

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

Transcript of Proceedings
and
Testimony before the Commission
sitting at the
Radisson Hotel at
Saskatoon, Saskatchewan

On Thursday, March 10th, 2005

Volume 25

Inquiry Proceedings



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Transcript of Proceedings

(Reconvened at 10:00 a.m.)

COMMISSIONER MacCALLUM: Good morning.

NICHOL JOHN, continued:

BY MR. HODSON:

Q Good morning, Ms. John.

A Good morning.

Q When we adjourned yesterday we were dealing with your Supreme Court reference evidence and this would have been January 24th or thereabouts, 1992, and I just want to finish up there. If I could call up from that transcript, go to page 302499, and again this is where Mr. Brown on behalf of the government was examining you and if you could call out the bottom part, please, and he asks:

"Q Do you have any other sort of memories like this, any flashback type memories?

A Yes, sir."

And before I go into that, it would appear here, Ms. John, that in 1992 you were having these flashbacks; is that right?

A According to this, yes.

Q I wonder if you maybe just want to get the microphone -- so you would agree, according to this document, you were having the flashbacks in



1 1992?

2 A Yes.

3 Q And he goes on and asks:

4 "Q Tell us about the rest of them?"

10:04 5 You answer:

6 "A I see a garage. I feel like I'm
7 standing outside.

8 Q Is this sort of a garage in somebody's
9 back yard --

10:04 10 A Yes.

11 Q -- or a service station? Somebody's
12 back yard?

13 A Back yard."

14 Next page:

10:04 15 "Q And you are standing outside of it?

16 A I feel like I'm outside and I'm
17 looking down this way.

18 Q Let me get this straight. The garage is
19 where?

10:04 20 A It's almost like I start facing this
21 way and I turn this way and to my
22 right is the garage. And there is a
23 fence leading to it.

24 Q With this garage, do you again have any
10:04 25 association with respect to time?



1 A No.

2 Q Is it light, is it dark?

3 A No.

4 Q Nothing there?

10:04 5 A No.

6 Q Do you associate snow in this?

7 A Yes.

8 Q So there is snow by the garage?

9 A Yes.

10:05 10 Q And by the fence?

11 A Yes.

12 Q Can you tell where the garage is? Is it
13 in a back alley?

14 A Yes, because there's big doors leading
10:05 15 out to the drive-through.

16 Q At this point, you are out of the car.
17 Is that correct?

18 A I feel like I'm out of the car, yes."

19 Scroll down, please:

10:05 20 "Q You have no sort of recollection of
21 being in a car at this point?

22 A No.

23 Q Is there anything else associated with
24 that particular memory moment?

10:05 25 A Yes.



1 Q What is associated with that?

2 A I can't tell you, because I'm not
3 sure. I don't know my mind.

4 Q It's just a feeling there is something
5 else, then?

6 A Right. There's a picture in my head
7 and I don't know where this picture is
8 from.

9 Q Well, what is the picture --

10 A Do you understand what I'm saying?

11 Q Okay, sure. But it is associated with
12 this?

13 A Yes.

14 Q So, tell us what the picture is. What
15 is it you see that is associated with
16 this?

17 A There's someone on the ground and
18 there is someone else straddled over
19 them going like this.

20 Q Going like this?

21 A Yes, and his -- no, not "his" because
22 I don't know if it's male or female.

23 Q Is the person on the ground a male or
24 female?

25 A I don't know, sir.



1 Q Can you see a face?

2 A No.

3 Q The person is straddling, you can't tell
4 male or female --

10:06 5 A Their back is it me.

6 Q You can't see a face?

7 A No.

8 Q Can you tell what either of these people
9 are wearing? Do you have anything
10:06 10 associated with the memory?

11 A I see a brown coat, but I don't know
12 if that person is wearing it or not.
13 It sticks in my mind, a brown --

14 Q There is some moment of a brown coat in
10:06 15 there, but that's it?

16 A Yes.

17 Q And you can't tell whether the person on
18 the ground is wearing it or the other
19 person?

10:06 20 A No.

21 Q Is there anything else associated with
22 that moment? For example, is there snow
23 on the ground in this scene?

24 A Yes, sir.

10:07 25 Q So, it is winter?



1 A Yes.

2 Q Is it cold, can you tell?

3 A Yes.

4 Q Is it dark or light?

10:07 5 A It's just starting to get light.

6 Q Just starting to get light. Is there
7 any sound associated with this?

8 A No.

9 Q Can you see anybody doing anything other
10:07 10 than the stabbing or the movement like
11 this?

12 A No.

13 Q I said "stabbing" there. When you go
14 like this, what did you mean to suggest?

10:07 15 A That's all I see, is the arm moving.

16 Q Do you see anything in the hand?

17 A No.

18 Q Nothing at all. Is there any other
19 moment of recollection attached to that?

10:07 20 A No, sir."

21 Does that assist in any way your recollection of
22 events, Ms. John?

23 A No.

24 Q Your evidence that I read you here, at least this
10:07 25 part of it, seems to being similar to what you



1 would have told Dr. Orne in the session that we
2 viewed yesterday. Would you agree?

3 A I would agree.

4 Q Can we just scroll down a bit, please, and then
10:08 5 you are asked by Mr. Brown:

6 "Q Those are the only two things you see?

7 A Yes.

8 Q How often do these things occur to you?

9 A Very often."

10:08 10 And I think he's talking about the flashbacks:

11 "Q When did they first start happening, do
12 you recall?

13 A A long, long, long time ago.

14 Q Would it have been before the trip?

10:08 15 A No.

16 Q So, it would be after the trip to
17 Saskatoon and to Calgary?

18 A Yes, sir."

19 Does that assist your recall at all, Ms. John, in
10:08 20 telling us when these flashbacks may have started
21 and when they may have ended?

22 A No.

23 Q I think you've already said that you were having
24 flashbacks in 1992 at the time you testified at
10:08 25 the Supreme Court?



1 A Uh-huh.

2 Q Yes?

3 A I would agree.

4 Q And any indication of how long after that they may
10:08 5 have stopped, years, months?

6 A No idea.

7 Q Next go to page 302511 and I'm going to read you
8 parts of the transcript where Mr. Brown questioned
9 you about your interview with the police in 1969
10:09 10 and the giving of your statement and just down at
11 the bottom he asks:

12 "Q Just tell us what you do remember?

13 A I remember being in a room. I
14 remember --

10:09 15 Q What kind of room was this?

16 A Just a small room.

17 Q Were there windows?

18 A It had a table and a chair. I don't
19 know if there was windows or not.

10:09 20 Q It's the kind of room that police like
21 to call interview rooms. Is that it?

22 A I would believe so.

23 Q And what happened in there?

24 A I remember talking to someone. I
10:09 25 don't know who it was.



1 Q Do the names Mackie or Karst mean
2 anything to you?

3 A Karst does.

4 Q Do you recall when you saw him?

10:09 5 A No.

6 Q What is your next recollection with
7 respect to this sequence of events?

8 A I remember being in a car somewhere in
9 Saskatoon driving around.

10:10 10 Q Do you recall whose car?

11 A No."

12 Does that assist you at all in your recollection,
13 Ms. John?

14 A No.

10:10 15 Q Are you able to recognize the names of Mackie or
16 Karst today as officers that you may have had
17 something to do with in 1969?

18 A The names are familiar, yes, but I couldn't put it
19 to a face.

10:10 20 Q And they are familiar in the sense that you may
21 have talked to them in 1969?

22 A I may have, yes.

23 Q Go to page 302514 and here you are asked by Mr.
24 Brown, again this deals with your interaction with
10:10 25 the police:



1 "Q Do you recall driving past a funeral
2 home at that point."

3 And this is while you were with the police.

4 "A I remember someone saying something
10:10 5 about a funeral home, yes.

6 Q But nothing more specific than that?

7 A No.

8 Q What happened after that?

9 A I don't know."

10:11 10 Does that assist your recollection at all?

11 A No.

12 Q And what is your recollection again of being
13 driven around with the police in the area where
14 the body was found? Do you have any recollection?

10:11 15 A None, no.

16 Q Bottom of this page, please:

17 "Q Do you recall spending the night in the
18 cells at the Saskatoon City Police
19 station?

10:11 20 A No. The only thing I remember is
21 being really upset, but I don't really
22 remember where I was.

23 Q You don't have any recollection of where
24 you got upset?

10:11 25 A No.



1 Q Do you recall what upset you?

2 A I just have to go on what other people
3 tell me where I was and -- I just
4 remember being really upset."

10:11 5 Pause there. Does that assist your recollection
6 at all?

7 A No.

8 Q It appears at this time, Ms. John, that you were
9 saying you were upset, but you don't know why you
10:11 10 were upset?

11 A Uh-huh, I would agree with that.

12 Q And today do you have any recollection of being
13 upset --

14 A No.

10:12 15 Q -- while you were being interviewed? No?

16 A No.

17 Q Next page, 302516, and this is again talking, Mr.
18 Brown questioning you about your dealings with the
19 police I believe in May of 1969:

10:12 20 "Q What is your next recollection,
21 then?

22 A I think I was in a room with Ron
23 Wilson.

24 Q Where would that have been? Was that at
10:12 25 the police station?



1 A No. I would say it would have been a
2 hotel room.

3 Q Why do you think it is a hotel room?

4 A Because I feel like there is beds in
10:12 5 the room.

6 Q So, just an ordinary hotel room is what
7 you are thinking?

8 A Right.

9 Q Ron Wilson is there?

10:12 10 A I believe so, yes.

11 Q Do you recall whether there is anybody
12 else in there?

13 A No.

14 Q Do you recall whether there is anything
10:13 15 else in that room?

16 A No, sir.

17 Q Do you recall a man by the name of Art
18 Roberts?

19 A No, sir."

10:13 20 If I can pause there. Does that assist your
21 recollection at all?

22 A No.

23 Q Just scroll down a bit, please, and again this is
24 1992:

10:13 25 "Q Do you recall what you and Mr. Wilson



1 did?

2 A No, sir. I think the only thing that
3 was discussed was a lie detector test,
4 and I said to him: "I want to take
10:13 5 one and they won't allow me to."

6 Q You said this to Mr. Wilson?

7 A I believe so, yes."

8 Does that assist your recollection at all,
9 Ms. John?

10:13 10 A No.

11 Q And just scroll down to the bottom:

12 "Q Was there anybody else in there that
13 would -- presumably, Mr. Wilson wouldn't
14 be giving a lie detector test.

10:13 15 A No. He was saying that he has to take
16 one and I said: "Well, I want one,
17 too." I must have had a conversation
18 with someone else before and I
19 remember saying: "They won't give me
10:14 20 one." I said: "I want one."

21 Q I see. And they refused to give you a
22 lie detector test?

23 A I guess they did."

24 Does that assist your recollection at all?

10:14 25 A No.



1 Q Page 302520, and again Mr. Brown is questioning
2 you about your dealings with the police:

3 "Q When you were in Saskatoon with the
4 police, do you recall how they treated
10:14 5 you?

6 A I don't think they treated me badly.

7 Q Why would you say that?

8 A Because of just --

9 Q Do you have any recollection of being
10:14 10 abused or pressured?

11 A No. Just the feelings that I had.
12 Like I think that I would remember if
13 they did, you know. I mean I just
14 don't feel like I'm being....

10:14 15 Q Do you recall an interview you had with
16 Eugene Williams from the federal
17 Department of Justice?

18 A Yes, sir."

19 Next page:

10:15 20 "Q Do you recall when he asked you that
21 question or him asking you that
22 question?

23 A We talked about a lot of things. I
24 don't remember that specifically.

10:15 25 Q If I were to suggest to you that you



1 told him at that point that they had
2 treated you well, told you to take your
3 time, and that they didn't want to put
4 words into your mouth --

10:15 5 A Right.

6 Q -- would that accord with your best
7 recollection of how you were treated?

8 A Yes, sir, and with the feeling that I
9 have.

10:15 10 Q Do you have any recollection at all of
11 anyone attempting to put words in your
12 mouth?

13 A No, sir.

14 Q Of trying to get you to implicate David
10:15 15 Milgaard if he wasn't guilty?

16 A I don't think so, no."

17 Next page:

18 "Q When you talked to the police, do you
19 have any recollection of lying to them
10:15 20 for any reason?

21 A No, sir, none that I can -- no.

22 Q Did you lie to the police?

23 A I don't believe I did, no.

24 Q Did you lie to them on the 24th when you
10:15 25 gave the long statement that you have



1 seen over and over again all these
2 years?

3 A I don't think I lied.

4 Q You don't recall that?

10:16 5 A No. I don't see why I would lie. Do
6 you understand what I am saying?

7 Q I appreciate it, yes.

8 Do you recall giving evidence
9 at a preliminary hearing?

10:16 10 A No, sir.

11 Q No recollection of going to a courtroom
12 and testifying?

13 A The only recollection I have is being
14 in a courtroom at one period of time
10:16 15 and being really, really upset.

16 That's my only memory of either court
17 appearance."

18 Pause there. Does that part that I've read you
19 assist your recollection at all with respect to
10:16 20 your treatment by the police in 1969?

21 A No.

22 Q Again, if you could go down to, and this is again
23 Mr. Brown, I believe, questioning you:

24 "Q Do you have any recollection of lying in
10:17 25 court?



1 A No, sir.

2 Q Did you lie in court?

3 A I don't believe so, sir.

4 Q Do you have any recollection of why you
10:17 5 wouldn't tell the truth in this matter?

6 A I don't see why I would have to lie.

7 Q You can't think of anything that would
8 motivate you to do that?

9 A No, sir."

10:17 10 If I could pause there, if I were to ask you
11 those questions today, Ms. John, would you give
12 the same answers?

13 A Yes.

14 Q "Q Do you recall anyone suggesting to you
10:17 15 that you should sink David Milgaard?

16 A No, sir.

17 Q Do you remember specifically talking
18 with Ron Wilson and agreeing with him to
19 convict David Milgaard of murder?

10:17 20 A I remember a conversation something
21 along those lines, but I don't know
22 what the words were."

23 If I can pause there; does that assist your
24 recollection at all?

10:18 25 A No.



1 Q "Q Did it include any indication that you
2 were to lie?

3 A I don't know.

4 Q You don't recall that?

10:18 5 A No.

6 Q Do you recall when that conversation
7 might be in terms of the overall time
8 frame, the talks with the police, the
9 trials, preliminaries, everything like
10:18 10 that?

11 A I would say probably in the hotel
12 room.

13 Q So, that would be around the
14 statement-taking time?

10:18 15 A Yes, sir."

16 Does any of that assist your recollection?

17 A No.

18 Q Go to page 302526, and at the bottom Mr. Brown is
19 asking you about, I believe this is the 1981
10:18 20 interview with Mr. Milgaard and Mr. Merchant:

21 "Q I understand that you, at one point, had
22 agreed to take that sodium pentathol
23 interview?

24 A It was a combination of being
10:19 25 hypnotized and sodium pentothal.



1 Q I see. And did you go through with
2 that?

3 A No, sir.

4 Q Why not?

10:19 5 A I was advised not to.

6 Q Why were you advised not to?

7 First of all, who advised you
8 not to?

9 A Larry Leslie advised me not to do it.

10:19 10 Q He was your lawyer?

11 A Yes."

12 Does that assist your recall at all, Ms. John?

13 A No, not really.

14 Q I believe you told us earlier, I believe, that you
10:19 15 had advice from Mr. Leslie?

16 A Larry, uh-huh.

17 Q If you go to page 302543, and I'm going to read
18 you parts here, Ms. John, and these are questions
19 that were asked of you at the Supreme Court
10:20 20 reference by Mr. Hersh Wolch, who was the lawyer
21 for David Milgaard. And call out that:

22 "Q The evidence in this case -- and I will
23 try to help you a little bit -- is that
24 on March 11th of 1969 you made a
10:20 25 statement to the police. Have you been



1 shown that at all?

2 A Yes, I have been shown it."

3 If I can just pause there. For the purposes of
4 my questions today, Ms. John, you recall the
5 other day I showed you that March 11th, 1969
6 statement; you know which one I'm talking?

7 A Was that the first one?

8 Q Yes?

9 A Okay.

10 Q And you know which one we're talking about then?

11 A I think so.

12 Q Okay. If you could scroll down to line 16, you
13 were asked:

14 "Q If you recall that statement, that
15 statement indicates that you had heard
16 from a Barb Berard that David had
17 returned to Regina and he indicated he
18 was going to be picked up for murder.
19 Does that memory stick in your mind at
20 all?

21 A No, sir.

22 Q This may or may not help you, but on the
23 3rd of March, both David and Ron were
24 interviewed by police. Ron was in jail.
25 Do you know if you were keeping contact



1 with any of those people at all?

2 A No. I don't recall.

3 Q If I was to suggest to you that this
4 statement was the first time you were
5 ever asked to recall the events of the
6 31st of January, would you agree?

7 A Yes, sir.

8 Q And would you also agree that when you
9 made this statement, you were being as
10 truthful as you possibly could be?

11 A Yes, sir.

12 Q And you made that statement with no
13 pressure?

14 A As far as I know, sir, no.

15 Q You are under no particular duress or
16 strain then?

17 A Not that I remember.

18 Q You made it with no consultation with
19 Wilson or Milgaard?

20 A No.

21 Q If your statement coincides in many
22 particulars with their statement, that
23 would be likely because all three of you
24 are remembering the same thing.

25 A I would guesstimate so."



1 Does that assist your recollection, at all, of
2 the March 11th, 1969 statement?

3 A No.

4 Q Page 302549, and this is again Mr. Wolch examining
5 you, and he is asking you questions about the
6 flashbacks:

7 "Q I would like to deal with some of those
8 flashbacks you have, or whatever. You
9 mentioned that you have, occasionally, a
10 picture of somebody straddling somebody.
11 You have that kind of flashback now and
12 then?

13 A Yes, sir.

14 Q Did I understand your evidence to be
15 that that flashback shows you it is
16 starting to get light?

17 A Just starting.

18 Q Do you know when it gets light time-wise
19 in Saskatoon in the middle of the
20 winter?

21 A It has been a long time since I lived
22 in Saskatchewan.

23 Q You also have, I think -- I could be
24 wrong -- a flashback or a memory of a
25 church or something. Did I hear you say



1 very close beside you or far, far away?

2 I am sorry, I could be wrong on both.

3 A It's not close. I would say it's
4 within a couple of blocks, okay. I
10:23 5 would guesstimate a little over a
6 block. It wouldn't be right at the
7 end of the alley.

8 Q I am going to suggest to you, if you can
9 remember, that when you arrived in
10:23 10 Saskatoon, it was dark, very cold and
11 foggy.

12 A Okay."
13 Does any of that assist your recollection of
14 events in 1969?

10:23 15 A No.

16 Q Page 302552, and again this is Mr. Wolch
17 questioning, you were asked:

18 "Q Would I be correct in assuming that you
19 are a person who has some difficulty,
10:24 20 like many others, under stress?

21 A Yes."
22 If I can pause that, would you agree with that
23 statement today, Ms. John?

24 A I'm sorry, could you read that again, please?

10:24 25 Q Yes. He asks you, and again this is in 1992, he



1 asks you:

2 "Q Would I be correct in assuming that you
3 are a person who has some difficulty,
4 like many others, under stress?"

10:24 5 And you answered:

6 "A Yes."

7 A Uh-huh.

8 Q And my question is, today, is your answer the same
9 answer, today, to that question?

10:24 10 A I would say yes.

11 Q So that you are a person who has some difficulty,
12 like many others, under stress?

13 A Right.

14 Q He then goes on:

10:24 15 "Q And that would have been even more so
16 when you were 16?

17 A I would say so, yes."

18 And if I asked you that today would you agree
19 with that statement today?

10:25 20 A I would agree with that statement, yes.

21 Q "Q And you have memories of being really
22 upset when you were with the police?

23 A Right."

24 Do you have any recollection, today, of any
10:25 25 memories of being really upset with the police?



1 A No.

2 Q You were then asked:

3 "Q You have no memory of being polygraphed?

4 A No, sir."

10:25 5 You have already told us that.

6 "Q Do you have any memory of a person who
7 purported to be a polygraph operator, a
8 Mr. Roberts?

9 A No, sir."

10:25 10 And you have already told us that; correct?

11 A Correct.

12 Q Next page, 302553, Mr. Wolch asks the question:

13 "Q Can you help us as to why you would want
14 a polygraph?

10:25 15 A Because I felt like there was
16 something I didn't know about. How
17 can I say? I was attaching that to
18 remembering something. Do you
19 understand? I know better now, but I
10:25 20 am thinking at 16 -- I am trying to
21 give you a reason for that. But I
22 don't know what my thoughts were at
23 that age or at that point."

24 Are you able to explain that comment for us, Ms.
10:26 25 John?



1 A No.

2 Q Next page, 302554, Mr. Wolch asks:

3 "Q So, I would suggest to you that the only
4 rational reason why you would want a
10:26 5 polygraph is to prove you weren't lying.

6 A Right.

7 Q And the only people who could tell you
8 you were lying would be the police.

9 A Right.

10:26 10 Q So, the situation was you had told the
11 police the truth, they didn't believe
12 you, they were telling you you were a
13 liar, and you were saying: 'I am telling
14 the truth. Give me a polygraph'?

10:26 15 A I don't know.

16 Q It very well could be true?

17 A It could have happened, yes.

18 Q And while you were waiting for your
19 polygraph you are alone with Wilson, who
10:27 20 you knew then to be a crook and a
21 criminal, and he is telling you: 'Let's
22 sink Milgaard'?

23 A I don't know.

24 Q It could be true?

10:27 25 A It could be.



1 Q And the fact, Ma'am, is that under
2 stress at 16 years of age, nervous and
3 scared, you might have followed Ron
4 Wilson's advice.

10:27 5 A I might have, yes."

6 Does that assist your recollection, at all, of
7 the events in 1969?

8 A No.

9 Q Okay. I think we're done with the Supreme Court
10:27 10 transcript.

11 I want to move next, Ms. John,
12 to 1993, which would be the following year, and I
13 believe you were interviewed by two officers from
14 the RCMP; do you recall that?

10:27 15 A No.

16 Q Okay. Do the names Corporal Templeton and
17 Constable Dyck sound familiar?

18 A No.

19 Q If I could call up document 038275, and this is a
10:28 20 note May 12th, 1993 -- and just so you know, next
21 I'm going to be showing you a transcript of an
22 interview of May 17th, 1993, there's about a
23 2 1/2-hour interview with you and the RCMP that
24 we'll go through -- so this is five days before
10:28 25 and it appears to be a note of, well I'm not sure



1 whose note it is, but it talks about a contact of
2 Rick Marshineu of Kelowna RCMP. Do you know that
3 name, Rick Marshineu, is that name familiar?

4 A Umm, I know a Rick, but I'm not sure what his last
10:28 5 name is.

6 Q And is he with the RCMP?

7 A He was, yes.

8 Q Or he was?

9 A Yes.

10:28 10 Q And this note of somebody says:

11 "Contacted Marshineu - knows Nichol very
12 well. States he more or less looked
13 after her during the SCC ...",
14 which would be the Supreme Court of Canada:

10:29 15 "... hearing. Has discussed the
16 Milgaard affair at length with her.
17 States that she is extremely afraid of
18 Milgaard and at the first inkling he is
19 around she will freak out.

10:29 20 Says Milgaard was at the
21 detachment on weekend - demanding to use
22 phone.

23 Advised that it may be
24 advisable for him to approach Nichol and
10:29 25 inform her of Milgaard's whereabouts.



1 If she is concerned then she can run to
2 the GIS for help.

3 Felt would be best to get out
4 and interview her as soon as can.

10:29 5 I agreed. Stated would talk to
6 Inspector Sawatzky and get back to him."
7 Do you recall any discussion at or about this
8 time, with the RCMP, about David Milgaard being
9 in Kelowna?

10:29 10 A No.

11 Q Do you have any recollection of him being in
12 Kelowna and you being fearful or afraid?

13 A No.

14 Q Next is -- call up document 022289. Actually,
10:30 15 before we synch -- we have the tape and the
16 transcript, maybe I'll just identify for the
17 record, there are two audio tapes,
18 Mr. Commissioner, that we have, and they are the
19 taped interview of Nichol John conducted by
10:30 20 Corporal Templeton and Constable Dyck of the
21 Regina RCMP Police, the audio tapes are 037972 and
22 037973, and the transcript is 022289.

23 And if I could also call up,
24 maybe we could just show -- what we've done is
10:30 25 we'll play the audio tape and the transcript, and



1 in the course of the transcript Ms. John is asked
2 about earlier statements and a map, and I think
3 we've been able to put those on the screen as
4 well. I'll just maybe show the map first, 053338,
10:31 5 are we able to call that up.

6 And Ms. John, before we start,
7 is that your signature in the bottom right-hand
8 corner?

9 A Yes.

10:31 10 Q And does this document look familiar at all to
11 you?

12 A No.

13 Q Do you know if this is your writing? Is that your
14 handwriting, any of that?

10:31 15 A No. The "light standard" might be.

16 Q This, that looks like your writing?

17 A Yeah, possibly, yeah.

18 Q What about "boulevard?"

19 A Umm, hard to tell.

10:31 20 Q Hard to tell? Okay. I think the tape is about,
21 over 2 1/2 hours, Mr. Commissioner, so we'll go
22 until about 11:15 and break, and then carry on.

23 Ms. John, if you could just
24 follow along with the transcript and the
10:32 25 interview, and I'll have some questions for you



1 after.

2 **(STATEMENT OF NICHOL DEMYEN: (Nee JOHN) DATE:**
3 **93-05-17 TAKEN BY: CORPORAL J. TEMPLETON and**
4 **CONSTABLE J. DYCK, REGINA R.C.M. POLICE)**

5 CORPORAL JIM TEMPLETON: This is the taped
6 interview of Nichol Susan Marie Demyen: (Nee
7 John) Born 52-September-02 of Kelowna, B.C. The
8 interview is conducted in Room 322 of the Park
9 Lake Hotel, Kelowna, B.C.

10 Present for the interview,
11 Corporal Jim Templeton, Constable John Dyck and
12 Nichol Demyen. Nichol, we met before. I am
13 Corporal Jim Templeton, RCMP, Regina. Constable
14 John Dyck, also of the RCMP, Regina.

15 We are attached to a task force
16 set up by the RCMP to answer certain questions
17 raised by Mr. Milgaard and his family concerning
18 the death of Gail Miller in 1969. As a result of
19 our investigation into this incident, we have had
20 access to all reports, all trial transcripts, and
21 all statements supplied by witnesses. During the
22 next while, during our meeting with you, we'd
23 like you to discuss the events of the 31st of
24 January, 1969, plus events following that
25 concerning the police investigation and any



1 appearances that you've had in the court system.

2 We are also aware that you have
3 given evidence at the Supreme Court of Canada and
4 we'd like to discuss the events that lead up to
5 that and any interviews you had prior to
6 appearing at the Supreme Court in 1992.

7 There is no guarantees that
8 this is going to be the last time, I hope it is,
9 but I can't guarantee that, Nichol. We also want
10 to point out that this is separate and apart from
11 any civil action that Mr. Milgaard has initiated
12 against the City of Saskatoon and the Province of
13 Saskatchewan. That is not the purpose of this
14 interview. That's an entirely different matter.
15 What we hope to do is ask you a few questions to
16 clear up a few of the questions that Mr.
17 Milgaard's family and lawyers have asked. I
18 realize and appreciate that this happened some
19 time ago, being 24 years, also it is, perhaps
20 some of it, a little more fresh in your mind
21 because of the things being brought back into the
22 light since 1988. So your memory, hopefully,
23 will be very good.

24 What we are looking for here is
25 what you remember; not so much what you have come



1 to learn over the period of time. Once and for
2 all we'd like to get some of these questions
3 answered that have been raised and supply those
4 answers back to Mr. Milgaard's family. Before we
5 start, do you have any questions?

6 NICHOL DEMYEN: No.

7 CORPORAL JIM TEMPLETON: We're going to try
8 and do this in some form of chronological order,
9 Nichol. We'll take you right back right away to
10 in and around 1969, January. Could you tell us
11 when and how you first met David Milgaard?

12 NICHOL DEMYEN: It was the summer before
13 that in a park downtown in Regina. I can't
14 remember who introduced us or how we even met,
15 but I know it was summer time.

16 CORPORAL JIM TEMPLETON: So that would have
17 been the summer of 1968?

18 NICHOL DEMYEN: I would say so, yes.

19 CORPORAL JIM TEMPLETON: And what were you
20 doing at that time?

21 NICHOL DEMYEN: That's a good question.
22 I'm trying to remember whether I was working or
23 not. I think I was working somewhere in Regina.
24 I can't remember.

25 CORPORAL JIM TEMPLETON: Okay. After you



1 met Mr. Milgaard in the summer of 1968, and prior
2 to January, 1969, did you have occasion to take
3 any road trips with him, or with any of his
4 friends?

5 NICHOL DEMYEN: Prior to the winter?

6 CORPORAL JIM TEMPLETON: Yes.

7 NICHOL DEMYEN: No.

8 CORPORAL JIM TEMPLETON: Nothing at all?

9 NICHOL DEMYEN: No.

10 CORPORAL JIM TEMPLETON: Okay. On January
11 31st, 1969 you left Regina to go to Saskatoon
12 with Mr. Milgaard?

13 NICHOL DEMYEN: Right.

14 CORPORAL JIM TEMPLETON: And Mr. Wilson?

15 NICHOL DEMYEN: Right.

16 CORPORAL JIM TEMPLETON: Okay. How did
17 that trip come to be?

18 NICHOL DEMYEN: I think we wanted to go to
19 Vancouver, if I remember correctly. Okay, Being
20 young, being stupid, We all decided, okay, let's
21 go.

22 CORPORAL JIM TEMPLETON: Do you remember
23 who invited you on that trip, was it Mr. Milgaard
24 or Mr. Wilson?

25 NICHOL DEMYEN: I don't remember.



1 CORPORAL JIM TEMPLETON: Had you spent a
2 couple days with them previous to departing?

3 NICHOL DEMYEN: I was working kind of --
4 yeah, I guess so, a little of bit of contact here
5 and there, But nothing, no great amount of time.
6 I had gone to school with Ron, so I knew Ron.

7 CORPORAL JIM TEMPLETON: Okay. Whose
8 vehicle did you take?

9 NICHOL DEMYEN: Ron's.

10 CORPORAL JIM TEMPLETON: Do you the
11 remember the vehicle colour?

12 NICHOL DEMYEN: White with, I think kind of
13 a green colour, like a light, kind of a
14 turquoise, I guess, I don't know.

15 CORPORAL JIM TEMPLETON: Were you at
16 Wilson's residence, is that where you left from?

17 NICHOL DEMYEN: Yes.

18 CORPORAL JIM TEMPLETON: Do you remember
19 having some problems with the car to get it
20 roadworthy?

21 NICHOL DEMYEN: Yes.

22 CORPORAL JIM TEMPLETON: Do you recall what
23 that might have been?

24 NICHOL DEMYEN: Battery.

25 CORPORAL JIM TEMPLETON: Battery. And I



1 take it that they bought a new battery?

2 NICHOL DEMYEN: No, 'cause it was late at
3 night. It was really dark, so no, I would say
4 no.

5 CORPORAL JIM TEMPLETON: Okay. What time
6 would you have left Regina on that trip?

7 NICHOL DEMYEN: I don't know, 11:30, 12:00,
8 I don't know, something like that -- 12:30 -- I
9 know it was really late.

10 CORPORAL JIM TEMPLETON: Thinking back to
11 that time now, can you recall the trip to
12 Saskatoon from Regina?

13 NICHOL DEMYEN: Some of it.

14 CORPORAL JIM TEMPLETON: Can you tell us
15 what you remember?

16 NICHOL DEMYEN: I know it was dark. I
17 think it was, might have been blowing snow
18 somewhere along the line. I know we stopped in
19 this town. We were there for a little while and
20 I don't really remember much. I remember getting
21 to Saskatoon, I remember being on the outskirts
22 of Saskatoon and seeing all the lights and
23 knowing that I was in Saskatoon.

24 CORPORAL JIM TEMPLETON: You mentioned that
25 you stopped at a town along the way. Can you



1 tell me about that?

2 NICHOL DEMYEN: The only thing I remember
3 is, you know, the elevators. I think it was a
4 really small town, I don't think it was very big.

5 CORPORAL JIM TEMPLETON: Do you remember
6 why you would have stopped there?

7 NICHOL DEMYEN: No, I can't remember.

8 CORPORAL JIM TEMPLETON: Have you come to
9 learn over time why you stopped there?

10 NICHOL DEMYEN: Yeah.

11 CORPORAL JIM TEMPLETON: And why was that?

12 NICHOL DEMYEN: I can't remember. I've
13 heard it before, but it's not something I want to
14 keep in my mind.

15 CORPORAL JIM TEMPLETON: No. If I was to
16 tell that Mr. Milgaard broke into an elevator --

17 NICHOL DEMYEN: Yeah, that's what I --
18 yeah, okay.

19 CORPORAL JIM TEMPLETON: You remember that
20 now?

21 NICHOL DEMYEN: Yeah.

22 CORPORAL JIM TEMPLETON: You remember
23 hearing that now?

24 NICHOL DEMYEN: Yeah.

25 CORPORAL JIM TEMPLETON: And you've



1 indicated that you were on your way to Vancouver.
2 Why go to Saskatoon?

3 NICHOL DEMYEN: He had a friend in
4 Saskatoon that he wanted to stop and see or
5 something along those lines, And the guy's name
6 was Shorty, I remember hearing the name Shorty.

7 CORPORAL JIM TEMPLETON: Did he indicate
8 why he wanted to see Shorty?

9 NICHOL DEMYEN: I can't remember.

10 CORPORAL JIM TEMPLETON: When you were
11 driving from Regina to Saskatoon, who was driving
12 the car?

13 NICHOL DEMYEN: Ron. Yeah, Ron was.

14 CORPORAL JIM TEMPLETON: And where were you
15 seated?

16 NICHOL DEMYEN: In the front and the back I
17 believe, but I don't know when, like, what the
18 period of time was.

19 CORPORAL JIM TEMPLETON: And Mr. Milgaard?

20 NICHOL DEMYEN: I don't know. Could have
21 been -- I think at one point he was on my right
22 hand side. That's all I remember. I don't know
23 if it was front or back or --

24 CORPORAL JIM TEMPLETON: Okay. As you were
25 driving along, was there any alcohol involved?



1 NICHOL DEMYEN: I don't think so.

2 CORPORAL JIM TEMPLETON: Drugs?

3 NICHOL DEMYEN: Yeah.

4 CORPORAL JIM TEMPLETON: Okay. Don't be
5 embarrassed. What form of drug would have been
6 used on that trip?

7 NICHOL DEMYEN: I would say -- I think it
8 was grass.

9 CORPORAL JIM TEMPLETON: Do you remember
10 who had the drugs?

11 NICHOL DEMYEN: No.

12 CORPORAL JIM TEMPLETON: Was everyone using
13 drugs?

14 NICHOL DEMYEN: I can't remember.

15 CORPORAL JIM TEMPLETON: Okay. From review
16 of some of the reports that we've had and your
17 testimony previously, you've indicated at times
18 that there was a knife, or perhaps two knives in
19 this vehicle.

20 NICHOL DEMYEN: I remember one.

21 CORPORAL JIM TEMPLETON: Okay. And what
22 kind of knife was that?

23 NICHOL DEMYEN: I'm not sure anymore.

24 CORPORAL JIM TEMPLETON: Do you remember
25 when you saw this knife, who would have had it?



1 NICHOL DEMYEN: No.

2 CORPORAL JIM TEMPLETON: So you felt there
3 was only one knife. If I told you that it was
4 perhaps a hunting knife, would that bring any
5 memories back?

6 NICHOL DEMYEN: No.

7 CORPORAL JIM TEMPLETON: Do you remember
8 how you came to see the knife? Was somebody
9 flashing it around or did you just come across it
10 in the car?

11 NICHOL DEMYEN: I don't remember.

12 CORPORAL JIM TEMPLETON: Okay. The weather
13 was very cold and stormy you said?

14 NICHOL DEMYEN: Yeah, I remember snow
15 blowing in the lights of the car.

16 CORPORAL JIM TEMPLETON: How were you
17 dressed; do you remember?

18 NICHOL DEMYEN: Yeah, funny. I remember I
19 had a dark blue pair of pants on and a kind of
20 wine-coloured jacket. Other than that, I don't
21 remember.

22 CORPORAL JIM TEMPLETON: Okay. What about
23 Mr. Wilson?

24 NICHOL DEMYEN: I don't remember.

25 CORPORAL JIM TEMPLETON: Mr. Milgaard, how



1 was he dressed?

2 NICHOL DEMYEN: The only thing that comes
3 to mind is a brown jacket.

4 CORPORAL JIM TEMPLETON: Okay. What about
5 shoes? Were people wearing winter boots at that
6 time or were you kids wearing winter boots, or
7 just shoes?

8 NICHOL DEMYEN: I can't remember. I
9 probably had a pair of boots on I would think,
10 But I wouldn't --

11 CORPORAL JIM TEMPLETON: What about a hat?

12 NICHOL DEMYEN: I don't really remember.

13 CORPORAL JIM TEMPLETON: Did either Mr.
14 Milgaard or Mr. Wilson have a toque on?

15 NICHOL DEMYEN: I can't remember.

16 CORPORAL JIM TEMPLETON: As you drove along
17 to Saskatoon and you stopped at a town and
18 continued on your journey, was the heater in the
19 car working pretty good? Was it cold in the car?
20 Do you remember being cold?

21 NICHOL DEMYEN: Yeah, I remember having my
22 jacket on, but I -- I would guesstimate it was
23 because it was cold in the car.

24 CORPORAL JIM TEMPLETON: Do you remember
25 Mr. Milgaard taking his shoes off in the car?



1 NICHOL DEMYEN: No.

2 CORPORAL JIM TEMPLETON: Would that
3 surprise you, if he had taken his shoes off?

4 NICHOL DEMYEN: Yeah, it would.

5 CORPORAL JIM TEMPLETON: Why would that
6 surprise you?

7 NICHOL DEMYEN: Because it was really cold
8 outside. I remember it being really cold. And,
9 like I said, I remember having my jacket, wearing
10 my jacket all the time.

11 CORPORAL JIM TEMPLETON: Okay. When you
12 were traveling -- did you have any money with you
13 do you remember? You said you had been working,
14 so did you have some money?

15 NICHOL DEMYEN: Yeah, I think I did, But I
16 don't remember how much.

17 CORPORAL JIM TEMPLETON: What about the
18 other, did they have any cash or were they using
19 your cash?

20 NICHOL DEMYEN: I don't know. Probably
21 mine.

22 CORPORAL JIM TEMPLETON: You said you
23 remember getting to the edge of Saskatoon because
24 you remember seeing the lights?

25 NICHOL DEMYEN: Right.



1 CORPORAL JIM TEMPLETON: Can you tell us
2 about your arrival into Saskatoon and about what
3 time that would have been?

4 NICHOL DEMYEN: It was still dark. Knowing
5 Saskatoon now, I know where, which way we came
6 in. It was along the --

7 CORPORAL JIM TEMPLETON: Just If I could
8 interrupt. So you would have came in from the
9 south on, which is now Highway 11 as you know it.
10 Is that right?

11 NICHOL DEMYEN: Yeah.

12 CORPORAL JIM TEMPLETON: From that point
13 where did you go?

14 NICHOL DEMYEN: We were on -- we ended up
15 on Idylwyld and after -- I think we crossed --
16 okay, when you come down Idylwyld there's a hill
17 and there's a set of lights at the bottom of the
18 hill and we crossed those lights. After that, I
19 don't know.

20 CORPORAL JIM TEMPLETON: Okay. Who was
21 giving the directions?

22 NICHOL DEMYEN: I don't think Ron knew
23 Saskatoon. It must have been Dave.

24 CORPORAL JIM TEMPLETON: Okay. Do you
25 remember driving about looking for Cadrain's



1 residence? Do you remember that?

2 NICHOL DEMYEN: Yeah, yeah.

3 CORPORAL JIM TEMPLETON: And did you find
4 it? Or did Mr. Milgaard know exact directions to
5 the Cadrain residence?

6 NICHOL DEMYEN: No, he -- I remember he got
7 lost. He didn't know where he was.

8 CORPORAL JIM TEMPLETON: Yeah, and it's
9 still dark out?

10 NICHOL DEMYEN: Yeah.

11 CORPORAL JIM TEMPLETON: Any idea what
12 time? Fairly early?

13 NICHOL DEMYEN: No.

14 CORPORAL JIM TEMPLETON: But still dark
15 out?

16 NICHOL DEMYEN: Yeah.

17 CORPORAL JIM TEMPLETON: Okay. As you were
18 driving around and the three of you were lost,
19 did you have occasion to come across a young
20 woman on the street and ask her directions?

21 NICHOL DEMYEN: Yeah.

22 CORPORAL JIM TEMPLETON: Do you recall
23 that?

24 NICHOL DEMYEN: Yeah.

25 CORPORAL JIM TEMPLETON: Okay. And tell us



1 about that, how that came to be?

2 NICHOL DEMYEN: It was -- we were driving
3 down a street that had, I think a boulevard in
4 the centre of it and there was this woman walking
5 and I think I was the one that said stop and ask
6 her where we are and where we want to go, right,
7 and I remember her stopping and remember somebody
8 rolling down the window, but I don't remember
9 what was said to her or what her answer was or
10 anything. I remember seeing this woman a bit.

11 CORPORAL JIM TEMPLETON: Okay. Do you
12 remember where you were sitting in the car when
13 you stopped and talked to this woman?

14 NICHOL DEMYEN: I think I was in the back
15 seat. I couldn't swear on that though.

16 CORPORAL JIM TEMPLETON: Do you remember
17 who was driving?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: No. Okay. And
20 you remember a boulevard on the street?

21 NICHOL DEMYEN: Yeah, I'm sure there was a
22 boulevard, and there was a building set back kind
23 of. It would have been, like, a brick building.

24 CORPORAL JIM TEMPLETON: Okay. Do you
25 remember who asked her for directions?



1 NICHOL DEMYEN: No.

2 CORPORAL JIM TEMPLETON: Was it you?

3 NICHOL DEMYEN: It could have been. It
4 could have been me.

5 CORPORAL JIM TEMPLETON: Yeah. Did you, as
6 you picture this in your mind, can you describe
7 what this person was wearing?

8 NICHOL DEMYEN: No. It's too vague. I
9 don't think she was very tall, somehow that comes
10 across. It seems she was all bundled up. Other
11 than that, I can't really remember. I would say
12 something dark, but I can't swear to that.

13 CORPORAL JIM TEMPLETON: Okay. Was she
14 carrying anything?

15 NICHOL DEMYEN: I don't really remember.

16 CORPORAL JIM TEMPLETON: Purse?

17 NICHOL DEMYEN: I don't remember.

18 CORPORAL JIM TEMPLETON: Okay. Do you
19 remember the conditions? It's still dark out
20 now?

21 NICHOL DEMYEN: Yeah.

22 CORPORAL JIM TEMPLETON: Is it cold?

23 NICHOL DEMYEN: Yes.

24 CORPORAL JIM TEMPLETON: Do you remember
25 ice fog, ice crystals in the air, foggy?



1 NICHOL DEMYEN: Yeah, I do. Yeah. That
2 was when we got into Saskatoon too, it was kind
3 of foggy, yeah. Cause of the lights on the, like
4 the overhead lights, if you look up it'll, you
5 can see the fog and it gives a different light.

6 CORPORAL JIM TEMPLETON: Uh-huh. The woman
7 that was walking on the street, was she walking
8 on the road or was she walking on the sidewalk?

9 NICHOL DEMYEN: I would say the sidewalk
10 because I think there was a little bit of --
11 like, when they plow the road, there was a little
12 bit of snow, okay, and I think she was down a
13 little bit from that.

14 CORPORAL JIM TEMPLETON: Okay. Was she
15 traveling towards your vehicle as you met her or
16 was she traveling in the same direction as you
17 pulled along side of her?

18 NICHOL DEMYEN: The same direction I would
19 say. Yeah.

20 CORPORAL JIM TEMPLETON: Do you remember
21 Mr. Milgaard talking to that girl?

22 NICHOL DEMYEN: No.

23 CORPORAL JIM TEMPLETON: I think for the
24 sake of consistence here, we'll refer to Mr.
25 Milgaard as Dave. That's the term you've used.



1 He has also been referred to by different people
2 as the nickname Hoppy.

3 NICHOL DEMYEN: Yeah.

4 CORPORAL JIM TEMPLETON: Did you know him
5 as Hoppy as well?

6 NICHOL DEMYEN: That's how I was introduced
7 to him.

8 CORPORAL JIM TEMPLETON: Do you know why
9 they called him Hoppy?

10 NICHOL DEMYEN: I think because of the way
11 he walked.

12 CORPORAL JIM TEMPLETON: And how was that?

13 NICHOL DEMYEN: He had a funny way of
14 walking. He kind of walked on his toes kind of,
15 he bounced.

16 CORPORAL JIM TEMPLETON: Was he kind of a
17 hyperactive kind of fellow?

18 NICHOL DEMYEN: Yeah, I would say so.

19 CORPORAL JIM TEMPLETON: Just as we're
20 talking about him, tell us a little bit about
21 him. What you remember at that time?

22 NICHOL DEMYEN: Long hair. Slim. Fairly
23 good looking. What else could I say about him.
24 He had a -- was it a broken tooth or a tooth
25 missing, I can't remember, There was something



1 with his teeth. Smiled a lot. That's about all
2 I can --

3 CORPORAL JIM TEMPLETON: Was he an easy
4 fellow to get to meet, Dave?

5 NICHOL DEMYEN: Yeah, yeah, friendly.

6 CORPORAL JIM TEMPLETON: Did you know when
7 you met him and met him different times in
8 Regina, did you know where he was from?

9 NICHOL DEMYEN: No. No.

10 CORPORAL JIM TEMPLETON: Did you know if he
11 lived with his parents or he lived alone?

12 NICHOL DEMYEN: No, I didn't know.

13 CORPORAL JIM TEMPLETON: You didn't know?

14 NICHOL DEMYEN: He was pretty secretive
15 about that. I think he was pretty secretive
16 about that. I think lots of people back then
17 were though too. I mean, it's where do you come
18 from, well, who cares.

19 CORPORAL JIM TEMPLETON: That was the time
20 in 1969?

21 NICHOL DEMYEN: Right.

22 CORPORAL JIM TEMPLETON: Do you know if he
23 worked at all when you met him?

24 NICHOL DEMYEN: No, I didn't know if he did
25 or not.



1 CORPORAL JIM TEMPLETON: Did he always seem
2 to have money?

3 NICHOL DEMYEN: He'd always -- it seems
4 like we'd be in a group and he'd take off for an
5 hour or two hours and come back and, I don't
6 know, just -- he was different.

7 CORPORAL JIM TEMPLETON: What do you mean?

8 NICHOL DEMYEN: I never ever saw him having
9 money as in in his hand, but you would always --
10 I always thought he had money, but I didn't know
11 where he got it from.

12 CORPORAL JIM TEMPLETON: So he would have
13 no money, or appear to have no money, he would
14 leave for an hour and come back with money?

15 NICHOL DEMYEN: Yeah. It was almost like,
16 well, where were you and, well, I went and got
17 something to eat, or, you know, different things
18 like that. Or he'd always come back with
19 cigarettes or different things. It didn't strike
20 as being right.

21 CORPORAL JIM TEMPLETON: Just to return now
22 to the morning of the 31st, you're in Saskatoon,
23 you've driven along the street and came across a
24 young lady walking and somebody asked for
25 directions. What kind of directions did they ask



1 for? Did they ask for the Cadrain residence or
2 what did they ask?

3 NICHOL DEMYEN: Well, I know where we -- I
4 can't remember. Just there's -- it's hard for me
5 to separate what I've learned and what I know and
6 things, okay.

7 CORPORAL JIM TEMPLETON: Those things that
8 you've heard and learned over the 24 years, do
9 those things help your memory at all?

10 NICHOL DEMYEN: No.

11 CORPORAL JIM TEMPLETON: As you've heard
12 them, do you remember them happening?

13 NICHOL DEMYEN: No.

14 CORPORAL JIM TEMPLETON: You don't?

15 NICHOL DEMYEN: No, just -- yeah okay, I
16 know somebody said we did this, or somebody put
17 us in a place at a time, but it just doesn't
18 compute to me. Like, there's just voids, null.

19 CORPORAL JIM TEMPLETON: The things that
20 you have heard over a period of time and because
21 of the recent investigations and court
22 appearances, when you heard those things, did
23 they surprise you or did you --

24 NICHOL DEMYEN: Some of them did, yeah.

25 CORPORAL JIM TEMPLETON: And what would



1 have surprised you?

2 NICHOL DEMYEN: Just I -- when I think
3 back, and I'm trying to put a time into my head,
4 there is no time to me and then someone says,
5 well, you know, you were supposedly here or --
6 what really surprises me is about the church
7 thing. That's something that's always really
8 been vivid in my mind, is the church and, you
9 know -- but I don't know the events to that or
10 after that. It's just something that's there.

11 CORPORAL JIM TEMPLETON: Okay. Well, we'll
12 move on here then. After you stopped on the
13 street, the three of you, and spoke with the
14 girl, do you remember driving away and where the
15 vehicle was driven to next?

16 NICHOL DEMYEN: No.

17 CONSTABLE JOHN DYCK: If I could just
18 interrupt for a second here, Nichol. You
19 mentioned before when you met the girl on the
20 street there and you made reference to a brick
21 building, Was that -- did you notice that brick
22 building at the same time you were speaking with
23 this girl?

24 NICHOL DEMYEN: Yeah, I would say so.

25 CONSTABLE JOHN DYCK: And which



1 direction --

2 NICHOL DEMYEN: I can remember windows too,
3 And I would say it's like a light brick, it's not
4 like a red brick, more of a tan colour almost.

5 CONSTABLE JOHN DYCK: And in what direction
6 from where you were at that time did you observe
7 this brick building?

8 NICHOL DEMYEN: She was here and the
9 building was off -- she was on my right, okay,
10 and the building was behind her. Okay. She's
11 walking this way, the building is here and we're
12 here, we're all kind of in the same direction, so
13 as she would be walking, it would be on her
14 right-hand side.

15 CONSTABLE JOHN DYCK: Right beside her,
16 or --

17 NICHOL DEMYEN: No, it was set back --
18 like, it wasn't like the sidewalk was here and
19 the building was here, it seemed like it was set
20 back say maybe, I don't know, my judgment of
21 distance is not very good but I would say, I
22 don't know, maybe 25 to 50 feet. You know, I'm
23 just trying to place it.

24 CONSTABLE JOHN DYCK: At that time did you
25 feel it was a commercial building or a residence?



1 NICHOL DEMYEN: Commercial, I would --
2 yeah. It didn't seem like it would be an
3 apartment, no. It had like window, window,
4 window. Almost like an office or something along
5 those lines.

6 CORPORAL JIM TEMPLETON: After you drove
7 away, do you remember who was driving when you
8 left that girl on the street?

9 NICHOL DEMYEN: No.

10 CORPORAL JIM TEMPLETON: Do you remember a
11 car getting stuck?

12 NICHOL DEMYEN: Yeah, us.

13 CORPORAL JIM TEMPLETON: Okay. Tell me
14 about that?

15 NICHOL DEMYEN: When we pulled into this
16 back alley I believe to turn around and go back
17 where we were coming from, and that's when we got
18 stuck in this -- like, just when you enter to the
19 alley, that's it, got hung up right there.

20 CORPORAL JIM TEMPLETON: Okay. So, you
21 would have driven down the street and then --

22 NICHOL DEMYEN: I would say we were
23 coming -- okay, the street with the boulevard,
24 okay, we were coming and what we did was turn
25 onto a side street, okay, and the back alley



1 would have been maybe a house and a half off the
2 main boulevard. That's what I'm thinking in my
3 head. Okay. And we pulled in to make -- to go
4 backwards -- to reverse our direction to come
5 back onto the boulevard and go back that way.
6 Okay. So we -- so I don't know, I can't --

7 CORPORAL JIM TEMPLETON: Okay. And that
8 was when the vehicle became stuck?

9 NICHOL DEMYEN: Right.

10 CORPORAL JIM TEMPLETON: Do you remember it
11 being stuck in the snow or stuck because of car
12 problems?

13 NICHOL DEMYEN: I don't know. I can't
14 remember. I would say snow because there was a
15 lot of snow. I remember there being a lot of
16 snow.

17 CORPORAL JIM TEMPLETON: And what happened
18 when the vehicle became stuck?

19 NICHOL DEMYEN: What do you mean?

20 CORPORAL JIM TEMPLETON: How did you get
21 out from being stuck?

22 NICHOL DEMYEN: I don't remember.

23 CORPORAL JIM TEMPLETON: Okay. As you are
24 sitting at the entrance to this back alley,
25 immediately after you had spoken with the girl,



1 now you're stuck there, what did the fellows do?
2 Did they try and push it? Did they make you try
3 and push it?

4 NICHOL DEMYEN: I can't remember.

5 CONSTABLE JOHN DYCK: Just to clarify that,
6 how soon was that after you spoke to the girl?

7 NICHOL DEMYEN: I don't know. See, that's
8 where I'm -- there's my space of time again,
9 okay. I'm just -- I don't know. I couldn't even
10 tell you, but I know it's still dark, okay, it's
11 not light yet.

12 CONSTABLE JOHN DYCK: And which direction
13 did you turn when you got stuck off that road,
14 off that street?

15 NICHOL DEMYEN: What do you mean?

16 CONSTABLE JOHN DYCK: You said you got
17 stuck when you --

18 NICHOL DEMYEN: Okay, the boulevard was
19 here -- I would call it an avenue street, okay,
20 we turned on, turned to the left to get onto this
21 side street and then we turned to the left again
22 to get into the entrance to the back alley. And
23 what we were going to do is reverse, I believe,
24 and go back onto that side street and then hang a
25 right onto the boulevard, okay, so we're going



1 back the same direction as we were coming from.

2 CORPORAL JIM TEMPLETON: Okay. Do you
3 remember being stuck more than one time?

4 NICHOL DEMYEN: No.

5 CORPORAL JIM TEMPLETON: The three of you
6 are in the car and it's stuck at the entrance to
7 the alley. Does anybody get out of the car?

8 NICHOL DEMYEN: Yeah, but somebody has to,
9 because I remember being in the vehicle by
10 myself.

11 CORPORAL JIM TEMPLETON: You're sitting in
12 the vehicle by yourself, obviously Mr. Wilson and
13 Dave have gone for whatever reason. Do you
14 remember why they left?

15 NICHOL DEMYEN: I would say to get somebody
16 to help us.

17 CORPORAL JIM TEMPLETON: Do you remember
18 which direction they would have left in?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Do you remember
21 again who was driving, who would have gotten out
22 the driver's side and who would have got out the
23 passenger side?

24 NICHOL DEMYEN: No. I think I was in the
25 back seat.



1 CORPORAL JIM TEMPLETON: You think you were
2 in the back seat?

3 NICHOL DEMYEN: Yeah. Cause I think I
4 remember having my feet up on the front seat of
5 the car.

6 CORPORAL JIM TEMPLETON: Okay.

7 NICHOL DEMYEN: And I remember -- I had to
8 have been by myself because I was always afraid
9 of the dark, sounds stupid, okay, I know, but,
10 oh, I hated the dark. I didn't like to be by
11 myself and that was from years before, but
12 anyway, I remember sitting there and thinking to
13 myself I don't like this.

14 CORPORAL JIM TEMPLETON: Okay. How long
15 were you by yourself in the car?

16 NICHOL DEMYEN: I don't know. It had to
17 have been -- well, I don't know. I couldn't -- I
18 would say for a little while because I remember
19 being really apprehensive and I think I locked
20 all the doors 'cause I was by myself.

21 CORPORAL JIM TEMPLETON: Was the car still
22 running? Do you remember being cold in the car?

23 NICHOL DEMYEN: I don't think it was
24 running.

25 CORPORAL JIM TEMPLETON: Obviously Ron



1 Wilson and Dave Milgaard had gotten out of the
2 car. Again, do you remember them getting out of
3 the car, going in whatever directions?

4 NICHOL DEMYEN: Well, I have something in
5 my head. I can see Ron going out and getting out
6 of the driver's side and Dave getting out of the
7 passenger side, but after that I don't know,
8 like, I can't remember which way they went.

9 CORPORAL JIM TEMPLETON: Okay. Do you
10 remember when Dave Milgaard got out of the car,
11 do you remember if he had shoes on?

12 NICHOL DEMYEN: He'd be pretty stupid if he
13 didn't. It was pretty cold.

14 CORPORAL JIM TEMPLETON: At any time that
15 you knew Dave Milgaard, did you ever know him to
16 walk without shoes in the winter in the snow?

17 NICHOL DEMYEN: No.

18 CONSTABLE JOHN DYCK: During the trip from
19 Regina to Saskatoon, at any time did any one of
20 you three have a nap or sleep in the back, or
21 even in the front?

22 NICHOL DEMYEN: Say this again?

23 CONSTABLE JOHN DYCK: Did any one of you
24 three have a nap during that trip, fall asleep
25 for a period of time?



1 NICHOL DEMYEN: No, I don't remember. I
2 would probably -- if -- this sounds silly, but if
3 anybody was to fall asleep, it would have been
4 me.

5 CORPORAL JIM TEMPLETON: Okay. On that
6 trip you left at quite a wee hour, I understand,
7 and so you would have been up all day --

8 NICHOL DEMYEN: I can, yeah, right, and I
9 can remember being at Ron's place before we left
10 and being really tired and saying, well, are you
11 guys ready yet, Like, how long is it going to be,
12 You know, because I'm tired.

13 CORPORAL JIM TEMPLETON: Just to get you
14 back to the car now. You're sitting in the car,
15 it's dark and you're alone and the other two
16 fellows have left. It appears, you seem to
17 recall Mr. Ron Wilson getting out of the driver's
18 side and Dave Milgaard getting out of the
19 passenger side. Okay. The car is sitting in the
20 lane, facing, can you picture looking down the
21 lane -- and what do you see?

22 NICHOL DEMYEN: I see a church.

23 CORPORAL JIM TEMPLETON: A big church,
24 little church?

25 NICHOL DEMYEN: Big church. Lots of



1 steeples, like, pointy things. That's what I
2 see.

3 CORPORAL JIM TEMPLETON: Brick, wood?

4 NICHOL DEMYEN: I don't know.

5 CORPORAL JIM TEMPLETON: Do you see any
6 lights around the church?

7 NICHOL DEMYEN: Lights? It's bright enough
8 for me to see, so there had to be lights, but as
9 far as telling you how far away it is, I don't
10 know.

11 CORPORAL JIM TEMPLETON: Do you remember
12 what buildings were around you as you sat in the
13 car stuck?

14 NICHOL DEMYEN: No.

15 CORPORAL JIM TEMPLETON: If you look out to
16 the right, what do you see?

17 NICHOL DEMYEN: To the right? Fence I
18 think.

19 CORPORAL JIM TEMPLETON: Lots of snow?

20 NICHOL DEMYEN: Yeah. Lots of snow.

21 CORPORAL JIM TEMPLETON: You said that you
22 were stuck. Had you kind of slipped off the
23 traveled portion over into the snow or were you
24 just stuck kind of in the middle of the lane?

25 NICHOL DEMYEN: I think in the middle.



1 More, like, to the right than would be to the
2 left.

3 CORPORAL JIM TEMPLETON: As you recall,
4 when you look out the left side of the car,
5 because now you're frightened and you're looking
6 around, what do you see out the left window?

7 NICHOL DEMYEN: I'm looking forward. I can
8 see garbage cans on my left-hand side, like, in
9 front of the vehicle, but to the left. And it
10 would be almost like a home-made stand kind of I
11 guess.

12 CORPORAL JIM TEMPLETON: Is the alley
13 fairly bright? Is there lights in the alley?

14 NICHOL DEMYEN: Yeah. I would almost say
15 it was the headlights of the car, okay.

16 CORPORAL JIM TEMPLETON: And they shone
17 down past the garbage cans and toward the church;
18 is that right?

19 NICHOL DEMYEN: Yeah.

20 CORPORAL JIM TEMPLETON: Okay. Do you
21 remember at any time getting out of the car?

22 NICHOL DEMYEN: I don't remember.

23 CORPORAL JIM TEMPLETON: Okay. Do you
24 remember the two fellows returning to the car?

25 NICHOL DEMYEN: No.



1 CORPORAL JIM TEMPLETON: Do you remember
2 anything that happened prior to Mr. Wilson
3 getting back to the car? Did you happen to see
4 Mr. Milgaard again? Do you remember who came
5 back first?

6 NICHOL DEMYEN: I dont' remember.

7 CORPORAL JIM TEMPLETON: Do you remember
8 seeing the girl again?

9 NICHOL DEMYEN: No. I don't remember.

10 CORPORAL JIM TEMPLETON: Would she have
11 walked past where you were stuck?

12 NICHOL DEMYEN: She could have. I don't
13 remember.

14 CORPORAL JIM TEMPLETON: You didn't see
15 her, though?

16 NICHOL DEMYEN: No.

17 CORPORAL JIM TEMPLETON: Did you see Mr.
18 Milgaard talk to this girl again?

19 NICHOL DEMYEN: I don't know.

20 CORPORAL JIM TEMPLETON: And eventually
21 both Ron Wilson and Dave Milgaard returned to the
22 vehicle, do you remember that?

23 NICHOL DEMYEN: I don't remember them
24 getting in.

25 CORPORAL JIM TEMPLETON: You don't remember



1 them getting in?

2 NICHOL DEMYEN: See, that's one of --
3 that's part of the thing that's missing, like,
4 I've heard that someone came I can't remember the
5 exactly what happened, but I remember being out
6 of the vehicle and it's light and I don't know
7 how the heck I got there.

8 CORPORAL JIM TEMPLETON: Do you remember
9 where you were standing when you were out the
10 vehicle and it's light?

11 NICHOL DEMYEN: I remember a vehicle. I
12 can hear a vehicle coming up behind me and I can
13 hear someone saying to me, Nichol or Nicky or
14 whichever, I can't remember, get back in the car,
15 what's going on here, okay, it's bright, it's now
16 daylight, I'm in an alley and the vehicles behind
17 me.

18 CORPORAL JIM TEMPLETON: Was that Ron
19 Wilson and Dave Milgaard in the vehicle? Do you
20 remember?

21 NICHOL DEMYEN: I don't even remember
22 getting back into the car.

23 CORPORAL JIM TEMPLETON: But you remember a
24 car coming up behind you, you're on foot --

25 NICHOL DEMYEN: I can hear a motor running



1 behind me and I can hear somebody saying to me
2 get back in the car.

3 CONSTABLE JOHN DYCK: Okay. You're out of
4 the vehicle right now and you recall them saying
5 that. Is there anything that happened
6 immediately prior to that car arriving and those
7 comments being made?

8 NICHOL DEMYEN: I don't remember. There's
9 nothing there. It's almost like somebody took
10 and transplanted me from seven o'clock in the
11 morning till nine, just took me and just --

12 CORPORAL JIM TEMPLETON: If we were to give
13 you a piece of paper, can you show us the route
14 that the car went as far as -- without, you
15 obviously don't know the streets and such, but as
16 far as how many turns you made and which
17 direction, left, right, if I were to give you a
18 piece of paper could you kind of sketch that out
19 for us?

20 NICHOL DEMYEN: Yeah, okay.

21 CORPORAL JIM TEMPLETON: Just as John is
22 getting you a piece of paper, would you like some
23 more coffee?

24 NICHOL DEMYEN: Yes, please. Now don't
25 forget, I don't know directions.



1 CORPORAL JIM TEMPLETON: That's fine, just
2 indicate left or right for turns. Starting at,
3 you could kind of mark an x where you may have
4 stopped and talked with the young lady and go
5 from there.

6 NICHOL DEMYEN: I have to explain something
7 to you.

8 CORPORAL JIM TEMPLETON: Yeah, when you're
9 done we'll go over it together and you can
10 explain what you've done there. You're making
11 that to scale of course.

12 NICHOL DEMYEN: No.

13 CORPORAL JIM TEMPLETON: Okay.

14 NICHOL DEMYEN: That's what I have to
15 explain to, okay, because I don't know.

16 CONSTABLE JOHN DYCK: That's just Jim's
17 lines.

18 NICHOL DEMYEN: Okay. This is where the
19 car is and that's where the girl is. We talked
20 to her --

21 CORPORAL JIM TEMPLETON: Can you indicate
22 the girl with an X.

23 NICHOL DEMYEN: Right. Okay. Now here's
24 that boulevard I was talking about. Like, it
25 seems to me there was lights or something in the



1 centre. We came down --

2 CORPORAL JIM TEMPLETON: By lights in the
3 centre -- sorry to interrupt Nichol -- by lights
4 in the centre, like light standards.

5 NICHOL DEMYEN: Like a median. Okay, a
6 median, I would think was in the centre, like
7 there wasn't an open street. So like there was
8 say, maybe two lanes of traffic going this way
9 and two coming this way. Do you understand what
10 I mean?

11 CORPORAL JIM TEMPLETON: When you're
12 talking about lights, would that be street lights
13 or traffic lights?

14 NICHOL DEMYEN: Street lights. Now I don't
15 know the distance from here to here, okay, it
16 could have been six blocks, it could have been
17 two blocks, it could have been half a block,
18 okay, do you understand what I'm saying?

19 CORPORAL JIM TEMPLETON: Yeah, down to an
20 intersection you've indicated.

21 NICHOL DEMYEN: Right. Okay, here's the
22 intersection, right here, okay, and this street
23 continues on. Okay, but it seems to me that you
24 couldn't cross this way, okay.

25 CORPORAL JIM TEMPLETON: You couldn't go



1 straight, you had to make either a left or right
2 turn.

3 NICHOL DEMYEN: Right, there was a building
4 here. This is where the brick building was,
5 somewhere in here.

6 CORPORAL JIM TEMPLETON: Just draw that on
7 there as well.

8 NICHOL DEMYEN: I have a hard time drawing
9 a straight line, okay.

10 CORPORAL JIM TEMPLETON: Oh no, that's
11 good.

12 NICHOL DEMYEN: Like I said, I don't know
13 the distance this way. Okay. How far -- we
14 could have traversed half a block or two blocks,
15 I don't know. But I know we turned left and we
16 turned left again and that's where the car is.

17 CORPORAL JIM TEMPLETON: And that's okay,
18 the car's stopped now, and you've indicated it
19 with the alley.

20 NICHOL DEMYEN: And the church is back here
21 somewhere.

22 CORPORAL JIM TEMPLETON: Would you draw
23 where you think the church is there now? Now as
24 you said, you're sitting in the car in the alley,
25 stuck, now where did you see --



1 NICHOL DEMYEN: We're facing this way. The
2 church is somewhere down that way. Like I said,
3 it could have been a block, it could have been
4 two blocks, but I remember seeing this church.

5 CORPORAL JIM TEMPLETON: But straight ahead
6 of you in any event?

7 NICHOL DEMYEN: Right, exactly.

8 CORPORAL JIM TEMPLETON: You also mentioned
9 in the alley that there was garbage cans, perhaps
10 on a stand?

11 NICHOL DEMYEN: Over -- I would say
12 somewhere over here, okay.

13 CORPORAL JIM TEMPLETON: Okay. And you
14 also mentioned that out the right side of the car
15 you remember a fence?

16 NICHOL DEMYEN: There's a fence. Okay. I
17 don't know how far it went or --

18 CORPORAL JIM TEMPLETON: But there was a
19 fence?

20 NICHOL DEMYEN: Right.

21 CORPORAL JIM TEMPLETON: Do you recall what
22 was out the left side of the car?

23 NICHOL DEMYEN: No.

24 CORPORAL JIM TEMPLETON: Okay. Can I just
25 have a look at that?



1 NICHOL DEMYEN: Yeah.

2 CORPORAL JIM TEMPLETON: Great. Thanks.

3 CONSTABLE JOHN DYCK: If there's anything
4 more you remember about this diagram, just let me
5 know and I can add it on.

6 CORPORAL JIM TEMPLETON: And we'll just go
7 right back to it. As we're talking, Nichol,
8 if --

9 NICHOL DEMYEN: I think that the -- I've
10 told someone this before, but I think the thing
11 that drew my attention to the church was the
12 church bells. Okay. Like, I looked -- I could
13 hear these bells and I looked up. I must have
14 been sitting like this in the back, okay, and I
15 had to kind of sit up and look, cause I'm really
16 short. Okay?

17 CORPORAL JIM TEMPLETON: So you're sitting
18 with your feet up in the back?

19 NICHOL DEMYEN: Right, and my feet were
20 against the front seat.

21 CORPORAL JIM TEMPLETON: Okay. And you
22 heard the bells?

23 NICHOL DEMYEN: I heard the bells and
24 that's what drew my attention, I kind of looked
25 up and went oh, okay.



1 CORPORAL JIM TEMPLETON: Okay. As I
2 started to say, as we're talking here, and we
3 talk about several different things as we go
4 along, if something happens to come to mind,
5 something we've already talked about, just feel
6 free to go back to it, don't be concerned about
7 that.

8 CONSTABLE JOHN DYCK: Yeah, I was just
9 going to mention, was there was succession of
10 rings or was it just one, or --

11 NICHOL DEMYEN: No, it was more than one.
12 It was almost like -- I wouldn't say a melody of
13 rings, but it was enough that it drew my
14 attention. I like things like that. I have
15 music boxes at home and things and it just --

16 CORPORAL JIM TEMPLETON: So it would be
17 music as opposed to a bell tolling?

18 NICHOL DEMYEN: Yeah, kind of ding, ding,
19 do you know what I mean, like someone was pulling
20 the bell.

21 CONSTABLE JOHN DYCK: Different tones or
22 was it --

23 NICHOL DEMYEN: I don't remember.

24 CORPORAL JIM TEMPLETON: Okay. Again, do
25 you remember Wilson and Dave Milgaard coming back



1 to the car?

2 NICHOL DEMYEN: No.

3 CORPORAL JIM TEMPLETON: You don't. Do you
4 remember how you got unstuck?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: Do you remember
7 being stuck any more than the one time?

8 NICHOL DEMYEN: No.

9 CORPORAL JIM TEMPLETON: Do you remember
10 anybody around the garbage cans that you
11 indicated?

12 NICHOL DEMYEN: No, I don't remember.

13 CORPORAL JIM TEMPLETON: Did -- would you
14 yourself have approached the garbage cans when
15 you said you walking perhaps in the lane? Did
16 you go to the garbage cans?

17 NICHOL DEMYEN: It was still dark when I
18 saw those garbage cans. Okay. And when I was
19 walking it was broad daylight, it was like I'm
20 looking out this window now and it's perfectly
21 light.

22 CORPORAL JIM TEMPLETON: You remember it
23 being light or would you perhaps have been
24 standing the headlights of a car? Is that a
25 possibility?



1 NICHOL DEMYEN: No. It was broad daylight.

2 CORPORAL JIM TEMPLETON: It was broad
3 daylight?

4 NICHOL DEMYEN: It was broad daylight when
5 I was walking. I remember being cold.

6 CORPORAL JIM TEMPLETON: Okay. You seem to
7 have a bit of a time in there where your memory
8 is not quite as good as it has been and it's been
9 very good so far. When the fellows are back in
10 the car, do you remember driving away with the
11 other two fellows in the car?

12 NICHOL DEMYEN: When I'm walking, it's a
13 back alley that I'm walking in, okay. I remember
14 houses, like, on my left, okay, I looked. I
15 mean, it was like the back yard of a house I
16 would say.

17 CONSTABLE JOHN DYCK: Where was that --

18 NICHOL DEMYEN: I don't -- pardon me?

19 CONSTABLE JOHN DYCK: Where was that in
20 regard to the garbage cans?

21 NICHOL DEMYEN: I have no idea. None.

22 CORPORAL JIM TEMPLETON: Do you remember
23 leaving that area?

24 NICHOL DEMYEN: No.

25 CORPORAL JIM TEMPLETON: What's the next



1 thing you remember?

2 NICHOL DEMYEN: I don't remember getting
3 into the vehicle, I know that.

4 CONSTABLE JOHN DYCK: When you were walking
5 down the alley there, is the church anywhere?

6 NICHOL DEMYEN: I would say no. I would
7 say we were away from that area, that we're not
8 within a two block radius, okay, because there's
9 too much time from the dark to the light. Like,
10 I don't understand why we would be in the same
11 area, so I would guess we're somewhere else.

12 Okay.

13 (TAPE STOPPED)

14 MR. HODSON: This might be an appropriate
15 spot in the tape to break, Mr. Commissioner.

16 COMMISSIONER MacCALLUM: All right.

17 *(Adjourned at 11:15 a.m.)*

18 *(Reconvened at 11:30 a.m.)*

19 MR. HODSON: We will carry on with the
20 audio tape, Mr. Commissioner.

21 COMMISSIONER MacCALLUM: Okay.

22 (TAPE CONTINUED)

23 CORPORAL JIM TEMPLETON: As we move along,
24 Nichol, do you recall going to a motel to ask
25 directions? Or the boys going to a motel to ask



1 directions?

2 NICHOL DEMYEN: I remember stopping to ask
3 for directions, but don't know where.

4 CORPORAL JIM TEMPLETON: Can you tell us
5 what you remember about that happening?

6 NICHOL DEMYEN: I remember Dave getting out
7 of the car, but I don't know if it's light or
8 dark or what it is.

9 CORPORAL JIM TEMPLETON: And who did he ask
10 for directions?

11 NICHOL DEMYEN: I don't remember.

12 CORPORAL JIM TEMPLETON: Did he go into a
13 building of any sort?

14 NICHOL DEMYEN: I would say -- yeah, it
15 would have had to have been a building.

16 CONSTABLE JOHN DYCK: You say a building,
17 was it --

18 NICHOL DEMYEN: I see like a glass door,
19 okay, and, say, like glass windows, but as far as
20 what it was, I don't know.

21 CORPORAL JIM TEMPLETON: When Dave got out
22 of the car, can you see him going in through the
23 glass doors? Can you remember that?

24 NICHOL DEMYEN: I don't remember that.

25 CORPORAL JIM TEMPLETON: Do you remember



1 what he was --

2 NICHOL DEMYEN: I think we talked about
3 stopping at a service station, okay, because
4 we're lost, okay. I don't know who said, I could
5 have even said this, why don't we go to a gas
6 station because they have to have a map. Okay.

7 CORPORAL JIM TEMPLETON: Was the intention,
8 to get a map, then, Was that why you stopped?

9 NICHOL DEMYEN: Yeah, I would say so.

10 CORPORAL JIM TEMPLETON: Do you remember
11 when Dave got out of the car, did he have his
12 jacket on?

13 NICHOL DEMYEN: I don't remember.

14 CORPORAL JIM TEMPLETON: Did he have shoes
15 on?

16 NICHOL DEMYEN: I don't remember. I can't
17 see somebody getting out of the car when it's
18 cold and snowy and not have shoes on.

19 CORPORAL JIM TEMPLETON: Okay. And he went
20 into this building to ask directions. Did he, in
21 fact, do you remember, get directions or did he
22 get a map?

23 NICHOL DEMYEN: I couldn't swear -- I don't
24 know to tell you the truth.

25 CORPORAL JIM TEMPLETON: Okay. How long



1 would he have been in this place to get
2 directions?

3 NICHOL DEMYEN: I don't know.

4 CORPORAL JIM TEMPLETON: In and out
5 fairly --

6 (SIDE ONE TAPE ONE ENDS, SIDE TWO TAPE ONE)

7 CORPORAL JIM TEMPLETON: Just as I asked
8 you the last question, Nichol, the tape ran out
9 and we've now switched over to the other side. I
10 think I asked you do you remember how long Dave
11 Milgaard would have been in this building asking
12 directions?

13 NICHOL DEMYEN: I would say it would only
14 have to be a few minutes. I can't see it taking
15 very long.

16 CORPORAL JIM TEMPLETON: And you remember
17 that he did, in fact, get directions, or that he
18 got a map, do you recall that?

19 NICHOL DEMYEN: I would say he got a map,
20 okay, cause I think I can remember something
21 being spread out and looking at this map and the
22 name Pleasant Hill sticks in my mind. I can't
23 swear to that was the time we were talking about
24 it or if there really was a map there.

25 CORPORAL JIM TEMPLETON: Do you remember



1 who's driving now?

2 NICHOL DEMYEN: I would say Ron did most of
3 the driving because it was Ron's car. Okay.

4 CORPORAL JIM TEMPLETON: So after you get
5 directions and a map, do you remember where
6 you -- what happened next?

7 NICHOL DEMYEN: No.

8 CORPORAL JIM TEMPLETON: Do you remember
9 being stuck again?

10 NICHOL DEMYEN: I remember going into
11 somebody's house, okay, cause I'm cold and
12 there's other people with me, okay, but I can't
13 even tell you if it's Ron or if it's Dave or
14 whoever and I remember this woman saying to me
15 something about coming in and I had to go to the
16 bathroom, I remember using the bathroom, and it's
17 daylight now.

18 CORPORAL JIM TEMPLETON: Can you picture
19 that woman as you remember back?

20 NICHOL DEMYEN: No. But I think we had to
21 go down, or I had to go down some steps to get to
22 where I was going. I don't know if it would be
23 into -- it was like a suite maybe, okay, but I
24 don't know if we had to go downstairs into the
25 suite or if I had to go downstairs to go to the



1 bathroom, but I remember there being some stairs.

2 CORPORAL JIM TEMPLETON: Was there anybody
3 else there?

4 NICHOL DEMYEN: I don't remember. I think
5 there was a guy there, okay, but I -- I don't
6 even remember if he even said anything or what,
7 but --

8 CORPORAL JIM TEMPLETON: Do you know how
9 you came to be at that house?

10 NICHOL DEMYEN: To me it was almost like
11 when I was walking down that back alley it was
12 fairly immediately after, okay, and it's light
13 already.

14 CORPORAL JIM TEMPLETON: Okay. Do you
15 remember the car being stuck in that back
16 alley --

17 NICHOL DEMYEN: No.

18 CORPORAL JIM TEMPLETON: -- at this house?
19 Do you remember a tow truck coming?

20 NICHOL DEMYEN: No.

21 CONSTABLE JOHN DYCK: Do you remember any
22 other vehicles, besides your own around?

23 NICHOL DEMYEN: I remember people talking
24 about something. There had to have been some
25 other people with me. It seems like, I don't



1 know, conversation was going on, but I wasn't in
2 the conversation.

3 CORPORAL JIM TEMPLETON: You remember other
4 people talking, but you weren't included?

5 NICHOL DEMYEN: Yeah, kind of, yeah.

6 CORPORAL JIM TEMPLETON: Any idea what the
7 discussion was about --

8 NICHOL DEMYEN: No. No.

9 CORPORAL JIM TEMPLETON: -- after 24 years?

10 NICHOL DEMYEN: No. I don't even remember
11 faces or colour of hair. It's just --

12 CORPORAL JIM TEMPLETON: Was this a
13 housewife, do you remember if she was a housewife
14 or would she have been a lady getting ready to go
15 to work? Was there any kids in the house?

16 NICHOL DEMYEN: I don't know.

17 CORPORAL JIM TEMPLETON: Okay. But when
18 you were at that lady's house, it was light out?

19 NICHOL DEMYEN: Yeah.

20 CORPORAL JIM TEMPLETON: Okay. Do you
21 remember leaving that house or that area?

22 NICHOL DEMYEN: No.

23 CORPORAL JIM TEMPLETON: Okay. Do you
24 remember driving some more still looking for
25 Shorty's house? Do you remember that?



1 NICHOL DEMYEN: No.

2 CORPORAL JIM TEMPLETON: Do you remember
3 arriving at Shorty's house?

4 NICHOL DEMYEN: I remember getting
5 somewhere. Somehow it seems like it was a big
6 two-story house and I would think that it would
7 be Shorty's house, okay, cause I remember him
8 saying I think that's it.

9 CORPORAL JIM TEMPLETON: Who said that?

10 NICHOL DEMYEN: I would say it had to have
11 been Dave, okay, because Ron didn't know Shorty.
12 Okay.

13 CORPORAL JIM TEMPLETON: So you arrive at
14 the house and Dave Milgaard feels that this is
15 Shorty's place that he's looking for.

16 NICHOL DEMYEN: Right.

17 CORPORAL JIM TEMPLETON: Do you recall what
18 happened then?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Did you all get
21 out of the car and go in, or did Mr. Milgaard get
22 out of the car and go in first?

23 NICHOL DEMYEN: I don't even remember. I
24 don't know if I got out, or who got out, or what.

25 CORPORAL JIM TEMPLETON: Do you remember



1 going into the house? Or did you, in fact, go
2 into the house?

3 NICHOL DEMYEN: I don't know if I did or
4 not.

5 CORPORAL JIM TEMPLETON: Do you remember
6 being in the house?

7 NICHOL DEMYEN: No.

8 CORPORAL JIM TEMPLETON: Do you remember
9 meeting Shorty or Albert Cadrain?

10 NICHOL DEMYEN: I had to have met him,
11 okay, because he ended up with us but I don't
12 know when or how or who or where.

13 CORPORAL JIM TEMPLETON: Okay. You've
14 indicated, I believe it was in an interview with
15 Eugene Williams, that you can recall a suitcase
16 from your car that was in the Cadrain house,
17 there was some clothing involved. Does that help
18 your memory at all?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Would you remember
21 meeting any of Albert's brothers or sisters or
22 his parents?

23 NICHOL DEMYEN: No. Were they there?

24 CORPORAL JIM TEMPLETON: Some of them were
25 there, yes.



1 NICHOL DEMYEN: And they did meet me?

2 Okay.

3 CORPORAL JIM TEMPLETON: Do you remember
4 anything --

5 NICHOL DEMYEN: Stop, stop, stop, stop.

6 CORPORAL JIM TEMPLETON: Okay, we'll just
7 switch the tape off now for a moment.

8 (TAPE PAUSED)

9 CORPORAL JIM TEMPLETON: Okay. We're back
10 from lunch. It's still the 17th of May, the time
11 is now 1340 hours. Present again are myself,
12 Corporal Jim Templeton, Constable John Dyck and
13 Nichol Demyen.

14 Nichol, just when we broke for
15 lunch we had been talking about you, Ron Wilson
16 and Dave Milgaard being at the Albert Cadrain
17 residence in Saskatoon. I asked you several
18 questions concerning being in the house and you
19 didn't seem to recall any of that. In a more
20 general sense, can you recall anything from being
21 at the Cadrain residence?

22 NICHOL DEMYEN: No.

23 CORPORAL JIM TEMPLETON: We'll have to go
24 on then. Do you recall Albert leaving the
25 residence with you or joining your party at that



1 time?

2 NICHOL DEMYEN: Not really.

3 CORPORAL JIM TEMPLETON: What would be the
4 next thing that you would remember after that?

5 NICHOL DEMYEN: Probably driving down the
6 highway.

7 CORPORAL JIM TEMPLETON: I take it that's
8 on the way to where?

9 NICHOL DEMYEN: To -- I think we were going
10 to Edmonton, I can't remember. Yeah, I think we
11 were on our way to Edmonton from there. I
12 remember seeing a sign that said Rosetown and we
13 were all kind of discussing about which way to go
14 and we ended up, I guess maybe going towards
15 Rosetown, I don't know.

16 CORPORAL JIM TEMPLETON: Do you remember
17 who was driving?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: Okay. Just before
20 we go on to that, there was a period of time
21 where the car was taken into a garage to be
22 fixed. Now, this may not have been of any
23 importance to you, but do you recall anything
24 like that?

25 NICHOL DEMYEN: Not really.



1 CORPORAL JIM TEMPLETON: A little bit?

2 NICHOL DEMYEN: I don't know if it was what
3 I heard or what I know.

4 CORPORAL JIM TEMPLETON: We'll take it in
5 that light and tell us what you have to say.

6 NICHOL DEMYEN: Just -- I guess that it was
7 in the garage and -- actually, I guess I learned
8 this last year, Somebody told me that we, the car
9 was put in a garage and we were in a restaurant
10 across the street or something, I don't know.

11 CORPORAL JIM TEMPLETON: But you don't have
12 any recollection of that?

13 NICHOL DEMYEN: No.

14 CORPORAL JIM TEMPLETON: You talked about
15 driving down the highway on your way to Edmonton
16 and you remember a sign which said Rosetown.

17 NICHOL DEMYEN: Rosetown.

18 CORPORAL JIM TEMPLETON: And I asked you if
19 you remembered who was driving the car.

20 NICHOL DEMYEN: I think it was Ron. I'm
21 not sure, though.

22 CORPORAL JIM TEMPLETON: And there's now
23 four of you, there's Ron Wilson, Dave Milgaard
24 Albert Cadrain and yourself; is that right?

25 NICHOL DEMYEN: I guess so.



1 CORPORAL JIM TEMPLETON: As you're driving
2 along, can you remember actually travelling down
3 the highway?

4 NICHOL DEMYEN: Yeah. I remember seeing
5 that sign.

6 CORPORAL JIM TEMPLETON: And we're not sure
7 who was driving?

8 NICHOL DEMYEN: Right.

9 CONSTABLE JOHN DYCK: Was there a mileage
10 indicator on it, distance?

11 NICHOL DEMYEN: Yeah, but I can't remember
12 what the distance it said on it. All I remember
13 is it said Rosetown.

14 CORPORAL JIM TEMPLETON: As you're driving
15 along everybody's in a pretty good mood I take
16 it, a bit a party atmosphere in the car; would
17 that be fair to say?

18 NICHOL DEMYEN: I guess so. I don't really
19 remember.

20 CORPORAL JIM TEMPLETON: Listening to the
21 radio?

22 NICHOL DEMYEN: I don't know. I don't
23 know. I remember it was, the snow was blowing
24 across the road, I remember that, because it was
25 kind of drifting, you know how --



1 CORPORAL JIM TEMPLETON: Were you in the
2 front or in the back?

3 NICHOL DEMYEN: I don't remember.

4 CORPORAL JIM TEMPLETON: You don't
5 remember. Okay. Do you remember at some point
6 on that trip looking into the glove box of the
7 car?

8 NICHOL DEMYEN: Yes.

9 CORPORAL JIM TEMPLETON: Can you tell us
10 about that?

11 NICHOL DEMYEN: I can't remember why I went
12 into it, but I remember digging through it. So
13 obviously I must have been in the front seat I
14 would guesstimate from that, and it stands out in
15 my mind that what I found was a cosmetic bag,
16 like, something that a woman would have. I
17 remember digging through it and it seemed to be
18 kind of full of face make-up or something.
19 Inside of it and somehow that -- digging out
20 there was, I don't know how to describe it, it
21 was almost like I.D., okay, and it was like -- it
22 had a name on it and I think it had a picture,
23 okay, but I can't remember the name or what the
24 picture looked like.

25 CORPORAL JIM TEMPLETON: Can you remember



1 what this cosmetic bag looked like, about the
2 size of it and colours?

3 NICHOL DEMYEN: I would say about five
4 inches wide, it had a zipper on the top. I think
5 it was like a beige or a light pink, almost
6 flowers. That's about all I can remember.

7 CORPORAL JIM TEMPLETON: And what did you
8 do with this cosmetic bag?

9 NICHOL DEMYEN: I -- I don't know exactly
10 what I said, but I said something to the effect
11 of whose is this or what's this doing here, it
12 just struck me as being funny, because if I
13 remember correctly, I don't think Ron had driven
14 the car for a long time and it just seemed funny
15 that this make-up bag was in there, you know, and
16 I didn't really remember, know him to have
17 girlfriends or anything, so it just seemed like
18 it was out of place. And I don't really remember
19 what happened after that. I think somebody
20 grabbed it out of my hand and threw it out the
21 window, okay, like, big deal, take this and throw
22 it out the window.

23 CORPORAL JIM TEMPLETON: Do you remember
24 who that was?

25 NICHOL DEMYEN: No.



1 CORPORAL JIM TEMPLETON: Okay.

2 CONSTABLE JOHN DYCK: Do you know which
3 window it went out?

4 NICHOL DEMYEN: Passenger side. It was
5 just something that was strange. It just didn't
6 sit well.

7 CORPORAL JIM TEMPLETON: Do you remember
8 anything else being in the glove compartment?

9 NICHOL DEMYEN: No.

10 CORPORAL JIM TEMPLETON: On the trip up to
11 Saskatoon or -- have you ever looked in that
12 glove box before?

13 NICHOL DEMYEN: I don't know. I can't
14 remember if I did or if I didn't.

15 CORPORAL JIM TEMPLETON: Looking for a map
16 or anything like that?

17 NICHOL DEMYEN: I don't know.

18 CONSTABLE JOHN DYCK: This may sound like
19 (Inaudible) -- this type of I.D. that you saw in
20 this -- this type of I.D., I should say that, you
21 found in the cosmetic bag --

22 NICHOL DEMYEN: I want to say female, but I
23 can't be sure, do you know what I mean, because I
24 can't remember the face or the name on it. Just
25 seemed kind of irregular.



1 CORPORAL JIM TEMPLETON: You remember
2 looking into the cosmetic bag and there was some
3 identification of some sort. What else would
4 have been in there?

5 NICHOL DEMYEN: I can't be sure what else
6 was in there. I want to say face make-up, like a
7 compact, okay, or blush or something along those
8 lines. It's something that you would open, okay,
9 but other than that I can't remember because it
10 seems to me that there was, like, excess powder
11 inside the cosmetic bag itself, like something
12 had opened and it was spilled in it.

13 CORPORAL JIM TEMPLETON: Okay. You are
14 driving down the highway and you recall a sign
15 saying Rosetown. Do you recall stopping at the
16 community of Rosetown?

17 NICHOL DEMYEN: No, I don't.

18 CORPORAL JIM TEMPLETON: Were you a little
19 bit more than -- perhaps when you were at
20 Rosetown you may have went to a store to purchase
21 some food and a few things. Do you remember
22 that?

23 NICHOL DEMYEN: Food sounds familiar. I
24 can't -- I would say a loaf of bread, I think.

25 CORPORAL JIM TEMPLETON: And you have very



1 little recollection of that. From there, you
2 would continue on to Calgary. Okay. Did
3 anything else occur on the way to Calgary that
4 sticks out on your mind?

5 NICHOL DEMYEN: No. I remember being in
6 Calgary, though. At least I think it was
7 Calgary.

8 CORPORAL JIM TEMPLETON: As you're driving
9 down the highway, how was Ron Wilson and Dave
10 Milgaard acting? Did you notice any difference
11 in them, were they acting normally, silly,
12 anything at all?

13 NICHOL DEMYEN: I don't remember.

14 CORPORAL JIM TEMPLETON: How about Albert
15 Cadrain, how was he?

16 NICHOL DEMYEN: I don't remember him
17 either.

18 CORPORAL JIM TEMPLETON: You said you
19 remember arriving in Calgary?

20 NICHOL DEMYEN: Not arriving in Calgary,
21 but being in Calgary. I think at one point we
22 were on some kind of big hill or something or
23 driving down. I remember going, like, it was
24 kind of, like, on an angle, and lots of lights,
25 so it must have been night time, I would say. I



1 remember being, the car being parked on a street
2 and -- I can't remember if I was walking or -- I
3 remember being out of the vehicle and I remember
4 sitting on the steps, on some steps. I kind
5 of -- over -- with my head in my hands.

6 CORPORAL JIM TEMPLETON: Were you alone
7 when you were on these steps?

8 NICHOL DEMYEN: Yeah, I think I was. I
9 think I was upset. I don't know about what, but
10 I -- something was wrong. I don't know --
11 (Inaudible) -- saying something to me and I don't
12 know who it was and I don't remember getting back
13 in the car either. I just remember being on
14 those steps.

15 CORPORAL JIM TEMPLETON: (Inaudible).

16 NICHOL DEMYEN: I don't know. I was
17 sitting there, kind of gathering my thoughts, or
18 something, or just, I don't know. I have a
19 tendency to be by myself sometimes, just want to
20 get away from my surroundings.

21 CONSTABLE JOHN DYCK: When do you find
22 yourself doing that?

23 NICHOL DEMYEN: When I'm under a lot of
24 pressure, a lot of stress, I just get away from
25 me. I'm like that to this day, I got to have



1 some time to myself. I'm really stressed.

2 CONSTABLE JOHN DYCK: Do you know what
3 could have created that stress?

4 CORPORAL JIM TEMPLETON: Do you recall
5 anything else of your trip to Calgary?

6 NICHOL DEMYEN: No. I remember stopping on
7 a highway, but I think that was after we left
8 Calgary. I don't think it was before. I could
9 be wrong. Okay. But I remember stopping. I
10 don't if anybody got out, or anything, but I just
11 remember somehow being on the side of a highway.
12 I think maybe somebody said pull over or do
13 something. Anyway, we stopped. But as far as
14 what happened then, I don't know.

15 CORPORAL JIM TEMPLETON: So you feel you
16 arrived in Calgary at night because you recall
17 the lights. That would have been the same night,
18 that would have been the night of the 31st of
19 January, 1969?

20 NICHOL DEMYEN: I would guess so. Yeah.

21 CORPORAL JIM TEMPLETON: You went direct
22 from Saskatoon, Rosetown, Calgary; is that
23 correct?

24 NICHOL DEMYEN: I would think so, yeah.

25 CORPORAL JIM TEMPLETON: Yeah. You'd



1 mentioned, I believe, that your intentions were
2 to go to Edmonton. Had you mentioned that?

3 NICHOL DEMYEN: Yeah. I don't know if it
4 was before we got to Calgary or after we got to
5 Calgary, but apparently Dave knew a girl in
6 Edmonton, in St. Albert, somehow that strikes me
7 as the right name, okay, and he wanted to go and
8 see her or pick her up or do something. I don't
9 know if that conversation happened before we got
10 to Calgary or after we got to Calgary, okay.

11 CORPORAL JIM TEMPLETON: Do you remember
12 arriving in Edmonton, or St. Albert, do you
13 remember that?

14 NICHOL DEMYEN: No.

15 CORPORAL JIM TEMPLETON: You went and
16 located this girlfriend of David Milgaard?

17 NICHOL DEMYEN: I remember a motel.

18 CORPORAL JIM TEMPLETON: In St. Albert?

19 NICHOL DEMYEN: I don't know if it's St.
20 Albert or Edmonton, cause I know St. Albert isn't
21 far from Edmonton. We were sleeping on the
22 floor, I think. That was about it.

23 CORPORAL JIM TEMPLETON: -- come to meet
24 this girlfriend of Dave Milgaard's?

25 NICHOL DEMYEN: I can't remember. Must



1 have met her, okay, because somehow blonde sticks
2 in my mind, with glasses.

3 CORPORAL JIM TEMPLETON: I'm going to tell
4 you a name and see if that helps your memory.
5 Sharon Williams?

6 NICHOL DEMYEN: The name is familiar to me,
7 yeah.

8 CORPORAL JIM TEMPLETON: How long would you
9 have stayed there, in Edmonton or St. Albert?

10 NICHOL DEMYEN: I don't know.

11 CORPORAL JIM TEMPLETON: A day or two,
12 three?

13 NICHOL DEMYEN: I don't know, maybe a day,
14 I don't know.

15 CORPORAL JIM TEMPLETON: And after
16 Edmonton, where did you travel to?

17 NICHOL DEMYEN: I don't know. I remember
18 being in Banff or close to Banff or something. I
19 remember archways, like, an entrance to a park or
20 something. I've driven that road, I don't know,
21 probably 25 times and I remember it, but this
22 sticks in my head.

23 CORPORAL JIM TEMPLETON: Did you all still
24 have money?

25 NICHOL DEMYEN: I don't know. I have no



1 idea.

2 CORPORAL JIM TEMPLETON: You don't remember
3 who was buying the gas or the food?

4 NICHOL DEMYEN: No.

5 CORPORAL JIM TEMPLETON: Would you stop and
6 have something to eat when you were traveling, do
7 you remember that?

8 NICHOL DEMYEN: No, I don't remember.

9 CORPORAL JIM TEMPLETON: Do you remember,
10 perhaps, being in Banff? There's -- you may well
11 have gone back through Calgary?

12 NICHOL DEMYEN: Yeah, I don't know. I
13 would guess we would have had to go through
14 Calgary.

15 CORPORAL JIM TEMPLETON: But you don't
16 remember that?

17 NICHOL DEMYEN: No.

18 CONSTABLE JOHN DYCK: Would you want to
19 check that, I saw the volume was down a little
20 bit on that, just go back on the tape.

21 CORPORAL JIM TEMPLETON: Okay. I'm just
22 going to go back on the tape. Okay. I'm just
23 going to shut it off for a second and check our
24 tape. Okay, we're back on. Nichol, after
25 Calgary and Banff, or Banff and Calgary,



1 whichever order, do you recall where you traveled
2 to next?

3 NICHOL DEMYEN: Not really. I remember
4 being in Regina.

5 CORPORAL JIM TEMPLETON: Did you ever get
6 to Vancouver?

7 NICHOL DEMYEN: No, no.

8 CORPORAL JIM TEMPLETON: Do you remember
9 why the trip never ended up in Vancouver?

10 NICHOL DEMYEN: It seems to me somehow
11 there was a sign that said closed and that's what
12 made us turn around and go back. I could be
13 wrong, okay, but this is what it seems to me,
14 so --

15 CORPORAL JIM TEMPLETON: Okay. Would you
16 have driven straight back? Did you stop on the
17 way back to Regina or did you drive straight back
18 from Calgary and Banff?

19 NICHOL DEMYEN: I don't know if we stopped
20 or not.

21 CORPORAL JIM TEMPLETON: Thinking back,
22 roughly, because it's a long time ago of course,
23 how many days, this whole trip, Saskatoon,
24 Calgary, Edmonton, Banff, back to Regina, how
25 many days would that have been?



1 NICHOL DEMYEN: I have no idea. None.

2 CORPORAL JIM TEMPLETON: When you got back
3 to Regina, what happened, where did you go?

4 NICHOL DEMYEN: I know where I ended up,
5 okay, but I don't know where, when we got to
6 Regina, where we went to or how we even parted
7 ways, to tell you the truth. I remember living
8 in a house with a bunch of other kids, okay, but
9 how I got there, I don't know.

10 CORPORAL JIM TEMPLETON: When you got back
11 to Regina did Albert Cadrain stay with you for a
12 while? Not stay with you so much as when you all
13 departed, did Albert tag along with you for a
14 while?

15 NICHOL DEMYEN: I'm not sure, okay.

16 CORPORAL JIM TEMPLETON: On your return,
17 did you part ways with Ron Wilson and Dave
18 Milgaard?

19 NICHOL DEMYEN: I would think so, because I
20 don't remember them being there after -- Albert
21 seems a little familiar, but not the other two.

22 CORPORAL JIM TEMPLETON: So you ended up at
23 that time staying in a --

24 NICHOL DEMYEN: Like, a commune house,
25 that's what it was, for people just, you know



1 spend a few days and, you know, go on from there
2 and do, you know. It was just a bunch of kids
3 living there so --

4 CORPORAL JIM TEMPLETON: When you left
5 Regina at midnight or whatever, on the 31st of
6 January, 1969, who were you staying with at that
7 time, or where were you living?

8 NICHOL DEMYEN: I was at home. I was
9 living at home.

10 CORPORAL JIM TEMPLETON: You were?

11 NICHOL DEMYEN: Yeah.

12 CORPORAL JIM TEMPLETON: I'm going to
13 mention a friend of yours, or acquaintance at
14 that time, by the name of Barbara Berard. Do you
15 remember Barbara Berard?

16 NICHOL DEMYEN: Yes.

17 CORPORAL JIM TEMPLETON: And were you
18 friends?

19 NICHOL DEMYEN: I don't know if we were
20 friends at that time or if I met her after.
21 Okay, I'm not sure.

22 CORPORAL JIM TEMPLETON: Would you ever
23 have had occasion to stay at her house with her
24 and her family?

25 NICHOL DEMYEN: Yeah, I remember that.



1 CORPORAL JIM TEMPLETON: You did, okay. Do
2 you remember where that house would have been?

3 NICHOL DEMYEN: Oh, yeah, vividly. On
4 Victoria Avenue.

5 CORPORAL JIM TEMPLETON: Why do you
6 remember that so vividly?

7 NICHOL DEMYEN: I don't know to tell you
8 the truth.

9 CORPORAL JIM TEMPLETON: Would Barbara
10 Berard have been a person that you would have
11 confided in if there had been something on your
12 mind, or something bothering you?

13 NICHOL DEMYEN: I might have. Yeah. I
14 still remember her to this day, to tell you the
15 truth. I remember what she looks like. I don't
16 know if I would recognize her on the street after
17 that many years, but --

18 CORPORAL JIM TEMPLETON: Describe her to
19 me.

20 NICHOL DEMYEN: She was not very much
21 taller than me. She was slim. She had kind of
22 auburn coloured hair. Smaller eyes, like, kind
23 of petite face. That's about it.

24 CORPORAL JIM TEMPLETON: And how would you
25 have come to meet her?



1 NICHOL DEMYEN: Probably just through, I
2 don't know, maybe hanging around at the park
3 downtown or somewhere.

4 CORPORAL JIM TEMPLETON: But you knew her,
5 but you're not sure when you became good friends?

6 NICHOL DEMYEN: Right, when we actually had
7 met. I remember, like, I know I remember her.

8 CORPORAL JIM TEMPLETON: Did you become
9 good friends with Barbara?

10 NICHOL DEMYEN: Yeah, I think -- well, as
11 far as we would classify good friends, yeah, I
12 guess. Not the best of friends, but someone that
13 I didn't mind spending time, okay.

14 CORPORAL JIM TEMPLETON: You mentioned you
15 lived in kind of a commune house. Do you
16 remember the name of that?

17 NICHOL DEMYEN: No.

18 CORPORAL JIM TEMPLETON: Do you remember
19 where it was in Regina?

20 NICHOL DEMYEN: Close to downtown, I
21 remember that.

22 CORPORAL JIM TEMPLETON: Was it a house or
23 was --

24 NICHOL DEMYEN: Yeah, it was a house. It
25 was one, maybe, two stories I think, yeah,



1 because it had a staircase going up. Yeah, it
2 was two stories.

3 CORPORAL JIM TEMPLETON: Was it run by the
4 City, do you know or --

5 NICHOL DEMYEN: No, I don't think so. No I
6 think it was just, somebody had rented the house
7 and then it was kind of a drop in place.

8 CORPORAL JIM TEMPLETON: I'm going to
9 mention another name to you and you may, or may
10 not remember this person. The name Cody Crutcher
11 mean anything to you?

12 NICHOL DEMYEN: Yeah.

13 CORPORAL JIM TEMPLETON: How would you know
14 Cody Crutcher?

15 NICHOL DEMYEN: I got to meet him through
16 some other people. I don't know who introduced
17 us. Ray, I met some guy named Ray and I think
18 Ray and Cody were good friends, or something
19 along those lines.

20 CORPORAL JIM TEMPLETON: Can you remember
21 Cody? Would he have been at this house, would he
22 also have been at this drop-in centre?

23 NICHOL DEMYEN: No. I think Cody had his
24 own place.

25 CORPORAL JIM TEMPLETON: Was he a little



1 older than yourself?

2 NICHOL DEMYEN: Yeah, I would say so.

3 Yeah, I would say maybe -- okay, I would have
4 been about 17, 16 -- 16, so he would have been
5 about -- let me think. Cody may be 21, maximum
6 maybe 23 I guess, I don't know.

7 CORPORAL JIM TEMPLETON: What else do you
8 remember about him?

9 NICHOL DEMYEN: He had dark hair and I'd
10 say he was quite a bit taller than me. He had a
11 big moustache too, I think.

12 CORPORAL JIM TEMPLETON: Was he a young man
13 that would have been spending a lot of time on
14 the street or in the park in the same circles as
15 you and your friends?

16 NICHOL DEMYEN: He, I think he dealt in
17 drugs, okay, and that's where a lot of us ended
18 up and we did drugs with those guys, okay.

19 CORPORAL JIM TEMPLETON: Okay. Would Cody
20 Crutcher be a fellow that you would confide in?

21 NICHOL DEMYEN: No.

22 CORPORAL JIM TEMPLETON: Would he be a
23 person that you would seek advice from?

24 NICHOL DEMYEN: No. No. I don't think so.
25 Cause I -- Cody Crutcher, to me -- okay, I met a



1 few people that summer and there were kind of two
2 different type people. Okay. One was like what
3 they called the rounders, okay, who were into
4 dealing drugs and prostitution and all that kind
5 of stuff, and then there was the other group who
6 were like the flower kids, you know, the peace
7 and stuff. Cody fit into the rounder class,
8 okay.

9 CORPORAL JIM TEMPLETON: Would he be a guy
10 that was a bit more street wise?

11 NICHOL DEMYEN: Yeah. He was more of a big
12 brother to me. Not someone who I would confide
13 in, but I knew that if something was going on in
14 my life and I needed help, I could go to him,
15 okay. Say somebody was after me or whatever,
16 okay.

17 CORPORAL JIM TEMPLETON: Upon your return
18 to Regina, had you ever been in trouble with the
19 law prior to this?

20 NICHOL DEMYEN: No. I was picked up once
21 for shoplifting. I think that was it.

22 CORPORAL JIM TEMPLETON: Were you charged
23 for that?

24 NICHOL DEMYEN: I don't -- I can't
25 remember.



1 CORPORAL JIM TEMPLETON: Did you have any
2 dealings with Social Services either in the
3 respect of help, you know, as a young person who
4 is frequenting the street, or perhaps as someone
5 who has had a brush with the law?

6 NICHOL DEMYEN: To them for money?

7 CORPORAL JIM TEMPLETON: Money or
8 counselling of any sort?

9 NICHOL DEMYEN: I think when I got into
10 trouble, I think my parents ended up dealing with
11 Social Services, okay, Somehow I think they got
12 involved that way, but I didn't go to them, I
13 don't think.

14 CORPORAL JIM TEMPLETON: And again, not to
15 confuse you, but I'm going to give you a couple
16 names and these may or may not mean something to
17 you. The first name is Bob Larsen and also Don
18 Robertson.

19 NICHOL DEMYEN: Don Robertson seems
20 familiar, but I don't know why.

21 CORPORAL JIM TEMPLETON: Okay. You don't
22 recall any time going for counseling sessions or
23 anything like that?

24 NICHOL DEMYEN: I remember being in a place
25 downtown. I think it was youth court or



1 something. Am I right? I'm not sure. Okay.
2 And I remember being in a room with my parents
3 and him and talking. Now, I don't know if I was
4 in the counselling situation or what, okay,
5 that's all I remember, but I don't remember
6 who --

7 CORPORAL JIM TEMPLETON: You remember being
8 in trouble and having your parents there?

9 NICHOL DEMYEN: Yeah, exactly.

10 CORPORAL JIM TEMPLETON: At that time, and
11 again now we're talking about February of 1969,
12 you're 16 and a half years old. Who was your
13 best friend at that time?

14 NICHOL DEMYEN: Good question. I don't
15 know.

16 CORPORAL JIM TEMPLETON: Did you have a
17 boyfriend?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: A close
20 girlfriend?

21 NICHOL DEMYEN: I could have. I don't
22 remember.

23 CORPORAL JIM TEMPLETON: Do you recall
24 any -- you mentioned a group that hung around the
25 park and do you remember any of the names of



1 those people?

2 NICHOL DEMYEN: No. Maybe if I heard them
3 I would remember them, but nothing stands out in
4 my mind, Other than Barb, I remember Barb, but I
5 don't remember when I met her. Seems to me we
6 were, it was either spring or summer when we
7 started really hanging around together.

8 CORPORAL JIM TEMPLETON: Would that have
9 been the same summer that you met Dave Milgaard
10 at the park?

11 NICHOL DEMYEN: I don't think so.

12 CORPORAL JIM TEMPLETON: I would have been
13 after?

14 NICHOL DEMYEN: I think it was the summer
15 after, I'm not sure. Okay.

16 CORPORAL JIM TEMPLETON: When the four of
17 you now, there's Ron Wilson, Dave Milgaard,
18 Albert Cadrain and yourself arrive back in Regina
19 and you have a parting of the ways, do you have
20 any recollection of that at all?

21 NICHOL DEMYEN: No.

22 CORPORAL JIM TEMPLETON: Was there any
23 conversation when you left? Was anything said?

24 NICHOL DEMYEN: I don't even remember
25 arriving in Regina.



1 CORPORAL JIM TEMPLETON: Do you recall if
2 there was a period of time or how long a period
3 of time after that before you next saw Ron Wilson
4 or Dave Milgaard?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: Were they a couple
7 of fellows that you would see almost daily when
8 you were in Regina?

9 NICHOL DEMYEN: No. I don't think so.

10 CORPORAL JIM TEMPLETON: Now it's in the
11 winter time and the park is not the best place to
12 be gathering. Where was the gathering spot where
13 the kids would meet.

14 NICHOL DEMYEN: Good question. I remember
15 being at Cody Crutcher's place, I remember being
16 in the commune house, but other than that, I
17 don't know.

18 CORPORAL JIM TEMPLETON: Were these spots
19 where the kids would come to meet and have a
20 little party or talk?

21 NICHOL DEMYEN: Yeah.

22 CORPORAL JIM TEMPLETON: Beyond that, do
23 you remember any place else?

24 NICHOL DEMYEN: No, I can't.

25 CORPORAL JIM TEMPLETON: And you mentioned,



1 I think, Nichol, that at that time you were
2 living at home?

3 NICHOL DEMYEN: At that time? No.

4 CORPORAL JIM TEMPLETON: You weren't when
5 you get back?

6 NICHOL DEMYEN: I don't think so.

7 CORPORAL JIM TEMPLETON: When you left with
8 Wilson and Milgaard?

9 NICHOL DEMYEN: I think I was living at
10 home at that time.

11 CORPORAL JIM TEMPLETON: A few days later
12 you returned from the trip to Saskatoon, Calgary,
13 Edmonton, Banff. Would you have returned home?

14 NICHOL DEMYEN: No, 'cause I remember being
15 in the commune house, okay.

16 CORPORAL JIM TEMPLETON: This would have
17 been early February when you returned to Regina.
18 At some point in time after that you were
19 eventually contacted by the police concerning an
20 investigation relating to the death of Gail
21 Miller. Can you remember the first time that the
22 police came and approached you?

23 NICHOL DEMYEN: I remember, yeah.

24 CORPORAL JIM TEMPLETON: You remember that
25 very clearly?



1 NICHOL DEMYEN: Yeah.

2 CORPORAL JIM TEMPLETON: Tell me about
3 that?

4 NICHOL DEMYEN: I think I was upstairs in
5 this house and somebody said there's somebody to
6 see you at the door. I think I came down the
7 stairs and there was these two big guys standing
8 there. And that was it. I don't remember
9 anything after that. I remember them saying to
10 me that they're police, but I can't remember from
11 where, okay, and that they wanted to talk to me
12 and that. That was it. I don't remember
13 anything other than that.

14 CORPORAL JIM TEMPLETON: Do you remember
15 any of the conversation, what they talked to you
16 about?

17 NICHOL DEMYEN: No.

18 CORPORAL JIM TEMPLETON: You don't?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Okay. Do you
21 remember if they took you to the police station
22 or did he talk to you at the house?

23 NICHOL DEMYEN: I don't think they talked
24 to me at the house, but I don't know where we
25 went.



1 CORPORAL JIM TEMPLETON: You would have
2 driven in the car with them?

3 NICHOL DEMYEN: I remember being in the
4 Regina City Police station, but I don't know when
5 that was, okay.

6 CORPORAL JIM TEMPLETON: Do you remember if
7 your parents were brought to the police station
8 when these two policemen wanted to talk to you?

9 NICHOL DEMYEN: Don't know.

10 CORPORAL JIM TEMPLETON: You don't remember
11 your parents being concerned or angry with you?

12 NICHOL DEMYEN: I don't remember.

13 CORPORAL JIM TEMPLETON: Okay. Did -- and
14 again you may not remember this -- do you
15 remember supplying any statements to the police?
16 By statements, I mean, telling them anything that
17 they would write down, have you read and sign, Do
18 you remember anything like that?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: As a result of
21 things that have happened over the last few
22 years, do you know if you did give them a
23 statement?

24 NICHOL DEMYEN: They've said that I did.

25 CORPORAL JIM TEMPLETON: Have you ever seen



1 that statement?

2 NICHOL DEMYEN: I don't know. I've read a
3 statement, but I think it was a statement from
4 when I was in Saskatoon.

5 CORPORAL JIM TEMPLETON: Okay. We have a
6 copy of that statement, Nichol, and just bear
7 with us a moment while we find it and I'm going
8 to show it to you and have you read it, and I do
9 this to, perhaps it will help refresh your memory
10 and, if nothing else, it will at least help you
11 fill in a spot there, okay. I'm going to show
12 you now a typed statement, four pages long, it's
13 dated the 11th of March, 1969, 4:30 p.m., Regina,
14 Saskatchewan. It states Statement of Nichol
15 John, Born 2 September '52 of Regina, 16 years of
16 age -- and I'm going to show you this and I'll
17 have you read it. Just read it to yourself. Do
18 you recall any of this?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Does it surprise
21 you that I show you this statement?

22 NICHOL DEMYEN: No. It's kind of
23 different.

24 CORPORAL JIM TEMPLETON: What do mean by
25 different?



1 NICHOL DEMYEN: Well, it's got times and
2 it's got days and it's got everything in it.

3 CORPORAL JIM TEMPLETON: Have you ever seen
4 this before?

5 NICHOL DEMYEN: I don't think so. Not that
6 I can remember.

7 CORPORAL JIM TEMPLETON: It's written in a
8 narrative format. And when police do something
9 like this, often they would be interviewing a
10 person and the person would be telling a story
11 and the policeman would be writing it down. This
12 obviously is a typed version of that. As it's
13 written here, would it be -- would any of these
14 be phrases that, or manners in which you would
15 describe your trip, or your trip to Saskatoon?

16 NICHOL DEMYEN: I could. I would say,
17 yeah.

18 CORPORAL JIM TEMPLETON: Do you feel -- do
19 you think that you gave that statement?

20 NICHOL DEMYEN: I don't know, to tell you
21 the truth. Like, some things as I was reading
22 it, you know, some things kicked into my brain,
23 you know, yeah okay, that's right, that's right
24 and that's right, but I don't remember this and I
25 don't remember that and I don't remember this and



1 I don't remember that.

2 CORPORAL JIM TEMPLETON: What do remember
3 as being right? Do you want to have a look at it
4 again?

5 NICHOL DEMYEN: Yeah.

6 CORPORAL JIM TEMPLETON: Just as we go
7 through it, just indicate what you do remember
8 and --

9 NICHOL DEMYEN: One o'clock in the morning
10 leaving Regina is very familiar. As far as the
11 license plates of the car, no, I don't know. I
12 don't remember stopping in Davidson. Getting
13 into Saskatoon between 6:30 and 7:30 would make
14 sense 'cause it's dark and I've lived in
15 Saskatchewan most of my life. Driving around
16 looking for Shorty's place, makes sense.
17 Convertible, I have no idea, none, no
18 recollection. Tow truck seems familiar.
19 Albert's place, I don't remember any of it, you
20 know, as far as meeting his mother and his
21 brother and his sister, I don't remember none of
22 that. The pants of David's sticks in my mind and
23 same with Ron's. Somehow acid makes sense to me,
24 Ron's pants, okay, seems familiar. As far as,
25 you know, the gas station, I don't know, I don't



1 remember that. Driving around looking for
2 Albert's girlfriend, I think that happened, yeah.
3 Rosetown, I already mentioned Rosetown. I would
4 say from, you know, Calgary to Edmonton to
5 Calgary and then to Banff and then back to
6 Regina, yeah. Four -- or five or six days, no,
7 it would almost seem to me, I don't know, maybe
8 two days sticks in my head. I don't know, it
9 just doesn't make sense. As far as Albert being
10 picked up by the police, I don't remember that.
11 That's about it.

12 CORPORAL JIM TEMPLETON: When the police
13 came to you at the house, the commune where you
14 were living, they, no doubt, at that time,
15 explained to you the purpose of their
16 investigation and that being the death of a woman
17 in Saskatoon. Something like that would not be a
18 common occurrence in anyone's life. Do you
19 recall the policemen telling you why they were
20 there and --

21 NICHOL DEMYEN: I think they did because
22 somehow I feel I was maybe very apprehensive or,
23 like, what are you guys -- pardon me? Excuse me,
24 you what, you know, it just --

25 CORPORAL JIM TEMPLETON: So you would have



1 had some surprise?

2 NICHOL DEMYEN: Yeah, exactly.

3 CORPORAL JIM TEMPLETON: Do you remember
4 any feelings of fear, any other emotions?

5 NICHOL DEMYEN: No. No. Being
6 apprehensive, yes. You know, like, excuse me,
7 what happened here?

8 CORPORAL JIM TEMPLETON: Did they tell you
9 more specifically the purpose of their
10 investigation? Were you the person under
11 investigation?

12 NICHOL DEMYEN: I don't remember. No.

13 CORPORAL JIM TEMPLETON: You don't remember
14 any other names?

15 NICHOL DEMYEN: No.

16 CORPORAL JIM TEMPLETON: And you said these
17 two policemen were very, very big or seemed very
18 big to you?

19 NICHOL DEMYEN: Well, I'm not a tall
20 person, so anything over 5'6" is big to me.

21 CORPORAL JIM TEMPLETON: Do you recall the
22 treatment that the police -- were they polite
23 with you?

24 NICHOL DEMYEN: I don't remember.

25 CORPORAL JIM TEMPLETON: Would you remember



1 if they had verbally abused you in any fashion?

2 NICHOL DEMYEN: No, I don't remember. I
3 don't even remember what they looked like, no
4 faces, no nothing.

5 CORPORAL JIM TEMPLETON: So you don't
6 remember anything of that interview?

7 NICHOL DEMYEN: No.

8 CORPORAL JIM TEMPLETON: What you read in
9 the statement that I gave you to read, do you
10 remember certain parts of it? Do you remember
11 saying those things?

12 NICHOL DEMYEN: No, I don't remember saying
13 them.

14 CORPORAL JIM TEMPLETON: But it's in words
15 that you may have used at that time?

16 NICHOL DEMYEN: Yeah.

17 CORPORAL JIM TEMPLETON: At that time, when
18 the police took you wherever it was that you were
19 interviewed, do you recall if you would have
20 happened to have spent any time in jail.

21 NICHOL DEMYEN: I don't remember. I don't
22 think so.

23 CORPORAL JIM TEMPLETON: Would they have
24 brought you back to the co-op house, the commune
25 house?



1 NICHOL DEMYEN: I don't know. I have no
2 idea.

3 CORPORAL JIM TEMPLETON: Was there some
4 concern raised with your friends that these two
5 big policemen would come and take you off?

6 NICHOL DEMYEN: I don't know.

7 CORPORAL JIM TEMPLETON: Do you remember
8 any other policemen coming within the next little
9 while after that, coming to see you?

10 NICHOL DEMYEN: No. I don't remember.

11 CORPORAL JIM TEMPLETON: I'm going to tell
12 you about an incident that occurred and it would
13 have occurred apparently on the 18th of March,
14 with the statement that you read having been
15 given on the 11th of March, 1969.

16 NICHOL DEMYEN: Okay, so that was a week
17 later.

18 CORPORAL JIM TEMPLETON: So now we'll go to
19 the 18th of March, where two Saskatoon City
20 policemen would have arrived in Saskatoon (sic)
21 with Albert Cadrain and these two policemen
22 apparently came and spoke with you and then took
23 you to the Regina jail, being the provincial
24 jail, where Ron Wilson at that time was
25 incarcerated. Do you remember Ron Wilson being



1 in jail?

2 NICHOL DEMYEN: No. I don't remember.

3 CORPORAL JIM TEMPLETON: Would you remember
4 a meeting, a sit-down meeting with Albert
5 Cadrain, Ron Wilson and yourself?

6 NICHOL DEMYEN: No. I don't remember.

7 CORPORAL JIM TEMPLETON: Do you remember
8 ever speaking to -- in Regina now -- to any
9 Saskatoon City policemen?

10 NICHOL DEMYEN: I don't remember.

11 CORPORAL JIM TEMPLETON: You do not recall
12 meeting with the Saskatoon City Police people at
13 that time. In the next few weeks, do you recall
14 any other interviews that you had with the
15 police, perhaps the Regina City policemen?

16 NICHOL DEMYEN: No.

17 CORPORAL JIM TEMPLETON: Do you know
18 Constable Walters or did you, at that time, know
19 Constable Walters?

20 NICHOL DEMYEN: I think I did, yeah, the
21 name's familiar.

22 CORPORAL JIM TEMPLETON: Would you have
23 been interviewed by him, spoken to by him?

24 NICHOL DEMYEN: I had to have been, because
25 why else would I know his name, unless it was



1 from when I got into trouble before that. I
2 don't know.

3 CORPORAL JIM TEMPLETON: Again I have to
4 ask you, do you remember an interview with him?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: So, therefore, of
7 course there would be no recollection of what may
8 have been talked about. Do you remember ever
9 being taken down to the police station again?

10 NICHOL DEMYEN: No.

11 CORPORAL JIM TEMPLETON: You would remember
12 that?

13 NICHOL DEMYEN: I don't remember. I
14 remember being at the police station somehow, I
15 remember driving down 11th Avenue, but I don't
16 know when that was, okay.

17 CORPORAL JIM TEMPLETON: We'll move along
18 then. At some point, perhaps a month later --

19 CONSTABLE JOHN DYCK: I'm just going to ask
20 you, these police officers that attended your
21 residence, or wherever you were staying at that
22 time, were they in uniform or were they in plain
23 clothes?

24 NICHOL DEMYEN: I don't know.

25 CORPORAL JIM TEMPLETON: Just remember big?



1 NICHOL DEMYEN: Two big guys, yeah.

2 CORPORAL JIM TEMPLETON: Move along, and
3 some weeks, or a few weeks after you get back, do
4 you recall having been taken to Saskatoon by the
5 Saskatoon City Police personnel?

6 NICHOL DEMYEN: I remember being in a car
7 on the way to Saskatoon.

8 CORPORAL JIM TEMPLETON: Do you remember
9 how that came to happen?

10 NICHOL DEMYEN: No.

11 CORPORAL JIM TEMPLETON: Do you remember
12 where you were living at that time?

13 NICHOL DEMYEN: No. I don't remember.

14 CORPORAL JIM TEMPLETON: Were they big
15 policemen as well?

16 NICHOL DEMYEN: I can't remember.

17 CORPORAL JIM TEMPLETON: But you do recall
18 driving with them to Saskatoon.

19 NICHOL DEMYEN: Yeah.

20 CORPORAL JIM TEMPLETON: And during the
21 trip to Saskatoon, were they questioning you?

22 NICHOL DEMYEN: I don't remember.

23 CORPORAL JIM TEMPLETON: Was there some
24 conversation? Were they friendly or were you
25 just excluded and riding in the back?



1 NICHOL DEMYEN: I think I was just in the
2 back. I'm not very talkative, so --

3 CORPORAL JIM TEMPLETON: Okay. Do you
4 recall any feelings at that time, any feelings of
5 surprise that they would be taking you to
6 Saskatoon?

7 NICHOL DEMYEN: I think I kind of --
8 someone said to me, okay, we're going to
9 Saskatoon. We go to Saskatoon. That's it.

10 CORPORAL JIM TEMPLETON: You had no
11 concerns over that?

12 NICHOL DEMYEN: No. I don't think so. I
13 don't know. It seems to me I was really quiet
14 and I remember being in a car on the way to
15 Saskatoon, but with who or to do what, I can't
16 remember.

17 CORPORAL JIM TEMPLETON: Do you remember if
18 you had any choice in the matter? Were you under
19 arrest and taken to Saskatoon or did they ask you
20 to come to Saskatoon and you went with them?

21 (TAPE REPLACED)

22 CORPORAL JIM TEMPLETON: We just replaced
23 the tape. This is now tape 2. The time is 2:28
24 p.m., the 17th of May, 1993. All present and
25 we'll continue.



1 Nichol, as the last tape ran
2 out, we were talking about being taken to
3 Saskatoon by the Saskatoon City Police. You've
4 indicated that you recall being driven there, but
5 you don't recall anything else. Is that correct?

6 NICHOL DEMYEN: Right.

7 CORPORAL JIM TEMPLETON: When you got to
8 Saskatoon, do you remember where they took you?

9 NICHOL DEMYEN: I remember a big garage
10 door opening up and I would guesstimate it was a
11 police station.

12 CORPORAL JIM TEMPLETON: When you got to
13 the police station, did you talk to policemen in
14 a room there?

15 NICHOL DEMYEN: I don't know.

16 CORPORAL JIM TEMPLETON: Do you remember
17 how long you would have been at this police
18 station?

19 NICHOL DEMYEN: No.

20 CORPORAL JIM TEMPLETON: Do you recall
21 staying overnight in Saskatoon?

22 NICHOL DEMYEN: I think I did.

23 CORPORAL JIM TEMPLETON: Do you know where
24 that would have been?

25 NICHOL DEMYEN: I think it was in a jail



1 cell.

2 CORPORAL JIM TEMPLETON: Were you locked in
3 a jail cell?

4 NICHOL DEMYEN: I don't know. I remember a
5 lady, it seems to me she was nice to me. Other
6 than that, I don't remember anything.

7 CORPORAL JIM TEMPLETON: At any time do you
8 recall being with a detective, and now I'm going
9 to tell you a detective's name now, Detective
10 Sergeant Ray Mackie, does that mean anything to
11 you?

12 NICHOL DEMYEN: I think I read his name in
13 something today.

14 CORPORAL JIM TEMPLETON: Do you recall if
15 you were driven around the City of Saskatoon to
16 different areas by Detective Sergeant Mackie?

17 NICHOL DEMYEN: Yeah, I think I was.

18 CORPORAL JIM TEMPLETON: Can you tell me
19 about that.

20 NICHOL DEMYEN: By who, I don't know by who
21 though.

22 CORPORAL JIM TEMPLETON: By a policeman,
23 then?

24 NICHOL DEMYEN: Yeah.

25 CORPORAL JIM TEMPLETON: A uniformed



1 policeman or a plainclothes policeman?

2 NICHOL DEMYEN: I don't know.

3 CORPORAL JIM TEMPLETON: Can you tell us
4 about that?

5 NICHOL DEMYEN: I remember being driven
6 around in a car and taken to someplace. That's
7 about it. I don't remember, like, where it was
8 or what the conversation was or anything.

9 CORPORAL JIM TEMPLETON: As you think back,
10 there was a purpose for all of this, no doubt?

11 NICHOL DEMYEN: Yeah, but, you know, like I
12 said, what we talked about or where we were, I
13 don't know.

14 CORPORAL JIM TEMPLETON: Do you remember if
15 the city policemen showed you any landmarks in a
16 certain area of Saskatoon?

17 NICHOL DEMYEN: I don't know. I don't
18 remember.

19 CORPORAL JIM TEMPLETON: All right, I'm
20 going to throw out to you a couple of places now.
21 The church that we talked about earlier?

22 NICHOL DEMYEN: I don't remember.

23 CORPORAL JIM TEMPLETON: A funeral home?

24 NICHOL DEMYEN: A funeral home comes into
25 my mind, but I don't know if I read that in



1 something or, you know, told.

2 CORPORAL JIM TEMPLETON: When you were in
3 Saskatoon, do you recall how many days you might
4 have been there?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: Do you recall
7 staying in a cell or a jail one night?

8 NICHOL DEMYEN: Yeah.

9 CORPORAL JIM TEMPLETON: Do you remember
10 going to a hotel, that being the Sheraton
11 Cavalier Hotel, to meet with another policeman?

12 NICHOL DEMYEN: I know I was in a hotel,
13 but I don't know when.

14 CORPORAL JIM TEMPLETON: Okay. Was there
15 anybody else there? Anybody else you knew there?

16 NICHOL DEMYEN: I think Ron Wilson was. I
17 think.

18 CORPORAL JIM TEMPLETON: Were you in the
19 same hotel room with Ron Wilson?

20 NICHOL DEMYEN: I was in the same room with
21 him, but I don't know for how long. I remember
22 us being in a room, but don't know when.

23 CORPORAL JIM TEMPLETON: Was there a
24 policeman, or some man there present at that time
25 as well?



1 NICHOL DEMYEN: I don't know.

2 CORPORAL JIM TEMPLETON: Do you recall an
3 interview with the policeman in that room?

4 NICHOL DEMYEN: No.

5 CORPORAL JIM TEMPLETON: Would he have sat
6 down and talked with you and Ron together?

7 NICHOL DEMYEN: I don't know.

8 CORPORAL JIM TEMPLETON: This policeman,
9 when he spoke to you, and I am aware that he did,
10 in fact, speak to you, obviously you don't recall
11 that, it's indicated that he showed you several
12 items, items of clothing?

13 NICHOL DEMYEN: I don't remember. I've
14 been told this before and I don't remember.

15 CORPORAL JIM TEMPLETON: You don't remember
16 anything at all about that?

17 NICHOL DEMYEN: No.

18 CORPORAL JIM TEMPLETON: Do you recall
19 going back to the police station, then?

20 NICHOL DEMYEN: No, I don't know where I
21 went.

22 CORPORAL JIM TEMPLETON: Do you remember if
23 you gave the police any statements at that time?
24 Again by a statement, I mean told them a story
25 that the policeman would sit down and hand write



1 it, have you read it and sign it?

2 NICHOL DEMYEN: Something about that seems
3 familiar. I feel like I was in a room and I was
4 talking and somebody was writing, okay, but I
5 don't know who was there or what time of day or
6 what month or anything, okay. I have the feeling
7 it was in Saskatoon, I can't be sure. Okay. I
8 don't know, it might have been in Regina, I don't
9 know.

10 CORPORAL JIM TEMPLETON: Okay, Nichol, I'm
11 going to show you another statement and this one
12 is handwritten. It consists of 11 pages, it
13 states Nichol John, 16 years, 817 Victoria
14 Avenue, Regina. Place, Saskatoon. Date, May
15 24/69. Time, 10:00 a.m. And I'm going to just
16 show you this now and ask you if you've ever seen
17 this before?

18 NICHOL DEMYEN: I think I read this one.

19 CORPORAL JIM TEMPLETON: I note at the
20 bottom that there's a signature?

21 NICHOL DEMYEN: Yeah, I have.

22 CORPORAL JIM TEMPLETON: You have read that
23 before? Do you recall sitting with the police
24 and supplying them that statement?

25 NICHOL DEMYEN: No. I don't remember.



1 CORPORAL JIM TEMPLETON: When would you
2 have seen this before?

3 NICHOL DEMYEN: I saw this last year.

4 CORPORAL JIM TEMPLETON: Where was that?

5 NICHOL DEMYEN: In Ottawa I think. It was
6 when I was with Eugene Williams.

7 CORPORAL JIM TEMPLETON: Did Mr. Williams
8 show you that statement?

9 NICHOL DEMYEN: Yes.

10 CORPORAL JIM TEMPLETON: And did you
11 discuss it with Mr. Williams?

12 NICHOL DEMYEN: I can't remember if we
13 talked about it or not.

14 CORPORAL JIM TEMPLETON: I'm going to ask
15 you, just to yourself, take a few moments and
16 read through that and then we'll discuss it a
17 little bit after that.

18 (READING)

19 (TAPE STOPPED)

20 MR. HODSON: This might be an appropriate
21 time to break for lunch.

22 COMMISSIONER MacCALLUM: Two o'clock,
23 please.

24 (*Adjourned at 12:30 p.m.*)

02:01 25 (*Reconvened at 2:00 p.m.*)



1 MR. HODSON: Afternoon, Mr. Commissioner,
2 we'll carry on with the tape.

3 I'm told that there's about an
4 hour and eight minutes left or thereabouts, so
5 we'll proceed.

6 (TAPE PLAYED)

7 CORPORAL JIM TEMPLETON: Nichol, having had
8 a chance to read that statement, do you remember
9 that?

10 NICHOL DEMYEN: No. I don't remember all
11 of it. But, something stands out in my head.

12 CORPORAL JIM TEMPLETON: I'm going to ask
13 you. I'll give it back to you and, after you
14 light your cigarette, I'm going to ask you to go
15 page by page and whatever you do recall, or
16 remember to be true in your mind, just explain it
17 to us.

18 NICHOL DEMYEN: Okay. Leaving Regina at
19 about 1:00 a.m. makes sense. Okay, as far as the
20 stops along the way to Saskatoon, I remember an
21 elevator, but I don't know what town. Okay. I
22 only somehow remember, you know, stopping once.
23 Somehow a knife is familiar, but I don't where it
24 comes in to play. Okay. The colour seems really
25 familiar.



1 CORPORAL JIM TEMPLETON: Now Page Two?

2 NICHOL DEMYEN: Okay. Being shown by Mr.
3 Roberts, I don't remember that. About the B & E
4 is familiar, okay, but snatching the purse, I
5 don't remember. Getting stuck in another town I
6 don't remember. Driving around Saskatoon for
7 10-15 minutes makes sense, talking to the girl I
8 remember, and I don't remember who was driving.
9 Somehow I have the feeling that Dave was in --
10 was not driving, okay, but I can't be
11 specifically sure. Okay.

12 CORPORAL JIM TEMPLETON: Page Three.

13 NICHOL DEMYEN: Umm, asking directions,
14 Dave, yes somehow rings a bell. Okay. Still not
15 absolutely positive. Okay. Her refusing the
16 ride, yes, because somehow I remember thinking in
17 my head, it's so cold, why wouldn't she. Okay.
18 As far as Dave saying that, I don't remember.
19 Getting stuck, yes. Funeral home, don't
20 remember. Pushing the car, it's vague, but not
21 sure. Okay. Don't remember which way the guys
22 went.

23 CORPORAL JIM TEMPLETON: Page Four.

24 NICHOL DEMYEN: Don't remember him grabbing
25 her or anything like that. Umm, I don't remember



1 hardly -- I think page, this page just doesn't,
2 there's nothing there.

3 CORPORAL JIM TEMPLETON: Now we'll go to
4 Page Five.

5 NICHOL DEMYEN: Garbage can, yes I
6 remember, but I don't know why. Umm, as far as
7 describing the garbage cans, yes, that's
8 brilliant in my mind. I remember sitting in the
9 car. Okay. I don't remember Dave or Ron getting
10 back in the car. Apartment blocks doesn't
11 compute.

12 CORPORAL JIM TEMPLETON: Page Six.

13 NICHOL DEMYEN: Okay. Getting to Shorty's
14 place, don't remember. Don't remember Dave
15 changing clothes. Somehow the ripped pants, yes,
16 sticks in my mind, don't know why. As far as
17 Dave driving the car, something's there, but I
18 don't know why or what. Driving around the block
19 sounds familiar.

20 CORPORAL JIM TEMPLETON: Page seven.

21 NICHOL DEMYEN: Breaking down at the
22 corner, somehow -- does Shorty live on a corner
23 or something of a street, like on a corner of a
24 block?

25 CONSTABLE JOHN DYCK: Yes, he did.



1 NICHOL DEMYEN: Okay. Somehow vehicle on,
2 parked somewhere different than where we had left
3 it, okay, I don't know why. Texaco service
4 station sticks out in my mind, being there, I
5 don't know how long.

6 CORPORAL JIM TEMPLETON: You recall being
7 at the Texaco Service Station?

8 NICHOL DEMYEN: Texaco sounds familiar, But
9 Texaco is all throughout Canada. Okay. I can
10 somehow remember sitting down in a place and
11 looking across the street and I see a service
12 station, okay, I am assuming that was at that
13 point. Okay. Sitting alone I don't remember.

14 CORPORAL JIM TEMPLETON: Now Page Eight.

15 NICHOL DEMYEN: Umm, no, don't remember
16 Albert going to the bank, not really to the
17 variety store either. Don't remember going to
18 one of Albert's friends. Looking in the glove
19 compartment, yes; asking whose it was, yes. Dave
20 driving, supposed to stop because he was driving
21 too fast, yeah, okay, that, yeah, I remember
22 that. I remember being scared. Okay.

23 CORPORAL JIM TEMPLETON: This is on the way
24 out of Saskatoon?

25 NICHOL DEMYEN: Yes, right.



1 CORPORAL JIM TEMPLETON: Page Nine.

2 NICHOL DEMYEN: Rosetown sticks out in my
3 head, don't remember being there. Going to
4 Calgary, Edmonton, Calgary, Banff, Regina, I
5 guess so. About the marijuana, I don't remember
6 that. Ron driving goofy, told him to pull over,
7 I took the keys and ran, don't remember that. I
8 remember sitting on the steps of an apartment
9 block. I don't remember the conversation as it's
10 in here.

11 CORPORAL JIM TEMPLETON: Page?

12 NICHOL DEMYEN: Ten.

13 CORPORAL JIM TEMPLETON: Ten? Thank you.

14 NICHOL DEMYEN: None of this.

15 CORPORAL JIM TEMPLETON: What is that you
16 don't remember?

17 NICHOL DEMYEN: It says I didn't recall
18 actually witnessing a murder until yesterday. I
19 don't remember saying that. Don't remember him
20 showing me a coat. Cosmetic bag, again, I
21 remember that, I don't know why. Brown jacket,
22 yeah, I remember that.

23 CORPORAL JIM TEMPLETON: What does the
24 brown jacket mean to you?

25 NICHOL DEMYEN: I remember seeing a brown



1 jacket with knit cuff, I don't know why it sticks
2 out in my mind.

3 CORPORAL JIM TEMPLETON: The last page,
4 which is Page Eleven.

5 NICHOL DEMYEN: Umm, the talk about the
6 toque I don't remember. I remember discussing
7 about the toque and mitts that belonged to Ron's
8 brother, but I don't know when it was, okay.
9 That's it.

10 CORPORAL JIM TEMPLETON: Thanks. Having
11 had the chance, now, to read that and go over it
12 in, and a great portion of that you do recall,
13 there are some things that you don't recall;
14 would, when you would have been sitting with the
15 police and giving the statement which you've
16 signed, would you have told them the truth at
17 that time?

18 NICHOL DEMYEN: I sure hope so.

19 CORPORAL JIM TEMPLETON: Would you have any
20 reason not to tell them the truth?

21 NICHOL DEMYEN: No, I don't think so.

22 CORPORAL JIM TEMPLETON: Would you have
23 been frightened?

24 NICHOL DEMYEN: Being 16, yeah, I would say
25 so.



1 CORPORAL JIM TEMPLETON: Would -- do you
2 recall if you were, in fact, frightened, or were
3 you intimidated by the police?

4 NICHOL DEMYEN: I wouldn't say
5 "intimidated".

6 CORPORAL JIM TEMPLETON: Would they have
7 put a lot of pressure on you to give a statement
8 such as this? Do you remember anything like
9 that?

10 NICHOL DEMYEN: I don't remember.

11 CORPORAL JIM TEMPLETON: Would you have
12 allowed the police to put words into your words
13 and, by saying that, would they have written this
14 out and then had you sign it, Or would you have
15 signed something that you hadn't said?

16 NICHOL DEMYEN: I probably would have
17 signed anything at that point, probably. Like
18 I'm saying, I'm looking back and saying 16 years
19 old, dealing with police, probably. You know,
20 I'm not saying I did, I'm not saying I didn't,
21 okay, but I'm going through things. I have a
22 tendency to skim over things and just things
23 don't, okay, in one eye and out the other one.

24 CORPORAL JIM TEMPLETON: Again, do you,
25 again, do you recall specifically supplying the



1 police this statement?

2 NICHOL DEMYEN: No, I don't, no.

3 CORPORAL JIM TEMPLETON: Several portions
4 of this statement, you have a memory of.

5 NICHOL DEMYEN: Of those things taking
6 place, yes.

7 CORPORAL JIM TEMPLETON: But those that you
8 indicated to us as you went through the
9 statement?

10 NICHOL DEMYEN: Right.

11 CORPORAL JIM TEMPLETON: You've now had the
12 opportunity to look at two statements, The first
13 was typewritten and dated the 11th of March,
14 1969, this one of course is dated the 24th of
15 May, 1969 and there is quite a difference in the
16 two of them. Okay. What would be the logical
17 explanation for the difference in the statement,
18 The first one was in March, and this one which is
19 in May?

20 NICHOL DEMYEN: This one's more detailed,
21 The second one is more detailed, the first one is
22 very -- what's the word -- scaled down. Okay.

23 CORPORAL JIM TEMPLETON: And how, how would
24 that be explained?

25 NICHOL DEMYEN: I have no idea.



1 CORPORAL JIM TEMPLETON: When you were
2 interviewed the first time and supplied the first
3 statement, would that have been the truth as
4 well?

5 NICHOL DEMYEN: I don't know. I don't
6 remember giving the first statement, I don't
7 remember giving the second statement.

8 CORPORAL JIM TEMPLETON: I appreciate that,
9 but you can appreciate that there is quite a
10 difference in the two of them, and of course the
11 question has been asked as to why there is a
12 difference in these two statements. Thinking
13 back, you've had a fair bit of contact with the
14 police in between the two, okay. Now have the
15 police coerced you in any way into making this
16 statement or to saying things that you didn't
17 believe to be true or --

18 NICHOL DEMYEN: I don't know.

19 CORPORAL JIM TEMPLETON: Would you allow
20 that to happen to you?

21 NICHOL DEMYEN: I might have.

22 CORPORAL JIM TEMPLETON: Okay. In
23 something as serious as a murder investigation,
24 would you allow that to happen?

25 NICHOL DEMYEN: I don't think so, no.



1 CORPORAL JIM TEMPLETON: And this, in fact,
2 was a murder investigation.

3 NICHOL DEMYEN: Right.

4 CORPORAL JIM TEMPLETON: You, no doubt, at
5 this time were aware of who the suspect was in
6 this investigation?

7 NICHOL DEMYEN: Okay. I'm going to say
8 something. As far as I'm concerned, something
9 happened, Something happened on our trip.
10 There's too much, too many holes, and knowing
11 myself, something happened. I saw something.
12 I'm not pointing the finger to anybody or
13 anything, but I thoroughly believe that, you know
14 I just -- I just don't know exactly who. Do you
15 understand what I am saying? I'm being totally
16 honest with you guys, like, I don't know.

17 CORPORAL JIM TEMPLETON: I know you are
18 being honest with us and it's difficult to
19 recall.

20 CONSTABLE JOHN DYCK: When you say that,
21 are you pertaining to the people in your group,
22 or something just had happened on the trip,
23 whether it being anybody.

24 NICHOL DEMYEN: I'm pertaining, what I'm
25 getting at is, okay, that murder took place and,



1 as far as I'm concerned, I was there. Okay. I
2 just don't know what I saw, who was involved,
3 that paper says Dave Milgaard, that piece of
4 paper right there. I don't know. Okay. But I
5 know that I saw something, 'cause there's too
6 many holes in my mind that just -- I'm sorry.

7 CORPORAL JIM TEMPLETON: No, that's fine.
8 Just to get back away from that for a second,
9 dealing with the police, all the big guys, all
10 men, were there any lady policemen involved,
11 police persons I guess?

12 NICHOL DEMYEN: I don't know.

13 CORPORAL JIM TEMPLETON: As you think back
14 over it, and I'm sure you've thought of this over
15 the years, overall your treatment by the police,
16 do you remember anybody being abusive towards
17 you?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: Manipulative
20 towards you?

21 NICHOL DEMYEN: No, I don't think so.

22 CORPORAL JIM TEMPLETON: No? Was there
23 ever any physical or verbal threats made towards
24 you?

25 NICHOL DEMYEN: I don't think so.



1 CORPORAL JIM TEMPLETON: Again --

2 NICHOL DEMYEN: I don't know. Okay. I'm
3 just going by my feelings. Okay. I'm not going
4 by detailed memory. Okay. I'm, more of
5 anything, I go by you tell me a date or you tell
6 me something's happening and I'm going -- I'm
7 dealing with the feelings that I was having, not
8 being there -- I don't know, it's hard to
9 explain.

10 CORPORAL JIM TEMPLETON: Yeah, okay. I
11 think, with that, we'll just leave the police for
12 now anyway. And John, did you have a question?

13 CONSTABLE JOHN DYCK: No, I'm just checking
14 the whistling on the radio.

15 CORPORAL JIM TEMPLETON: Yeah, we have a
16 bit a squeak on the tape recorder. Following the
17 investigation, during that period of time when
18 you would have been back and forth to Saskatoon,
19 or in the spring of 1969, did you have any
20 further contact or would you have seen Dave
21 Milgaard in Regina or Ron Wilson in Regina?

22 NICHOL DEMYEN: I don't think so. I'm not
23 sure.

24 CORPORAL JIM TEMPLETON: Yeah, okay. And
25 then in early September of 1969 you were required



1 to attend court in Saskatoon for the purposes of
2 a preliminary inquiry into the death of Gail
3 Miller, okay, and at that time you would have
4 given evidence. Can you recall going to court?

5 NICHOL DEMYEN: No. I remember being in
6 court but I don't know when.

7 CORPORAL JIM TEMPLETON: Do you remember
8 the lawyers that were in court?

9 NICHOL DEMYEN: No.

10 CORPORAL JIM TEMPLETON: Would you have had
11 any meetings with the police prior to go and
12 getting on the stand and giving evidence?

13 NICHOL DEMYEN: I don't know.

14 CORPORAL JIM TEMPLETON: Would you have had
15 any meetings with the prosecutor, that being the
16 Crown Prosecutor, in this case Mr. Bobs Caldwell?
17 He would have been one of the lawyers that had
18 asked you questions.

19 NICHOL DEMYEN: I don't know. I remember
20 being with someone, I remembered my Mom and Dad
21 being in the room with me and I was really upset,
22 and there was a man there but I don't know who it
23 was.

24 CORPORAL JIM TEMPLETON: Okay. Was this in
25 Saskatoon?



1 NICHOL DEMYEN: This was in Saskatoon.

2 CORPORAL JIM TEMPLETON: And you were
3 upset?

4 NICHOL DEMYEN: I think my Mom was there, I
5 know my Dad was there for sure, I remember that.

6 CORPORAL JIM TEMPLETON: Would you have
7 been upset because of what it was you were
8 experiencing or was this person being mean to
9 you?

10 NICHOL DEMYEN: I don't know. I don't
11 know. My Dad could probably tell you more
12 than --

13 CORPORAL JIM TEMPLETON: Okay. I'm just
14 going to shut the tape off for a second. The
15 time is 2:55.

16 (TAPE OFF)

17 CORPORAL JIM TEMPLETON: The tape is now
18 back on, the time is 2:59.

19 After a very short break,
20 Nichol, I'm just going to return again here. We
21 were discussing your attending Saskatoon to give
22 evidence at a trial, You indicated that you,
23 perhaps in the company of one or more parents,
24 spoke with someone --

25 NICHOL DEMYEN: Outside of the courtroom.



1 CORPORAL JIM TEMPLETON: Outside of the
2 courtroom, eh? Okay. And you end up giving
3 evidence at the preliminary inquiry and, of
4 course, Mr. Milgaard is there. Can you remember
5 seeing him sit there.

6 NICHOL DEMYEN: No.

7 CORPORAL JIM TEMPLETON: And you indicated
8 earlier also that you had had no contact with
9 him?

10 NICHOL DEMYEN: I don't remember. I don't
11 think I did but I don't remember.

12 CORPORAL JIM TEMPLETON: Okay. I'm going
13 to read a comment to you here and, again, we have
14 been privy to all sorts of information from this
15 complete report, and this is a quote that you --
16 it is reported that you made this statement, and
17 I'll read it to you, and it is, quote, "I don't
18 know why he didn't kill me too, I was right there
19 and saw it all, but I'm not going to say
20 nothing", end of quote. This is a comment that
21 you made outside of the court room and was
22 overheard by a couple of people who wrote it
23 down, okay, and gave it to the Crown Prosecutor.
24 Now that statement is quite a statement to have
25 made.



1 NICHOL DEMYEN: Who did I say that to?

2 CORPORAL JIM TEMPLETON: I'm not sure who
3 you said it to.

4 NICHOL DEMYEN: I don't remember saying
5 that.

6 CORPORAL JIM TEMPLETON: Would that be
7 something that you would have said?

8 NICHOL DEMYEN: Yeah, that would be
9 something, yeah.

10 CORPORAL JIM TEMPLETON: At that time did
11 you have a fear of Dave Milgaard?

12 NICHOL DEMYEN: I don't know. Now that I
13 look back, I would say yeah I probably did, I
14 mean everything that's gone down from, you know,
15 from January 31st 'til now, yeah, I might have
16 made that statement, yeah.

17 CORPORAL JIM TEMPLETON: Was he the type of
18 person that you would have reason to fear?

19 NICHOL DEMYEN: Yeah.

20 CORPORAL JIM TEMPLETON: In what respect,
21 Nichol?

22 NICHOL DEMYEN: Something happened, and it
23 wasn't nice, and I don't want to talk about it
24 right now.

25 CORPORAL JIM TEMPLETON: Okay. Did Mr.



1 Milgaard every make any threats to you, to you
2 personally?

3 NICHOL DEMYEN: Not that I can remember.

4 CORPORAL JIM TEMPLETON: Okay. Was he the
5 type of person that would threaten people, was he
6 that type of a person, Or was he more easy-going?

7 NICHOL DEMYEN: Umm, how could I explain
8 it. He could, yeah. I would almost say there
9 was two sides to him, a really nice, smiley side,
10 but you look into the eyes and they are black
11 holes.

12 CORPORAL JIM TEMPLETON: Two sides, very
13 nice, and the other side is?

14 NICHOL DEMYEN: Not so nice.

15 CORPORAL JIM TEMPLETON: And other than the
16 incident that you've indicated you didn't want to
17 talk about, have, had you seen this side of Dave
18 Milgaard with other people perhaps?

19 NICHOL DEMYEN: Not that I can remember.

20 CORPORAL JIM TEMPLETON: But you did,
21 unfortunately, experience this yourself?

22 NICHOL DEMYEN: Yeah, but I don't want to
23 talk about it.

24 CORPORAL JIM TEMPLETON: We won't, at least
25 not at this time. When you were there for the



1 preliminary hearing, do you remember if you had a
2 hotel room at that time, or did you stay in the
3 jail again?

4 NICHOL DEMYEN: I was with my Dad, but I
5 don't know. Dad tells me that he had a trailer,
6 I think, I can't -- I'm not sure on that. It's
7 just my memory's not that good.

8 CORPORAL JIM TEMPLETON: Okay. Would you,
9 would both your mother and father have gone,
10 or --

11 NICHOL DEMYEN: I think my Dad, it was just
12 my Dad for the preliminary hearing, and I think
13 both my Mom and Dad were with me the second time
14 around but I don't really -- I -- they tell me
15 these things and I don't remember.

16 CORPORAL JIM TEMPLETON: We're talking
17 about two incidents where you were to court, and
18 I referred to the first on in September of 1969,
19 which was, in fact, a preliminary inquiry and
20 then, of course, there was a trial with a jury
21 and that was in January of 1970. That would be a
22 little bigger deal, more people involved and,
23 again, a jury present. Can you remember being in
24 the court room and giving evidence?

25 NICHOL DEMYEN: I remember being in the



1 court room at one point and being really upset.

2 CORPORAL JIM TEMPLETON: What would have
3 upset you?

4 NICHOL DEMYEN: I don't know. Obviously,
5 something we were talking about.

6 CORPORAL JIM TEMPLETON: Would this have
7 been something you talked about when you were
8 giving evidence or something that you talked
9 about --

10 NICHOL DEMYEN: When I was on the stand.

11 CORPORAL JIM TEMPLETON: When you were on
12 the stand? Do you remember how you were treated
13 by the lawyers when they asking questions, your
14 impressions of that?

15 NICHOL DEMYEN: No, I don't remember.

16 CORPORAL JIM TEMPLETON: Can you remember
17 the judge sitting there?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: Sitting up high,
20 grey-haired fellow?

21 NICHOL DEMYEN: No.

22 CORPORAL JIM TEMPLETON: No? Okay. Do you
23 remember seeing Dave Milgaard there?

24 NICHOL DEMYEN: No.

25 CORPORAL JIM TEMPLETON: Do you remember



1 Ron Wilson being there?

2 NICHOL DEMYEN: No.

3 CORPORAL JIM TEMPLETON: You can remember
4 being there and --

5 NICHOL DEMYEN: Just, it's like it's about
6 a minute and a half span, that's all I remember.
7 Just -- and being upset. You know, I can tell
8 you what I was wearing.

9 CORPORAL JIM TEMPLETON: What were you
10 wearing?

11 NICHOL DEMYEN: I was wearing a pink dress,
12 I remember that like it was yesterday, in fact my
13 Mom made me go out and buy it.

14 CORPORAL JIM TEMPLETON: And you felt that
15 at least your father, and perhaps your mother and
16 father, were there with you?

17 NICHOL DEMYEN: Yeah, I think, yeah, the
18 second time around, yeah.

19 CORPORAL JIM TEMPLETON: Can you remember
20 any sort of a reaction from your parents about
21 your involvement in this incident?

22 NICHOL DEMYEN: Umm, my Dad and I never got
23 along for years, but when this happened he was
24 kind of behind me. I had that feeling, you know,
25 that he was actually there for a change to



1 protect me.

2 CORPORAL JIM TEMPLETON: He was very
3 supportive then?

4 NICHOL DEMYEN: Yeah. I don't think really
5 vocally supportive, but just being there, you
6 know.

7 CORPORAL JIM TEMPLETON: After you gave
8 your evidence at the trial do you remember
9 staying in Saskatoon? Were you there at the end
10 of the trial?

11 NICHOL DEMYEN: I don't know.

12 CORPORAL JIM TEMPLETON: Can you remember
13 the end of the trial when they would have found
14 Mr. Milgaard guilty?

15 NICHOL DEMYEN: No.

16 CORPORAL JIM TEMPLETON: Do you remember
17 traveling back to Regina?

18 NICHOL DEMYEN: No.

19 CORPORAL JIM TEMPLETON: And can you recall
20 what you may have been doing at that time; were
21 you working?

22 NICHOL DEMYEN: No, I don't remember.

23 CORPORAL JIM TEMPLETON: Were you in
24 school?

25 NICHOL DEMYEN: When was the trial?



1 CORPORAL JIM TEMPLETON: January 1970.

2 NICHOL DEMYEN: I was working. Yeah, I
3 think I was working in the meat market then,
4 selling meat.

5 CORPORAL JIM TEMPLETON: Then you would
6 have had to get some time off, of course, to go
7 to Saskatoon.

8 NICHOL DEMYEN: Yeah. I think I started
9 there in October, I don't know, I think it was
10 October. I'm not sure. It was before the trial
11 was, anyway, I know that. My mother got me that
12 job.

13 CORPORAL JIM TEMPLETON: And where was it?

14 NICHOL DEMYEN: In a meat market,
15 Fellingner's Meat Market, She grew up with the guy
16 who owned it.

17 CORPORAL JIM TEMPLETON: On 11th Avenue?

18 NICHOL DEMYEN: Yeah.

19 CORPORAL JIM TEMPLETON: It's still there.

20 NICHOL DEMYEN: Is it? Still owned by
21 Fellingner's? Really, eh.

22 CONSTABLE JOHN DYCK: Yeah, I think they
23 may have two right now, One on 11th and there may
24 be another one.

25 CORPORAL JIM TEMPLETON: I think they're



1 fairly prosperous. Yeah. Nichol, we've gone
2 through an awful lot of stuff here and there's
3 some things that I'd like to go back ask just a
4 couple more questions about, and then we have
5 some other things to talk about. Would you like
6 to keep going or would you like to take a short
7 break?

8 NICHOL DEMYEN: I'm okay.

9 CORPORAL JIM TEMPLETON: You're okay? Can
10 we get you anything?

11 NICHOL DEMYEN: No.

12 CORPORAL JIM TEMPLETON: Okay. Nichol,
13 quite a bit earlier on in the interview we talked
14 about being at the Cadrain residence. Since that
15 time you've had the opportunity to read a
16 statement that you supplied to police on the 24th
17 of May, 1969. Having read that statement, has it
18 brought back any recollection of Albert Cadrain's
19 home?

20 NICHOL DEMYEN: No.

21 CORPORAL JIM TEMPLETON: Okay. When we
22 talked about the statement you indicated you
23 remembered that it might have been on the corner,
24 you also remembered that the car had been moved?

25 NICHOL DEMYEN: Yeah. Somehow it seems to



1 me that when -- I think when we got there we
2 might have been parked in front. I remember some
3 steps, so I'm thinking, it was a bigger house. I
4 don't know if I'm correct in this or not, but I
5 think we were parked in front, and something
6 somehow makes me think that then the car was
7 parked on the side. Okay. I don't know why.
8 Okay.

9 CORPORAL JIM TEMPLETON: I'm going to ask
10 you a couple of pointed questions you may or may
11 not recall.

12 NICHOL DEMYEN: Okay.

13 CORPORAL JIM TEMPLETON: Do you recall Mr.
14 Milgaard and/or Mr. Wilson changing any clothing
15 at the Cadrain house?

16 NICHOL DEMYEN: No, I don't remember.

17 CORPORAL JIM TEMPLETON: Then you mentioned
18 now that the car has been moved.

19 NICHOL DEMYEN: Right.

20 CORPORAL JIM TEMPLETON: And obviously
21 somebody moved it.

22 NICHOL DEMYEN: Right.

23 CORPORAL JIM TEMPLETON: Unless it was an
24 old car and it rolled around that corner by
25 itself but -- do you remember anybody leaving and



1 taking that car for a drive that it would have
2 got moved?

3 NICHOL DEMYEN: Well when I read that
4 statement and when I said in there that I -- Dave
5 had moved it, somehow that seems right. Okay. I
6 don't really remember it but, somehow, that seems
7 right.

8 CORPORAL JIM TEMPLETON: Okay. Can you
9 recall Albert Cadrain? Can you picture him?

10 NICHOL DEMYEN: All I remember is he was
11 short.

12 CORPORAL JIM TEMPLETON: Okay. Anything
13 else about him? What kind of a guy he was?

14 NICHOL DEMYEN: No. I think he was heavier
15 set, that was about it, I can't remember anything
16 else about him.

17 CORPORAL JIM TEMPLETON: Okay. It's known
18 that Albert went to a bank and got some money
19 prior to the four of you leaving Saskatoon. Do
20 you know, do you remember walking to a bank with
21 Albert?

22 NICHOL DEMYEN: No.

23 CORPORAL JIM TEMPLETON: Do you remember
24 going for a walk with Albert?

25 NICHOL DEMYEN: No.



1 CORPORAL JIM TEMPLETON: Was Albert in any
2 way attracted to you?

3 NICHOL DEMYEN: Yeah, I think so.

4 CORPORAL JIM TEMPLETON: He was? Okay.
5 And you remember that?

6 NICHOL DEMYEN: Yeah.

7 CORPORAL JIM TEMPLETON: Something he said
8 or something he did?

9 NICHOL DEMYEN: I don't know. I don't
10 know. All I know is he was attracted to me. I
11 don't know if I was attracted to him or not, it's
12 just --

13 CORPORAL JIM TEMPLETON: Okay. When you're
14 walking, again, no recollection of a walk?

15 NICHOL DEMYEN: No.

16 CORPORAL JIM TEMPLETON: Okay. We'll leave
17 it at that. Just to go a little bit further,
18 quickly, you indicated after reading the
19 statement that you can remember sitting in a
20 restaurant and looking across at a garage,
21 perhaps, or something like that?

22 NICHOL DEMYEN: Yeah.

23 CORPORAL JIM TEMPLETON: Okay. Could you
24 elaborate on that a little bit, exactly what your
25 thoughts are?



1 NICHOL DEMYEN: Not really. I just
2 remember looking out a window, that's all I can
3 remember. I think I was by myself, I don't
4 remember anybody being with me.

5 CORPORAL JIM TEMPLETON: And just to move
6 along again, you get to Rosetown, you indicate
7 that you bought some food there; is that right?

8 NICHOL DEMYEN: Yeah, I have a vague
9 recollection of somehow bread and meat or
10 something or -- you know, I couldn't swear to it.

11 CORPORAL JIM TEMPLETON: I'm just trying to
12 keep my notes in order here. Okay. You get back
13 to Regina after a few days and then, if you would
14 just bear with me, I'd like to ask just a couple
15 more questions about your contact with the
16 police. Actually, before we do that, get back to
17 when you're in Saskatoon.

18 You've arrived in Saskatoon,
19 it's very early in the morning, it's quite cold
20 and it's dark out. You've indicated that you
21 were, the three of you were lost, looking for
22 Albert Cadrain's house. And you indicate, also,
23 that you recall stopping and asking directions of
24 a young woman on the street, or someone in the
25 car did, And then you remember being stuck.



1 Okay. Having given a little thought, we've
2 talked about this for a long time now here today,
3 do you remember who was driving at that time?

4 NICHOL DEMYEN: I would say it was Ron,
5 okay, but I could be wrong, okay.

6 CORPORAL JIM TEMPLETON: And, again, the
7 two other guys get out of the car, Dave Milgaard
8 gets out, Ron Wilson gets out. Okay. You
9 indicated you felt Mr. Milgaard got out the right
10 side of the car?

11 NICHOL DEMYEN: I -- that's the way I feel.
12 Okay. It's not a strong recollection, okay, it's
13 just -- I don't know if I was in the front, in
14 the back, he was in the front, the back, it -- I
15 don't remember. But I know, at one point, I was
16 by myself in the car.

17 CORPORAL JIM TEMPLETON: Do you remember
18 anything else about sitting in the car, about the
19 alley? You've indicated the church and you
20 remember the garbage can, things like that that
21 we've already talked about, can you remember
22 anything else about the alley?

23 NICHOL DEMYEN: Nothing right now. I know
24 it was dark.

25 CORPORAL JIM TEMPLETON: Okay. Okay.



1 Don't be frustrated that you're having trouble
2 remembering. We'll move on. And you went to
3 Calgary and you indicated that, when you got to
4 Calgary, you can recall sitting alone on some
5 steps.

6 NICHOL DEMYEN: Some steps.

7 CORPORAL JIM TEMPLETON: Okay. Do you
8 remember --

9 NICHOL DEMYEN: I think it was the inside
10 of an apartment block, okay, 'cause I can't see
11 sitting on steps in the middle of winter outside.

12 CORPORAL JIM TEMPLETON: I think you also
13 indicated that something had upset you, or you
14 felt you were upset?

15 NICHOL DEMYEN: Yeah. It's like, okay, we
16 were going to be alone, you just need some time
17 to, you know --

18 CORPORAL JIM TEMPLETON: Do you remember if
19 anybody came along and talked to you to get you
20 back to the car?

21 NICHOL DEMYEN: I want to say Ron, okay,
22 but I don't know. Okay.

23 CORPORAL JIM TEMPLETON: Would Ron have sat
24 down and talked things over with you?

25 NICHOL DEMYEN: He might have.



1 CORPORAL JIM TEMPLETON: Comforted you?

2 NICHOL DEMYEN: Maybe, yeah. I think Ron
3 was always -- okay, I don't really know Ron,
4 okay, as, you know the way he is now. But I
5 think, at that time, he was a caring person,
6 someone that, you know, tuned into someone's not
7 feeling so great, well okay, well be a friend
8 here and find out what's going on. That's how he
9 strikes me. Don't know if that's correct or not,
10 that's why I'm saying, I assume it was Ron that
11 came to talk to me.

12 CORPORAL JIM TEMPLETON: No idea what was
13 on your mind at that time.

14 NICHOL JOHN: No.

15 CORPORAL JIM TEMPLETON: Something
16 obviously was bothering you?

17 NICHOL DEMYEN: Yeah.

18 CORPORAL JIM TEMPLETON: Do you remember
19 any other stops you might have made in Calgary?

20 NICHOL DEMYEN: Somehow a bus depot comes
21 into effect, don't ask me, but a bus depot stands
22 out.

23 CORPORAL JIM TEMPLETON: I'm going to
24 mention another place to you; the Public Library?

25 NICHOL DEMYEN: No. The Public Library?



1 Why the Public Library?

2 CORPORAL JIM TEMPLETON: It may have a spot
3 that you might have stopped. You don't remember
4 that, though?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: And when you get
7 back to Regina you are -- you get dropped off,
8 and we talked earlier about Barbara Berard who
9 was an acquaintance of yours, a friend of some
10 degree, you're not sure, and we also talked about
11 Cody Crutcher. And, again, I'm going to ask you;
12 would these be persons that, if you had been in
13 trouble, would they be people that they would go
14 to?

15 NICHOL DEMYEN: Yes.

16 CORPORAL JIM TEMPLETON: And would you
17 value their advice or seek their advice?

18 NICHOL DEMYEN: I probably wouldn't be
19 looking for advice, I would just be looking for
20 someone to listen to me. Okay. I don't go to --
21 when I talk, and something's on my mind and I
22 talk to someone, I'm not going for advice, I'm
23 using them as a sounding board, that's what I'm
24 doing. I don't expect somebody to solve my
25 problems.



1 CORPORAL JIM TEMPLETON: Someone to talk to
2 then?

3 NICHOL DEMYEN: Right.

4 CORPORAL JIM TEMPLETON: Would Barbara
5 Berard have been one of those people?

6 NICHOL DEMYEN: Yeah, I would say so, yeah.

7 CORPORAL JIM TEMPLETON: Umm, she would be
8 one those people because she was a friend or an
9 acquaintance of yours.

10 NICHOL DEMYEN: Right.

11 CORPORAL JIM TEMPLETON: Cody Crutcher,
12 you've indicated, was someone that you knew who
13 was a little older.

14 NICHOL DEMYEN: Right.

15 CORPORAL JIM TEMPLETON: Would he also be
16 someone that - you would go and talk to about a
17 problem?

18 NICHOL DEMYEN: I might, but I highly doubt
19 it. Mind you, that's along time ago, you know,
20 and sometimes we do things that --

21 CORPORAL JIM TEMPLETON: Okay. After
22 you're back in Regina for a period of time, two
23 big policemen come to the home where you're
24 staying, this home for kids or whatever it is, a
25 flophouse of sorts. Do you recall any more,



1 after we've talked for a while now, do you recall
2 any more of those policemen coming to pick you
3 up, Nichol?

4 NICHOL DEMYEN: No. I think they were
5 plainclothes, though, I don't think they had
6 uniforms on.

7 CORPORAL JIM TEMPLETON: Okay. Do you know
8 if they took you, in a car, down to the police
9 station perhaps?

10 NICHOL DEMYEN: I think they did ask me to.
11 I'm not positive. I think they said, "Come with
12 us, we want to talk to you." And usually when
13 somebody says they're policemen and they say
14 "come with us", you go. Okay.

15 CORPORAL JIM TEMPLETON: At that period of
16 time you're 16 1/2 years old, you've spent a bit
17 of time out with friends partying and at the park
18 and these different things and on a bit of a
19 trip, did you have a fear of the police?

20 NICHOL DEMYEN: I don't think so, no.

21 CORPORAL JIM TEMPLETON: Perhaps fear is
22 not the right word; were you trusting of police?

23 NICHOL DEMYEN: Umm, I looked at them as
24 being an authority figure. Yeah, I would say I
25 would have trust in them. Okay. I wouldn't



1 expect them to lie to me or -- I still feel the
2 same way. Look, it's hard for you to understand
3 that lots of people don't have respect for
4 policemen, I do. I always have. Like even now,
5 to this day, people say blah, blah, blah about
6 the police, I say "hold it, it's a job, that's
7 their job, hey".

8 CORPORAL JIM TEMPLETON: And we let you
9 look at a statement that's dated the 11th of
10 March, 1969, and you didn't have any recollection
11 of supplying that to the police?

12 NICHOL DEMYEN: No.

13 CORPORAL JIM TEMPLETON: And, again, I'm
14 going to ask you, if the police had put those
15 words down on paper and had you sign it, would
16 you have signed it?

17 NICHOL DEMYEN: Probably.

18 CORPORAL JIM TEMPLETON: Even if you had
19 never said it?

20 NICHOL DEMYEN: No. No. I would have had
21 to have said it.

22 CORPORAL JIM TEMPLETON: Okay.

23 NICHOL DEMYEN: Okay.

24 CORPORAL JIM TEMPLETON: So you wouldn't be
25 intimidated to the point where you would be



1 signing or agreeing to something that you never
2 said, or wasn't truthful?

3 NICHOL DEMYEN: That's right.

4 CORPORAL JIM TEMPLETON: Okay. We'll just
5 move along a little bit again, and we asked you
6 about Saskatoon City Policemen arriving in
7 Regina, and they had with them Albert Cadrain and
8 there was some discussion with you and the
9 police. Do you recall Saskatoon City Policemen
10 coming down to see you?

11 NICHOL DEMYEN: No.

12 CORPORAL JIM TEMPLETON: Okay. Do you ever
13 remember going out to the Regina jail, to the
14 Correctional Centre as it's called, and meeting
15 in a room with Mr. Wilson?

16 NICHOL DEMYEN: No.

17 CORPORAL JIM TEMPLETON: And, okay, at that
18 period of time you may or may not have discussed
19 with Wilson and Cadrain, or the police, the
20 circumstances of your trip to Saskatoon on the
21 31st of January, 1969.

22 NICHOL DEMYEN: I don't remember meeting
23 with nobody.

24 CORPORAL JIM TEMPLETON: Okay. Is the tape
25 still okay, John?



1 CONSTABLE JOHN DYCK: Yeah. I think it's
2 got a little bit of -- maybe another minute or
3 so.

4 CORPORAL JIM TEMPLETON: Okay. We'll just
5 go for a bit more, until this tape runs out, and
6 then we'll just take a short break. If you need
7 a coffee, or anything like that, we don't have a
8 whole lot more to discuss with you here. Okay.

9 I mentioned the name Walters,
10 who was a Regina City Policeman, do you remember
11 ever sitting and talking about your trip to
12 Saskatoon, as such, involving David Milgaard,
13 with that policeman, Walters.

14 NICHOL DEMYEN: No. The name Walters is
15 familiar but I don't know why. Okay. Obviously,
16 I have talked to him.

17 CORPORAL JIM TEMPLETON: Okay. And you
18 mentioned that you recall being taken to
19 Saskatoon by policemen; one policeman or two
20 policemen?

21 NICHOL DEMYEN: I don't know.

22 CORPORAL JIM TEMPLETON: But you can recall
23 driving to Saskatoon?

24 NICHOL DEMYEN: And I think I was in the
25 back seat.



1 CORPORAL JIM TEMPLETON: All right. You
2 don't remember anything of the conversation?

3 NICHOL DEMYEN: No.

4 CORPORAL JIM TEMPLETON: When you got to
5 Saskatoon, you've indicated that you were kept at
6 the jail or at the police station, in a cell?

7 NICHOL DEMYEN: I remember getting to the
8 station itself, and I'm sure we came through an
9 underground garage or something, the door coming
10 up. And then I remember being in a cell, but I
11 don't know if the door was locked or open or --
12 and I remember this woman being there, and that's
13 it. I don't know how long I was in there or why
14 or, you know --

15 CORPORAL JIM TEMPLETON: Okay. I also
16 asked you if you recall being driven around
17 certain areas of Saskatoon by a policeman; do you
18 remember that?

19 NICHOL DEMYEN: Yeah.

20 CORPORAL JIM TEMPLETON: Okay. And do you
21 remember, anything coming back to you as far as
22 landmarks, and I mentioned before the church and
23 a funeral home; Can you recall that?

24 NICHOL DEMYEN: I remember somebody saying
25 something about funeral home or -- I got to think





1 believe Nichol, we were talking about the
2 policeman driving around talking to you about a
3 murder investigation, and you related your
4 thoughts on that. I'm going to ask you once
5 again, do you remember meeting and the fellow's
6 name I'm going to give you now is Mr. Roberts,
7 who is a policeman, and this was the gentleman at
8 the Sheraton Cavalier?

9 NICHOL DEMYEN: I don't remember meeting
10 him.

11 CORPORAL JIM TEMPLETON: This is also the
12 same incident where you would have been in a room
13 with this man and perhaps Mr. Ron Wilson at that
14 time.

15 NICHOL DEMYEN: I remember Ron and I being
16 in a room.

17 CORPORAL JIM TEMPLETON: And, again, this
18 is the same time when you would have been shown
19 different articles of clothing?

20 NICHOL DEMYEN: I don't remember.

21 CORPORAL JIM TEMPLETON: You don't remember
22 any of that?

23 NICHOL DEMYEN: I remember talking,
24 something about a lie detector, and I wanted -- I
25 wanted to have the lie detector, and they



1 wouldn't let me. Okay. That's all I remember.

2 CORPORAL JIM TEMPLETON: Okay.

3 NICHOL DEMYEN: Right. And I couldn't
4 understand why, Why not me, 'cause I think Ron
5 had it done.

6 CORPORAL JIM TEMPLETON: What makes you
7 think that?

8 NICHOL DEMYEN: I don't know. Because I
9 remember, I think I remember saying well, how
10 come you guys and how come not me? Why can't I.

11 CORPORAL JIM TEMPLETON: We talked to you
12 about two different statements, again, The 11th
13 of March, 1969 and the 24th of May, 1969. And as
14 you read them both, and I think you'll agree,
15 that the statements are different?

16 NICHOL DEMYEN: Different names,
17 different --

18 CORPORAL JIM TEMPLETON: One is quite a bit
19 more detailed than the other and tells quite a
20 different story. Okay. Can you explain why that
21 may be?

22 NICHOL DEMYEN: I don't know.

23 CORPORAL JIM TEMPLETON: Okay. Would it be
24 a situation where, the first time you're
25 contacted by the police, would you, because of



1 your friendship to others involved in your trip
2 to Saskatoon, would you have attempted to protect
3 them?

4 NICHOL DEMYEN: I might have. I don't
5 know. I don't know.

6 CORPORAL JIM TEMPLETON: Okay. The
7 statements that you gave the police, would they
8 be truthful, any statement you gave the police?

9 NICHOL DEMYEN: I don't see why not.

10 CORPORAL JIM TEMPLETON: Okay. Your
11 overall dealings with the police, and in
12 particular the Saskatoon City Police and it's
13 also apparent that you had some contact with
14 other police forces, how were you treated by the
15 police? Do you have any recollection of that?

16 NICHOL DEMYEN: Not really. I don't think
17 I -- I have the feeling I wasn't treated badly.
18 This has come up a lot of times in different --
19 talking to different people. Was I treated
20 badly? I don't think I was. Okay.

21 CORPORAL JIM TEMPLETON: Okay. After the
22 investigation is done and there is a charge laid
23 against Mr. Milgaard, and in preparation for the
24 preliminary hearing and the trial where you would
25 have given evidence, did you have contact with



1 the police, did they brief you on what you should
2 say, did they --

3 NICHOL DEMYEN: I don't know. I don't
4 remember.

5 CORPORAL JIM TEMPLETON: Sometimes there's
6 a meeting just prior to attending court where
7 they explain to you what's going to happen; do
8 you remember anything like that?

9 NICHOL DEMYEN: When you said "explain to
10 you what's going to happen or what's going to
11 take place", yeah, some kind of recollection, but
12 I don't know with who. That little statement
13 somehow rings in my head.

14 CORPORAL JIM TEMPLETON: Okay. So they
15 gave you some sort of indication of what the
16 process was going to be, I take it?

17 NICHOL DEMYEN: Yeah, I think so, I do.

18 CORPORAL JIM TEMPLETON: Did anybody ever
19 tell you what to say?

20 NICHOL DEMYEN: I don't think so.

21 CORPORAL JIM TEMPLETON: Nichol, this has
22 gone on 24 years, since the time of Gail Miller's
23 death, and you no doubt have been interviewed at
24 different times by other people, and I'm going to
25 ask you what contact you've had over the years,



1 and if you remember when contacted. I'm going to
2 start with yourself. Have you ever been
3 contacted directly by Mrs. Milgaard?

4 NICHOL DEMYEN: Yes.

5 CORPORAL JIM TEMPLETON: Could you explain
6 that to us?

7 NICHOL DEMYEN: It was unannounced, it was
8 uninvited.

9 CORPORAL JIM TEMPLETON: When?

10 NICHOL DEMYEN: In 19 -- I have to think
11 about this -- I think it was 1980. I'm trying to
12 remember if it was still winter or if it was
13 spring.

14 CORPORAL JIM TEMPLETON: Okay. What was
15 the contents of that contact with her?

16 NICHOL DEMYEN: I was living in an
17 apartment by myself, I had left my husband, I was
18 living in Regina, okay, working in Regina. And I
19 was living in a so-called, quote unquote,
20 "security building" where you had to buzz into to
21 get the front door. It was a great big complete
22 was on, I don't know, the second or third floor,
23 whatever. And anyway this one night I was at
24 home and there was a knock on the door and I'm
25 going a knock on the door, what's going on here.



1 This is a security building, right, nobody knows
2 where I live because I've lived like that for
3 years. Open up the door and I look at this woman
4 and there's this guy with her, I can't remember
5 what the guy looked like or anything, but I
6 looked at this woman and I thought to myself,
7 gee, she looks familiar. She says "hi, Nicky".
8 She said "I'm Joyce Milgaard, David's mother" and
9 I went "excuse me". She says "I just want to
10 talk to you". I said "no". I said "I have
11 nothing to say to you". "Oh no, no, no, we have
12 to talk, we have to talk". And I said "no" and I
13 slammed the door in her face.

14 CORPORAL JIM TEMPLETON: Did you have any
15 other contact with her?

16 NICHOL DEMYEN: No.

17 CORPORAL JIM TEMPLETON: Has she ever
18 phoned you?

19 NICHOL DEMYEN: Yes I have. Sorry, I lied.
20 After trial I retained a lawyer through a friend
21 of mine, this guy going to help me out. Anyway,
22 I can't remember how or what took place, but
23 anyway there was a meeting between her lawyer, my
24 lawyer, myself and her.

25 CORPORAL JIM TEMPLETON: Who was your



1 lawyer?

2 NICHOL DEMYEN: Tony Merchant. Okay. This
3 meeting was set up and, blah, blah, blah, we had
4 this meeting, and in that meeting she had asked
5 me if I would consent to hypnosis and truth
6 serum, and I had said "yes". So anyway in the
7 meantime my lawyer, I said "okay, before I do
8 this, I want to find out exactly what's going to
9 take place and what could be the repercussions of
10 everything", so anyway he phoned up, it was this
11 Dr. Messer was supposed to do it in Saskatoon, so
12 anyway he phoned him up and was talking to him,
13 and Larry Leslie was the lawyer that I had been
14 seeing.

15 CORPORAL JIM TEMPLETON: And you mentioned
16 Tony Merchant? Now --

17 NICHOL DEMYEN: Tony Merchant was her
18 lawyer, Larry Leslie was mine. Okay. And so
19 anyway he had contacted this Dr. Messer and asked
20 a few questions, and got back to me, and I didn't
21 like the answers so I refused. No, I wouldn't do
22 it.

23 CORPORAL JIM TEMPLETON: Any other contact
24 with her?

25 NICHOL DEMYEN: No.



1 CORPORAL JIM TEMPLETON: Have you ever
2 received any letters from her?

3 NICHOL DEMYEN: No, but apparently, I think
4 David had sent a letter to my lawyer who had read
5 it, because he had said to me he had gotten this
6 letter and he read it, and he said "Nichol, I
7 don't think you should read it", and I said
8 "okay, fine". So he said "what do you want me to
9 do with it" and I said "I don't care what you do
10 with it, you can save it, you can throw it out,
11 you can do whatever". And that's the only one I
12 know about.

13 CORPORAL JIM TEMPLETON: Have you had any
14 other contact with David Milgaard over the years?

15 NICHOL DEMYEN: No. No.

16 CORPORAL JIM TEMPLETON: Okay. How about
17 private investigators; have you ever been
18 approached by the private investigators?

19 NICHOL DEMYEN: I haven't been, but my
20 parents have.

21 CORPORAL JIM TEMPLETON: Can you tell us
22 about that?

23 NICHOL DEMYEN: Phone calls. Apparently
24 one of them was from a church group from the
25 States, I can't remember the guy's name, if I



1 heard it I'd know it. And this guy contacted my
2 parents a fair amount of time and was abusive on
3 the phone to my mother.

4 CORPORAL JIM TEMPLETON: Abusive in what
5 way?

6 NICHOL DEMYEN: As in hollering and cursing
7 and just not being nice.

8 CORPORAL JIM TEMPLETON: When was that?

9 NICHOL DEMYEN: This was in -- I have to
10 think about this -- Now this was about three
11 years ago, right around this time, okay.

12 There was some -- another guy
13 from another private investigator firm based out
14 of Saskatoon that was looking for me that I found
15 out through my contacts in the RCMP here. I
16 don't know if they ever contacted my Mom. My Mom
17 could tell you more about how much they've gone
18 through and stuff, and it's just, it hasn't been
19 nice, you know.

20 CORPORAL JIM TEMPLETON: Have you had any
21 contact or been approached by Mr. Milgaard's
22 lawyers?

23 NICHOL DEMYEN: No.

24 CORPORAL JIM TEMPLETON: Okay. I
25 understand that you had an interview with a Mr.



1 Eugene Williams and Sergeant Tidsbury of the
2 RCMP?

3 NICHOL DEMYEN: Yeah. Yeah.

4 CORPORAL JIM TEMPLETON: Okay. And you
5 recall that.

6 NICHOL DEMYEN: Yeah.

7 CORPORAL JIM TEMPLETON: The interview at
8 that time, and the things that you told Mr.
9 Williams and Sergeant Tidsbury, would they have
10 been the truth at that time?

11 NICHOL DEMYEN: Yeah.

12 CORPORAL JIM TEMPLETON: Have you or your
13 family been contacted by media or writers?

14 NICHOL DEMYEN: Yes I have, lots, lots and
15 lots.

16 CORPORAL JIM TEMPLETON: Okay. Has this
17 caused you any problems over the years, or any
18 concerns, rather?

19 NICHOL DEMYEN: I kept telling them "I have
20 nothing to say" and they keep calling back.

21 CORPORAL JIM TEMPLETON: If you mind me
22 asking, what would they -- what were they asking
23 you?

24 NICHOL DEMYEN: They wanted to talk to me,
25 and I would cut them off before they would



1 even -- I say "just listen, this is my life, I
2 don't want to talk to anybody about this, please
3 do not call my house again".

4 CORPORAL JIM TEMPLETON: So they were never
5 given the opportunity to ask any specific
6 questions?

7 NICHOL DEMYEN: None. None. Absolutely
8 none.

9 CORPORAL JIM TEMPLETON: Have you talked to
10 any other police officers, RCMP, or anyone else?
11 Okay, I mentioned Sergeant Tidsbury, and of
12 course, Constable Dyck and myself today; have you
13 spoken with anyone else about this matter?

14 NICHOL DEMYEN: How do you mean?

15 CORPORAL JIM TEMPLETON: At any length, as
16 far as an interview like we're doing today?

17 NICHOL DEMYEN: No, not that I recall.

18 CORPORAL JIM TEMPLETON: Okay. Since the
19 time of the trial, which would have been
20 completed in 1970, have you had any further
21 contact with the Saskatoon Police Department?

22 NICHOL DEMYEN: No. No. Once in, I think
23 it was in 1980, the beginning of 1980, a
24 detective from Saskatoon -- I can't remember the
25 name -- , came to my work and said that Mrs.



1 Milgaard was stirring up things, and he was just
2 making me aware of something was going to be
3 happening. That was it.

4 CORPORAL JIM TEMPLETON: This was 1980, so
5 you were in Regina at that time?

6 NICHOL DEMYEN: Yeah. Yeah.

7 CORPORAL JIM TEMPLETON: Where were you
8 working?

9 NICHOL DEMYEN: Bartlebys.

10 CORPORAL JIM TEMPLETON: Did they policeman
11 tell you not to speak with Mrs. Milgaard?

12 NICHOL DEMYEN: No. He was just making me
13 aware. He gave, if I remember correctly he gave
14 me the option, he said "you can if you want", you
15 know what I mean, "whatever you want to do, but
16 I'm just here to tell you that questions are
17 being asked" and blah, blah, blah.

18 CORPORAL JIM TEMPLETON: You recall
19 specifically this to be a representative of the
20 Saskatoon City Police Department? Can you
21 remember his name?

22 NICHOL DEMYEN: I want to say Karst, okay,
23 but I could be wrong.

24 CORPORAL JIM TEMPLETON: Can you describe
25 this man to me?



1 NICHOL DEMYEN: Tall. That's all I can
2 remember.

3 CORPORAL JIM TEMPLETON: Black hair, grey
4 hair?

5 NICHOL DEMYEN: I think grey.

6 CORPORAL JIM TEMPLETON: Heavy? Was he
7 dressed in a uniform or a suit?

8 NICHOL DEMYEN: No uniform, plainclothes.

9 CORPORAL JIM TEMPLETON: Plainclothes. Did
10 you have anymore than the one occasion to speak
11 with this man?

12 NICHOL DEMYEN: No. No more. Actually, I
13 think he phoned my Mom and Dad too, and told them
14 that this was going to happen.

15 CORPORAL JIM TEMPLETON: Nichol, we're
16 aware that, prior to your appearance at the
17 Supreme Court in 1992 in relation to this matter,
18 you had occasion to be hypnotized, the first time
19 by Dr. Pulos; and do you recall that?

20 NICHOL DEMYEN: Uh-huh.

21 CORPORAL JIM TEMPLETON: Okay. And what
22 can you tell us about that, what do you remember?

23 NICHOL DEMYEN: I didn't like the guy.

24 CORPORAL JIM TEMPLETON: You didn't like
25 the doctor?



1 NICHOL DEMYEN: No.

2 CORPORAL JIM TEMPLETON: Can you remember
3 being hypnotized?

4 NICHOL DEMYEN: I don't think I was.

5 CORPORAL JIM TEMPLETON: Okay. That was
6 done through the organization of Mr. Eugene
7 Williams?

8 NICHOL DEMYEN: Yes.

9 CORPORAL JIM TEMPLETON: Okay. And you had
10 previously spoke with Mr. Williams?

11 NICHOL DEMYEN: Yes.

12 CORPORAL JIM TEMPLETON: You spoke to him
13 before being hypnotized, or after?

14 NICHOL DEMYEN: What do you mean?

15 CORPORAL JIM TEMPLETON: You spoke with Mr.
16 Williams --

17 NICHOL DEMYEN: The interview?

18 CORPORAL JIM TEMPLETON: Yes.

19 NICHOL DEMYEN: The interview was before
20 this Dr. Pulos and --

21 CORPORAL JIM TEMPLETON: Have you ever seen
22 or did you ever wish to see the results of your
23 hypnotic session with Dr. Pulos?

24 NICHOL DEMYEN: I've seen the videotape.

25 CORPORAL JIM TEMPLETON: And what did you



1 think of that?

2 NICHOL DEMYEN: It was disturbing, a little
3 bit, at one point, yeah.

4 CORPORAL JIM TEMPLETON: Anything else?

5 NICHOL DEMYEN: No.

6 CORPORAL JIM TEMPLETON: You were also, I
7 understand, hypnotized by Dr. Orne from
8 Philadelphia?

9 NICHOL DEMYEN: Yeah.

10 CORPORAL JIM TEMPLETON: Okay. Can you
11 tell us about that?

12 NICHOL DEMYEN: It's hard to explain.

13 CORPORAL JIM TEMPLETON: First of all, did
14 you like that doctor?

15 NICHOL DEMYEN: He was a nice man, yeah,
16 yeah. He wasn't -- to me Dr. Pulos was like, he
17 wanted to be a star, You know, I mean he's going
18 to get to the bottom of things and he's going to
19 be a celebrity. Right. And this other doctor
20 was just a nice man, he was just going to what
21 they asked him to do and, you know, if something
22 came out of it, fine, if nothing did, fine.

23 CORPORAL JIM TEMPLETON: Do you feel that
24 you were hypnotized at that time?

25 NICHOL DEMYEN: I -- I don't believe in



1 hypnotism, okay. Something happened with him.
2 The time span was just too much, do you know what
3 I mean, that I was -- after the whole session was
4 over I went oh, okay, we've been here for what 15
5 minutes, half an hour, and it turned out like it
6 was two hours, or it was like a long, a fair
7 amount of time, and I'm going -- excuse me.

8 CONSTABLE JOHN DYCK: Okay. Go back to
9 compared to the session with Dr. Pulos, the
10 session with Dr. Orne was different,
11 significantly different?

12 NICHOL DEMYEN: Yes, yes, very much so.

13 CORPORAL JIM TEMPLETON: Do you feel that
14 the things you would have told Dr. Orne would
15 have been more that was brought out from your
16 memory; is that what you're saying?

17 NICHOL DEMYEN: I would say so, yeah. If I
18 was to say, if you took the two situations and
19 said "out of the two, where do you feel, do you
20 feel you were hypnotized at one", and I would say
21 "yes". I would say it was Dr. Orne. 'Cause
22 there's something there that I can't explain, the
23 time span was just --

24 CORPORAL JIM TEMPLETON: You mentioned that
25 you were aware, or you have seen the results of



1 your hypnotic session or your meeting with Dr.
2 Pulos.

3 NICHOL DEMYEN: Right.

4 CORPORAL JIM TEMPLETON: And there was
5 certain things that you talked about there when
6 you were with the doctor. Those thoughts -- are
7 those thoughts that you have at different times.
8 You referred to, I believe, to different people
9 that you at different times experience
10 flashbacks?

11 NICHOL DEMYEN: Okay.

12 CORPORAL JIM TEMPLETON: Okay. Is that
13 what you were experiencing when you were with Dr.
14 Pulos?

15 NICHOL DEMYEN: Yes.

16 CORPORAL JIM TEMPLETON: And what causes --

17 NICHOL DEMYEN: There's some different --
18 there's a memory there. Okay. There's something
19 there that -- I don't know, I can't explain it.

20 CORPORAL JIM TEMPLETON: We'll just leave
21 that for now. We'll move along fairly quickly,
22 we're almost done, Nichol. In 1992 you attended
23 the Supreme Court hearings in Ottawa, and, of
24 course, you recall that?

25 NICHOL DEMYEN: Right.



1 CORPORAL JIM TEMPLETON: Okay, when you
2 were there and you did, in fact, give evidence;
3 is that not right?

4 NICHOL DEMYEN: Right.

5 CORPORAL JIM TEMPLETON: Your thoughts, as
6 you attended the Supreme Court of Canada
7 concerning this application by Mr. Milgaard, what
8 were your thoughts?

9 NICHOL DEMYEN: What were my thoughts about
10 the whole thing?

11 CORPORAL JIM TEMPLETON: Yes.

12 NICHOL DEMYEN: My thought was it's been 23
13 years and I guess he should be out. Those were
14 my thoughts. Nothing more than that. I was to
15 the point, okay, I've done all I can, this is the
16 way it is, guys, and you do with what you want.
17 You know, this is your information now, and you
18 decide, you know.

19 CORPORAL JIM TEMPLETON: Okay. I'm going
20 to ask you a bit of a personal question. What
21 were your thoughts, as you gave evidence and
22 looked across and saw, what were your thoughts as
23 you saw Mr. Milgaard sitting there?

24 NICHOL DEMYEN: Nothing in particular. No,
25 I just -- okay, we're in a courtroom, you know



1 what I mean, more relaxed than we would be -- how
2 can I say. They tried to make me -- okay, this
3 isn't a court room, this is a hearing. Okay. To
4 me there's a difference. Okay. The atmosphere
5 is more relaxed and more, you know --

6 CORPORAL JIM TEMPLETON: Did you have
7 occasion to talk to Mr. Milgaard when you were in
8 Ottawa at those hearings?

9 NICHOL DEMYEN: No. No.

10 CORPORAL JIM TEMPLETON: Did you have
11 occasion to talk to Mr. Wilson or Mr. Cadrain?

12 NICHOL DEMYEN: No.

13 CORPORAL JIM TEMPLETON: Before, during or
14 after the Supreme Court?

15 NICHOL DEMYEN: No.

16 CORPORAL JIM TEMPLETON: Did these, any of
17 these people, including Mr. Milgaard, make any
18 attempt to get in contact with you?

19 NICHOL DEMYEN: No. Nobody -- when I was
20 in Ottawa for the Supreme Court hearing there I
21 was in a room under somebody else's name, which I
22 wanted, I didn't want my face flashed all over
23 the media. I -- sorry, I did my utmost to get
24 away from that.

25 CORPORAL JIM TEMPLETON: Were you



1 represented by counsel at the Supreme Court?

2 NICHOL DEMYEN: No.

3 CORPORAL JIM TEMPLETON: Did you talk to
4 any lawyers prior to attending?

5 NICHOL DEMYEN: I phoned Larry Leslie
6 because he had, when I was -- one conversation I
7 was having with Eugene Williams, he had asked
8 about contact, and I had said I knew about this
9 letter so I had phoned up Larry and said, "Larry
10 do you still have this letter", and he said
11 "Nichol, God that file is so old, I don't know if
12 I can find it", or if he had kept it or not, and
13 I think he phoned me back and said that he -- I
14 don't know, I can't remember if he had or if he
15 hadn't, it just wasn't --

16 CORPORAL JIM TEMPLETON: Did he offer you
17 any advice about --

18 NICHOL DEMYEN: Oh, yes, he did have it.

19 CORPORAL JIM TEMPLETON: He had the letter?

20 NICHOL DEMYEN: How did this go? Yes, he
21 had something that was couriered from his office
22 to my house, and when I received it I didn't open
23 it 'cause I didn't want to read it, And I took
24 it, unopened, to Eugene Williams and gave it to
25 him.



1 CORPORAL JIM TEMPLETON: Okay. At any time
2 going right back to 1969, and also with,
3 subsequent to that to interviews with Mr.
4 Williams and the Supreme Court testimony, were
5 you ever, at any time, coached or influenced or
6 told what to say concerning this matter?

7 NICHOL DEMYEN: No, not at all.

8 CORPORAL JIM TEMPLETON: Would I be fair to
9 say that any evidence, any statements you made,
10 you made of your own free will?

11 NICHOL DEMYEN: Yes, I did.

12 CORPORAL JIM TEMPLETON: Okay. Okay. At
13 any time did you meet and plan with Ron Wilson
14 to, well, we'll use the words 'give David
15 Milgaard to the police' because it appeared that
16 they wanted him for this murder?

17 NICHOL DEMYEN: Umm, no, umm, umm.

18 CORPORAL JIM TEMPLETON: You're laughing
19 and you're shaking your head no?

20 NICHOL DEMYEN: 'Cause I've heard that
21 before, I've heard that statement before.

22 CORPORAL JIM TEMPLETON: And how would you
23 describe that statement?

24 NICHOL DEMYEN: I can't see us doing that.
25 I mean I -- that's a big thing, that's murder,



1 that's not like stealing. I mean stealing, you
2 slap the guy on the hand and, you know what I
3 mean, that -- no, that doesn't compute, that
4 doesn't make sense.

5 CORPORAL JIM TEMPLETON: Okay. So that
6 never happened?

7 NICHOL DEMYEN: No.

8 CORPORAL JIM TEMPLETON: During the time of
9 being 16 1/2 years old, being involved with the
10 Regina City Police, members of the RCMP,
11 Saskatoon City Police, you had numerous
12 interviews with these people; were you scared
13 during your contacts with the police?

14 NICHOL DEMYEN: I don't think so. I was,
15 maybe apprehensive and more, "okay, what do you
16 guys, what do you want here, what are you talking
17 about", like I listen before I speak, you know.

18 CORPORAL JIM TEMPLETON: Would you have
19 been scared into giving them a story?

20 NICHOL DEMYEN: No, I don't think so, no.

21 CORPORAL JIM TEMPLETON: Okay. We talked
22 very briefly about flashbacks. You've indicated,
23 at different times, that you've experienced
24 flashbacks?

25 NICHOL DEMYEN: Yes.



1 CORPORAL JIM TEMPLETON: Okay. And you
2 also indicated, I believe to Constable Dyck, that
3 when you're under a lot of stress you experience
4 a flashback. Could you tell us what this
5 flashback is, what it's like, what you see?

6 NICHOL DEMYEN: I've told this so many
7 times. Do I have to go over this again? It's
8 recorded.

9 CORPORAL JIM TEMPLETON: Okay. I
10 understand that you discussed it with Mr.
11 Williams and I have access to that.

12 NICHOL DEMYEN: Also in the Supreme Court.

13 CORPORAL JIM TEMPLETON: Yes. Would you
14 rather not discuss that?

15 NICHOL DEMYEN: I'd rather not go over it
16 again, please. It's all down there.

17 CORPORAL JIM TEMPLETON: Again, certainly
18 not to upset you, but you mentioned a while ago,
19 during our talk here that there was -- we were
20 discussing Mr. Milgaard and you said there was
21 something not nice that you didn't want to talk
22 about?

23 NICHOL DEMYEN: I still won't talk about
24 it.

25 CORPORAL JIM TEMPLETON: Okay.



1 NICHOL DEMYEN: Sorry.

2 CORPORAL JIM TEMPLETON: Okay.

3 NICHOL DEMYEN: It's personally to do with
4 me. Okay. I just -- no.

5 CONSTABLE JOHN DYCK: Are there any other
6 issues, or any incidents relating to this
7 investigation you feel we should know that hasn't
8 been spoken about before?

9 NICHOL DEMYEN: No, I don't think so.
10 Other than, you know, we discussed before,
11 different people contacting me and they're
12 writing books, they're writing articles, they
13 want to do this, they want to do that, it's like
14 "go away".

15 CONSTABLE JOHN DYCK: Is there anything
16 that has not been mentioned before, relating to
17 this investigation, you do not wish to discuss,
18 apart from that?

19 NICHOL DEMYEN: No. I have told someone
20 about this, This is on record somewhere, okay, I
21 just --

22 CORPORAL JIM TEMPLETON: We appreciate
23 that, Nichol, and we are aware that it has been
24 recorded and we'll honour your request here. A
25 couple of just small things. Did you ever at any



1 time, once you were in Saskatoon and points
2 after, did you ever observe any blood on David
3 Milgaard's clothing?

4 NICHOL DEMYEN: I don't remember.

5 CORPORAL JIM TEMPLETON: Did you ever, at
6 any time that you think back or you flash back --
7 and I'm going to ask you about that just very
8 briefly -- do you ever remember a girl being in
9 the car when you're stuck in the back lane?

10 NICHOL DEMYEN: I don't think so, no.

11 CORPORAL JIM TEMPLETON: Okay. And, okay,
12 I don't mean to pry into your private thoughts.
13 You didn't want to discuss the flashbacks. Can
14 you, without getting into it in any depth, does
15 that statement mean anything to you, a girl in
16 the car, a girl in Wilson's car when you're stuck
17 in the back lane?

18 NICHOL DEMYEN: This is disturbing to me.

19 CORPORAL JIM TEMPLETON: In what respect,
20 Nichol?

21 NICHOL DEMYEN: I don't know. Just --
22 there's been a thought the odd time where I felt
23 like there was another female in the car. Okay.
24 I don't want to --

25 CORPORAL JIM TEMPLETON: Okay. We don't



1 want to upset you. It's something that hasn't
2 been discussed before with anybody else, and
3 those are your own thoughts, but it may very well
4 be important in getting to the bottom of this
5 whole incident as we discussed at the start. You
6 know, we'd like to go through it, and we'll get
7 all the answers, and put it to rest as best we
8 can. So I've asked that question, now, and
9 you've had that thought?

10 NICHOL DEMYEN: No one's -- yeah, and no
11 one's ever asked me that before, that I remember.

12 CORPORAL JIM TEMPLETON: Do you remember or
13 you've had that thought?

14 NICHOL DEMYEN: I just have a feeling, once
15 in a while, that somebody else was there at one
16 point. I don't know, okay, just --

17 CORPORAL JIM TEMPLETON: Now I hope I
18 haven't --

19 NICHOL DEMYEN: This hasn't been after I've
20 talked to anybody or anything, just every once in
21 a while I mull things over in my mind, I try not
22 to. There's just -- I don't know.

23 CONSTABLE JOHN DYCK: Have you found, since
24 all this has been happening over the years, that
25 you have recalled certain things that weren't



1 asked of you before?

2 NICHOL DEMYEN: Not really, no, not other
3 than this one thing. No.

4 CONSTABLE JOHN DYCK: I'm just going to
5 show you this diagram again, Nichol, and if you
6 just want to take a look at it; is there anything
7 you could add to that?

8 NICHOL DEMYEN: I don't think so, other
9 than there was, I think there was a light just
10 right over here somewhere.

11 CORPORAL JIM TEMPLETON: Nichol, I'm going
12 to give you a pen here and just draw that in.
13 And also, after you do that, if I could just get
14 you to sign your name at the bottom and indicate
15 that that's, in fact, a drawing that you gave us
16 today.

17 We have your signature on tape,
18 now you were on top of the microphone, I'm just
19 going to stop the tape for a minute so I can
20 review my notes before we conclude here because I
21 believe we're just about done. Tape is off at
22 4:05 p.m.

23 (TAPE TURNED OFF, TURNED BACK ON)

24 CORPORAL JIM TEMPLETON: Tape is back on,
25 The time is 4:09 p.m.



1 After reviewing the notes,
2 Nichol, I believe that we've covered everything
3 we wanted to talk to you about and we appreciate
4 your cooperation here today. I have just one
5 more question, and of a personal nature, and what
6 are your feelings, your deep feelings over the
7 years, about the death of Gail Miller.

8 NICHOL DEMYEN: I feel sad. I feel bad for
9 her parents. She was young. It was unnecessary,
10 you know. There's just too much of that going
11 on, you know.

12 CORPORAL JIM TEMPLETON: Okay. Is there
13 anything else that you'd like to add, any
14 statement that you'd like to make at this time,
15 to conclude this interview today?

16 NICHOL DEMYEN: Not really.

17 CORPORAL JIM TEMPLETON: I appreciate your
18 cooperation and your frankness, I have no further
19 questions; John, do you have any questions for
20 Nichol?

21 CONSTABLE JOHN DYCK: No, I don't.

22 CORPORAL JIM TEMPLETON: We'll terminate
23 this interview. The time is 4:10 p.m. May 17,
24 1993, Kelowna, B.C. Thank you very much, Nichol.

03:10 25 **(TAPE ENDS)**



1 MR. HODSON: That's the end of the tape,
2 Mr. Commissioner. I'm wondering if this isn't an
3 appropriate --

4 COMMISSIONER MacCALLUM: Take 15 minutes.

03:10 5 (*Adjourned at 3:10 p.m.*)

6 (*Reconvened at 3:30 p.m.*)

7 BY MR. HODSON:

8 Q Ms. John, I have some questions to ask you about
9 the interview that we just went through. You can
03:29 10 confirm that was you that was part of that
11 interview; correct?

12 A Yes.

13 Q Do you recall the interview?

14 A No.

03:29 15 Q Not at all?

16 A Not at all.

17 Q Do you remember Officers Templeton or Dyck?

18 A No.

19 Q Did you tell the truth to the officers at that
03:29 20 interview?

21 A Yes.

22 Q Having listened to the interview and your answers,
23 did you hear yourself say anything that you now
24 think may not be truthful or complete?

03:29 25 A No.



1 Q Was there anything that you listened to that in
2 any way refreshes your memory?

3 A No.

4 Q Now, this interview was, the RCMP interview was
03:29 5 May of 1993 which would be 24 years after Gail
6 Miller's murder; correct?

7 A Okay.

8 Q And you would agree with me that listening to the
9 tape, that you had a fairly, in some cases, vivid
03:29 10 recollection, and I think those were your words,
11 of a number of events from 1969 and '70; would you
12 agree?

13 A I would agree.

14 Q And if we compare that recollection in that
03:30 15 interview that we just listened to to your
16 interview with Eugene Williams in 1989 and your
17 evidence at the Supreme Court in 1992 -- now let
18 me pause there. I read you only parts of that.
19 You recall me going through those interviews, but
03:30 20 I think what you told the RCMP seemed to be a bit
21 more detailed than what you said to Mr. Williams
22 or at the Supreme Court. Is that -- would you
23 agree with that?

24 A I can't -- I can't distinguish them, I can't
03:30 25 remember.



1 Q Okay. And I'm only asking you since you've told
2 me you can't recall any of these sessions. Having
3 listened to me read parts of what you said to
4 Eugene Williams and what you said at the Supreme
03:30 5 Court, and I appreciate that there are different
6 people questioning and the questions may not be as
7 detailed --

8 A Uh-huh.

9 Q -- but generally comparing what you told them to
03:30 10 what you told the RCMP in 1993, it would appear
11 that there was a few more details in the 1993
12 interview; would you agree with that?

13 A If you say so, I would agree.

14 Q Well, no, I don't want to put words in your mouth.
03:31 15 I want to know based -- and again I'm afraid,
16 since you can't recall any of the sessions, I have
17 to ask based on what you heard this week and what
18 we went through.

19 A I would say that I sounded much more relaxed on
03:31 20 this last one that you played, that one, I can
21 agree to that, so I don't know if that had any
22 bearing on what I was saying.

23 Q Okay. If I said to you that in your RCMP
24 interview you seemed to have more details and more
03:31 25 recollection of more events than what is recorded



1 in the interviews with Mr. Williams and at the
2 Supreme Court, can you agree with that?

3 A I would agree with that.

4 Q And can you give me an explanation for that?

03:31 5 A No, other than what I just said.

6 Q Okay. Let's compare what you said in the 1993
7 interview with the RCMP to what you've told this
8 Commission of Inquiry this week --

9 A Uh-huh.

03:32 10 Q -- your evidence of your current recollection, and
11 you would agree with me that there's a significant
12 difference in your recollection today and your
13 recollection in 1993; is that fair?

14 A That's fair.

03:32 15 Q In fact, and my notes may not be correct, but I
16 counted at least 50 instances where in 1993 you
17 had a vivid, or a recollection of an event or an
18 observation from 1969 or '70, yet this week you've
19 told us you've had no recollection, and the number
03:32 20 is not important. You would agree there was a
21 significant number?

22 A Yes.

23 Q Do you have any explanation for that?

24 A No.

03:32 25 Q And again in 1993 it would be 24 years after Gail



1 Miller's murder; correct?

2 A Yes.

3 Q And today we're 12 years after the RCMP interview?

4 A Yes.

03:32 5 Q Approximately?

6 A Yeah.

7 Q Is it because you don't want to recall, Ms. John?

8 A I can't recall.

9 Q I've heard that many times, I'm aware of that, and
03:33 10 I'm trying to find out why, and let me ask you
11 again, is it because you do not want to recall the
12 events of 1969 and 1970?

13 A I think it's got more to do with certain events
14 that have happened in my personal life since Gail
03:33 15 Miller's murder to this point. I've had a lot of
16 traumatic things happen and I would say that they
17 probably take precedent over that. I have no
18 other explanation.

19 Q Have those events happened since 1993?

03:33 20 A Yes.

21 Q What about prior to 1993?

22 A Yes.

23 Q Do you recall events, unrelated to the Gail Miller
24 murder and David Milgaard, do you recall events
03:33 25 from 1970, high school, early '70s, where you



1 worked?

2 A No.

3 Q Nothing whatso -- it's all a blank?

4 A Oh, I lost --

5 Q Let me --

6 A Start over, please.

7 Q I want to talk about nothing to do with Gail
8 Miller's murder or David Milgaard.

9 A Uh-huh.

10 Q Do you have a recollection of the late '60s, early
11 '70s?

12 A A bit.

13 Q Let's talk about high school, where did you go to
14 high school?

15 A Miller High.

16 Q And where did you work after high school?

17 A A restaurant, and I can't remember the name of it.

18 Q And when did you get married, what year?

19 A April of 1970.

03:34 20 Q And do you recall the wedding?

21 A Yeah, briefly.

22 Q And do you recall where you lived after that?

23 A Yes.

24 Q Okay. And what about the early and mid '70s,
03:34 25 where you worked and what you did?



1 A Early -- I remember having one job at Fellingner's
2 Meat Market.

3 Q Did you remember that before you heard the RCMP
4 tape this afternoon or did that trigger your
03:35 5 memory or --

6 A That triggered it, yeah.

7 Q Let me go back to what I asked you before, and
8 again I'm just trying to understand, Ms. John, as
9 to why, when we listened to the RCMP tape and hear
03:35 10 answers to questions with a great amount of
11 detail, including, for example, what you were
12 wearing that day, I'm trying to understand why
13 today you would have little or no recall of any of
14 those events.

03:35 15 A I don't know.

16 Q Let me ask again. Are you trying to forget
17 these -- have you made a conscious effort to --

18 A Possibly.

19 Q I'm not sure if this is a fair question, but if
03:35 20 you try to remember, are you able to?

21 A No.

22 Q If you sat down and said let me think back, are
23 you --

24 A No. I've listened to a lot of tapes, I've seen a
03:35 25 lot of videos and it's like watching somebody



1 else's life, you know, other than the fact that I
2 see myself on the video, I hear my own voice. I
3 have no recollection of them.

4 Q Can you help us out and tell us when, after May,
03:36 5 1993, which is the interview with the RCMP, when
6 it would have been that your recollection would
7 have been lost?

8 A Oh, God, I couldn't tell you.

9 Q Did you discuss this matter with friends, family?

03:36 10 A My family, no, about this matter, but I only have
11 one friend that knows about it. This is not
12 something that I've discussed with people.

13 Q Now -- and I'll get to this in a moment, but you
14 testified at the Larry Fisher trial in 1999?

03:36 15 A Uh-huh.

16 Q Do you remember that?

17 A Ah, briefly.

18 Q And I've read through the transcript, and I'll be
19 putting only small parts of it to that, but my
03:36 20 sense from that is that you didn't have much of a
21 recall then. Would you agree with that?

22 A I don't know. I don't remember what I said. I
23 vaguely remember being there.

24 Q I just want to go through, and I won't take you
03:37 25 through all 50, Ms. John, but I just want to touch



1 on a couple of the things that we heard in the
2 tape, and I think some of them for the first time.
3 You recall, I think early on, telling the police
4 officers what you were wearing on the trip. Do
03:37 5 you remember hearing that?

6 A Yes.

7 Q And that would be a detail that you would remember
8 24 years later?

9 A Obviously.

03:37 10 Q And do you have any recollection of that today?

11 A Now that I heard it, yes, I remember.

12 Q So you now recall what you were wearing that day?

13 A Right.

14 Q Okay. What were you wearing that day?

03:37 15 A I think it was navy blue, what they called
16 elephant pants at that time, and I think I had
17 kind of a hairy parka of some kind.

18 Q Was it maroon with fur?

19 A Yeah. I think it was a darker colour.

03:38 20 Q You talked in the video about recalling a girl or
21 a woman or a female and asking for directions.
22 You remember hearing that?

23 A Yes.

24 Q Does that -- are you able to think back now and
03:38 25 try and remember, can you remember that?



1 A No.

2 Q You recall in the interview in '93 about stopping
3 this woman for directions and I think your words
4 were -- I think you described not only the
03:38 5 building behind her, but the colour of bricks. Do
6 you remember hearing that on the tape?

7 A Yes.

8 Q I think you said they were tan bricks, three-story
9 building. Does that jog your memory at all today?

03:38 10 A No.

11 Q Again in the tape you talked about, and your words
12 were vivid, I believe they were "vivid
13 recollection of the garbage cans in the alley,"
14 and I know I've asked you that many times this
03:38 15 week, Ms. John, but you heard your voice on the
16 tape talk about that. Does that in any way jog
17 your memory about that?

18 A No.

19 Q I had asked you earlier this week about the
03:39 20 Danchuks. You know who the Danchuks are, right,
21 Sandra and Walter Danchuk, they are the people
22 that lived on Avenue T and it has been reported
23 that that's where your vehicle was stuck behind a
24 red convertible and you told me this week you had
03:39 25 no recollection of that?



1 A No.

2 Q Right?

3 A Right.

4 Q And on the tape, on the audio you heard yourself
03:39 5 tell the RCMP in May of 1993, you didn't use the
6 name Danchuks, but went into the house, you
7 described the steps, you described the suite, you
8 described asking to use the washroom. Do you
9 remember hearing that?

03:39 10 A Yes.

11 Q And I'm going to suggest that that's the Danchuks.
12 Does that in any way jog your memory at all?

13 A I remember stopping and using someone's washroom,
14 but that's all I remember.

03:39 15 Q And was this while your car was stuck in an alley
16 or stalled in an alley?

17 A I don't know.

18 Q On the cosmetic bag on the audiotape you heard
19 yourself describe not only the contents of the
03:40 20 bag, identification, but actually a picture. Do
21 you remember hearing that this afternoon?

22 A Yes.

23 Q And I could be wrong on this, but I don't think we
24 heard about the picture before, is that right, at
03:40 25 least in what we've read?



1 A I'm sorry?

2 Q My question is I think this is the first time you
3 would have reported or it's recorded that you
4 reported to someone that you saw a picture in the
03:40 5 cosmetic bag?

6 A Wasn't there a mention of that before on one of
7 the other --

8 Q And I could be wrong, I thought it was
9 identification.

03:40 10 A Okay.

11 Q So you remember -- where do you remember hearing
12 about the picture before then?

13 A It was one of the tapes I think, wasn't it, that
14 we watched in the last couple of days?

03:40 15 Q So your memory is from this week then about the --

16 A Yeah.

17 Q How about back then, did what you heard yourself
18 say trigger any memory about the cosmetic bag?

19 A Other than that there was a cosmetic bag, no.

03:40 20 Q Nothing more than what you've already told us?

21 A No.

22 Q You talked in the audiotape about being on the
23 steps in Calgary and being upset and about Ron
24 Wilson perhaps or likely comforting you and that
03:41 25 Ron Wilson being that type of person, a very



1 caring person. Do you remember hearing that in
2 the audiotape?

3 A Yes.

4 Q Now, that's a little bit more than what you've
03:41 5 told us this week; correct?

6 A Yes.

7 Q And does that assist your memory at all?

8 A Not really. I have, like, a vague idea that I was
9 sitting on some steps, but I don't know if

03:41 10 somebody came to comfort me or when it was or --

11 Q Now, earlier I asked you about your trip in 1969
12 and when you went to Edmonton or St. Albert and I
13 believe you said you had no recollection. On the
14 audiotape to the RCMP you said that David Milgaard
03:41 15 knew a girl in St. Albert, you remembered a motel,
16 you remembered a blonde-haired girl with glasses
17 and the name Sharon Williams was familiar. Do you
18 remember listening to you say that?

19 A Yes.

03:41 20 Q And today you are telling us you have no
21 recollection of that, of any of that?

22 A The name Sharon Williams is familiar, but as far
23 as being in a motel room or anything else like
24 that, no.

03:42 25 Q You said to the RCMP, and I think your words were



1 vividly, "I recall vividly living at Barbara
2 Berard's house," and I think this was after your
3 return to Regina. Do you remember hearing
4 yourself say that?

03:42 5 A Yes.

6 Q Does that assist you at all in your memory today
7 about Barbara Berard and living at that house?

8 A I know that I lived there, but I don't know when
9 and I don't know for how long.

03:42 10 Q In the interview with the RCMP you talked about a
11 Cody Crutcher. Does that name sound familiar to
12 you at all?

13 A Yes.

14 Q And what do you know and what do you recall about
03:42 15 Cody Crutcher?

16 A Not much more than what I said on the tape.

17 Q Do you have a recollection today of Cody Crutcher
18 in 1969-'70 based on what you heard on the tape?

19 A Well, I have an idea of what he looks like, but I
03:43 20 couldn't swear that that's what he looks like now.

21 Q Do you ever recall talking to Cody Crutcher about
22 your involvement in the David Milgaard
23 investigation?

24 A No.

03:43 25 Q In the audiotape the RCMP asked you about Don



1 Robertson, a social worker. Do you remember
2 hearing that on the tape?

3 A Yes.

4 Q Do you know who Don Robertson is?

03:43 5 A No.

6 Q Do you remember that name at all?

7 A No.

8 Q Do you remember seeing a social worker in 1969
9 named Don Robertson?

03:43 10 A No.

11 Q Is it possible you were seeing a social worker at
12 that time?

13 A Possibly.

14 Q In the interview with the RCMP you described when
03:43 15 the police first contacted you in Regina that you
16 went to the Regina City Police station and that
17 you were apprehensive. Do you remember hearing
18 that?

19 A Yes.

03:43 20 Q And again I think you told me earlier this week
21 that you have no recollection?

22 A No.

23 Q Did hearing yourself answer those questions on
24 this point refresh your memory in any way?

03:43 25 A No.



1 Q In the interview with the RCMP in 1993 you said
2 you recalled David and Ron's pants having acid or
3 being eaten by acid. Do you remember hearing that
4 on the tape?

03:44 5 A Is that what it says?

6 Q Well, these are my notes, my recollection of what
7 you said. I'm not sure I want to start comparing
8 my recollection to yours, Ms. John, but --

9 A Okay, let's put it this way, I don't remember
03:44 10 acid, okay.

11 Q You don't have any recollection?

12 A No.

13 Q In 1993 you recalled looking for Albert's
14 girlfriend in Saskatoon before you left for
03:44 15 Calgary; do you remember hearing that on the tape?

16 A Yes.

17 Q Do you have any recollection of that today?

18 A No.

19 Q On the tape you -- or pardon me, I keep saying
03:44 20 tape, when I say "tape" I'm talking about if the
21 May 1993 interview with the RCMP?

22 A Yes.

23 Q You described your trip in May of 1969 I think in
24 the back of a police car with a police officer or
03:44 25 police officers; do you remember hearing that on



1 the taped interview?

2 A Yes.

3 Q Do you have any recollection of that today?

4 A I have one little vague memory of being in a car
03:45 5 on my way somewhere.

6 Q Okay. In fact you described, I think in a fair
7 bit of detail and I presume you had a vague
8 recollection of it, of the police car driving into
9 the underground garage of the police station; do
03:45 10 you remember hearing that?

11 A Yes, and it sounds familiar to me.

12 Q On the interview with the RCMP you talked about
13 being in a jail cell with a nice lady; do you
14 remember hearing that?

03:45 15 A Yes.

16 Q Do you have any recollection of that today?

17 A No.

18 Q You told the RCMP you remembered being in a hotel
19 room with Ron Wilson, and again this was around
03:45 20 the May 24, '69 statement, do you remember hearing
21 that?

22 A Yes.

23 Q Does that assist your recall at all?

24 A No.

03:45 25 Q Just back on the garbage cans, and I touched on



1 this before but I think the RCMP asked you about
2 it a couple times, and your words were:

3 "It is brilliant in my mind".

4 Do you remember hearing you say that in 1993?

03:46 5 A Umm, I think so, yeah.

6 Q And no recollection today?

7 A No.

8 Q You told the RCMP you recalled a vehicle being at
9 Shorty's house and being moved that morning; do
03:46 10 you remember hearing that?

11 A Yes.

12 Q And, today, any recall?

13 A No, I got a vague memory about the vehicle, but
14 not -- nothing specific.

03:46 15 Q In 1993 you told the RCMP about remembering a
16 brown coat, I believe you described it as David
17 Milgaard's, a brown coat with knit cuffs and toque
18 and mitts from Ron's brother; do you remember
19 hearing that?

03:46 20 A Yes.

21 Q Do you have any recall, today, of that?

22 A No.

23 Q You told the RCMP you remembered being upset while
24 on the stand in court, and that's the part when
03:46 25 you then went on to say "I remember what I was



1 wearing that day"; do you remember hearing that?

2 A Yes.

3 Q And, today, do you have any recollection of what
4 you were wearing in court when you testified in
03:47 5 the David Milgaard matter?

6 A Yes, I remember what I wore.

7 Q Okay. What did you wear?

8 A It was a pink dress.

9 Q Do you remember anything else about court other
03:47 10 than what you were wearing?

11 A No.

12 Q In the RCMP interview you said you remembered
13 being upset while on the stand; do you remember
14 hearing that?

03:47 15 A Yes.

16 Q Does that assist your memory at all?

17 A No.

18 Q You also told the RCMP that you remembered the
19 police in Regina who came to see you were
03:47 20 plainclothes officers; do you remember hearing
21 that?

22 A Yes.

23 Q Does that assist you at all in your recall?

24 A Umm, which officers are we talking about?

03:47 25 Q Well, I think you were talking about the officers



1 in Regina, and it may have been the first two that
2 came to see you in early March 1969?

3 A I remember, if that was the first contact I
4 remember two big guys, and that's all I remember.

03:47 5 Q Okay. And were they plainclothes or were they
6 uniform?

7 A I don't know.

8 Q Do you recall hearing your voice tell the RCMP
9 that you remember the lie detector, you wanted it
03:48 10 and they wouldn't let you have it, and Ron had it
11 done, or words to that effect?

12 A Yeah, I recall.

13 Q And does that assist you at all in, today, telling
14 us whether that, in fact, happened?

03:48 15 A I don't know. It sounds familiar but I can't say
16 one way or the other.

17 Q You told the RCMP, in 1993, that a detective came
18 from Saskatoon, came to your work I think in the
19 early 1980's to make you aware that Joyce Milgaard
03:48 20 was, I think the words were, "stirring things up",
21 and you mentioned the name Detective Karst; do you
22 remember hearing that on the tape?

23 A Yes.

24 Q Do you have any recollection of that today?

03:48 25 A I remember somebody coming to my work, but I don't



1 know who it was.

2 Q Now I think, earlier this week, you told me you
3 had no recollection of the hypnosis session with
4 Dr. Pulos; is that right?

03:49 5 A Other than I remember him.

6 Q Okay. And you told the RCMP in 1993 that you saw
7 the videotape of that session and then you went on
8 to tell them your thoughts about Dr. Pulos in the
9 session; do you remember hearing that?

03:49 10 A Yes.

11 Q So it sounds like you did get a copy of that?

12 A Sounds like I did.

13 Q Okay. If I could just go to a couple parts that I
14 wish to specifically address you to on the
03:49 15 transcript. If you could go to page 022346, this
16 is the transcript of the RCMP interview, just call
17 out that question and answer. And officer
18 Templeton asked you:

19 "CORPORAL JIM TEMPLETON: Would you have
20 allowed the police to put words into
21 your words ...,"

22 and I think it was "words into your mouth", that
23 may be a typographical:

24 "... and by saying that, would they have
25 written this out and then had you sign



1 it? Or would you have signed something
2 that you hadn't said?"

3 And I believe he is talking about the May 24th,
4 1969 statement, and you say:

5 "I probably would have signed anything
6 at that point. Probably, like I'm
7 saying, I'm looking back and saying, 16
8 years old, dealing with police,
9 probably. I'm not saying I did. I'm
10 not saying I didn't. But I'm going
11 through things. I have a tendency to
12 skim over things and things just don't,
13 okay, in one eye and out the other one."

14 Do you recall hearing yourself answer that
03:50 15 question?

16 A Yes.

17 Q Let me ask you today, Ms. John, the same question
18 that Officer Templeton asked you, and you can read
19 it there, and tell me what you think today?

03:50 20 A As in do you think it happened, is that what you
21 are asking me, or --

22 Q I'm asking you to read what Templeton asked you in
23 '93, I'm asking you that same question today, and
24 I want you to tell me, today, would you have
03:51 25 allowed the police to put words into your mouth?



1 And, by saying that, would they have written this
2 May 24th, 1969 statement out and then had you sign
3 it, or would you have signed something you hadn't
4 said?

03:51 5 A I don't think I would have signed something I
6 hadn't said.

7 Q Okay. Would you have signed anything, at that
8 point, as you answered Officer Templeton?

9 A Umm, possibly.

03:51 10 Q Why?

11 A Umm, you know when you are 16 and people are
12 talking to you, I don't even know if I read the
13 statement before I signed it.

14 Q How, how can you say that?

03:51 15 A Pardon me?

16 Q How can you say that?

17 A Because I don't recall doing it.

18 Q Do you recall anything about the May 24th, 1969
19 statement?

03:51 20 A No. No.

21 Q If we go to the next page please, 022347, and I'm
22 just going to read this part here, Ms. John, that
23 you said on the interview:

24 "Okay. I'm going to say something. As
25 far as I'm concerned, something



1 happened. Something happened on our
2 trip. There's too much, too many holes.
3 And knowing myself, something happened.
4 I saw something. I'm not pointing the
5 finger to anybody or anything, but I
6 thoroughly believe that. I just don't
7 know exactly who."

8 Let me pause there. As far as you are concerned
9 today, Ms. John, did something happen on your
03:52 10 trip January 31, 1969?

11 A After listening to everything and thinking, you
12 know, all the holes that are in my memory, I think
13 something did happen, yes.

14 Q Something happened on your trip?

03:52 15 A Yeah.

16 Q And what do you mean by "something?"

17 A I don't know. There's just too many holes --

18 Q Okay.

19 A -- in my memory.

03:53 20 Q When it says "something happened" are we talking
21 something bad?

22 A I would tend to think so, yes.

23 Q Okay. And are you talking about -- now we know
24 that Gail Miller was murdered the morning that you
03:53 25 were in Saskatoon?



1 A Right.

2 Q Correct?

3 A Correct.

4 Q Is that what you are talking about?

03:53 5 A I don't know.

6 Q And it says "there's too much, and knowing myself
7 something happened, I saw something"; do you
8 believe that you saw something?

9 A I think I did.

03:53 10 Q Okay. What do you think you saw?

11 A I think that I probably saw what happened.

12 Q To Gail Miller?

13 A Yes.

14 Q And why do you say that?

03:53 15 A Because there's too many gaps in my mind and, when
16 I'm in stressful situations, my mind -- how can I
17 say -- goes blank.

18 Q Okay. What did you see happen to Gail Miller?

19 A I don't know.

03:54 20 Q So I think you said you -- and correct me if I'm
21 wrong -- but that you think you saw what happened
22 to Gail Miller?

23 A I think so.

24 Q You think you saw the murder?

03:54 25 A I think so.



1 Q And do you think you were in the alley, then,
2 where her body was found; in that vicinity?

3 A I think I may have been close, yes.

4 Q Okay. And what causes you to say that -- and I'm
03:54 5 sorry if you have already answered this -- but
6 what causes you to say that you think you were
7 there?

8 A Because of the gaps in my memory.

9 Q Okay. And why does that leave you to conclude
03:54 10 that you were there?

11 A I have no other explanation for why there is gaps,
12 other than the fact that I believe that something
13 traumatic happened to me or I witnessed something
14 traumatic, --

03:54 15 Q Okay?

16 A -- which caused my memory failure.

17 Q Okay. And if I could just scroll down, please,
18 and you say here:

19 "I'm pertaining, what I'm getting at is,
20 that murder took place and as far as I'm
21 concerned I was there. I just don't
22 know what I saw, who was involved.
23 Paper says Dave Milgaard, that piece of
24 paper right there. I don't know."

03:55 25 If I can pause there, was that the May 24, '69



1 statement, that piece of paper?

2 A I have no idea:

3 Q "But I know that I saw something."

4 And I take it that's what you are telling us
03:55 5 today; is it?

6 A Yes.

7 Q Page 022350, and the RCMP asked you about, I
8 think, a similar question that I asked you about a
9 couple days ago, and the comment that was
03:56 10 attributed to you saying in front of witnesses
11 before the preliminary hearing, and the words were
12 here, Templeton read it, I'll read it to you and
13 it is, quote:

14 "I don't know why he didn't kill me too,
15 I was right there and saw it all, but
16 I'm not going to say nothing".

17 Do you remember when I asked you that question
18 earlier this week and I showed you the
19 prosecutor's statement that had his notes
03:56 20 attached, and Peggy Miller, Gail Miller's
21 sister --

22 A Yes.

23 Q -- her statement that attributed this to you? Do
24 you remember when I put that to you?

03:56 25 A Yes.



1 Q And I believe you said you had no recollection of
2 that?

3 A Yes.

4 Q And then here Officer Templeton, it appears you
5 still don't have a recollection, you say, "I don't
6 remember saying that", then he asks you though,
7 "Would that be something you would have said",
8 and you said "yeah, that would be something."

9 And let me ask you, today, the same question
10 Officer Templeton asked you; would that have been
11 something you would have said?

12 A Umm, I don't know what the situation was that --
13 when we were discussing this.

14 Q With, are you talking about when you were
15 discussing this with the RCMP?

16 A Right, exactly.

17 Q I'm not sure I follow. I think what Officer
18 Templeton was doing was saying "lookit, a couple
19 of people have said that you made this remark
20 right here" --

21 A Okay, yes.

22 Q -- "while you were sitting in a room before court
23 in the David Milgaard matter?"

24 A Uh-huh.

25 Q And Mr. Caldwell's statement had Albert Cadrain,



1 Mary Marcoux, and Mrs. Miller, is what his notes
2 said, --

3 A Uh-huh.

4 Q -- and Peggy Miller, who is now Peggy Moreau, --

03:57 5 A Uh-huh.

6 Q -- said she recalls you uttering words similar to
7 this -- I'm not sure if those are her words but
8 close to that -- and Officer Templeton was asking
9 you about that, and you told him you didn't
03:57 10 recall?

11 A Uh-huh.

12 Q But then he asked you "would that have been
13 something you would have said" and you told him
14 "yeah, that would be something".

03:57 15 A Possibly.

16 Q Okay. My question today; is that something that
17 you would have said?

18 A Oh, I don't know.

19 Q Okay. No, that's fine. Page 022362, please, and
03:58 20 there is a part on the tape, and it was just
21 before it cut out, and I just want to -- I think I
22 heard this right. This has to do with the funeral
23 home, and just preceding this he is talking about
24 driving you around in the police car, and
03:58 25 Templeton says:



1 "And do you remember anything coming
2 back to you, as far as landmarks? And I
3 mentioned before the church and a
4 funeral home. Can you recall that?"

03:58 5 And you answer:

6 "I remember somebody saying something
7 about funeral home. Or, I got to think
8 about this for a minute. Me, saying no,
9 this isn't where we were, or something
03:58 10 along those lines."

11 Now when I read that it looked like you were
12 saying that, when you were driving around the
13 funeral home, you were saying "no, this isn't
14 where we were"; do you see that?

03:59 15 A Yeah, I see that.

16 Q And do you recall yourself answering that
17 question?

18 A No.

19 Q Am I right to read this, and that you are telling
03:59 20 the officers in 1993 that you were thinking "no,
21 this isn't where we were" when you were driving
22 around the church and a funeral home?

23 A Possibly. I'm not sure what I was getting at
24 there.

03:59 25 Q Okay. Does that assist your recollection at all?



1 A No.

2 Q Page 022375, please. And Officer Templeton asks
3 you, and I think you touched on this earlier, he
4 said:

5 "At any time, did you meet and plan with
6 Ron Wilson to, well we'll use the words
7 give David Milgaard to the police
8 because it appeared that they wanted him
9 for this murder?

10 NICHOL DEMYEN: No.

11 CORPORAL JIM TEMPLETON: You're laughing
12 and you're shaking your head no.

13 NICHOL DEMYEN: Cause I've heard that
14 before. I've heard that statement
15 before.

16 CORPORAL JIM TEMPLETON: And how would you
17 describe that statement?

18 NICHOL DEMYEN: I can't see us doing that.
19 I mean, that's a big thing, that's
20 murder, that's not like stealing. I
21 mean stealing, you slap the guy on the
22 hand and you know what I mean, that --
23 -- no, that doesn't compute, that
24 doesn't make sense.

25 CORPORAL JIM TEMPLETON: So that never



1 happened?

2 NICHOL DEMYEN: No."

3 And let me ask you Officer Templeton's question
4 today.

04:00 5 A Uh-huh.

6 Q At any time, did you meet and plan with Ron Wilson
7 to use the words, quote, "give David Milgaard to
8 the police", quote, because it appeared that they
9 wanted him for this murder?

04:00 10 A I don't believe so, no.

11 Q And why do you say that?

12 A I can't see us doing that.

13 Q And on what basis, I'm sorry, why?

14 A Well like I'm saying here, it's murder, it's not
04:00 15 like shoplifting or stealing or whatever, you
16 know, it's somebody's life; right.

17 Q Yes. Now you will recall hearing on the interview
18 tape with the RCMP, on a couple of occasions the
19 officers asked you about something and you said
04:01 20 "no, I don't want to talk about it, it's personal,
21 it relates to David Milgaard"; do you remember
22 them asking you?

23 A Yes.

24 Q Would that -- and I don't think you ended up
04:01 25 telling them; is that right?



1 A Yeah, it sounds like it, yeah.

2 Q And would that have been the incident with David
3 Milgaard a couple days prior to your trip in 1969
4 --

04:01 5 A I don't know.

6 Q -- where -- pardon me?

7 A I don't know what I was referring to.

8 Q Page 022377, call out that. Officer Templeton
9 asks you:

10 "CORPORAL JIM TEMPLETON: Okay. I don't
11 mean to pry into your private thoughts,
12 you didn't want to discuss the
13 flashbacks. Can you, without getting
14 into it in any depth, does that
15 statement mean anything to you? A girl
16 in the car? A girl in Wilson's car when
17 you're stuck in the back lane?

18 NICHOL DEMYEN: This is disturbing to me.

19 CORPORAL JIM TEMPLETON: In what respect
20 Nichol?

21 NICHOL DEMYEN: I don't know. Just --
22 there's been a thought, the odd time
23 where I felt there was another female in
24 the car."

04:02 25 Just scroll down. And Templeton says:



1 "CORPORAL JIM TEMPLETON: Do you remember?
2 Or you've had that thought.

3 NICHOL DEMYEN: I just have a feeling, once
4 in awhile that somebody else was there
04:02 5 at one point. I don't know -- okay."

6 I believe that's the first time anywhere, at
7 least been recorded, where you say you -- and I
8 don't want to overstate it -- but that you have
9 had a thought or felt that there was another
04:02 10 female in the car; is that fair?

11 A That's fair.

12 Q Umm, and that wasn't in either of your statements
13 to the police in 1969, correct?

14 A I believe so.

04:02 15 Q Had you told anyone, prior to 1993, that you felt
16 there was another female in the car?

17 A I'm not sure.

18 Q Does this assist your recollection at all today?

19 A No.

04:03 20 Q Do you have any recollection of another female
21 being in the car the morning of January 31, 1969?

22 A No recollection.

23 Q Do you have any explanation as to why you would
24 have said this to the officers in your 1993
04:03 25 interview?



1 A I'm not sure. You know, from the gist of it, it
2 looks like I'm just talking about a feeling, so --

3 Q And do you have that feeling?

4 A Not really.

04:03 5 Q Have you had that feeling?

6 A Umm, I have often thought about it.

7 Q What have you thought?

8 A You know, just -- I don't know how to explain it.
9 Just a thought.

04:03 10 Q Is it a recollection?

11 A No, not at all.

12 Q Next, if I could show you document 061356, and
13 this is a document, a letter September 3, 1993
14 from the RCMP, Inspector Sawatzky, it says:

04:04 15 "Enclosed herewith is transcript of the
16 interview between R.C.M. Police
17 investigators and yourself."

18 Do you acknowledge that you received a copy of
19 the transcript of your 1993 interview from the
04:04 20 RCMP?

21 A I don't remember receiving it.

22 Q And was that your address in September of 1993?

23 A Yes, it was, yeah.

24 Q Now I understand, Ms. John, that -- and your
04:04 25 interview with the RCMP was May 1993, that they



1 followed up in December of '93, and then again in
2 February of '94 to ask you some further questions
3 that arose out of an interview with your parents;
4 does that -- do you recall that?

04:05 5 A Umm, no.

6 Q Okay. I believe the RCMP interviewed your parents
7 in 1993 and, based on what happened at that
8 interview, they had some follow-up questions with
9 you. No recall?

04:05 10 A No recall.

11 Q And an officer met with you to show you some
12 pictures to see if you could identify the brick
13 building and the church; do you remember meeting
14 with an officer? And I'll show this to you, I'm
04:05 15 just trying to get your recollection.

16 A No.

17 Q Were you aware that the RCMP had interviewed your
18 parents?

19 A No. No idea.

04:05 20 Q Did you ever discuss that with them?

21 A No.

22 Q If I could call up document 053491, please. I'm
23 sorry, that might be part of the RCMP notes, or
24 I'm not sure what the doc. ID for that is.

04:06 25 MS. BOSWELL (Document Manager): We have



1 it.

2 MR. HODSON: Do you have it?

3 BY MR. HODSON:

4 Q And these are an officer's notes, Ms. John, from
5 the RCMP, and it's a date here, if you could just
6 zoom in there, it's December 15th, 1993. Just go
7 back to the main document and just call out this
8 bottom part, it looks like at 1:25 on that day, it
9 says:

04:06 10 "Sergeant Tidsbury advised he caught
11 Nichol just leaving her residence and
12 spoke with her. Subject was extremely
13 upset at the fact we had tried to
14 contact her by calling her parents.
04:06 15 Sergeant Tidsbury reminded her that she
16 had agreed in October to speak with the
17 writer. Subject acknowledged this
18 stating something to the effect "they
19 caught me on a weak or a bad day".

04:07 20 In spite of this",
21 if we can next page, which I think is 490 -- and
22 this is where, just for the record, the RCMP
23 request assistance, I think with the Kelowna
24 RCMP, to interview Nichol on the following. It
04:07 25 says:



1 "Attached are a number of pictures we
2 would like to have shown to Demyen. In
3 a statement obtained from Ms. Demyen in
4 May of this year, she makes reference to
04:07 5 a brick building and a church. More
6 specifically we would like to focus on
7 the aspect of the "brick building" as
8 this building was never mentioned
9 before."

04:07 10 And then down at the bottom, and it says:

11 "Also attached is also a portion of an
12 interview with Nichol's parents Mary Eva
13 and Michael ..."

14 next page:

04:08 15 "... John."

16 And those are your parents; are they?

17 A Yes.

18 Q Yes. And it says:

19 "Nichol tells her parents that when she
04:08 20 ran towards the church David Milgaard
21 grabbed her by the hood of her jacket
22 and choked her.

23 She also told her parents Ron
24 Wilson slapped her and told her to keep
04:08 25 quiet when she screamed "he killed her,



1 he killed her". Request Ms. Demyen be
2 questioned on these two incidents."

3 And if I could then go to, it's actually document
4 053525, which is part of the statement of Mary
04:08 5 and Michael John, it's page 33 of that document.

6 And, Ms. John, this is an
7 interview that the RCMP conducted with your
8 parents on June the 4th, 1993, so it would be
9 about three weeks after your interview, and
04:09 10 there's just parts of this that I wish to read to
11 you. And it's what your, I think, mother, for
12 the most part, advised the RCMP about what she
13 heard from you. And if you can just call out
14 that, and this is again Officer Templeton, the
04:09 15 same fellow who interviewed you a couple weeks
16 earlier:

17 "CORPORAL JIM TEMPLETON: Did she make any
18 other (unintelligible) to you.

19 MARY JOHN: Yes, and then I, it bothered me
20 this couple of days and then I phoned
21 her and I told her. I says, Nichol, I
22 says, now I know why church is stuck in
23 your mind, cause this popped into my
24 head. So then, that, she says, Mom.
25 Then a couple of days later she phoned



1 and she says Mom, she says, and I said,
2 oh, and I says to her, I says, this is
3 when he choked you. This is, cause
4 she's had this, she gets this choking
5 feeling and I says to her and this is
6 when he choked you. This is what. And
7 then she, so then she didn't remember,
8 couple days later she phoned me and she
9 says Mom, that's right, she says when I
10 was running, she says, he grabbed the
11 hood of my jacket and (unintelligible)
12 and I remember that jacket did have a
13 hood on it. Now this is after the fact,
14 but, so.

15 MICHAEL JOHN: After she had been gone to
16 that -

17 MARY JOHN: After she had been gone to the
18 Supreme Court."

19 I think you can go to the next page, please, and
04:10 20 your mother then says:

21 "MARY JOHN: She, when she, I remember her
22 saying this, you know, twenty four years
23 ago, whatever, and then she was running,
24 and she was running to the church and he
25 ran after her. And he grabbed her, now



1 this is how it comes, but she had, he
2 had grabbed her and he was choking her
3 and that was, this is why she gets this
4 choking feeling. When she really gets
5 upset she gets this choking feeling.
6 She just, you know.

7 CORPORAL JIM TEMPLETON: She told you that.

8 MARY JOHN: He grabbed her hood of her
9 jacket. Grabbed the hood of her jacket.
10 It's word association I guess, I don't
11 know, ..."

12 If we could pause there; do you remember having a
13 discussion with your mother about this, Ms. John?
14 No?

15 A (Shakes head in the negative)

16 Q Do you recall ever having a -- do you recall a
17 choking feeling, or anything, associated with the
18 events of that morning?

19 A No. No.

04:11 20 Q Now if I could just carry on, just scroll down --
21 actually, scroll back up, I'm on the wrong page
22 here. I'm sorry, go to the next page, please,
23 which is 527. And Mary John is reported to say:

24 "MARY JOHN: No, I don't ever remember
25 that. I remember her saying about Ron



1 Wilson coming back, and she was
2 screaming he killed her, he killed her.
3 And he, Ron Wilson slapped her and told
4 her keep quiet. That's, I can remember
5 that."

6 Do you recall talking to your mother about Ron
7 Wilson slapping you or anything about --

8 A No.

9 Q No? Do you recall Ron Wilson slapping you?

04:11 10 A I don't recall.

11 Q Go back to the RCMP report, and go to page 053488,
12 do you have the doc. ID for that?

13 MS. BOSWELL (Document Manager): Again?

14 MR. HODSON: Yeah, the page number is
04:12 15 053488, and the doc. ID might be 482? Great,
16 thank you.

17 BY MR. HODSON:

18 Q And this is an RCMP note, it says, it's dated
19 January 28th, 1994, it says:

04:13 20 "This date I contacted Nichol Demyen by
21 phone. I explained the reason for my
22 call and arrangements were made to meet
23 next week.

24 The photograph in question is
04:13 25 presently in the possession of Staff



1 Sergeant Tidsbury, Kelowna, B.C., and
2 will be retrieved upon my arrival in
3 Kelowna."

4 If you could go to the next page 487, please --
04:13 5 backwards, 487 -- and this, these are an RCMP's,
6 officer's notes, Ms. John, of a meeting with you
7 on February 3rd, 1994:

8 "Arrived to interview Nichol Demyen nee:
9 John re: Photos".

04:13 10 Do you recall meeting to review some photos of a
11 church and a funeral home?

12 A Vaguely.

13 Q Okay. It says:

14 "Meet with Demyen at hotel. She arrived
04:14 15 in a very agitated mood and stated she
16 was pressed for time. She stated was
17 having a "bad day" and not at all the
18 friendly person I had spoken to on the
19 phone ...

04:14 20 Demyen was shown photos of the
21 Rectory in Saskatoon as well as the
22 funeral home. On the first pass thru
23 she dismissed all photos with barely a
24 glance.

25 The photos were shown to her



1 again at which time she covered half of
2 picture 1 (rectory) with her hand and
3 said that the bottom windows were
4 familiar".

5 And I'll show you these photos in a moment.

6 "She did not recognize photo number 2.

7 Photo number 3 bottom right,
8 same photo of rectory but no snow and
9 from a distance also was familiar once
04:14 10 she covered half photo with her hand.

11 She identified the large winter
12 picture of the church (north side)
13 stating "that's the church".

14 The remaining photos of the
04:14 15 church and funeral home brought no
16 response. She was questioned
17 specifically about the rear of the
18 funeral home but stated the windows in
19 the building she recalls were on the
04:15 20 lower floor.

21 Demyen also stated that the
22 white stucco building on the last page
23 was familiar but she didn't know why.

24 The photo of the church taken
04:15 25 from the east down the alley received no



1 response or recognition."

2 And just go to the next, and again, this is the
3 RCMP summary:

4 "Photos.

04:15 5 Demyen ID'd the north side of
6 the rectory stating it was familiar.
7 When asked if it was the building she
8 had seen in her flashbacks she stated "I
9 think so". She then became more certain
04:15 10 stating she recalls the white strips on
11 the bottom of the windows. After
12 covering the photo half with her hand
13 (actually covered half the windows also)
14 she seemed certain this was the building
04:15 15 she recalled.

16 Photo 3 is the same picture
17 with no snow and a distance. She again
18 covered half the picture and top of
19 windows but was not as certain.

04:16 20 She recognized the large
21 picture of the church (snow) and also
22 the white stucco business."

23 If I can pause there -- and perhaps what I will
24 do, Mr. Commissioner, I actually have the actual
04:16 25 colour photographs here that I will give to the



1 witness and we'll have the images put up on the
2 screen.

3 And if we can start with, and
4 I'll just call up the document ID, it's 053346 --
04:16 5 you may want to put that side by side. Are we
6 able to do a side by side with the RCMP report
7 or -- and I want page 053487 brought up, please.
8 So on the right-hand side, if you can just take a
9 look at the screen here -- I'm sorry, just take a
04:17 10 look through the photos and then when you're done
11 looking at them I'll have a few questions for
12 you. Ready? Are we able to zoom on the
13 photographs or no? Can you see on the monitor
14 there, Ms. John, the number 1?

04:17 15 A Yes.

16 Q We can just go back. So if we go here:

17 "The photos were shown to her again at
18 which time she covered 1/2 of picture 1
19 (rectory) with her hand and said that
04:18 20 the bottom windows were familiar."

21 If you -- are you at all familiar with the
22 building in picture 1?

23 A I don't recall it.

24 Q Okay. Photo number 2, if we could just call up,
04:18 25 is 053347 on the left. That's photo number 2.



1 It's very faint in the top left corner. Are you
2 able to recognize the building in that photo?

3 A No.

4 Q If we can go to the photo 3 which is 053348 and
04:18 5 then just back on the statement here, you'll see
6 at the bottom it says:

7 "Photo number 3 bottom right, same
8 photo --"

9 And if you could just turn the page on the RCMP
04:19 10 statement, please, it says same photo -- I'm
11 sorry, you have to go to 86, 486. It says:

12 "Photo number 3 bottom right, same photo
13 of rectory but no snow and from a
14 distance also was familiar once she
04:19 15 covered 1/2 photo with her hand.

16 She identified the large
17 winter --"

18 I'm sorry, that's the next picture. Does that
19 photo number 3, the bottom right photo, are you
04:20 20 able to identify that photo at all?

21 A No.

22 Q If you could then go to 053350 and the photo on
23 the left, please, and the RCMP notes say:

24 "She identified the large winter picture
04:20 25 of the church (N side) stating "That's



1 the church."

2 Do you recognize the photograph on the left-hand
3 side, and if you want to look at the -- if you
4 look at the bottom, it's 053350, the bottom
04:20 5 right-hand number.

6 A Uh-huh.

7 Q Are you able to identify that church?

8 A It looks familiar.

9 Q Pardon me?

04:20 10 A It looks familiar.

11 Q Okay. And familiar from what?

12 A I don't know.

13 Q Well, you would have been shown --

14 A Well --

04:21 15 Q You would have been shown this photograph in 1994,
16 I believe you were shown it at the Fisher trial.
17 Is it familiar from that or is it familiar from
18 having seen the church at a different time?

19 A I'm not sure.

04:21 20 Q Okay. And then if we can go to the last page of
21 the photos -- I'm sorry, did you go through in
22 that book the pictures of the funeral home? Maybe
23 we can just go back to the, just the photos on the
24 screen, please, we can get rid of the RCMP notes,
04:21 25 and let's just go to the next page, 053351, and



1 you can take a look at the actual photographs.
2 This is a photograph of the Westwood Funeral Home,
3 front, back and side. Do you recognize those
4 photos at all?

04:21 5 A Not really.

6 Q When you say not really, is that a no or is
7 that --

8 A In this one picture here --

9 Q Which one, you can point --

04:22 10 A This one here.

11 Q Put on X on it on the screen. Yes?

12 A That looks familiar, this around here.

13 Q That's the top right corner, or top right photo of
14 053351. Maybe we could just zoom in on that. And
04:22 15 is it the brick there; is that --

16 A Yes.

17 Q And you say that's familiar. Familiar to what or
18 how is it familiar?

19 A I don't know how it's familiar, but it seems
04:22 20 familiar to me like I've seen it before, and I
21 don't know if it was from a photograph or what.

22 Q If you could go to the next page, please, 053352,
23 and again the top left I believe is the back of
24 the funeral home -- the bottom left. In the RCMP
04:23 25 report it says:



1 "Demyen also stated that the white
2 stucco building on the last page was
3 familiar but she didn't know why."

4 Is that --

04:23 5 A It doesn't look familiar, no.

6 Q I believe that's the store that's on the corner of
7 Avenue O and 20th and that the Cadrain residence
8 is down that way, it would be on the corner of
9 20th and Avenue O. Any familiarity?

04:23 10 A No.

11 Q Just a couple more questions and we can finish up.

12 COMMISSIONER MacCALLUM: The convenience
13 store was where, I'm sorry?

14 MR. HODSON: Oh, this convenience store
04:23 15 here is on the southeast -- southeast corner of
16 Avenue O and 20th Street I believe.

17 COMMISSIONER MacCALLUM: All right.

18 Thanks.

19 BY MR. HODSON:

04:23 20 Q Now -- and I should add, I believe these
21 photographs were taken likely in 1993, or
22 certainly not in 1969. Just back, if I could, to
23 the RCMP report, to page 053484, and I think
24 that's part of RCMP report 053482, and again this
04:24 25 is the February 2nd, '94 interview and these are



1 the RCMP's notes, Ms. John, I just want to read
2 parts, and it says:

3 "Demyen states that she has not had the
4 flashback for a while."

5 Scroll down:

6 "She was questioned about Milgaard
7 grabbing her hood and choking her by
8 pulling on it when in the alley. She
9 remembers this but has not felt the
04:24 10 choking sensation or experienced the
11 flashback for some time now. She did
12 not elaborate on this incident any more
13 than to say that M --"

14 Which I'm assuming, and I may be wrong, is
04:24 15 Milgaard,

16 "-- that had grabbed her by the hood
17 which caused her to choke. This she
18 felt had occurred in the alley."

19 Does that -- do you recall telling the RCMP
04:25 20 officer that?

21 A No.

22 Q Do you have any recollection of what is attributed
23 to you in this note?

24 A No.

04:25 25 Q Scroll down, please. It says:



1 "Demyen states she has no recollection
2 of Wilson slapping her when the two were
3 in the car or her stating "He killed
4 her, he killed her." She was asked
04:25 5 twice about this incident and simply
6 stated, "I don't remember that."

7 Which is I think what you told us earlier.

8 A Uh-huh.

9 Q Do you remember having that discussion with the
04:25 10 RCMP?

11 A No.

12 MR. HODSON: It's 4:30, Mr. Commissioner,
13 and it's probably an appropriate spot to break.

14 COMMISSIONER MacCALLUM: It is. Thank you
04:25 15 very much. We'll reconvene on Monday at 10 and,
16 ma'am, you've been through a long, hard week and
17 I'm sure there's no need to remind you that you
18 shouldn't discuss your evidence with anybody over
19 the weekend, but I'll have to do that anyway, so
04:26 20 thank you.

21 A Thank you very much.

22 (Adjourned at 4:26 p.m.)
23
24
25



OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATE:

We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR,
Official Queen's Bench Court Reporters for the Province of
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contain a true and correct transcription of our shorthand
notes taken herein to the best of my knowledge, skill, and
ability.

_____, CSR

Karen Hinz, CSR

Official Queen's Bench Court Reporter

_____, RPR, CSR

Donald G. Meyer, RPR, CSR

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