and
25		Mr. Melnyk had lied about what they saw.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2

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1		Right?
2	A	Yes.
3	Q	You have had a chance to compare what
4		they saw with what you saw. Would you
5		agree with me? What they say they saw
6		with what you saw?
7	A	Yes.
8	Q	In fact, there are very many
9		similarities, are there not?
10	А	Yes?
11	Q	The only places where you really differ
12		are the description of the actions.
13		Would you agree with me? Is that
14		right?
15	А	Yes.
16	Q	Where they call the actions "stabbing",
17		you call it "punching"?
18	А	Exactly.
19	Q	And you had no idea what they knew or
20		had been told about Mr. Milgaard's
21		involvement in the murder at that
22		point?
23	A	No.
24	Q	All right. So, it's simply a question,
25		as between the two of you, of

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1		interpretation?
2	A	I would have been so afraid if
3		everybody else had reacted like,
4		"Let's get out of here. Call the
5		cops," or something. Nothing like
6		that happened at all, and nothing was
7		ever brought up about it again, other
8		than the one time that Ute mentioned
9		that he had been arrested.
10	Q	I understand that, but what I'm asking
11		you to tell me is that the differences
12		between what George says he saw and what
13		you say he saw is how it was described;
14		the physical act. You say it's
15		punching; he says it's stabbing. The
16		words that were spoken by Mr. Milgaard,
17		according to Mr. Lapchuk and Mr. Melnyk,
18		are quite similar, are they not?
19	А	Yes.
20	Q	All right. Would you agree with me that
21		when you suggest that they lied, you are
22		probably wrong about that, aren't
23		you?
24	A	They twisted everything about of
25		context, as to how it actually
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		Page 3422 ————
1		happened, as far as I'm concerned.
2		Q As far as you're concerned.
3		A Yes. That's what I remember."
4		And that's what you would have told Mr. Neufeld
5		at the time?
6	A	Yes, it is.
7	Q	And is that your evidence today as well?
8	А	Yes.
9	Q	Last, Ms. Hall, you were interviewed by the RCMP,
10		I believe, in 1993 in connection with their
11		investigation?
12	А	Yes.
13	Q	And I believe it was officers Homeniuk and Gagne
14		interviewed you in Regina; do you remember that?
15		Do you remember two officers interviewing you?
16	А	Vaguely.
17	Q	Okay. If I could call up 034108. This is a
18		transcript, I don't propose to go through much of
19		it, go to page 034116, please. If you could just
20		go back, the page just before, and Mr. Homeniuk
21		asks you:
22		"What would you say, Debbie, if I told
23		you that George has said that he's
24		discussed with you before?"
25		and that's George Lapchuk, and your answer:
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2 3 4 5 6 A 7 Q 8 A 9 Q 10 11 12 A 13 Q 14 15 16 A 17 Q 18 19 20 21 22 23 24



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03:06

"I brought it up to him. Now, this was time later and the Fifth Estate people had approached me about it because I talked to Chris O'Brien. He taped our interview too. He asked me if it was O.K. and stuff and then he made a transcript of it. He said this is probably really going to help, you know with trying to get something going for David. And then I didn't hear anything. Chris moved to Winnipeg and I didn't hear anything. So, again, it just went right out of my mind again and whatever. And then, right out of the blue, and how they got my other phone number, I'll Somebody, Sandra Bartlett never know. from the Fifth Estate phoned me and brought this thing up about David Milgaard again. So, again, I talked to her a bit and this, that and the other. And a mutual friend of ours came in for a hair cut one day and he says come on down, we're going to play some darts down at Checkers and that, come with. And I bumped into George again.



1 hadn't seen him for some time. It must 2 have been a good year or two, I hadn't 3 It was really bugging me that 4 he never said anything to me about this 5 Dave Milgaard, or anything else, so I 03:06 And I says, 6 approached him about it. 7 George, you'd never guess who phoned me 8 just the other day. And he says, who 9 was that. And I says the Fifth Estate. 10 He goes, oh yeah, what did they want. Ι 03:06 11 says, well they want to do an interview 12 with me over David Milgaard". Slammed 13 violent. Just instantaneously. 14 his drink down, looked at me, and if 15 looks could kill ... he said tell them 03:06 16 to fuck off. Just tell them to fuck 17 The guy did it, as far as I'm off. 18 concerned, he did it, let it lie. Don't 19 say anything to anybody. And I said, 20 why, I have nothing to hide, George. 03:07 21 have nothing to hide. And he goes, just 22 tell them all to fuck off. Don't talk 23 to anybody and he actually said it in a 24 threatening tone. And I looked at him 25 and I says I'll talk to whoever I want 03:07



	1		to, about whatever I want to. That's
	2		what we discussed."
	3		And that was the exchange I think you told me a
	4		little bit about earlier this afternoon with Mr.
03:07	5		Lapchuk?
	6	A	Yup. Yup.
	7	Q	And that accurately describes the exchange?
	8	A	And a little bit more detail, that's for sure,
	9		yeah. That is exactly the tone of the whole
03:07	10		exchange.
	11	Q	Now page 034119, and Mr. Homeniuk asks you:
	12		"MR HOMENIUK: We're the first policemen
	13		that have approached you?
	14		D. HALL: Yeah and you know it's funny
03:08	15		because that's the one the thing that David
	16		Asper, when I first gave him my statement,
	17		he was going to do an affidavit up from
	18		this, and he flew out and I read it over to
	19		make sure it was all correct and I initially
03:08	20		it here and there where he had goofed up a
	21		little bit because we did it over the phone,
	22		with him in Winnipeg. He specifically told
	23		me not to talk to anybody unless it was the
	24		RCMP.
03:08	25		HOMENIUK: When would he have said this?
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	1		D. HALL: That was when I did my affidavit.
	2		HOMENIUK: Back in '86?
	3		D. HALL: Yeah. He specifically said if
	4		anybody approaches you, any policemen at
03:08	5		all, get a badge number and a name. He
	6		said, but don't talk to them unless they're
	7		RCMP.
	8		HOMENIUK: Did you ever ask him why?
	9		D. HALL: I just, well yeah, and he said
03:08	10		they'd be about the only ones that would be
	11		impartial. He said he would tend to
	12		question why anybody from the Saskatoon City
	13		Police or the Regina police would be wanting
	14		to talk to you about this. So that's what
03:08	15		he said.
	16		HOMENIUK: So, for the record then, no one
	17		talked to you?"
	18		Does that accurately describe what you and Mr.
	19		Asper had discussed?
03:09	20	A	Yeah, I do recall that now, yes. It was kind of
	21		scary.
	22	Q	And why was that?
	23	A	Well, don't talk to the police, you know, I was a
	24		little nervous about it. It turned out I didn't
03:09	25		need to be. Nobody approached me on it at all.



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	1	Q	Now, Ms. Hall, do you recall a discussion with Ute
	2	2	Frank when you were in Ottawa at the Supreme Court
	3		reference hearings, did you bump into Ute Frank?
	4	Α	Yes, I did.
03:09	5	Q	And what do you recall of your discussions with
	6		her?
	7	А	Ah well, first we were kind of shocked to
	8		literally bump into each other and I guess the
	9		first thing we did was I had already testified and
03:10	10		she had just finished testifying I believe and we
	11		of course started talking about the Supreme Court
	12		and, well, what happened, so of course we kind of
	13		ran over a few things because she, you know, she
	14		asked me, well, they kept asking me how we got
03:10	15		there and things like that, you know.
	16	Q	Sorry to interrupt, but did you understand
	17		Ms. Frank to be there to testify as well?
	18	A	Yes.
	19	Q	So you had testified and she had not yet testified
03:10	20		and you bumped into her?
	21	A	No, she had I had testified before her and she
	22		had finished testifying.
	23	Q	Oh, I see. So you ran into her after she had
	24		testified?
03:10	25	А	Yes, and after I had too.
			.



			Page 3428 ————
	1	Q	Pardon me?
	2	A	After I had too.
	3	Q	Okay. I'm sorry, carry on.
	4	А	The irony of it is after 25 years we still had
03:11	5		things in common, we bumped into each other at the
	6		Museum of Civilization of all places. I wanted to
	7		see something before I left Ottawa.
	8	Q	And did you have a discussion with Ms. Frank about
	9		the motel room incident or the David Milgaard
03:11	10		case?
	11	А	Uh-huh, and then of course it became pretty
	12		obvious between the two of us that she, you
	13		know well, she was how can I put it. Well,
	14		you know, we were on opposite ends of the stick
03:11	15		for what we thought happened that night, that's
	16		all there was to it, so we cut it a little
	17		short well, we just kind of let it lie after it
	18		started to become a little more argumentative as
	19		to what happened between us, talking about it, and
03:12	20		I had said something to the effect, "look, the guy
	21		is saying he's innocent, he's been the longest
	22		serving prisoner in Canada," and something to the
	23		effect. Like, if he "if he in fact had done
	24		it, he would have admitted to it and been out a
03:12	25		long time ago, " or something, and I don't know, I
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	1	said something to the effect that whether I felt
	2	he did it or not, he deserved to be out by now.
	3	Q Anything else you recall regarding your discussion
	4	with Ms. Frank that relates to the motel room
03:12	5	incident?
	6	A Well, like I said, we initially went over she
	7	wanted to know why they were going on about a lot
	8	of different things, how we got there and I
	9	can't really recall exactly, but, you know, we
03:13	10	were just running over bits and points of things
	11	that had happened that night I guess.
	12	MR. HODSON: Those are all my questions,
	13	Ms. Hall, and it's probably an appropriate time
	14	to break, Mr. Commissioner, I think.
03:13	15	COMMISSIONER MacCALLUM: Yes, we'll be
	16	taking our 15 minutes, and we will not be sitting
	17	past 4:30, counsel. There are a number of us
	18	booked out on the Edmonton flight at 6:08 and
	19	4:30 will be the last.
	20	(Adjourned at 3:13 p.m.)
	21	(Reconvened at 3:32 p.m.)
	22	COMMISSIONER MacCALLUM: Mr. Wolch?
	23	BY MR. WOLCH:
	24	Q Thank you, Mr. Commissioner. Deborah, I take it
03:32	25	you are a bit tired by now are you?
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			Page 3430 ————
	1	A	Yes, sir.
	2	Q	Maybe I'm wrong, but I thought it might have been
		×	
	3		through tiredness or whatever that you weren't
	4		quite elaborating on your meeting with Ute Frank
03:32	5		after the Supreme Court. If I'm wrong, you can
	6		correct me, but that was the impression I got from
	7		just watching you.
	8	A	Yes, that's true. I'm having difficulty thinking
	9		back now. I've got a bit of a headache going on
03:32	10		here now.
	11	Q	I'll try not to push you, but do you remember more
	12		about that meeting than what you told Commission
	13		Counsel?
	14	A	Well, yes, but it wasn't well, yeah, I can
03:32	15		remember things that had nothing to do with the
	16		trial.
	17	Q	I'm only concerned about the matter.
	18	А	Yeah. You know, I really can't recall.
	19	Q	If you can't, you can't, that's perfectly fine.
03:33	20	А	Yeah.
	21	Q	Okay. Now, I would like to talk to you a little
	22		bit about your memory in general, and I take it
	23		you are employed right now?
	24	A	Yes.
03:33	25	Q	And if earlier this week you were at work and 10
			4



			Page 3431 ————
	1		years from now somebody said to you were you
	2		working on so and so date, your memory would be
	3		quite vague and
	4	А	Correct.
03:33	5	Q	You know, what stands out in your mind normally is
	6		unusual things?
	7	A	Yes.
	8	Q	For example, 10 years from now you might remember
	9		today a lot more than yesterday at work; right?
03:33	10	A	Yes.
	11	Q	And even in terms of what you testified today, as
	12		time goes by you'll forget bits and pieces of it
	13		I'm sure?
	14	A	Yes, I will.
03:33	15	Q	And perhaps it's just the highlights that might
	16		stand out?
	17	А	Yes.
	18	Q	What normally would stand out in your mind is
	19		something unusual, something different, something
03:34	20		out of the ordinary?
	21	А	Exactly.
	22	Q	And if we were to forget entirely for a moment
	23		about David Milgaard or his case and you had been
	24		asked 10 years later by Chris O'Brien to recount
03:34	25		the motel and what happened there, I suggest what $lack$

	1		would have sprung to your mind would have been the
	2		sex that was going on there and the drugs, in
	3		particular the use of a new drug, that's what
	4		would have stood out in your mind?
03:34	5	А	Yes.
	6	Q	That's what made that evening somewhat memorable?
	7	А	Exactly.
	8	Q	If Chris O'Brien hadn't raised the suggestion that
	9		something important happened there that affected a
03:35	10		court case, it wouldn't even have crossed your
	11		mind?
	12	А	Not at all.
	13	Q	In fact, you almost had to be prodded to remember
	14		that there was a fluffing of a pillow?
03:35	15	А	Yes, I did.
	16	Q	You remembered it, but it was certainly not of
	17		great importance?
	18	А	No.
	19	Q	And if I understand you correctly to your memory,
03:35	20		that there's nothing that happened that night that
	21		made you think that there was an important event
	22		that could affect the trial from what you saw?
	23	А	Not at all.
	24	Q	Your initial memory I take it, after 10 years, was
03:35	25		mainly of a fluffing of a pillow?
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	1	Α	Yes.
	2	Q	That's really what you remembered in talking to
	3		Chris O'Brien?
	4	А	Yes, it was.
03:35	5	Q	And the next time you were spoken to was five
	6		years later and I'm going to suggest to you by
	7		then your memory had been somewhat tainted by what
	8		you had read in terms of what Melnyk and Lapchuk
	9		had said?
03:36	10	Α	I would probably agree with that.
	11	Q	Because by then you were thinking back not only to
	12		the motel, but to what you had read in the
	13		transcripts of those two individuals?
	14	A	Yes.
03:36	15	Q	And you would have to differentiate between what
	16		you actually saw and what you had read and put
	17		into your memory?
	18	А	Yes.
	19	Q	But your initial memory with Chris O'Brien was
03:36	20		basically a fluffing of a pillow?
	21	A	Yes.
	22	Q	And that kind of grew to where you got talked to
	23		by Mr. Williams?
	24	A	Exactly.
03:36	25	Q	But if we come down to the heart of it, when you
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	1		were trying to remember what occurred that night,
	2		I suggest to you you are being influenced by the
	3		behaviour that you saw?
	4	A	Oh, yes.
03:37	5	Q	And what you saw were some people who were very
	6		high; right?
	7	A	Yes.
	8	Q	And if there had been something traumatic such as
	9		an admission to a murder, you would have expected
03:37	10		to see behaviour consistent with people receiving
	11		that kind of comment; would you not?
	12	A	Yes.
	13	Q	For example, you know you yourself, if you heard
	14		an admission to a murder/rape that you believe to
03:37	15		be real, you are out of there in a flash?
	16	А	There wouldn't have been any doubt of that.
	17	Q	And you would have expected other people there to
	18		behave in a somewhat similar manner as you would
	19		behave to hearing that kind of admission; correct?
03:38	20	А	Yes.
	21	Q	And you would not expect anybody to leave Ute
	22		Frank in the room with anybody that they seriously
	23		believed had just confessed to a rape and murder?
	24	A	She was my best friend. I would have dragged her
03:38	25		out of there by her hair if I had to.
03:38	23 24	A	believed had just confessed to a rape She was my best friend. I would have



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	1	Q	Yeah. And you would expect the guys to do the
	2		same thing, they are not going to leave a girl in
	3		a room with a murderer/rapist?
	4	A	Yes.
03:38	5	Q	And Lapchuk is a big boy?
	6	A	He was.
	7	Q	Huge?
	8	A	Yes, he was. He could have swatted Hoppy right
	9		down with one swat.
03:38	10	Q	But the party just continued after the pillow
	11		fluffing; right?
	12	A	Yes, it did.
	13	Q	So your difficulty is that you are not calling
	14		them liars because of what they are saying, but
03:39	15		you are saying their behaviour is not consistent
	16		with what they are trying to imply; isn't that
	17		right?
	18	A	Yes, exactly.
	19	Q	Now, after the motel incident, a short time
03:39	20		thereafter you went out east I take it?
	21	А	Yes, I did.
	22	Q	And then you went from there west?
	23	А	Yes.
	24	Q	Did you take a trip at that time out west with Ute
03:39	25		Frank?
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	1	A	Not at that time.
	2	Q	At any time?
	3	A	Well, after I moved to Nelson I didn't actually
	4		stay with my father that long, we didn't get on to
03:40	5		well, he was a city constable, I was still a
	6		flower child and needless to say we kind of were
	7		like oil and water, so I moved back to Regina with
	8		my mother and stepfather and my brother and sister
	9		here.
03:40	10	Q	What year are we talking about now?
	11	A	Gee, that would have been 1970, yes, it would have
	12		been, because then I wasn't here all that long,
	13		I had met my son's father in Nelson and I was in
	14		love, so the plan was to head out and find him out
03:40	15		in Kelowna and that's when I went on a road trip
	16		with Ute. Some fellow that she was seeing at that
	17		time, I can't remember what his name was, I know
	18		he didn't have a car I believe that it was a
	19		fellow that I had met that had the vehicle that
03:41	20		was heading back to Edmonton, he lived in
	21		Edmonton, I'm vague on that one, but and we
	22		went to St. Albert. We were there for a short
	23		time. Ute and this fellow that she was with and
	24		myself continued on and when we got to Golden
03:41	25		ironically my ex was playing at a dance there in $lacksquare$

	1		the band he was in, so I remember I was
	2		panhandling enough money for me to get into this
	3		dance and he was really surprised to see me and
	4		happy and I ended up going the next morning, after
03:41	5		staying with him, to Kelowna with him from Golden
	6		and Ute and her friend just continued on down to
	7		Vancouver.
	8	Q	Did you say your dad was a constable?
	9	А	Yes, he was.
03:42	10	Q	In what force?
	11	А	Nelson city police at the time.
	12	Q	And you would have been with him for a while?
	13	А	Yes, I was. It was my father, my natural father
	14		that came to Montreal to retrieve me when I ran
03:42	15		away and we stopped when we came back we
	16		stopped long enough in Regina for me to move to
	17		Nelson. He had obviously put that past my mother,
	18		she had my bags all packed and ready to go.
	19	Q	Okay. I appreciate this is hearsay, but we've
03:42	20		heard quite a bit of it. Did your father, the
	21		police officer, ever bring to your attention that
	22		anybody was looking for you in connection with
	23		this case?
	24	А	No, he did not, but I would have to say that he
03:42	25		may have known something was going on because he

1 used the police all across Canada to track me 2 down. 3 When would that have been? 0 When I was out east when he found me in Montreal. 4 Α 5 So he found you through the police services? 03:43 Q As a matter of fact, when -- it was through 6 Yes. Α 7 the Montreal police that this fellow that was kind 8 of at the time -- he was kind of a street advocate 9 for runaway kids, he was the in-between guy, I 10 remember meeting with him and him saying your 03:43 11 father is here, do you want to see him or not, 12 because it's up to you, and at first I initially 13 thought he meant my stepfather whom I wasn't too 14 happy with, and then he said no, this would be a 15 really big man, and I said that's my real father, 03:43 16 and I was quite excited. I pretty much had enough 17 of being on the road and living off of hand-outs 18 and such forth and I do remember going to the 19 Montreal, one of the Montreal police stations, 20 whatever, with my father. He told them, you know, 03:44 21 here she is and I've got her retrieved and that 22 was that, away we went. 23 0 But you know of no effort to retrieve you in 24 connection with this case to get your story or get 25 it before a jury or anything until Mr. O'Brien 03:44



			Page 3439 ————
	1		found you quite a few years later?
	2	A	Yeah, that's correct. Not that I know of.
	3	Q	And I take it had you been found, you would have
	4		attended for the trial and given your evidence of
03:44	5		course with it much fresher in your mind than it
	6		was with your later interviews?
	7	A	I would suppose so, yes.
	8	Q	I may be wrong, and Commission Counsel can correct
	9		me I'm sure with his better memory, but I thought
03:45	10		in one of the statements, it may have been
	11		Mr. Melnyk's, that he told the police that you
	12		were in Vancouver. Any idea how he would know
	13		that or
	14	A	You know, I don't because I did move to Vancouver
03:45	15		later with my son's father and lived there for a
	16		time, but how he would know that
	17	Q	I'm pretty confident it was in his statement.
	18	A	I think so, I think it was, but how he would I
	19		think I think I did manage to bump into Ute and
03:45	20		her friend in Vancouver once. Strange, a big city
	21		like that, but we did, I'm pretty sure that we
	22		did, and so maybe when she returned back to Regina
	23		or something she mentioned something to Craig and
	24		some people.
03:45	25	Q	But if Craig well, he did, told the police that



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	1		you are in Vancouver. You know of no effort made
	2		to find you, nobody contacted you at all?
	3	A	No.
	4	Q	I'm not going to take you through any more times,
03:46	5		and it's not even the airplane schedule that
	6		bothers me, but I'm not going to take you through
	7		all again everything, but suffice it to say, in
	8		capsule form, you placed a very different
	9		interpretation on what happened than what others
03:46	10		did?
	11	A	Yes.
	12	Q	And you based that on what you saw then and
	13		behaviour you saw later, or didn't see later?
	14	А	Yes.
03:46	15	Q	I just want to bring to your attention one
	16		document that you've never seen before to get your
	17		comment on it. Could I get 067278. Now, this is
	18		a letter, you'll note, from Kim Campbell, I'm sure
	19		a name that you would recognize, to myself dated
03:47	20		February 27th, 1991. You see that?
	21	A	Yes.
	22	Q	Now, before I get into this, you mentioned that,
	23		and I may not be choosing the words correctly or
	24		accurately, I hope not anyway, that I am accurate,
03:47	25		that Mr. Williams intimidated, or whatever, you
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	1		when he was talking to you?
	2	A	Yes.
	3	Q	Did you feel he was on one side or the other or a
	4	Z.	neutral investigator, where did you think he was
03:47	5		coming from?
03.47	6	A	No. Like I said, I got the impression his mind
	7	A	was made up already. I thought it was a waste of
	8		time that I was even there.
	9	0	
00.47		Q	And I don't want to put words in your mouth, I
03:47	10		don't want to do what he did, did you feel that he
	11		was against you?
	12	A	You know, I guess you could put it that way, yes.
	13	Q	Well, you put it that way.
	14	A	Well, I would put it that way, yes. That's why I
03:48	15		was kind of intimidated by the man.
	16	Q	And I wonder if you could well, perhaps for the
	17		record, this is a letter from the then Minister of
	18		Justice to myself regarding David's application
	19		and if we could turn to 82, please. Now, you'll
03:48	20		notice that the minister does deal with you and
	21		Ute, you can see that?
	22	A	Yes.
	23	Q	And she says:
	24		"There are two differences between the
03:48	25		testimony of Melnyk and Lapchuk and the



	1		sworn interview of Deborah Hall conducted by
	2		the department in relation to her affidavit.
	3		The first concerns the interpretation to be
	4		placed on Mr. Milgaard's words and actions.
03:49	5		Deborah Hall confirms the testimony of the
	6		crown witnesses concerning what David
	7		Milgaard did and said. However, she
	8		disagrees with the interpretation that
	9		Messrs. Melnyk and Lapchuk place on those
03:49	10		words and actions. She felt that David
	11		Milgaard was making a "sick" remark and was
	12		not serious."
	13		Would that be fairly accurate?
	14	A	Yes, I guess it would be, yes, but
03:49	15	Q	"Whether her opinion of Milgaard's sincerity
	16		would have been shared by the jury is, at
	17		best, debatable. Nonetheless, the
	18		interpretation to be placed on their
	19		testimony in the context of all the evidence
03:49	20		presented was certainly a matter for the
	21		jury to consider."
	22		You see that? That's a yes or no question. Do
	23		you see that?
	24	A	Yes, yeah.
03:49	25	Q	And I take it your evidence obviously was never in

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	1		front of the jury?
	2	A	No.
	3	Q	If we can just go down, please.
	4		"The second concerns an amplification of the
03:50	5		words attributed to Milgaard by Hall.
	6		Ms. Hall quoted Milgaard as saying that he
	7		had sexual relations with the victim after
	8		he had stabbed her. Neither Melnyk nor
	9		Lapchuk had mentioned this in their
03:50	10		evidence."
	11		You see that?
	12	А	Yes.
	13	Q	"A review has been made of the statement of
	14		Ute Frank"
03:50	15		And I'll sort of skip along if we can go down
	16		to here.
	17		"It is significant that Ms. Frank's
	18		statement was disclosed to Mr. Milgaard's
	19		trial counsel, who later interviewed
03:50	20		Ms. Frank during the trial, but chose not to
	21		call her as a witness. Your client's
	22		counsel was, as I am sure you are aware,
	23		particularly experienced in criminal
	24		litigation matters, and his decision not to
03:50	25		call this witness was based upon his
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	1		understanding of what she could say in
	2		court. Even assuming that Ms. Frank had
	3		testified at Mr. Milgaard's trial in a
	4		manner which was consistent with her
03:51	5		statement, there is no reasonable basis to
	6		believe that the trial result would have
	7		been different. The statements of Ms. Frank
	8		and Ms. Hall would not have detracted from
	9		the evidence of Messrs. Melnyk and Lapchuk;
03:51	10		indeed, Ms. Hall not only confirmed what
	11		Milgaard had said but attributed to him a
	12		further admission detailing a sexual assault
	13		perpetrated by him upon the victim at the
	14		time of the murder."
03:51	15		Is that even close to what you were trying to
	16		convey?
	17	А	No. I'm not confirming anything that they said.
	18	Q	Were you adding a sexual assault?
	19	A	I don't think so.
03:51	20	Q	You were saying exactly what you told us and what
	21		we've seen in the testimony, you were saying
	22		whatever happened there wasn't serious, it was
	23		sarcastic and these guys took it out of context?
	24	А	Exactly.
03:51	25	Q	But you see how the minister interpreted it

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	1		though?
	2	А	Yes. That's
	3	Q	And if we could turn, I'm sorry I don't have the
	4		page number, but it's the 12th page of 13, and you
03:52	5		can see the conclusion of the Minister of Justice
	6		here:
	7		"The information provided by Deborah Hall
	8		does not detract from the evidence led at
	9		trial."
03:52	10		You see that?
	11	A	Yes.
	12	Q	And the information that you gave, I take it,
	13		would have been what you told us, that whatever
	14		happened in the motel room was not serious, it
03:53	15		wasn't real, it was high conversation, it was not
	16		taken seriously?
	17	А	Yes.
	18	Q	And I take it the minister's conclusion that you
	19		support Melnyk and Lapchuk and even add to what
03:53	20		they said is totally not what you wanted to
	21		convey, intended to convey or meant?
	22	А	Exactly.
	23	Q	And given the fact that David didn't do it,
	24		obviously you interpreted it correctly?
03:53	25	A	Yes.
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	1	MR. WOLCH: Thank you.
	2	COMMISSIONER MacCALLUM: Mr. O'Keefe?
	3	MR. O'KEEFE: No, sir.
	4	COMMISSIONER MacCALLUM: Mr. Fox?
03:53	5	MR. FOX: Just in an effort maybe to try
	6	and finish within the time we've got, Mr. Gibson
	7	thought he could maybe go and I think
	8	COMMISSIONER MacCALLUM: Fine, sir.
	9	BY MR. GIBSON:
03:54	10	Q Ms. Hall, my name is Bruce Gibson, I'm counsel for
	11	the RCMP and I want to again go over some things
	12	that you've talked about earlier today and I'll
	13	try not to belabour the points too much.
	14	I believe you gave testimony
03:54	15	today that the first time that you actually spoke
	16	about these matters was in 1981 when you ran into
	17	Chris O'Brien at your hair salon?
	18	A Well, yes, other than the time that Ute and I
	19	spoke about it a few weeks later, yeah.
03:54	20	Q Right, but I guess sort of formalized where you
	21	actually sat down with someone and reviewed the
	22	transcript and I guess sort of looked back at what
	23	had happened to Mr. Milgaard?
	24	A Yes, that would be correct, it was Mr. O'Brien.
03:54	25	Q And in 1981, and we've been through the tape today

	1		of your discussion with Chris O'Brien, would you
	2		agree with me that that was information that he
	3		
	3		was very interested in hearing with regards to
	4		your impression of the events that night with
03:55	5		regards to the pillow and all that we've heard
	6		about before today?
	7	А	Oh, yes. He was pretty excited about it all.
	8	Q	And quite receptive to that information?
	9	А	Yes, uh-huh.
03:55	10	Q	And it would be fair to say that in that
	11		discussion with Mr. O'Brien it was at least
	12		from what I heard it was a very cordial, very
	13		relaxed kind of discussion wasn't it?
	14	А	Well, yes. He was a client.
03:55	15	Q	So it was a pretty easy relationship when you had
	16		that discussion with him?
	17	А	Exactly.
	18	Q	And then again correct me if I'm wrong, but I
	19		believe that in 1986 then, in and around that
03:55	20		time, you had some discussions with Mr. Asper with
	21		respect to swearing an affidavit?
	22	А	Yes.
	23	Q	And again I'm not going to belabour that point, we
	24		went through that affidavit earlier today and the
03:55	25		wording with respect to that, and again correct me

	1		if I'm wrong, but that was information that was
	2		probably well received from the Milgaard family in
	3		the sense that again it offered your impression as
	4		to what was said that night by Mr. Milgaard and
03:56	5		whether that was a joke or was that serious?
	6	А	Yes.
	7	Q	Okay. And again, that was something that I take
	8		it that they were quite happy to receive, that
	9		information, that was favourable to Mr. Milgaard
03:56	10		in his case?
	11	А	They had been fighting a long hard fight to that
	12		point, yes.
	13	Q	Absolutely. And then correct me if I'm wrong, you
	14		had some discussion with the Fifth Estate
03:56	15		somewhere after that or around that time in 1986?
	16	А	It would have been prior to that affidavit I'm
	17		pretty sure. Well, you know yes, I would think
	18		it was before then because I remember thinking why
	19		hadn't I heard from anybody else.
03:56	20	Q	And again, that discussion with the Fifth Estate,
	21		and I believe was that the clip that we saw?
	22	A	No, it was not, no. That was a clip later with 24
	23		Hours or something I think.
	24	Q	A few years later?
03:57	25	A	Oh, yes, quite a bit later, yup.
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	1	Q	And in 1986 when the reporter contacted you, again
	2		I'm assuming that they were quite interested in
	3		hearing this different version because the
	4		Milgaard case was back in the media at that time?
03:57	5	А	Yes, and actually it had a lot after I signed
	6		the affidavit, I had a lot of media people contact
	7		me over the period of time.
	8	Q	And I'm assuming again that those dealings with
	9		the media were of a cordial nature, it wasn't
03:57	10		confrontational at all?
	11	А	Not really I don't suppose, but, you know, they
	12		were constantly bringing my credibility into
	13		question which was a little irritating.
	14	Q	And again when you met with Mr. Williams in 1989,
03:57	15		and we have a transcript of the meeting, would it
	16		be fair to say that Mr. Williams was probably
	17		asking you some fairly hard questions in the sense
	18		that he was pushing or testing your evidence a
	19		little bit?
03:58	20	А	Yeah, I guess you could put it that way, yes.
	21		That's how I would put it, he was kind of yes.
	22	Q	And you would agree with me that that was perhaps
	23		a little different type of discussion than you
	24		would have had with, say, Chris O'Brien back in
03:58	25		1981?



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	1	А	Oh, yes.
	2	Q	Much more formalized, under oath, there's a court
	3		reporter there and I guess that's a little more
	4		intimidating setting?
03:58	5	А	Yes.
	6	Q	And would you agree with me then that Mr. Williams
	7		and you, so perhaps not getting along, or whatever
	8		words that you used and that he was a bit
	9		intimidating, that would have to do with sort of
03:58	10		what his job was that day and the setting that
	11		that was taking place in?
	12	A	I suppose.
	13	Q	In that it was a bit more formalized and his job I
	14		suppose was to test the evidence and try to find
03:59	15		things out wasn't it?
	16	A	I suppose so, yes, it would have been.
	17	Q	And we have a copy of that document, and again I
	18		don't want to go through it, for the record it's
	19		document 01285, and perhaps we could just put that
03:59	20		front page up, please.
	21		COMMISSIONER MacCALLUM: Would that be
	22		001285?
	23		MR. GIBSON: Could very well be. I dropped
	24		a zero I suppose.
03:59	25		COMMISSIONER MacCALLUM: Okay.



	1	BY MR. GIBSON:		
	2	Q	And again this document was put to you earlier	
	3		today and it's November of 1989 and it looks like	
	4		it was done at Aquarian Holdings Incorporated	
03:59	5		Verbatim Reporting and Transcription Services in	
	6		Regina, Saskatchewan, and do you recall attending	
	7		at that location?	
	8	A	No. It was in a the Westward hotel, motel, in	
	9		the south end of Regina.	
03:59	10	Q	And a court reporter being there and typing on one	
	11		of those little typewriters and having a tape	
	12		recorder on; do you remember that?	
	13	A	Umm, I remember her writing, she was taking	
	14		shorthand I believe.	
04:00	15	Q	Okay.	
	16	A	Well, she was writing as we were talking.	
	17	Q	Right. And there was a tape recorder there as	
	18		well that day?	
	19	A	I can't remember.	
04:00	20	Q	Okay. And, again, I'm not going to ask you to go	
	21		through that, but there's 41 pages here, and would	
	22		you agree, with what discussion has taken place,	
	23		that there really are no inaccuracies in what is	
	24		shown there in that transcript?	
04:00	25	А	No.	

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	1	Q	Now you did mention something with respect to some
	2		comments about George Lapchuk
	3	A	Uh-huh.
	4	Q	and some of your feelings about Mr. Lapchuk not
04:00	5		being in the transcript. Perhaps, could those
	6		comments have been made off the record, so to
	7		speak, when the transcript wasn't on, that you may
	8		be mistaken that those comments were made, but
	9		perhaps you had a discussion another time?
04:01	10	А	You mean off the record during the interview?
	11	Q	Well, perhaps at a coffee break, or on the way
	12		back into the building or something like that?
	13	A	No, we just did the interview and
	14	Q	And that was it?
04:01	15	A	that was it.
	16	Q	Okay. And so I guess your evidence, then, is that
	17		the transcription service here is wrong, or is it
	18		possible that you are mistaken, that those
	19		comments were not raised?
04:01	20	A	I was sure
	21	Q	Okay.
	22	A	that I made a remark about George, rather
	23		disparaging remark,
	24	Q	Okay. And
04:01	25	А	that wasn't on there. I
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	1	Q	And just, if I may, I think it's a matter of
	2		public knowledge that court reporters have to
	3		swear the information that they have transcribed
	4		is accurate and true?
04:02	5	A	Yes.
	6	Q	So I'm wondering if you would agree with me,
	7		perhaps, that the transcription is probably more
	8		accurate than your memory at this point?
	9	A	Yes, probably.
04:02	10	Q	Okay. And you mentioned that, in your view,
	11		Mr. Williams had already made up his mind, and I
	12		think you have agreed with me that he was perhaps
	13		asking questions from a different perspective than
	14		you had when you chatted with Chris O'Brien?
04:02	15	A	Yes.
	16	Q	And so that may have been part of the reason that
	17		you drew that conclusion?
	18	A	I suppose.
	19	Q	Because he was testing your evidence and, no
04:02	20		doubt, was probably, as you may have been aware,
	21		going out and asking other people questions about
	22		their evidence too?
	23	A	Yes.
	24	Q	Okay. And Mr. Williams never said to you, and I'm
04:02	25		assuming you didn't ask him, whether he had made
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	1		up his mind about this already?
	2	A	No.
	3	Q	And you didn't know where Mr. Williams was going
	4		to be going and who he was going to be talking to
04:02	5		next, I'm assuming?
	6	А	No.
	7	Q	So he obviously had some more work to do, and the
	8		decision was made a number of years later by Kim
	9		Campbell, and not by Eugene Williams?
04:03	10	А	I suppose so, yes.
	11	Q	Okay. Thank you. Those are all my questions.
	12		COMMISSIONER MacCALLUM: Who wants to go
	13		next, please?
	14		MR. FOX: I'll try and finish up here,
04:03	15		Mr. Commissioner. If I'm getting close to that
	16		time I'm sure somebody will tell me.
	17	BY 1	MR. FOX:
	18	Q	Ms. Hall, my name is Aaron Fox, I'm the lawyer
	19		representing Eddie Karst, he was one of the
04:03	20		detectives that were involved in the
	21		investigation.
	22	А	Uh-huh.
	23	Q	As I understand, you never had any dealings with
	24		any members of the Saskatoon Police Service in
04:03	25		regard to the David Milgaard investigation in
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	1		relation to the death of Gail Miller; would I be
	2		correct about that?
	3	A	Yes, you would, yes.
	4	Q	Okay. And if I can go back to the motel scene
04:04	5		when it took place, I understand from what you
	6		have said in the various interviews that took
	7		place, and so on, that when you went to the motel
	8		that night you would have not, at that point in
	9		time, been familiar with the Gail Miller murder
04:04	10		itself?
	11	A	No, I don't recall too much about it, no.
	12	Q	Well the reason why I say that is I think at one
	13		point in time in one of the interviews, and it
	14		might have been with Mr. O'Brien, you said that,
04:04	15		if the Gail Miller murder was being referred to on
	16		the TV broadcast, it might have meant something
	17		more to Mr. Melnyk and Mr. Lapchuk if they knew
	18		about it than it would have been to you because
	19		you didn't know anything about it?
04:04	20	A	Exactly.
	21	Q	So, at that point in time, the fact that and I
	22		appreciate, at that time, I think you said you
	23		were 15 then?
	24	A	Or 16 or
04:04	25	Q	16?
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	1	_	
	1	A	Yeah.
	2	Q	At that time, the fact that a murder had taken
	3		place in Saskatoon might just not have been
	4		something that would have been come to your
04:04	5		attention for one reason or another?
	6	А	Exactly.
	7	Q	Okay. And, but I understand as well from what you
	8		said that when you went to the motel that night,
	9		or got hooked up with Mr. Milgaard and Ms. Frank
04:05	10		and went to the motel room, you certainly were not
	11		aware at that time that David Milgaard was a
	12		suspect
	13	A	No I didn't.
	14	Q	in the murder of Gail Miller?
04:05	15	A	I had no idea.
	16	Q	No knowledge that the police were questioning
	17		him
	18	A	Nothing, no.
	19	Q	or looking into the possibility that he had
04:05	20		been the person who had murdered her?
	21	A	No.
	22	Q	Okay. And when you went to the motel and were at
	23		the motel that night, at least up to the point in
	24		time when something was said about this "did you
04:05	25		do it", you would have had, I take it, no
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	1		knowledge, obviously, that George Lapchuk or Craig
	2		Melnyk knew anything about either the details of
	3		the Gail Miller murder, or that David Milgaard was
	4		a possible suspect?
04:05	5	А	Nope. I didn't have any idea.
	6	Q	Okay. And so when Lapchuk and Melnyk, in whatever
	7		combination, would have said something to Mr.
	8		Milgaard "you did this" or "why didn't you admit
	9		you did this, Hoppy", I take it fair to say you
04:06	10		wouldn't really know what they were talking about?
	11	А	Actually, I yeah, no, I don't think I just
	12		no, I wouldn't have known what they were
	13		talking about.
	14	Q	No. Because at that point in time, you can't
04:06	15		recall what was on the TV, but you have concluded
	16		from what you observed that there was something on
	17		the TV that caused them to make the statement to
	18		Milgaard?
	19	A	Exactly.
	' /		
04:06	20	Q	And knowing now, as we do, that the details of
04:06		Q	And knowing now, as we do, that the details of the Gail Miller murder, and that David Milgaard
04:06	20	Q	
04:06	20 21	Q	the Gail Miller murder, and that David Milgaard
04:06	20 21 22	Q	the Gail Miller murder, and that David Milgaard was a suspect and that Lapchuk and Melnyk knew
04:06	20 21 22 23	Q	the Gail Miller murder, and that David Milgaard was a suspect and that Lapchuk and Melnyk knew about that prior to ever being at the motel,

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	1		-12
		70	place?
	2	A	Yes.
	3	Q	And you heard these words spoken by Melnyk and
	4		Lapchuk and, as I have got it now, Mr. Milgaard's
04:07	5		response and he would have been naked at that
	6		point in time, I think you have already said that?
	7	А	He, I think he was, yes.
	8	Q	And he was straddling the pillow?
	9	А	Yes.
04:07	10	Q	And making some sort of punching motions on the
	11		pillow?
	12	А	Yes.
	13	Q	And, while doing that, spoke words "I stabbed her
	14		I don't know how many times, I fucked her brains
04:07	15		out, and it was real good", and then sat back and
	16		laughed or smirked?
	17	А	"It was real good?"
	18	Q	Sorry?
	19	А	Not it was something like "that's a good time".
04:07	20	Q	"That's a good time"?
	21	A	Sure, or something.
	22	Q	Okay.
	23	A	Yeah.
	24	Q	Okay, yeah, and then sat back and laughed or
04:08	25		smirked?
		il	



			Page 3459
	1	A	Well he kind of lay back with the pillow behind
	2		him, yes, while he was laughing, yes.
	3	Q	You have used the word "smirked" to describe what
	4		he
04:08	5	А	Yes, and he yeah, smirking and laughing and
	6		clowning around.
	7	Q	That's your recollection of what took place in the
	8		motel at that time?
	9	А	Yes.
04:08	10	Q	And I think you had indicated that, after that
	11		took place, there was a, what I think you referred
	12		to as a "pregnant pause" for about a minute or so
	13		where, basically, nobody said anything?
	14	A	Yeah.
04:08	15	Q	Would it take
	16	A	It wouldn't have been a very long period of time,
	17		that's for sure.
	18	Q	I appreciate that.
	19	A	Pretty much a hiccup in time, and "what was that
04:08	20		all about", and
	21	Q	Yeah. And to you, not knowing anything about the
	22		Gail Miller murder or the fact that David Milgaard
	23		was a suspect, all the more reason why you would
	24		be wondering "what the heck is this all about?"
04:08	25	A	Exactly.
		Ĭ.	



			<i>y</i>
	1	Q	And you would agree that Mr. Melnyk and Mr.
	2		Lapchuk, based on the knowledge that they had
	3		and only they could speak to that but based on
	4		the knowledge that they appeared to have, their
04:09	5		impression might have been different?
	6	А	Well, it was obviously different, yes.
	7	Q	Yes. And, really, no way of knowing, even now,
	8		what your impression might have been at that time
	9		had you had the information that I have just
04:09	10		referred to? You really don't know?
	11	А	No, I can't honestly say, at 16 years old finding
	12		out that he had been questioned by police about it
	13		and everything else, if I might not have thought
	14		differently just like they did.
04:09	15	Q	Umm, you did find out subsequently or let me
	16		just ask this question. I'm assuming, if you had
	17		been called as a witness at whatever trial,
	18		whose-ever trial in relation to what took place in
	19		that Milgaard in that motel, you would have
04:09	20		testified truthfully; am I correct?
	21	А	I would like to think so.
	22	Q	Sure. You were under oath when you testified
	23		before the Supreme Court?
	24	Α	Yes.
04:10	25	Q	And you made an effort to testify truthfully then?

	Ī		Page 3461 —————
	1	A	Yes, I did.
	2	Q	And I think you were probably under were you
	3		under oath when you spoke to Mr. Williams as well?
	4	А	Yes.
04:10	5	Q	And you made an effort to speak truthfully then?
	6	А	Yes.
	7	Q	And had you been called as a witness in 1970, as
	8		best you can say, you would have related what took
	9		place in that motel just as I have reviewed it
04:10	10		with you now; would that be correct?
	11	А	I have thought about that long and hard and I
	12		honestly can't say at 16, with a really healthy
	13		respect for the law and possibly wanting to make
	14		everybody happy, what I would have said.
04:10	15	Q	Okay.
	16	А	To tell you the truth, I have really thought about
	17		that hard, and I know at that time in my life I
	18		certainly didn't want to be on the wrong side of
	19		the law.
04:11	20	Q	Yeah.
	21	А	That's, with my father and all,
	22	Q	So
	23	А	he would have killed me.
	24	Q	So if you had heard David Milgaard say "I stabbed
04:11	25		her I don't know how many times", and "I fucked
			•



	1		her brains out", and it was something like "real
	2		good", you wouldn't lie about that; if you were
	3		asked under oath to say what was said you would
	4		have testified to that?
04:11	5	A	I probably would have, yes.
	6	Q	And you, of course, aren't a lawyer so we'll leave
	7		it to others to speculate whether or not evidence
	8		that he was straddling a pillow naked, making
	9		punching motions, saying "I stabbed her I don't
04:11	10		know how many times, I fucked her brains out, it
	11		was real good", and then sat back and laughed,
	12		whether that might have helped the defence or not.
	13		We'll leave that for another day.
	14		MR. WOLCH: Is that a question?
04:11	15		MR. FOX: No, that was just a comment, that
	16		wasn't a question.
	17		MR. WOLCH: Oh. Thank you.
	18	BY M	MR. FOX:
	19	Q	You did find out though, I understand, Ms. Hall,
04:12	20		that Mr. Milgaard actually had been charged with
	21		murder, in fact had been convicted of murder?
	22	A	Pardon me?
	23	Q	You did find out from Ute Frank, Ute Frank,
	24	A	Oh yes.
04:12	25	Q	you ran into her and she had told you that he
			4

			——————————————————————————————————————
	1		had been convicted for murder?
	2	А	No, he had been arrested for murder at that time.
	3	Q	Arrested for murder?
	4	А	Yes.
04:12	5	Q	Okay. And, as I understand it, you didn't have a
	6		very good impression of Mr. Milgaard after being
	7		at the motel that night?
	8	A	No.
	9	Q	And I have seen reference to that, I think, in
04:12	10		your interview with Mr. O'Brien and also with the
	11		RCMP in 1993?
	12	А	Exactly.
	13	Q	There were some things that you had seen him do on
	14		that occasion that troubled you?
04:12	15	А	Yes.
	16	Q	That included, I think you used the words, he had
	17		burned a guy for some drugs or something like
	18		that?
	19	А	Yeah, he took money from one fellow to go and pick
04:13	20		up for him, and then we were the ones that got the
	21		drugs.
	22	Q	So he got some money from a guy, was supposed to
	23		buy drugs for him,
	24	A	And never
04:13	25	Q	never did deliver the drugs,
			4



			——————————————————————————————————————
	1	A	Exactly.
	2	Q	just kept them, and that's the drugs that you
	3		guys used that night then?
	4	A	Yes.
04:13	5	Q	Okay. And I take it is can you tell me what
	6		else bothered you or caused you concern about what
	7		you saw of Mr. Milgaard on that occasion?
	8	A	Well I didn't like the way he was treating Ute,
	9		let's put it that way, in the sense that, you
04:13	10		know, come on, you drag her into an audience of
	11		the two of them together and everything. It just
	12		turned me right off.
	13	Q	So he gave her drugs, and appeared to be
	14		continuing to give her drugs, she
04:13	15	A	Yes, exactly.
	16	Q	continued, and was having sex with her in the
	17		presence of the rest of you or
	18	A	I would say taking advantage of her, yes.
	19	Q	Okay. And anything else that caused you some
04:13	20		concern?
	21	A	Well he was just, how can I put it with David, he
	22		was he was always just so flippant about
	23		everything and, you know, kind of struck me like a
	24		con man, you know. He just I found it hard to
04:14	25		believe that he was working for a magazine company
		I	•



			rage 3400				
	1	at the age of 16 and such forth, but					
	2	Q	Sorry, I don't want to cut you off.				
	3	A	I'm not sure I really believed him.				
	4	Q	Did you trust him?				
04:14	5	A	No, not after I saw what he had done with the				
	6		fella that night, when he basically took his money				
	7		from him.				
	8	Q	What was what did you think about his				
	9		invitation to you to basically join in the sexual				
04:14	10		activity he and Ute were having?				
	11	А	Well I wasn't too impressed, no.				
	12	Q	Okay. Could I, Mr. Commissioner if we've got				
	13		time, I was wanting to put up a statement, the				
	14		Chris O'Brien transcript or which is 047724, I				
04:15	15		believe. And if we could go to page 746, thanks.				
	16		Can I just, I'm going to highlight that portion				
	17		and then a piece that finishes on the next part,				
	18		and this was from the tape that we had heard.				
	19		This is an answer you gave to what would have been				
04:15	20		Mr. O'Brien:				
	21		"No I knew nothing about all this. Cause				
	22		like I thought umm I remember when Ute				
	23		told me about it. I went oh, yeah I says				
	24		you're kidding like it was disbelief at				
04:15	25		the same time because murder I mean, holy				

	1	shit, you know and then I thought Jesus
	2	Christ, I was in the same room with that guy
	3	and everything else and, you know, I would
	4	never have guessed. That's exactly what I
04:16	5	though because that night at the motel was
	6	the most contact I ever had over a period of
	7	time at all with that guy. I saw him on
	8	occasion with a group of people in the park,
	9	or whatever. Everybody went their ways all
04:16	10	the time, you know what I mean. They were
	11	never just sitting there for hours together.
	12	That was the only night that I ever had a
	13	long length of time with the guy at all.
	14	In in that"
04:16	15	sorry, I think I have got the wrong page here.
	16	COMMISSIONER MacCALLUM: It seems to follow
	17	in that sense.
	18	MR. FOX: No, I have got if you could
	19	just hold on for a second. If I could please,
04:16	20	Mr. Commissioner, if you would excuse me I'm just
	21	going to try and get that.
	22	BY MR. FOX:
	23	Q I think it's sorry, if we could go back to page
	24	20, the page before, it's page 745 actually.
04:17	25	Thank you.



			Page 3467			
	1		There we are, right at the			
	2		bottom there, Ms. Hall. Mr. O'Brien says:			
	3		"Right."			
	4		Ms. Hall says:			
04:17	5		"You know, so she says did you know that he			
	6		was in jail. And I said no, why. And she			
	7		said apparently he raped and killed a nurse			
	8		in Saskatoon. And my reaction was well I			
	9		wouldn't put it past him because he was such			
04:17	10		and off type of boy, you know."			
	11		Do you recall saying that to Mr. O'Brien?			
	12	А	Yeah, I actually do.			
	13	Q	And that was your initial reaction when you			
	14	Α	Well actually, you know, my whole reaction was			
04:17	15		actual disbelief, but that was kind of a flippant			
	16		off "yeah, I wouldn't put it past him", because			
	17		like I said, I didn't think much of the guy.			
	18	Q	Based on what you had seen, and I appreciate			
	19	Α	Yeah.			
04:18	20	Q	you had a limited opportunity to see him,			
	21	\boldsymbol{A}	Yeah, and I didn't really know him that well.			
	22	Q	but based on what you saw in terms of how he			
	23		treated Ute?			
	24	Α	Uh-huh, yeah, well yeah.			
04:18	25	Q	And what he had to say, certainly the remark he			

			——————————————————————————————————————					
	1		made or remarks he made about stabbing a person a					
	2		number of times?					
	3	A	Exactly.					
	4	Q	Fucking her brains out?					
	5	A	Yes.					
	6	Q	And it was something like a good time; that didn't					
	7		impress you?					
	8	А	No.					
	9	Q	And your first reaction, when Ute Frank told you					
04:18	10		he was in jail for rape or murder, was your					
	11		reaction is "well I wouldn't put it past him					
	12		because he was such and off type of boy, you					
	13		know?"					
	14	А	Yeah.					
04:18	15	Q	That's what you said?					
	16	Α	Yes.					
	17	Q	Well you go on to say:					
	18		"Like, I honestly can't say I ever saw					
	19		him straight, though. He was always					
04:18 20			stoned, anytime I ever saw him. He was					
	21		always on something. But that could					
	22		have been that could have explained					
	23		his kind of strangeness, you know.					
	24		CHRIS O'BRIEN: O.K. Tell me about your					
	25		feelings about David. What David do to					
			3					

	1	you emotionally, or psychologically?"
	2	If we could go to the next page. Please:
	3	"DEBORAH HALL: Distrust. I always felt
	4	distrust for the guy. Like I didn't
04:19	5	trust him at all. Incidents would have
	6	probably down that too. Like finding
	7	out that he'd ripped this guy off for
	8	his money for the stuff that we got high
	9	on that night. Something like that.
04:19	10	Umm no respect for him to be able to
	11	lower my girlfriend, the way he did that
	12	night. That's exactly what I felt. So
	13	was so emotionally unstable with men.
	14	CHRIS O'BRIEN: He took advantage of her
04:19	15	insecurities?
	16	DEBORAH HALL: Yeah, he took advantage of
	17	that so I that's the whole thing
	18	distrust. To be able to come and sit on
	19	my knee and say why don't you join us.
04:19	20	That turned me off to him, you know, I
	21	was I didn't really respect the
	22	person at all. Respect him as a person.
	23	He seemed to be awfully flippant and you
	24	know"
04:19	25	and scroll down a little further, please:

			Page 3470 —————			
	1		CHRIS O'BRIEN: Did he scare you?			
	2		DEBORAH HALL: Yeah, in a way, he did.			
	3		Like he sometimes you just, I don't			
	4		know there were times I think whoa			
04:19	5		you know, slow down, you know because			
	6		he he always seemed to, like not			
	7		always, but there was times when he'd			
	8		over react, over react to something,			
	9		quite simply. He seemed to fly off the			
04:20	10		handle easily."			
	11		Those would have been the comments you made to			
	12		Mr. O'Brien?			
	13	А	Uh-huh.			
	14	Q	And based on your observations, and I appreciate			
04:20	15		you have described the opportunities that you had,			
	16		that would have been a correct statement, that			
	17		would have been a correct statement of your view			
	18		at that time?			
	19	А	Yes.			
04:20	20	Q	Thank you, Ms. Hall, those are all the questions I			
	21		have.			
	22		COMMISSIONER MacCALLUM: Thank you,			
	23		Mr. Fox.			
	24		Ms. Hall, we're going to			
04:20	25		adjourn now until Monday morning, and you will be			

= Page 3471 =

called back to complete the examination by other counsel in the room, and between now and then don't discuss your evidence with anyone. Α Okay. (Adjourned at 4:20 p.m.) 04:20



1 OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATES: 2 We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR, 3 Official Queen's Bench Court Reporters for the Province of 4 Saskatchewan, hereby certify that the foregoing pages 5 contain a true and correct transcription of our shorthand notes taken herein to the best of our knowledge, skill, 6 7 and ability. 8 9 10 11 12 ____, CSR 13 Karen Hinz, CSR 14 Official Queen's Bench Court Reporter 15 16 17 ____, RPR, CSR 18 19 Donald G. Meyer, RPR, CSR 20 Official Queen's Bench Court Reporter 21 22 23 24 25



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