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, September 1st, 2005

Volume 67

Inquiry Proceedings



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INDEX OF PROCEEDINGS

DESCRIPTION:	PAGE:
BEVERLEY ALVIN CRESSMAN, SWORN	
- BY MR. HODSON	13224
JOHN MALANOWICH, SWORN	
- BY MR. HODSON	13317
- BY MR. WOLCH	13395
- BY MR. HODSON	13410



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	1		Transcript of Proceedings
	2		(Reconvened at 9:00 a.m.)
	3		COMMISSIONER MacCALLUM: Good morning.
	4		ALL COUNSEL: Good morning.
09:01	5		MR. HODSON: Good morning,
	6		Mr. Commissioner. The next witness is Mr. Bev
	7		Cressman.
	8		BEVERLEY ALVIN CRESSMAN, sworn:
	9		BY MR. HODSON:
09:02	10	Q	Good morning, Mr. Cressman.
	11		COMMISSIONER MacCALLUM: Have a chair, Mr.
	12		Cressman.
	13	А	Thank you.
	14		BY MR. HODSON:
09:02	15	Q	Thank you very much for agreeing to testify before
	16		this Commission and thank you for your patience
	17		for being on standby for the last couple of days.
	18		I understand that you reside in
	19		Loreburn, Saskatchewan; is that correct?
09:02	20	А	I do so, sir.
	21	Q	And your current age?
	22	А	I am 68.
	23	Q	And that you were an officer with the Saskatoon
	24		City Police Service from 1958 to 1990; is that
09:02	25		correct?



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	1	А	That's correct.
	2	Q	If we could just go to 325556, please. Mr.
	3		Cressman, this is a service record that we
	4		obtained from the Saskatoon City Police. I
09:03	5		believe you've had a chance to look at that; is
	6		that correct?
	7	A	I have, sir.
	8	Q	And does that accurately reflect the positions
	9		you've held at the various times?
09:03	10	А	Yes. There was before I was a quartermaster, I
	11		was in detectives, but I was in the pawn detail
	12		specifically.
	13	Q	Right. So if we take a look at the time period of
	14		Gail Miller's murder, January, 1969, you were a
09:03	15		morality officer from March 1, '68 right through
	16		until April 8th, 1971; is that correct?
	17	А	That's correct.
	18	Q	And then you were a, became a detective. Would
	19		that be a promotion, to a detective then from
09:03	20		morality officer?
	21	А	Yes. Morality officer was a corporal rank and a
	22		detective was a sergeant rank.
	23	Q	If we could just quickly take a look at 325571,
	24		please, which is the organizational chart, and
09:03	25		again we've heard a number of witnesses talk about
		I	



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	1		this, Mr. Cressman, I don't intend to go into
	2		detail, but I take it at the time as a morality
	3		officer you reported to morality sergeants; is
	4		that correct?
09:04	5	A	That is correct.
	6	Q	And then Inspector Nordstrom, was he above the
	7		morality sergeants?
	8	А	He was yes, he was.
	9	Q	And when you were in morality, 1968 to 1971, then
09:04	10		did you take direction from time to time from
	11		Inspector Nordstrom?
	12	А	Yes, I did.
	13	Q	Can you tell us, at the time did morality officers
	14		work with partners or on your own when you had
09:04	15		investigations?
	16	Α	Yes, we usually worked together, two of us
	17		together.
	18	Q	We've heard some evidence that in the morality
	19		division there were morality offences, rapes,
09:04	20		sexual assaults, indecent assaults; is that
	21		correct?
	22	Α	That is correct.
	23	Q	And then as well liquor offences?
	24	A	Yes.
09:04	25	Q	Gaming offences?



		Page 13227 ————
1	A	Yes, bootlegging.
2	Q	Are you able to give us any sense of breakdown
3		between how much time, when you were in morality
4		at the time, how much time you devoted to sexual
09:05 5		assault/rape offences and how much to other types
6		of offences?
7	A	I probably had spent more time on regular
8		assaults, domestic complaints, mental health
9		patients or mental patients than I did on rapes
09:05 10		and sexual assaults.
11	Q	And at the time, and we'll deal more specifically
12		with some names, but at the time, Mr. Cressman,
13		would you, as a morality officer, would you be
14		aware of the other files that were ongoing in
<i>09:05</i> 15		morality at the time?
16	A	Well, I had my own files, so I didn't pay that
17		much attention, but if we talked to other members,
18		of course if you had anything, knowledge to share
19		or information, we certainly would, yes.
09:06 20	Q	Was there any process in place, for example, if
21		you had your own rape file that you were
22		investigating and another rape occurred in the
23		city, would you find out about that and if so how?
24	Α	Well, we had information, I believe information
09:06 25		sheets came out daily, unless that was later on,
		Meyer CompuCourt Reporting

	1		but I think just from talking to the other
	2		officers or learning about it and when you were
	3		back at work or when you were at work, you would
	4		certainly hear about it, somebody attending a
09:06	5		complaint if you were working even if you didn't
	6		attend that complaint.
	7	Q	Okay. And I think the charts show that there was
	8		eight morality officers, so I take it you would be
	9		in contact with those officers on a regular basis;
09:06	10		is that correct?
	11	А	Yes, except when they were on days off when we
	12		weren't working at the same time.
	13	Q	So generally is it fair to say that again '68 to
	14		1971, that at least for serious offences that were
09:07	15		being investigated by the morality division, do
	16		you think you would have been aware of them?
	17	А	I would certainly think so, yes.
	18	Q	And what about Superintendent Jack Wood, your time
	19		period, '68 to '71, do you recall what role if any
09:07	20		he played in morality division, and specifically
	21		with your work?
	22	А	No, I can't recall having any contact with him or
	23		having any feedback from him as a supervisor at
	24		that time at all.
09:07	25	Q	And as far as the detectives division, they were a



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	1		separate division; is that correct?
	2	A	Yes, they were.
	3	Q	And we've heard evidence that they were located in
	4		a different part of the building; is that correct?
09:07	5	А	That is correct.
	6	Q	Just generally, 1968 to 1971 when you were in
	7		morality, what was the level or degree of
	8		co-operation between morality and detectives?
	9	А	I think it was fairly well fairly good. If
09:08	10		they had some information or they wanted you to
	11		try and locate somebody or find some information
	12		out, they would pass it on to you. I don't
	13		particularly recall having passed any information
	14		that I needed to know to them, but just because I
09:08	15		didn't have any particular need.
	16	Q	And I had asked you a few minutes ago about your
	17		level of knowledge of what was going on in the
	18		morality department. Tell us, what level of
	19		knowledge would you have had about what was going
09:08	20		on in the detectives division and the cases that
	21		they were investigating?
	22	А	I can't recall really having any particular
	23		knowledge. I mean, if there was a high profile
	24		case, like maybe murders or things, of course
09:08	25		everybody knew about that, but they had their



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1		files and I guess I had my files.
2	Q	But let's take, for example, you are investigating
3		an offence, liquor offence or some type of
4		incident and someone in detectives is also
5		investigating a different file but a same suspect,
6		did that ever happen, where detectives in morality
7		were looking for the same person but for different
8		crimes?
9	A	Oh, I'm sure it did, more than one occasion.
10	Q	And how can you tell us how morality and
11		detectives would coordinate that or was there any
12		coordination of that?
13	А	Probably by word of mouth or I would imagine a
14		report would be left by the various officers
15		involved to pass on the information to that,
16		either department, through the supervisor also.
17	Q	Okay. We've heard evidence again, and maybe you
18		can just tell us your recollection about how files
19		were assigned in morality and what it meant when
20		you were an officer in charge of a file.
21	А	Well, we would receive the file from the morality
22		sergeant and I think at first it would have come
23		to Inspector Nordstrom, then he would give it to
24		the sergeant that was working at that time, then
25		the sergeant would assign it to whoever he felt
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2 Q 3 4 5 6 7 8 9 A 10 Q 11 1 12 13 A 14 15 16 17 Q 18 19 20 21 A 22 23 24



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1		should get the file.
2	Q	And then once let's take a rape charge, and
3		we'll be dealing with the (V1) (V1)- file, you
4		were in charge of the (V1) (V1)- file; is that
09:10 5		right?
6	А	Yes, I was.
7	Q	So tell us, what did it mean, what was your
8		understanding of your responsibility as the
9		officer in charge of that file or any file?
09:10 10	А	Well, my I would attempt to try and find out
11		who was responsible and gain any evidence or talk
12		to any witnesses if there was any after the file
13		had occurred, any information I could gain.
14	Q	Would you be the one officer then who was
09:11 15		responsible to oversee or quarterback the
16		investigation; is that a fair description?
17	А	Yes, sir.
18	Q	And then I take it on that file or any file, there
19		would be occasions where other officers would do
09:11 20		work on the file; is that correct?
21	Α	Yes, especially if a person was on days off and
22		some information came to light, certainly they
23		would, yes.
24	Q	So that if you, let's take the $(V1)$ $(V1)-$ file,
09:11 25		you are the officer in charge, if information came

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	1		in and you were off duty, another morality officer
	2		or someone else might follow up?
	3	A	Certainly.
	4	Q	And make a report?
09:11	5	A	Yes, sir.
	6	Q	And then would it be your responsibility to read
	7		the report and decide what next steps ought to be
	8		taken?
	9	А	Yes, sir.
09:11	10	Q	And what role if any did the morality sergeants
	11		play in sort of the ongoing direction of a
	12		morality file, a rape file?
	13	A	Well, they would supervise it, they would review
	14		the file and any reports that I or anybody else
09:11	15		left, they would read them and then they would
	16		decide if well, it would be kept until its
	17		conclusion, but they would certainly yup, leave
	18		it with myself, for instance, in my case.
	19	Q	We've heard evidence from a number of officers
09:12	20		about investigation reports and the flow of paper.
	21		Can you tell us again 1968, 1971, what is your
	22		recollection of the preparation of investigation
	23		reports and where they went?
	24	А	Well, the investigation report would be left I
09:12	25		believe it was three copies, the same as



	1		oggurrenges and wheever left that report they
			occurrences, and whoever left that report, they
	2		would copy it one copy would go to Central
	3		Records, the original, and then two copies would
	4		go to the, in my case to morality division and
09:12	5		the, I believe the morality inspector or the
	6		sergeants would keep a copy and I would have a
	7		working copy myself.
	8	Q	And where would you keep the working copy, where
	9		would you keep that file?
09:13	10	A	I believe it was in my file cabinet. I had a
	11		locker, but I think in all cases it was left in a
	12		folder in the file cabinet in the morality office.
	13	Q	And was that a file cabinet shared with all other
	14		morality officers?
09:13	15	A	Yes, it was.
	16	Q	So if I went there in 1969, I would find the
	17		working file of every open investigation in
	18		morality; is that correct?
	19	A	Yes, sir.
09:13	20	Q	And would they be organized by officer?
	21	A	Yes, every officer had his own file folder, yeah.
	22	Q	And I take it if you were off duty and, let's say,
	23		Officer Valila was going to go and investigate
	24		something on your file, would there be occasions
09:13	25		where he, he or another officer might take your \P



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	1		working copy for the day?
	2	Α	Yeah, I'm sure he would, yes.
	3	Q	So that happened from time to time, your working
	4		copy would be removed from filing while an officer
09:13	5		or officers are using it; is that fair?
	6	A	I would think so, yes.
	7	Q	And then, sorry, Central Records, and the third
	8		copy would be with morality sergeants and/or
	9		inspector; is that right?
09:14	10	А	That's correct.
	11	Q	And then can you tell us, what about handwritten
	12		statements, if you took a statement from a suspect
	13		or a witness in handwritten form, what would
	14		happen to the original of that statement?
09:14	15	Α	The original, as far as I know, should go to
	16		Central Records and be kept on file there.
	17	Q	Can you tell us, and again I'm talking about when
	18		you were in morality in 1968 to 1971, who had the
	19		authority to lay a criminal charge, let's take
09:15	20		rape or an indecent assault?
	21	А	Well I think, in my case, I remember that you
	22		would leave your report and recommend or say that
	23		you had this evidence and that, request a charge,
	24		and then it would be sent through to the
09:15	25		prosecutor.



	1	Q	And so did you have the authority, Mr. Cressman,
	2		as a morality officer, to decide to lay a charge?
	3	А	If I thought I had the evidence I would request it
	4		but I wouldn't, you know, I wouldn't lay the
09:15	5		charge personally, no.
	6	Q	Someone higher up, either a morality sergeant or
	7		the inspector, would make that decision?
	8	A	Yes, I believe so, sir.
	9	Q	And then can you tell us, do you know what the
09:15	10		mechanics were, how would it go from you would
	11		prepare a report saying 'I think I have reasonable
	12		and probable grounds that Mr. X committed a rape',
	13		you leave the report, your morality sergeant does
	14		what with it then?
09:15	15	A	Well he would then send it, well, review it and
	16		send it through to the prosecutor I believe.
	17	Q	And do you recall, at that time, who was
	18		prosecuting rapes and indecent assaults, as to
	19		or who would get the file in first instance?
09:16	20	A	I'm not sure. Possibly Benny Wolff, or whoever
	21		was our city prosecutor, but then it would be sent
	22		to the courthouse, to the attorney general's, or
	23		whatever there.
	24	Q	But once you made the recommendation that a charge
09:16	25		be laid is it your evidence, sir, that someone
		l	•



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	1		else higher up would look after making that
	2		happen?
	3	A	Yes, I believe so, right.
	4	Q	And then I take it there would be occasions where
09:16	5		you might be contacted by the prosecutor?
	6	A	Yes. If there had any questions, or especially
	7		if it was going to Court, they would want to ask
	8		us questions about the file.
	9	Q	And I take it, sir, that there would also be cases
09:16	10		where you might never hear from the prosecutor
	11		again; is that fair?
	12	A	That is correct.
	13	Q	And would that be in the case where there was a
	14		guilty plea or the charges didn't proceed, for
09:17	15		example?
	16	A	Yes.
	17	Q	Was there any system in place where information
	18		got back to you, as the investigating officer, as
	19		to what happened to that file once it left
09:17	20		morality?
	21	A	No, I don't think there was any, any commitment
	22		that had to happen, but we could check ourselves,
	23		inquire, or we could check the docket, I guess,
	24		the Court docket.
09:17	25	Q	And so, but I take it once you finished with the
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	1		file, would you have any reason to follow up to
	2		find out what happened with it?
	3	Α	No.
	4	Q	And what was your practice, at the time, about
09:17	5		notifying victims of crime about charges being
	6		laid and the disposition of those charges?
	7	А	Yeah. I don't think I, in any case, notified
	8		anybody. I can't recall notifying of the
	9		disposition on a charge.
09:17	10	Q	And why; was there a reason for that?
	11	А	We weren't required to, but now I would have
	12		probably done, you know, advised them.
	13	Q	So at the time, if we had had a rape complaint
	14		where a charge was going to be laid, are you
09:18	15		telling us it was not your practice to notify the
	16		complainant then?
	17	А	Not to my knowledge, no.
	18	Q	And then, if there was a conviction, I think you
	19		are saying it wasn't your practice to notify the
09:18	20		victim in that case either; is that fair?
	21	А	No.
	22	Q	What about concluding files, if for example you
	23		ran out of leads and decided that no further
	24		investigation work could be done and you were
09:18	25		going to conclude the file, tell us what would
	11		



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	1		happen; when would you do that and what would
	2		happen?
	3	А	Well, it would depend on the seriousness, I guess.
	4		You would carry a more serious file longer in the
09:18	5		hopes that you would get more evidence, but at
	6		such time that you had ran up against a dead wall
	7		and there was no further evidence or witness or
	8		any leads, then I would leave a concluding report
	9		saying that I felt that nothing further could be
09:18	10		done on this file and it could be filed, a request
	11		that it be filed.
	12	Q	And then what would happen? Assuming that would
	13		go to your superior officer,
	14	А	Yeah.
09:19	15	Q	the morality sergeant,
	16	А	Right.
	17	Q	and if they agreed with your recommendation
	18		what would happen?
	19	А	If they agreed then they would mark it 'filed',
09:19	20		and I'm not sure what happened to the working
	21		copy, whether well the one I that would be
	22		turned into them with my report, I I think.
	23	Q	So when a file was concluded, then, your working
	24		copy; what would you do with it or
09:19	25	А	Well they either destroyed it or I did, if it was
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1		closed, because the copy the original was in
2		central records, it could always be re-opened if
3		there was new evidence.
4	Q	Right. So your understanding was that your
09:19 5		working copy would be destroyed; is that correct?
6	А	I believe so.
7	Q	And then
8	А	Unless there was some reason to hold onto it, you
9		know, briefly.
09:19 10	Q	And then if some new information came in on the
11		file you would go back to central records; is that
12		
13	А	Yes, certainly.
14	Q	And do you know what happened to the copy of the
09:20 15		file in the inspector or the morality sergeant's
16		office?
17	А	Umm, I was thinking about that. I believe I
18		kind of think they hung onto them, had copies,
19		unless the volume became so great that they would
09:20 20		get rid of, you know, less-important ones. But
21		they may have kept them for a time, I'm not I
22		just can't remember.
23	Q	Okay. If we could call up 306437, is the doc. ID,
24		and go to page 306474. And, Mr. Cressman, this is
09:20 25		the 1969 annual report of the police department,
		Meyer CompuCourt Reporting



	1		and this page here is a set of statistics in the
	2		annual report about offences in 1968-1969, and if
	3		we could just call out actually, we'll just
	4		call out the top part so we have the headings.
09:21	5		And so in 1968, I think you were in morality for
	6		the last ten months of '68 and all of 1969; is
	7		that correct?
	8	А	Well, yeah, I think yes, I believe so.
	9	Q	Yeah. And so in this document, and we've gone
09:21	10		through this once before, I think what this report
	11		suggests that in, if we look at 1968 you will see
	12		here that there were 14 Rapes reported, 14 Actual
	13		rapes, five start over again five Charges,
	14		and then Otherwise. So it appears from this
09:21	15		report that at least when it was prepared, I think
	16		it was January-February of 1970, that there would
	17		have been 14 actual reported Rapes, five Charges,
	18		and nine where charges had not been laid. And I'm
	19		just going to ask you, Mr. Cressman, whether,
09:22	20		based on your time in morality, whether that
	21		sounds right as far as not the specific number,
	22		but just generally, that there were unsolved rapes
	23		and sexual offences at the time; do you recall
	24		that?
09:22	25	Α	Yes, certainly was, yes.

			Page 13241 ————————————————————————————————————
	1	Q	And, when you were in morality, was there give
	2		us a description of your workload, number of cases
	3		that you had?
	4	A	I can't remember the number of files I carried,
09:22	5		but usually I had a pretty good number, like you
	6		know, I don't know, like 15 or 20 files possibly,
	7		or I'm not sure, but and there would be various
	8		things.
	9	Q	And then if we just go through on the Other Sexual
09:22	10		Offences, and I presume that would be indecent
	11		assault, exposure, things of that nature; is that
	12		fair?
	13	A	That's correct.
	14	Q	And in 1968 it looks as though there are 41
09:22	15		Actual, 14 by Charge, five Otherwise and I'm
	16		sorry, I don't know what 'Otherwise' means but
	17		it looks as though 22 reported sexual offences for
	18		which charges were not laid; is that a fair
	19		reading of that?
09:23	20	А	I would think so. The other might mean, like,
	21		flashers, like indecent exposure.
	22	Q	Okay.
	23	А	Yeah.
	24	Q	And then as we I'm sorry, go ahead?
09:23	25	А	Yeah.
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	1	Q	And then if we go to 1969 we look at eight Rapes,
	2		42 Other Sexual Offences, one appears to be
	3		Unfounded, so 42 and seven Actual, and five and 15
	4		Charges, one and five Otherwise, so it looks as
09:23	5		though in 1969 there's one rape reported where
	6		there's not a charge, and about maybe 22 other
	7		sexual offences for which charges were not laid;
	8		is that a fair reading of that?
	9	A	Well I yes, I would agree with this. I don't
09:23	10		remember, but that's probably
	11	Q	Yeah.
	12	A	correct.
	13	Q	So these statistics suggest, Mr. Cressman and I
	14		just want to get your reaction to that that in
09:23	15		1968 and 1969 there were a number of unsolved
	16		rapes and sexual offences?
	17	A	Yes.
	18	Q	Is that fair?
	19	A	That's right, yes.
09:24	20	Q	And, on any given day, do you have a recollection
	21		of there being unsolved rapes in the morality
	22		department?
	23	A	Well during that time period, yes, there was.
	24	Q	And more than one or two; is that fair?
09:24	25	A	Oh yes, yes.
	I.	.i	



	1	Q	If we can then go to document 230781, please, and
	2		I think you told us you were the officer in charge
	3		of the (V1) (V1)- rape investigation file; is
	4		that correct?
09:24	5	A	That is correct.
	6	Q	And do you have a recollection, today, of that
	7		file?
	8	А	Yes.
	9	Q	And I'll go through some of the documents, Mr.
09:25	10		Cressman, I don't think we have the entire file,
	11		but I just wanted so you have a recollection of
	12		Ms. (V1)- and the circumstances of the rape and
	13		some of the steps you took in that investigation?
	14	A	Yes, I do.
09:25	15	Q	If we could go to the next page, please. And the
	16		date of the offence was October 22nd, 1968, and
	17		this is a report of Morality Sergeant Vern Passet,
	18		just talks about attending the scene. We do not
	19		have a copy of the occurrence report, Mr.
09:25	20		Cressman, and there's some evidence that the
	21		entire file could not be located. Is it fair to
	22		conclude that there would have been an occurrence
	23		report prepared for this offence?
	24	А	Oh yes.
09:25	25	Q	And do you think that's a document that you would
		l	

	1		have prepared?
	2	A	I would have left it, yes.
	3	Q	Do you have a recollection of attending the scene
	4		and interviewing Ms. (V1)-?
09:26	5	А	Yes I do.
	6	Q	Tell us what you remember about that?
	7	А	I received a call from the dispatcher at the
	8		station I believe, or it could have been from
	9		Sergeant Gryba, but in any event that there was a
09:26	10		report of a rape, and I met Ms. (V1)- at 18th
	11		Street, it was on the corner, there is a
	12		confectionary there, I believe that's where I met
	13		her. And she described, told me what happened,
	14		and I can't just remember if I believe I she
09:26	15		showed me where it had occurred, told me what
	16		happened, that she had been attacked from behind,
	17		and she was walking east on 18th Street and there
	18		was a lane running north and south of 18th Street,
	19		running parallel to Avenue H, and the assailant
09:26	20		took her down the lane there or made her go down
	21		the lane about half-way, and she showed me where,
	22		beside a garage, where the rape had occurred, and
	23		told me what articles had been left there, and
	24		it's exactly as she said. I recall a pop bottle,
09:27	25		her glasses I think, some item of clothing, I

	1		can't remember what. So I was thoroughly
	2		satisfied, of course it was a rape, and I I
	3		can't remember if I called at the station with
	4		Sergeant Gryba, I believe, with to pick up
09:27	5		Sergeant Gryba. We proceeded to City Hospital for
	6		her to be examined by a doctor, and as I recall
	7		after a certain period of time the doctor had
	8		indicated that she didn't allow him to examine her
	9		for various reasons, whether she I don't know,
09:27	10		probably fright or whatever, and then I believe I
	11		transported her to the police station and took a
	12		statement, a witness statement, from her.
	13	Q	Okay. If we could call up 230785, please. And
	14		this is a statement dated October 22nd, 1968; you
09:28	15		see that in the top right?
	16	А	Yes sir.
	17	Q	And is that your signature in the bottom left
	18	A	Yes.
	19	Q	corner?
09:28	20	A	Yes it is.
	21	Q	And is the statement in your handwriting?
	22	A	Yes it is.
	23	Q	And it appears to be signed by (V1) (V1)-; is
	24		that correct?
09:28	25	А	That's correct.

			Page 13246 —————
	1	Q	And is this the statement that you took from
	2		(V1) (V1)-, it appears to be at 2:35 a.m. on
	3		that date?
	4	A	Yes sir.
09:28	5	Q	And at that time, Mr. Cressman, was there any, I
	6		mean as far as thinking back to what you were
	7		thinking during the first few days of the
	8		investigation, do you recall thinking about any
	9		other outstanding rape charges, or anything of
09:29	10		that nature, that might assist you in your
	11		investigation in the (V1)- rape?
	12	A	No, I can't, sir.
	13	Q	If I could call up 230784, please, which is part
	14		of 230781, and is this in your handwriting, Mr.
09:29	15		Cressman, and is that your signature?
	16	A	Yes it is.
	17	Q	And this is a police exhibit and seized article
	18		record which we have seen for other files, and I
	19		take it these are all dated, I think, around
09:29	20		the date of the offence these would be items
	21		that you picked up from Ms. (V1)- as evidence; is
	22		that correct?
	23	А	That's correct.
	24	Q	And there are some garments and some other items
09:29	25		that you would have picked up at the scene?

			Page 13247 ====================================
	1	A	Yes sir.
	2	Q	What would you do with those, Mr. Cressman, what
	3		was the practice? Walk me through, once you
	4		picked them up, as to where they go and what
09:29	5		happens to them?
	6	А	I can't recall at this point but I'm pretty sure,
	7		they should have been sent possibly to
	8		identification to have them sent to the crime lab
	9		in Regina for examination, and if there was any,
09:30	10		like, a problem of any moisture, they would have
	11		to be dried in identification room, like, but in
	12		this case I don't think there was a problem there.
	13		But I believe it was turned over to
	14		identification, mostly because that would have
09:30	15		been sent away, except maybe the glasses, I might
	16		have kept them there. And, well, the pop bottle
	17		would have been examined for fingerprints.
	18	Q	Once
	19	А	But
09:30	20	Q	I'm sorry?
	21	А	Sorry, go ahead, sir.
	22	Q	And would you turn these over to an ident officer,
	23		then, physically?
	24	А	I can't recall now, but I believe that would have
09:30	25		been the case, yes.

			Page 13248 ————
	1	Q	And then they might go to the RCMP lab, some of
:	2		them, for testing; is that fair?
;	3	А	I'm sure they yes.
	4	Q	And ultimately, we've heard some evidence on
09:31	5		continuity of exhibits, and I think my
•	6		understanding of what we've heard is that an
	7		officer in charge, or one officer would ensure
;	8		continuity of the exhibits, so that if the matter
•	9		went to trial the officer could say 'lookit, I had
09:31 10	0		these in my possession at all times and here's
1	1		what happened to them'; is that correct?
1:	2	A	That is correct, yes.
1:	3	Q	So in this case would you be the person, then, who
1	4		would, apart from when ident looked at them and
09:31 1	5		apart from when the RCMP might have tested them,
10	6		that they would be back in your possession in your
1	7		locker?
18	8	А	That is correct.
19	9	Q	And then what would happen? Obviously, if the
09:31 20	0		matter went to trial, I presume you would take
2	1		whatever was needed to the trial; is that correct?
2:	2	А	Yes.
23	3	Q	And tender it as evidence?
2	4	А	Yes, I would, sir.
09:31 2	5	Q	What about a file that is concluded, that does not

	1		go to trial, either a guilty plea or no charges;
	2		what happens to these physical items?
	3	A	They would be returned to the victim, you
	4	Q	And so let's take a file and we know this file
09:31	5		was concluded and I'll get to that in a moment
	6		when you concluded a file like this but did not
	7		have a suspect, would you retain the physical
	8		exhibits for a while, would you return them, or
	9		what was your practice?
09:32	10	A	No, I retained them for a certain period of time
	11		and I believe then, when the file was concluded,
	12		it was, you know, approved that it was concluded,
	13		then I would return the exhibits to the victim.
	14	Q	When you say 'concluded', is that a different
09:32	15		concluded than when you concluded the file because
	16		there was no further leads?
	17	A	No, that would be, I believe that would be the
	18		same. That's what I meant, yes.
	19	Q	Yeah. Do you recall, on the (V1) (V1)- file,
09:32	20		what, if anything, you would have done with the
	21		exhibits?
	22	A	Yes, I took them back to her and turned them over
	23		to her.
	24	Q	And do you remember when you would have done that?
09:32	25	A	I can't recall at this time, but it seems to me it
			1

1		was in possibly May of '69, but I think it was
2		1969.
3	Q	I will be showing you a report in a moment, and I
4		can call it up if you like well the May 28th,
5		the May 28th is the concluding report on this
6		matter; is that around that time when you think
7		you would have returned these items to her?
8	A	Yes, I believe so.
9	Q	Now what would have happened, Mr. Cressman, if,
10		after you conclude the file and you get a lead
11		later on, would there not be a concern about the
12		continuity of the evidence?
13	A	Yes, I suppose, and there would I suppose,
14		because they would have been returned to the owner
15		then. Mind you, they would have been examined by
16		the crime lab, so any evidence, they would have
17		that.
18	Q	Okay. Now we've gone through (V1) (V1)-'s
19		statement on a couple of occasions and she, in
20		fact, testified before the Inquiry. I don't
21		propose to go through it other than you are
22		familiar with what the statement and the
23		circumstances of the offence; is that fair?
24	A	Yes, that statement I took from her.
25	Q	And I believe the statement indicates that a
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2 3 Q 4 5 6 7 8 A 9 Q 10 11 12 13 A 14 15 16 17 18 Q 19 20 21 22 23 24 A



	1		couple of things; one, that the assailant had a
	2		knife, or she believed he had a knife; secondly,
	3		that the offence took place in an alley; and
	4		thirdly, that the assailant had Ms. (V1)- remove
09:34	5		her coat before he raped her, is that does that
	6		sound familiar?
	7	A	Yeah. I can't remember if she had a coat on, but
	8		that's probably correct, if she said that. I
	9		do I do recall him pulling her blouse or
09:34	10		sweater or something over her eyes, I think, so
	11		that she couldn't see his face.
	12	Q	If you could go to page 042522, please, and this
	13		is the typed version of her statement that we'll
	14		refer to. If we can go to the next page, please,
09:34	15		and you will see here where Ms. (V1)- says:
	16		"He took me about half way down the lane
	17		and told me to undress. I said I
	18		wouldn't so he stuck the knife in my
	19		back and I took my coat off and put my
09:35	20		purse on the ground along with my coat.
	21		Then he said in a rough voice take
	22		everything right off."
	23		Do you see that?
	24	А	Yes.
09:35	25	Q	So does that do you recall that being one of
			•

	1		the circumstances of the offence, sir?
	2	A	I think I would agree with that, yes.
	3	Q	Yeah. Okay, we're done with that document. Now
	4		about two weeks later, I think the (V1)- offence
09:35	5		was October 22nd and so about actually three weeks
	6		later, on November 13th, 1968 a lady by the name
	7		of (V2) (V2)- (V2) was raped on 18th Street
	8		between Avenue E and F, which would be a couple
	9		blocks from where Ms. (V1)- was raped, and do you
09:35	10		recall learning of that incident, Mr. Cressman, at
	11		the time?
	12	A	Yes. Morality Officer Gordon Lewis attended that
	13		complaint and, as I recall it, he thought that she
	14		had kind of made light of the situation so I
09:36	15		from my impression he was rather skeptical of her
	16		complaint, and it happened in the daytime.
	17	Q	Okay. Now the we've also heard evidence from
	18		Ms. (V2) and have had a chance to review her
	19		statement, and it in that statement she also
09:36	20		describes the assailant as having a knife, of the
	21		offence taking place in a back alley, and of the
	22		assailant asking her to remove clothing, her coat;
	23		do you recall that as being circumstances of the
	24		offence?
09:36	25	A	You know, I can't recall that at this time, but I

	1		would have then. I don't recall the mention of a
	2		knife then, but I do remember her indicating that
	3		either he had a hard hat on or something, or but
	4		he smelled of gasoline or oil or something of that
09:36	5		nature.
	6	Q	At the time Mr. Cressman, and again
	7		October-November 1968, as the investigating
	8		officer of the rape of $(V1)$ $(V1)$ -, did you
	9		consider the fact that the person who raped
09:37	10		(V1) $(V1)$ - may have been the same person who
	11		raped (V2) (V2)- (V2)?
	12	Α	I certainly did.
	13	Q	And on what basis?
	14	A	I it was in the same area, and the method was
09:37	15		the same where he grabbed her from behind, I think
	16		he walked past her and then grabbed her as I
	17		recall, but he would have had to have taken her
	18		down a lane if he raped her, I guess, yes. But
	19		no, I felt they were the same person, certainly.
09:37	20	Q	And do you know if that was a view held by other
	21		morality officers at the time?
	22	A	I think so, yes.
	23	Q	And, in your investigation of the $(V1)$ $(V1)-$
	24		rape, did you coordinate any efforts with the
09:37	0.5		officers investigating the (V2) (V2)- (V2)
09:37	25		officers investigating the (vz) (vz) = (vz) = =====



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	1		rape?
	2	A	Not that I can recall.
	3	Q	Okay. I think there was some reference to some
	4		do you remember sending out decoys in the area,
09:37	5		anything of that nature?
	6	А	Yes sir. I was assigned by Inspector Nordstrom
	7		and I was with Morality Officer Weir on one
	8		occasion or so, and also with Morality Officer
	9		Mann, and we went around we went out at night
09:38	10		and walked on foot and sat in vehicles and dressed
	11		in old clothes. We staked out the area to in
	12		the event that another rape would occur and we
	13		could catch the perpetrator right red-handed.
	14	Q	And would this have been in the area of Avenue E,
09:38	15		F, and G on 18th Street where the (V1)- and
	16		(V2) rapes had occurred?
	17	А	Yes, sir, all the way from H to that area, and in
	18		the lanes, all in that area.
	19	Q	And the time frame would have been when, sir?
09:38	20	A	Umm, the time frame? I can't recall. Well it was
	21		after the second rape, yeah.
	22	Q	So the second rape was November 13th, '68,
	23	А	Right.
	24	Q	so it would have been the following weeks; is
09:38	25		that fair?



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1	A	Yes, very close, yes.
2	Q	And would it be fair to say that the officers,
3		while you were out doing this, you were looking
4		for the perpetrator of both the (V1)- and
<i>0</i> 9:38 5		(V2) rapes; is that fair?
6	A	Yes sir.
7	Q	And was it your belief, at the time, that they
8		were one and the same person?
9	A	Yes sir.
09:39 10	Q	Now on November 29th, 1968, a couple of weeks
11		after the (V2) rape, (V3) (V3) was
12		indecently assaulted in the university area, and
13		we've heard evidence from her, and it was near
14		Wiggins Avenue, and the assailant was scared off
09:39 15		by a vehicle. Do you recall and I think
16		Morality Officer Mann was the officer in charge of
17		that do you recall hearing about that at the
18		time?
19	A	Yes I did.
09:39 20	Q	And do you recall whether or not you drew any
21		similarities between that offence and either the
22		(V1)- or (V2) rapes?
23	A	No, I can't I can't recall at this time at all,
24		sir.
<i>0</i> 9:39 25	Q	Yeah. So you were aware of it but you don't do
		•

			Page 13256 ————
	1		you recall taking any steps in the investigation
	2		of the (V3) matter?
	3	A	No, sir.
	4	Q	Now let's move to January 31, 1969, the date of
09:39	5		Gail Miller's murder; do you recall that day, Mr.
	6		Cressman?
	7	A	Yes I do.
	8	Q	And tell us what you recall about how you learned
	9		about the murder and what you did on that day?
09:40	10	A	When I was at work we had heard about the murder,
	11		and Don Mann, morality officer I think was in
	12		morality and I were assigned to go to the south
	13		end of that north-south lane where the murder had
	14		occurred, we were to guard the scene to make sure
09:40	15		nobody drove or walked up in that area.
	16	Q	And so you would have spent your shift on the Gail
	17		Miller file that day; is that fair?
	18	A	Part of it. I don't know how long we were there,
	19		just, probably just for a few, two, three, four
09:40	20		hours or so, and it was extremely cold and ice
	21		crystals in the air.
	22	Q	And was it unusual, Mr. Cressman, for you, as a
	23		morality officer, to be working on a homicide, a
	24		detective file?
09:40	25	A	Umm, yes it would be, but this, we were just
		l	The state of the s



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		assisting in protecting the scene so
2	Q	There is reference in the Gail Miller
3		investigation reports, on a number of occasions,
4		where morality officers were involved in doing
5		various tasks,
6	А	Yes.
7	Q	and do you recall that happening?
8	А	Yes sir.
9	Q	And was that because of the nature of the murder
10		case, or did that happen from time to time, that
11		detectives would use morality officers and vice
12		versa?
13	А	I think so, because of the manpower, they needed
14		somebody to check something out or do something,
15		certainly they would you would be used.
16	Q	And were there occasions, putting aside the Gail
17		Miller file, on your morality files where you
18		would have a detective working on a file with you,
19		on a morality file; did that happen from time to
20		time?
21	A	It probably did. I can't recall specifically
22		though.
23	Q	So back to the Gail Miller murder; do you recall
24		any other work sort of around the time of the
25		murder, in the subsequent number of weeks, where
	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	3 4 5 6 A 7 Q 8 A 9 Q 10 11 1 12 12 13 A 14 15 16 Q 17 18 19 20 21 A 22 23 Q 24

	1		you were involved?
	2	A	Well after that we had staked sat in the lane
	3		there, I was assigned, I don't know if it was the
	4		next night or that night, to, with Morality
09:42	5		Officer Forsyth, to sit up in the funeral home and
	6		looking north in the lane where the murder and
	7		rape had occurred, and that was to watch for
	8		anyone who might return to the scene or go to the
	9		scene, and try and find out who they were and take
09:42	10		down licence numbers of any vehicles.
	11	Q	And I take it, then, you would have been aware,
	12		either on the day of the murder or in the days
	13		that followed, that Gail Miller had been at
	14		least her body had been found in a back alley; is
09:42	15		that fair?
	16	A	That's correct, sir.
	17	Q	And that she had been raped before she was at
	18		some point either before or after the murder; is
	19		that fair?
09:42	20	A	Yes sir.
	21	Q	And that a knife was used?
	22	A	Yes sir.
	23	Q	And were you aware that her clothing, that her
	24		it had appeared that her coat had been removed,
09:43	25		her nurse's uniform removed, and then her coat put



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	1		back on; were you aware of that situation?
	2	A	I think I was at the time but I'd, since then
	3		until I have seen testimony, I've you know.
	4	Q	In fact let me the evidence that we have heard
09:43	5		is that the stabs, the stabbings that killed Gail
	6		Miller went through her coat, her outer coat,
	7		winter coat, and that when the body was found,
	8		that her nurse's uniform had been taken off, her
	9		arms taken out of the arm holes, and her coat put
09:43	10		back on, so that the stab marks did not go through
	11		the dress, only the coat; do you understand that?
	12	A	I do, sir.
	13	Q	And is that something you would have been aware of
	14		at the time?
09:43	15	A	I think so. I didn't recall, at this time, until
	16		I seen
	17	Q	Yeah. And I think we've heard some evidence from
	18		some officers that concluded, from that, that Gail
	19		Miller would have either had her coat taken off by
09:43	20		someone or she took it off herself as part of the
	21		confrontation with the attacker; did you
	22		understand that?
	23	A	Yes sir.
	24	Q	Okay. Now, did you at any time, Mr. Cressman,
09:43	25		think that the Gail Miller murder and let's

			_
	1		talk about in 1969, in that time frame, did you
	2		consider that the person who killed Gail Miller
	3		may have been the person who committed the rapes
	4		of (V1)- and (V2)?
09:43	5	Α	Well, after hearing the circumstances of the
	6		Miller murder and what had happened, it ran
	7		through my mind. Because a knife was used, I said
	8		to somebody, I can't remember who, do you think
	9		there's a connection between the two, and the
09:44	10		person, the officer I talked to said no way, so I
	11		left it at that time. I didn't pursue it, but it
	12		ran through my mind, yes.
	13	Q	And do you remember who this officer was or when
	14		it was you had this discussion?
09:44	15	Α	Well, it was probably days after, but it may have
	16		been Ron Ross who is passed away, but I can't
	17		remember who it was honestly.
	18	Q	And would it be a passing comment that you made in
	19		conversation as opposed to a formal report to
09:44	20		another officer with information?
	21	A	Exactly. It just ran through my mind, just a
	22		police instinct that I wonder if there's a
	23		connection.
	24	Q	Now, we have heard evidence from others, including
09:44	25		Mr. Penkala, and seen, had a chance to look at
			Meyer CompuCourt Reporting

	1		some reports at the time that suggest the police
	2		did in fact draw a connection between the (V1)-
	3		and the (V2) rape and the Gail Miller murder.
	4		Were you aware of that at the time?
09:45	5	А	No, I wasn't, sir, no.
	6	Q	I'm going to now go through some documents, Mr.
	7		Cressman, that detail your involvement in the Gail
	8		Miller investigation. If we could call up 106112,
	9		please, and this is a report of yours, you'll see
09:45	10		at the bottom, of January 31. It says '68, but it
	11		should have 1969, and you'll see the occurrence
	12		number of Gail Miller, 641, and the date here. Do
	13		you see that, sir?
	14	A	Yes, sir.
09:45	15	Q	And I don't propose to go through this in detail,
	16		but it covers your involvement with a fellow by
	17		the name of George Gamble and I'm wondering, do
	18		you recall dealing with George Gamble on the day
	19		of the murder or in that time frame, and I
09:45	20		think I'm sorry, go ahead.
	21	A	I don't really recall, but I remember the name and
	22		when Gus Weir and I were staking, sitting in a car
	23		and at the time of our stake-out, this person came
	24		out of an apartment chasing this woman and grabbed
09:46	25		her by the hair and right away I said to Gus,
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	1		that's our man, and of course he wasn't so ready
	2		to jump the gun, we sat and watched, but we went
	3		later, I think we went and talked to him. I
	4		thought his name was Gamble, but I could be wrong.
09:46	5	Q	I believe that's what's reflected in the reports,
	6		and when you and Mr. Weir were doing this, was
	7		this prior to the Gail Miller murder then?
	8	Α	Yes, it was.
	9	Q	And so on the day of the murder it appears on the
09:46	10		Gail Miller file that you would have interviewed
	11		George Gamble?
	12	A	On which, sir?
	13	Q	If we can maybe just go through this. This is the
	14		day of the murder and it says regarding this file
09:46	15		you and Constable Forsyth called at his address
	16		and interviewed him and he was still off work,
	17		there was no blood or blood stains on his clothing
	18		and you observed it appears from this that you
	19		were questioning him in connection with the Gail
09:47	20		Miller murder; is that fair?
:	21	А	Yes, sir.
:	22	Q	And what was it that caused you to contact
:	23		Mr. Gamble on the day of the murder to inquire
:	24		about his whereabouts?
09:47	25	А	I don't recall for sure. I think it probably was



	1		because of that occasion where we, Weir and I had
	2		seen him come out of the apartment. That's my
	3		recollection, but I'm not sure.
	4	Q	And is that something that you would have been
09:47	5		asked by somebody to do or would you have done it
	6		on your own?
	7	А	No, I think we were probably asked to do it.
	8	Q	Do you know who would have directed you to do
	9		that?
09:47	10	А	It would have been probably the morality inspector
	11		or morality sergeant I think, but it could have
	12		been a detective too.
	13	Q	Okay. Do you recall around the time of the Gail
	14		Miller murder about officers, whether it be in
09:47	15		detective division or morality division, going
	16		through files or trying to identify sexual
	17		offenders or suspects?
	18	А	I'm sure they probably did. I don't recall
	19		specifically, but I think they would have.
09:48	20	Q	If we can call up 106132, please, and this is a
	21		report of February 1, '69 and again it's on the
	22		Gail Miller file and it's your report, sir, and I
	23		don't propose to go through it other than it talks
	24		about you and Constable Forsyth keeping
09:48	25		observations in the lane and then there's a number
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	1		of details of cars that went in and out of the
	2		lane, and I think that's what you told us you
	3		recall doing on that day?
	4	А	That's correct, sir.
09:48	5	Q	And if we can go to 106167, this is a report of
	6		February 2nd, it should be 1969, and again it just
	7		talks about George Gamble again. Do you recall
	8		spending more than one day following up with
	9		Mr. Gamble?
09:49	10	А	I don't, sir, no.
	11	Q	If we could then go to 106626, this is a report of
	12		Detective Sergeant Reid of March 10th, '69 and he
	13		details where he and Corporal Rasmussen and you
	14		attended the premises of Tomislon Drononjic. Do
09:49	15		you recall that at all?
	16	А	I don't at this time at all, sir.
	17	Q	Do you remember Corporal Rasmussen of the RCMP
	18		being involved in the investigation?
	19	А	You know, I didn't, but I see his name come up
09:49	20		now, so I would agree with it, yes.
	21	Q	And do you recall the RCMP being involved in the
	22		investigation of Gail Miller's death?
	23	А	Not really, no.
	24	Q	If we could call up 065399, please, and this is a
09:50	25		report of March 10th, 1969 by Inspector Riddell of



	1	the RCMP. If we could just go to the third page
	2	of that, paragraph 10, and this is a report, Mr.
	3	Cressman, that the RCMP prepared shortly after
	4	meeting the city police representatives in I think
09:50	5	late February about becoming involved in the
	6	investigation and the report talks about:
	7	"Between 21 Oct and 29 Nov 68, two rapes
	8	and one attempted rape were committed in
	9	the same area where this girl was
09:50	10	murdered."
	11	And it talks about the circumstances:
	12	"In each case the attacker forced the
	13	girls down an alley at knife point where
	14	he forced them to undress before
09:51	15	committing the offence."
	16	And then it finishes by saying:
	17	"In view of the similar methods used in
	18	committing these offences, there is a
	19	good possibility that they were all
09:51	20	committed by the same individual and
	21	this fact is not being overlooked during
	22	this investigation."
	23	And I think when I asked you about this earlier,
	24	I think you said this thought expressed in
09:51	25	paragraph 10 ran through your mind at the time;



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	1		is that fair?
	2	A	Yes, sir.
	3	Q	And it appears from this document that others
	4		thought the same thing, and do you remember at all
09:51	5		whether whether that was the case, do you
	6		recall other officers holding the same view or
	7		having the same thoughts that you may have had
	8		about the connection?
	9	А	No, I can't recall anyone mentioning it, sorry.
09:51	10	Q	Did you have much involvement in the Gail Miller
	11		investigation?
	12	А	No.
	13	Q	And then as well if we could call up 250597,
	14		please, and this is next page, please. This is
09:52	15		a May 7th, '69 report of the RCMP and it's a
	16		chronology of various events, and if you can go to
	17		page 250603, please, and down at the bottom, this
	18		is talking about March, I think March 10th of '69
	19		and the report says:
09:52	20		"Our Crime Detection Laboratory at
	21		Regina advised that seminal fluid found
	22		at the scene was very probably from a
	23		secretor of Group "A". The Lab. defined
	24		a 'secretor' as a person who secretes
09:52	25		their "AB" blood grouping substance and



		1 age 13201
1		other body fluids. Copy of Lab. report
2		attached."
3		And then:
4		"It is mentioned that during the late
09:52 5		fall of 1968 the local police department
6		had reports of two rapes and one
7		attempted rape. These investigations
8		were conducted by the city police with
9		negative results. Persons involved were
09:52 10		as follows:"
11		And then the next page, and you'll see the (V1)-,
12		(V2) and $(V3)$ rapes, and those are the
13		ones we talked about earlier; correct?
14	А	Yes, sir.
<i>0</i> 9:53 15	Q	And then it goes on to talk about in these three
16		instances the M.O. was similar and as well about
17		the coat, making the victim lie on the coat. And
18		if you could scroll down to paragraph 20, it talks
19		about:
09:53 20		"As none of the exhibits obtained in any
21		of the above cases had been analyzed by
22		our Laboratory, it was suggested that
23		this be done in order to establish
24		whether or not the person responsible in
<i>0</i> 9:53 25		these incidents was the same one
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	1	responsible for the Miller murder.
	2	Accordingly, on 20 March 69 exhibits
	3	obtained from (V2) (V2)- (V2) and
	4	(V1) (V1)- were transported to the
09:53	5	C.D.L., Regina for serological
	6	examination."
	7	And it goes on to talk about it, it says:
	8	"Results of this examination indicated
	9	that agglutogens of Type "A" were found
09:53	10	on the blue panties and plaid jacket."
	11	And those were Ms. (V1)-'s.
	12	"No attempt could be made to determine
	13	the agglutogens on the slide as they did
	14	not provide enough sample for the tests.
09:54	15	It is not known if (V1)- is a Group "A"
	16	secretor however, an attempt is being
	17	made by the Saskatoon City Police to
	18	obtain further samples such as saliva
	19	for further examination."
09:54	20	And statements are attached. And then it goes on
	21	to say:
	22	"As result of the foregoing, it is felt
	23	there is a strong possibility the three
	24	rapes and the murder are directly
	25	connected. In view of this, extensive



investigation was conducted with

			_
	2		(V2) with negative results."
	3		And then it goes on to add some further
	4		information.
09:54	5		Now, Mr. Cressman, if I can
	6		summarize, I think what those reports say, and
	7		what we've heard evidence, is that at the time
	8		some police officers drew a connection between
	9		the $(V1)-$, $(V2)$, $(V3)$ rapes and
09:54	10		murder; secondly, that physical evidence at the
	11		scene of the Gail Miller murder suggested that
	12		the assailant, the perpetrator of the murder was
	13		a group A secretor, and let me pause there. Did
	14		you understand what that meant, what a blood
09:54	15		typing and secretor status at the time, was that
	16		a familiar term for you as an officer?
	17	A	Yes, I had heard of it, and Inspector Nordstrom,
	18		if I may say, asked me to go to (V1) (V1)- and
	19		have her bite on a Kleenex for a saliva sample and
09:55	20		then I put that in a bag and that was, I believe
	21		that was sent through to the crime lab in Regina,
	22		I'm sure it was, for examination.
	23	Q	And did you have an understanding as to why you
	24		were doing that, what the purpose was?
09:55	25	A	I wasn't just sure because it was from her as

	1		opposed to the perpetrator, so I wasn't sure. I
	2		knew there had to be a reason, yes.
	3	Q	Okay. So just on that, if we could finish up with
	4		what the RCMP report says, it was trying to
09:55	5		identify whether the physical evidence in the
	6		(V1) (V1)- rape, in other words, I think her
	7		clothing, they tried to identify body fluids on
	8		the clothing to see whether or not it came from an
	9		A secretor which would then coincide with what,
09:55	10		the physical evidence they found on Gail Miller,
	11		and do you have a recollection of that happening
	12		or being involved in that other than the saliva
	13		tests?
	14	А	Just the saliva test, but I could understand now
09:56	15		that yes, any fluids, they would connect or
	16		compare them.
	17	Q	And I believe the evidence we've heard is that the
	18		purpose of getting the saliva test from (V1)
	19		(V1)- was to determine if she was an A secretor
09:56	20		because if she was, that the body fluids on her
	21		clothing may be hers.
	22	А	Yes.
	23	Q	Does that sound right?
	24	А	Yes, exactly.
09:56	25	Q	And what was your role then, if you can tell us,

	1		in the decision-making I just went through the
	2		RCMP report about the steps they were going to
	3		take to check whether (V1) (V1)-'s physical
	4		evidence might match some of the physical evidence
09:56	5		in the Gail Miller murder. What role did you play
	6		in that if any?
	7	A	I didn't play any role except, as far as I can
	8		recall, except sending or taking the sample and
	9		turning it in.
09:57	10	Q	Okay. If we could call up 004102, please, and on
	11		that, Mr. Cressman, are you saying that someone
	12		I mean, was it your decision or your thought to
	13		say why don't we do this or did someone else?
	14	A	No, that was someone else.
09:57	15	Q	And this is a report of April 15th, 1969 and this
	16		is your report and it just talks about contacting
	17		(V1) (V1)- and that you wish to take a saliva
	18		test and a blood test from her, and so this is the
	19		report you would have prepared in connection with
09:57	20		that?
	21	A	Yes, sir.
	22	Q	And then it also talks here about:
	23		"At the police station Miss (V1)- was
	24		shown a group of 19 photos - snapshots
09:57	25		of various people picked at random from

	1		the Morality Officer Drawer. Amongst
	2		these photos was included one of one
	3		David Milgaard, (this last photo was
	4		obtained from D/Sgt. R. Mackie). Miss
09:57	5		(V1)- looked at these photos which were
	6		all placed on the desk at one time, and
	7		immediately picked out the photo of
	8		David Milgaard and one other male person
	9		whos identity at this time is not known
09:58	10		to me. She stated that she had
	11		definitely seen both these persons
	12		around before somewhere however couldn't
	13		remember where or when. She could not
	14		identify any of these persons as the one
09:58	15		who may have raped her."
	16		And do you recall showing the photographs to
	17		Ms. (V1)-?
	18	A	I don't at this point, but I accept certainly the
	19		report.
09:58	20	Q	And in particular, do you remember showing her
	21		David Milgaard's photo?
	22	A	I don't at this point, sir.
	23	Q	I take it at some point in the spring of 1969 you
	24		would have been aware that David Milgaard was a
09:58	25		suspect in the Gail Miller murder?
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			1 age 13213
	1	А	Yes. I don't know when, but yes, sometime later.
	2	Q	And did you become aware at some point that he was
	3		charged with that murder?
	4	А	Yes, sir.
09:58	5	Q	And was there any point that you thought of David
	6		Milgaard being a suspect in the rape of (V1)
	7		(V1)-?
	8	А	Not at all.
	9	Q	And again I think you said earlier the thought
09:59	10		crossed your mind that the perpetrator of the
	11		(V1) (V1)- rape may have been the killer
	12		of Gail Miller, the similarities, may have been
	13		the killer of Gail Miller; is that right?
	14	А	Because of the knife, yes.
09:59	15	Q	And did you pursue that, and let me just talk
	16		about your work on the $(V1)$ $(V1)$ - file, okay,
	17		your role as the officer in charge of that file.
	18		In investigating that, did you consider, in trying
	19		to find the rapist of $(V1)$ $(V1)$ -, that finding
09:59	20		the killer of Gail Miller might assist you and
	21		that might be the same person, in other words,
	22		that you would pursue the murder of Gail Miller to
	23		help you find the rapist of $(V1)$ $(V1)-?$ Do you
	24		follow my question?
09:59	25	A	Yes. No, I didn't. Like, when I mentioned that,



	1		I said to somebody do you think there's a
	2		connection, you know, because of the knife.
	3		However, the Miller murder was so violent and it
	4		ended up being a murder, whereas the rape, even
10:00	5		though it's a violent thing, was not of the same
	6		nature in my opinion, it was a rape and I thought
	7		they were two different things, but I just
	8		mentioned because of the knife do you think
	9		there's a connection. That was all.
10:00	10	Q	And my question, and maybe in light of your answer
	11		you are not able to answer this question about
	12		whether, when David Milgaard was charged with the
	13		murder of Gail Miller, whether there was some step
	14		taken by you to either eliminate him as a suspect
10:00	15		in the (V1) (V1)- rape or at least eliminate
	16		the theory that the perpetrator of the murder was
	17		the same person who perpetrated the rapes, but I
	18		think you are telling us you didn't make that
	19		connection; is that
10:00	20	A	No, I just felt it was that one occasion, the
	21		murder/rape that he was charged with and I didn't
	22		think it was connected.
	23	Q	Now if we could call up 230783, please, this is a
	24		report of May 28th, 1969 and this is on the
10:01	25		(V1) (V1)- file, and that's your report; is



			1 age 13213
	1		that correct, sir?
	2	А	Yes, sir.
	3	Q	And it details some investigative steps and then
	4		if we can call out the last paragraph, please, and
10:01	5		then it says to date, it talks about Vince
	6		Silvester who was a suspect:
	7		"I would respectfully suggest that due
	8		to the length of time this file has been
	9		open and all leads have been followed
10:01	10		up, and nothing further has been learned
	11		about the person responsible this file
	12		be closed. In the event that any new
	13		information comes to light this file
	14		could then be opened."
10:01	15		Do you recall concluding this file in this
	16		fashion, Mr. Cressman?
	17	А	Yes, sir.
	18	Q	And then I take it, if we can just go back to the
	19		main document, please, we see up here in the left
10:02	20		corner "further investigation" and in other cases
	21		we have seen the word "yes" there where the file
	22		is open, here we see the word "no". What is the
	23		significance if any of that?
	24	А	That just means that no further investigation at
10:02	25		this point and the file could be concluded.



	1	Q	Now, I showed you, when we first got into the
	2		(V1)- file, the first report by Vern Passet. Do
	3		you recall that, on the date of the rape, his
	4		report about attending at the scene?
10:02	5	А	I believe so, yes.
	6	Q	And then the statement of $(V1)$ $(V1)-$ and then
	7		this report. This appears to be these are the
	8		only records that we have, the Commission has
	9		regarding the $(V1)$ $(V1)$ - investigation file.
10:02	10	А	Right.
	11	Q	You've told us that there would be an occurrence
	12		report that you would have prepared that we don't
	13		have; correct?
	14	А	Yes.
10:02	15	Q	And would there have been other investigation
	16		reports do you think between the date of the rape
	17		and the date of the concluding report?
	18	A	Yes. Anything I did in regards to this, yes.
	19	Q	Now, as far as the date do you have a
10:03	20		recollection of making the decision to conclude
	21		this file?
	22	A	I think so. I felt I came to a dead end, I had no
	23		leads, I had no informants, information, anything
	24		like that.
10:03	25	Q	So this had been about six or seven months. Was
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	1		that was there a rule of thumb as to how long
	2		you would keep a file open if you didn't have
	3		leads or was six or seven months average, short,
	4		long for when you usually would have a file open?
10:03	5	Α	There was no particular rule of thumb in that
	6		regard. Some would be kept open longer,
	7		especially one of this nature, but a more minor
	8		file would be probably filed sooner if there was
	9		no conclusion.
10:03	10	Q	Now, May 28th, 1969 is within days of or maybe
	11		even the day the decision was made or charges were
	12		laid against David Milgaard for the murder of Gail
	13		Miller and I'm wondering if there was any
	14		discussions you would have had with anybody
10:04	15		associated with the Gail Miller investigation that
	16		would cause you to conclude the (V1)- file?
	17	A	No, sir.
	18	Q	And would your the timing of the closing of the
	19		(V1)- file, did it have anything to do with
10:04	20		anything related to the Gail Miller investigation?
	21	А	No, sir.
	22	Q	Now, we don't have the $(V2)$ and $(V3)$
	23		files. Do you know when, how long those files
	24		would have remained open or whether they were
10:04	25		concluded at this time?
	11		



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	1	А	I can't recall. They could have been open longer
	2		because they happened after, especially the
	3		(V3) one.
	4	Q	If we go back sorry?
10:04	5	А	Sorry.
	6	Q	Go back to the (V2) file. I think you, I
	7		think Officer Lewis was the officer in charge;
	8		correct?
	9	А	Well, he attended. I'm not sure if he had that
10:04	10		file. I think he did.
	11	Q	And I think you said that you thought it was the
	12		same person and I believe you said he did as well,
	13		or other officers on that file; is that
	14	А	Oh, I certainly did anyway, and I'm sure all of us
10:05	15		did.
	16	Q	And so again if you are, when you close the (V1)-
	17		file, did you at that time believe that the
	18		perpetrator of the (V1)- rape was also the
	19		perpetrator of the (V2) rape?
10:05	20	А	Yes, sir.
	21	Q	And so do you know whether or not the (V2)
	22		file would have been closed at the same time or
	23		not?
	24	А	No, I can't recall, sir.
10:05	25	Q	Would you have coordinated your investigation with

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	1		the officer looking after the (V2) rape?
	2	А	Not that I can recall, no.
	3	Q	Now, in February of 1970, so this is a year after
	4		the Gail Miller murder, the Gail Miller murder was
10:05	5		January 31, 1969, Mr. Milgaard was convicted on
	6		January 31, 1970 and on February 21st or 22nd of
	7		1970 a lady by the name of (V5) (V5) was
	8		raped near Avenue V in Saskatoon, and I take it
	9		today you are aware of that matter are you?
10:06	10	A	Yes, sir.
	11	Q	And at the time, back then, do you recall being
	12		involved or being aware of the (V5) (V5)
	13		rape?
	14	A	Not really. I probably heard about it at the
10:06	15		time, but I can't recall.
	16	Q	And I believe Gus Weir was the officer in charge
	17		of that file?
	18	A	Yes.
	19	Q	And I don't believe your name is mentioned in any
10:06	20		of those reports, although I stand to be
	21		corrected, it may have been, but so do you have
	22		any recollection of talking to anybody about the
	23		(V5) (V5) rape?
	24	А	No, sir.
10:06	25	Q	Now, again in 1970, and so this would be a year
			4



1		after you've concluded the (V1) (V1)- file, did
2		you become aware that a suspect may have been
3		apprehended or identified for the (V1) (V1)-
4		rape?
10:07 5	А	I can't recall when, but as I recall, Larry
6		Fisher, who was apprehended in Winnipeg,
7		somehow well, I later learned that he had
8		either pleaded guilty or admitted to the rape, my
9		rape anyway, and some others.
10:07 10	Q	And do you have a recollection in doing anything
11		in connection with Larry Fisher in 1970?
12	А	No, sir.
13	Q	Did you make any inquiries about his residence or
14		anything of that nature?
10:07 15	А	At some point, I don't know, that's probably when
16		it was, or it could have been '69, but after he
17		was apprehended, that's right, that's when I went
18		to a house where apparently he had lived. I was
19		directed by Inspector Nordstrom to make inquiries
10:07 20		at the neighbours and that house, when he lived
21		there and what he did and his activities, anything
22		I could find out about him, background.
23	Q	And at that time what information do you recall
24		getting from Inspector Nordstrom as to how Larry
10:08 25		Fisher became a suspect or what Larry Fisher had
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	1		said about any of the rapes?
	2	A	I can't he didn't say anything to me that I can
	3		recall, only that I should go out there and make
	4		inquiries about a Larry Fisher and
10:08	5	Q	And is that in connection with what rapes, with
	6		what files?
	7	A	It was the one I had and the (V2) on 18th
	8		Street.
	9	Q	So it was the $(V1)$ - and $(V2)$ rapes and
10:08	10		Inspector Nordstrom asked you to go make inquiries
	11		about Larry Fisher; is that correct?
	12	Α	That's correct.
	13	Q	And specifically what were you looking for?
	14	A	Well, I was trying to find out possibly when he
10:08	15		lived there, when he moved in and if he was still
	16		there. I may have been told that he wasn't there
	17		any more, I can't recall, but to get a background
	18		on him, what he did.
	19	Q	Were you given an address or an area to check
10:09	20		where he may have lived?
	21	А	Yes. It was I'm not sure, maybe it was 412
	22		Avenue O South. It was the 400 block anyway.
	23		Sorry, 500 block I think.
	24	Q	And where did you get that address or information
10:09	25		from?
	11		

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1	A	From Inspector Nordstrom.
2	Q	Okay. If we could just go through, I will call up
3		012656, please, and go to page 012659, and, Mr.
4		Cressman, this is a typed version of an October
10:09 5		22nd, 1970 statement that Larry Fisher gave in
6		connection with the $(V3)(V3)$ rape, okay,
7		on November 29th, 1968, so that would have been
8		about a month about a month after five weeks
9		after the (V1)- rape and about two weeks after the
10:10 10		(V2) rape; correct?
11	A	Correct, yeah.
12	Q	And in this statement he's asked:
13		"Q Did you live in Saskatoon around
14		November of 1968?
10:10 15		A Yes, probably at 512 Avenue F South or
16		1530 Avenue C North."
17		And is that address, 512 Avenue F South, is that
18		an address you think you checked?
19	A	I believe that's the one, sir, yes.
10:10 20	Q	Do you recall being given a copy of a statement
21		that Mr. Fisher gave by Inspector Nordstrom?
22	A	I don't recall it at all, but I could have been,
23		but I don't recall that.
24	Q	And we see another address here, 1530 Avenue C
10:10 25		North, and which is a fair distance from 512



		1 age 15265
1		Avenue F South; correct?
2	А	Yes, sir.
3	Q	And do you recall whether you would have checked
4		out that area, Avenue C North?
10:11 5	А	I don't recall checking there at all.
6	Q	Okay. And if we can go back to the first page of
7		this statement, please, and this is his statement
8		with respect to (V5) (V5) and he was asked
9		where he lived in February of 1970 and he says
10:11 10		here that he lived at 1824 Avenue D North. Scroll
11		down. Do you recall checking out that address or
12		that area, sir?
13	А	No, sir.
14	Q	And you have a recollection then of going to the
10:11 15		Avenue E and F area then?
16	А	Yes, sir.
17	Q	And what did you do?
18	А	Well, like I say, I went to the address that was
19		given to me and I believe I checked with some
10:11 20		neighbours on both sides and I couldn't seem to
21		find any information about him that I recall, when
22		he moved there or of anybody knowing him, because
23		the people at that house may not have been home, I
24		think I called more than once if they weren't, but
10:12 25		from my inquiries I couldn't find anything that
		Meyer CompuCourt Reporting



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	1		was useful or helpful.
	2	Q	And do you recall, sir, if you would have prepared
	3		a report on this?
	4	A	I believe I did, I believe I left an investigation
10:12	5		report to that effect.
	6	Q	And do you know, did you do any follow-up work on
	7		that?
	8	А	No.
	9	Q	Do you know if anybody else did?
10:12	10	A	No.
	11	Q	And the area that you checked, and I'll go to a
	12		map and some statements in a moment, but was it in
	13		the vicinity of where $(V1)$ $(V1)$ - and $(V2)$ $(V2)$ -
	14		(V2) were raped?
10:12	15	A	Yes.
	16	Q	And if we could go first to I'll call up the
	17		typewritten version of the (V1) (V1)-
	18		statement, please, which is 042522, and, Mr.
	19		Cressman, just for the record here, I just want to
10:12	20		go through some addresses here. 528 Avenue G
	21		South, that was her address; is that correct?
	22	А	I believe so, yes.
	23	Q	And then I just want to, we'll go through this
	24		because I want to go through this on the map with
10:13	25		you. She talks about leaving that address and
			4

1 going to C.M. Lunch, walked west on 17th to Avenue 2 H, stayed there for 15 to 20 minutes, walked north 3 on Avenue H and went by 400 block Avenue H, got Continued on 19th to Avenue G, was going 4 passed. 5 to walk down Avenue G to her home. Got to 18th 10:13 Street, walked over to Avenue H -- scroll down --6 and then it says, "When I got to Avenue G & 18th I heard a sniff, " etcetera, and then got to the lane 8 9 which runs north and south between Avenue G and H, 10:14 10 a man grabbed me -- and next page -- and then he 11 pushed me with his body down the lane towards 19th 12 Street. So when we get the map I'll go through 13 and just trace that for you, Mr. Cressman, I just 14 wanted to show you that. If we could then call up the 10:14 15 16 17 18 19 10:14 20 her boyfriend at 523 Avenue H. 21

22

23

24

10:14 25

(V2) (V2)- (V2)---- statement, which is 087736, please, and this is a typed version of her statement and you'll see that she lived at 412 Avenue D South and she says she was going to see She says she walked south on Avenue D to 18th, then west on the south side of 18th, and between Avenue E and F saw a person -- and then if you can scroll down -grabbed her and then took her into the alley south between Avenue E and F, 500 block. Do you see

			7 ago 70200
	1		that?
	2	A	Yes, sir.
	3	Q	If we could then call up document 164332, please,
	4		and this is a map, a zoning map of the city that
10:15	5		has house addresses on it. I think if we can just
	6		zoom in that area, please, and you'll see here
	7		we've got 20th Street, 19th Street, 18th Street,
	8		unfortunately we don't have 17th Street at the
	9		bottom. If we could just scroll up to the top,
10:15	10		please, or go back, and as far as if we could
	11		just zoom in that area, please, you'll see that
	12		this is Avenue F, Avenue E, Avenue D, Avenue G.
	13		So right by the just as a marker because they
	14		don't have G, right by RM1, you'll see that that
10:16	15		is Avenue G, okay?
	16	A	Right.
	17	Q	Then if we can go back to the lower version of
	18		that, please, to zoom in the bottom right corner.
	19		So this is Avenue G right here.
10:16	20	A	Okay.
	21	Q	And then if we go to Mr. Fisher's address, which
	22		was 512 Avenue F South if we can just scroll in
	23		that area, please, just zoom in there for a
	24		moment you'll see 512 and you'll see a dot
10:17	25		there.



		Page 13287 ————
1	А	Right.
2	Q	Okay. So that's 512. If we can then just go back
3		to zoom out a little bit on that, please, and
4		again bottom right corner and you will see 512
10:17 5		is right there, that's Mr. Fisher's residence that
6		he gave to the police, $(V1)$ $(V1)$ - resided at
7		Avenue, at the 528 Avenue G South, which we know
8		is right here. Again, if we could just scroll in
9		that area there, please. She lived at 528 Avenue
10:17 10		G South, so she lived there, Mr. Fisher lived
11		there; is that correct?
12	А	Yes sir.
13	Q	And then she described, $(V1)$ $(V1)$ -, that she
14		went on again she's at 528 she went on 17th,
10:18 15		which doesn't show there, to Avenue H to a store,
16		and then north on Avenue H if we could just
17		scroll up a bit, a little bit and she goes
18		north on Avenue H past the 400 block just a bit
19		higher and then 19th Street, she said, east to
10:18 20		Avenue G, just so down here to Avenue G to 18th,
21		and then she said west on 18th on the north side
22		of the street, and then on the north-south lane
23		between G and H, grabbed and taken in the lane
24		towards 19th, so right there?
10:18 25	А	Right.
	II	



			Page 13288 ———————————————————————————————————
	1	Q	Do you see that?
	2	A	Yes sir.
	3	Q	And so if we can just, just scroll down a bit,
	4		please. This is where she was raped, this is
10:18	5		where Mr. Fisher, 512, and this is where Ms. (V1)-
	6		lived at the time; is that correct?
	7	A	That's correct.
	8	Q	Now if we can go to Ms. (V2), who lived at
	9		412 Avenue D, I think if we just scroll up a
10:19	10		little bit if I'm not mistaken she lived right
	11		there, and she said she was going to 523, which is
	12		right over here, of Avenue H. She said she went
	13		south on D to 18th Street, west on the south side
	14		of 18th, and then between E and F, and I think
10:19	15		we've got right here between E and F, saw a man
	16		and dragged in alley between E and F on the 500
	17		block, which if I'm not mistaken is in the back
	18		alley right by Mr. Fisher's address; is that
	19		correct?
10:19	20	A	Yes, it would appear that appear so.
	21	Q	And is that the information, then, that you had
	22		checked, Mr. Cressman, that this area here, 512
	23		Avenue E? I'm sorry, I was one block over, I'm
	24		sorry, it was down this back alley.
10:20	25	A	Yes, that's the house, and the neighbouring



	1		houses, too, I believe I checked. I don't know if
	2		I checked across the street but
	3	Q	And, again, you said were you able to verify
	4		whether Mr. Fisher had lived there at the time?
10:20	5	A	No, I can't recall obtaining any information in
	6		at all. I could have obtained that he lived there
	7		but I can't recall that.
	8	Q	And if he did live there, Mr. Cressman, then you
	9		would agree; would that put him pretty close to
10:20	10		where both $(V1)$ - and $(V2)$ lived, travelled,
	11		and were raped?
	12	A	Definitely, yes.
	13	Q	Now and, again, I think we're done with that
	14		map at that time did you have any other
10:20	15		information about Mr. Fisher, as to what he may
	16		have whether he had confessed to any rapes;
	17		were you aware of that?
	18	A	At what time, sir?
	19	Q	At the time Inspector Nordstrom asked you to go
10:21	20		check his address?
	21	A	I don't think he gave me any information, but it
	22		would have been in the possibly it was in the
	23		media, then, or somehow I think I I had to make
	24		the connection, I'm sure.
10:21	25	Q	Okay. Just tell me what you recall, what $lack$



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	1		connection, or what do you recall?
	2	А	Well I recall that he was caught in Winnipeg in
	3		the act in a lane, I guess, by Winnipeg police.
	4	Q	And is that I'm sorry, go ahead?
10:21	5	А	And then, also, that, well, two of the our
	6		members went to int talk to him or interview
	7		him or bring him back, or whatever, but they went
	8		there, and I was under the impression it was
	9		Detective Karst and Detective Oleksyn at that
10:21	10		time.
	11	Q	Detective Oleksyn?
	12	A	That's what I thought. I was misunderstood, I
	13		guess, but I thought that's who it was. But I
	14		know Karst had gone, yes.
10:21	15	Q	Okay. And you have a memory of that from the
	16		time?
	17	А	Yes, from whatever it was, the media or hearing it
	18		at work or you know.
	19	Q	Okay. So you heard, and again at or about this
10:22	20		time, that Detective Karst and Detective Oleksyn
	21		had gone to Winnipeg?
	22	А	I think it was about that time, yeah.
	23	Q	And what do you recall? And I think you is
	24		that where you heard about Fisher being caught
10:22	25	A	In the act, yes.

			Page 13291 ————
	1	Q	And you said either within the police or in the
	2		media; is that right?
	3	А	It could have been the paper or on TV, yeah.
	4	Q	And is it a recollection at that time, i.e. 1970,
10:22	5		as opposed to 1990, like, 20 years later?
	6	A	Yes.
	7	Q	Okay. And so what else do you remember about
	8		what do you know why the officers went to
	9		Winnipeg?
10:22	10	A	Well to interview him and I guess and well of
	11		course, if he is caught, in regards to our rapes,
	12		yes.
	13	Q	Okay.
	14	A	Certainly.
10:22	15	Q	And so do you remember hearing whether or not he
	16		confessed to any or denied any rapes?
	17	A	Umm, sometime down the road I heard, but I don't
	18		know if he did it if I heard at that time.
	19	Q	And when Inspector Nordstrom asked you to go out
10:23	20		and check Mr. Fisher's address
	21	A	Right.
	22	Q	did at that time did you have knowledge, at
	23		that time, of Mr. Karst and Mr. Oleksyn having
	24		gone to Winnipeg and Mr. Fisher having been
10:23	25		apprehended?



			Page 13292 —————
	1	A	I had knowledge that, yeah, that he was
	2		apprehended, I'm sure I did, because I put 2 and 2
	3		together and figured, okay, that's why we're
	4		I'm looking to get some background on him because
10:23	5		of the rapes, our rapes, he was if he lived
	6		right in that area, yes.
	7	Q	And so when you went to check his house you were
	8		aware that he was apprehended in Winnipeg for
	9		other rapes, I think you told us?
10:23	10	А	I believe I was, yes.
	11	Q	And you were aware that officers, who you think
	12		were Karst and Oleksyn, had gone to Winnipeg to
	13		interview him?
	14	А	Yes sir.
10:23	15	Q	And were you aware as to whether or not he had
	16		confessed to any other rapes?
	17	A	No, I can't remember what he would have confessed
	18		to, but
	19	Q	And then at some point, sir, did you become aware
10:24	20		that Mr. Fisher was charged for the (V1)-,
	21		(V2) rapes?
	22	A	Umm, I can't recall, I just I think I assumed
	23		it, or I don't know if I heard it, but I didn't
	24		pursue it, like, in I know it was my file but
10:24	25		



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	1	Q	At I'm sorry, at the time that you went to
	2		check Mr. Fisher's residence
	3	A	Uh-huh.
	4	Q	your file had been concluded some time earlier;
10:24	5		is that correct?
	6	A	Yes, yes sir.
	7	Q	Did you re-open it, or did someone else re-open
	8		it, do you know what would have happened?
	9	A	I didn't re-open it, somebody else could have
10:24	10		definitely, yes, or they would if he would be
	11		questioned about it.
	12	Q	Do you know if someone else had taken over conduct
	13		of that file or was looking after it?
	14	A	They probably did, but I don't know who.
10:24	15	Q	And your instructions, then, came from who?
	16	A	Inspector Nordstrom.
	17	Q	And then would you have reported back to him?
	18	A	Yes, and I well, I left an investigation, but
	19		I'm pretty sure I talked to him and said I, well,
10:24	20		'I didn't learn anything'.
	21	Q	Did anybody go with you when you went to check the
	22		address?
	23	A	No, just myself.
	24	Q	If we could call up 260945. Did you at that time,
10:25	25		again when you were looking for Mr. Fisher, did



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	1		you draw any connection between Mr. Fisher and the
	2		Gail Miller murder?
	3	A	Umm, no, and I felt that they were quite a
	4		distance apart, like
10:25	5	Q	I'm sorry well, carry on?
	6	A	Well I felt that the rapes were on 18th Street,
	7		and the nature of them wasn't serious like the
	8		other one, so I did not draw any connection.
	9	Q	Yeah, and I had asked you that question earlier
10:25	10		about whether you about the offences. My
	11		question now is in 1970, or whenever it is that
	12		you went to check his house
	13	А	Right.
	14	Q	when Inspector Nordstrom said 'go check Larry
10:26	15		Fisher',
	16	А	Right.
	17	Q	at that time and Mr. Milgaard had been
	18		convicted, I think, about well he was convicted
	19		January of 1970.
10:26	20	A	Right.
	21	Q	So when you went to check out Mr. Fisher, at that
	22		time did, in your mind, did you think of
	23		whether that Mr. Fisher may have had any
	24		connection to the Gail Miller murder?
10:26	25	А	Not at all.

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	1	Q	And here's an information, sir, sworn December
	2		30th, 1970 charging Larry Fisher with the rape of
	3		(V1) (V1)-; and would you have been aware at
	4		that time that a charge was laid for a file that
10:26	5		you had previously had carriage of?
	6	А	No, I wasn't, sir.
	7	Q	And was that unusual, that you wouldn't be aware
	8		of that?
	9	A	No, not
10:26	10	Q	And why not?
	11	A	Unless you inquired. I don't well once the
	12		file was concluded, if it was pulled, if it
	13		just went through the process. And then if a
	14		charge was laid and a person was convicted, if
10:27	15		they were convicted then it was finished with, as
	16		far as I was concerned.
	17	Q	At some point, Mr. Cressman and let's go after
	18		you went to check out Mr. Fisher's address at
	19		some point later did you learn that Mr. Fisher was
10:27	20		charged and convicted of the rape of (V1) (V1)-
	21		and (V2) (V2)- (V2)?
	22	А	Umm, I can't recall if specifically them. I think
	23		I probably figured that, but I understood that I
	24		think it was maybe four that he had
10:27	25	Q	Yes.



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	1	А	pled guilty to, I think?
	2	Q	Yes, that's correct. In December of 1971
	3	А	Right.
	4	Q	Let in December of 1970 he was charged with
10:27	5		four, $(V1)$ -, $(V2)$, $(V3)$ and $(V5)$, a
	6		year later he pled guilty and was convicted of
	7		those.
	8	А	Okay.
	9	Q	And at the time, back at that time, were you aware
10:27	10		do you have a recollection of becoming aware of
	11		that?
	12	A	Not well, I think just what I heard in the
	13		media, and I don't know if they mentioned who,
	14		like, who he pleaded guilty to, maybe it was only
10:28	15		the four.
	16	Q	Yeah. I don't believe I'm sorry, when you say
	17		'the media', are you talking media at the time?
	18	A	Yeah, yeah, the, like the paper and TV, whatever,
	19		I think probably the paper.
10:28	20	Q	Okay. I think, at least the records that we have
	21		been able to obtain, there is we've been able
	22		to identify a report in May of 1971 indicating
	23		that Mr. Fisher was convicted in Winnipeg for the
	24		Winnipeg rapes?
10:28	25	A	Okay.
		ll .	



	1	Q	But we have not located any local newspaper
	2		article reporting on his December '71 conviction
	3		for the Saskatoon rapes.
	4	A	Okay.
10:28	5	Q	And we have no, nothing about television or radio
	6		one way or the other, and so again I just want you
	7		to be aware of that, Mr. Cressman.
	8	А	Yeah.
	9	Q	But what is your recollection, then, at the
10:28	10		time do you think, at the time, you would have
	11		known about it from somewhere, let's start there?
	12	А	I think, yeah, well I think like when I went to
	13		the house to check on him by Inspector
	14		Nordstrom told me, because of him being caught in
10:29	15		Winnipeg, I had heard that, so I put 2 and 2
	16		together. But as far as these others, yes, I may
	17		not have heard until later, then,
	18	Q	Okay.
	19	А	that he was convicted of them, yes.
10:29	20	Q	And did you presume something before you heard?
	21	А	Probably. I would have thought that mine, because
	22		he lived in the area, that he was convicted of
	23		mine or pleaded guilty to the one I had, yes.
	24	Q	And so then I take it at some later point, let's
10:29	25		say in the late '80s, early '90s,



			Page 13298
	1	A	Right.
	2	Q	would you have become aware, again, that Mr.
	3		Fisher's name surfaced in the media.
	4	A	I'm sure, yes.
10:29	5	Q	And then prior to learning about it that way, in
	6		1990 or thereabouts in the media, do you think you
	7		would have known or heard that prior to that time,
	8		prior to hearing it in the media?
	9	А	I can't recall, but I, you know, you think I would
10:30	10		have heard about it at work
	11	Q	Yeah.
	12	А	from somebody.
	13	Q	Yeah, but do you have a recollection of that?
	14	А	Not really, no.
10:30	15	Q	It's probably an appropriate time to break, Mr.
	16		Commissioner.
	17		(Adjourned at 10:30 a.m.)
	18		(Reconvened at 10:49 a.m.)
	19	BY I	MR. HODSON:
10:50	20	Q	If we could call up 261053, please. Mr. Cressman,
	21		this is a letter of March 17th, 1971 from Deputy
	22		Chief Corey; do you recall Deputy Chief Corey?
	23	A	Yes sir.
	24	Q	And it's a letter to the Deputy Attorney General,
10:50	25		Mr. MacKay, Crown Solicitor, and it relates to

	1		four charges that were just change that to red,
	2		please to four charges outstanding against Mr.
	3		Fisher. And I take it you've seen this letter in
	4		connection with your preparation for these
10:50	5		proceedings; is that fair?
	6	А	I believe so, sir, yes.
	7	Q	Yeah. Prior to that, would you have seen this
	8		letter, have been any part of its preparation?
	9	А	Would I what?
10:51	10	Q	Would you have been involved in drafting this or
	11		were you aware of this back in 1971?
	12	А	No, sir.
	13	Q	And this, just to give you a bit of context, this
	14		is information that Deputy Chief Corey is sending
10:51	15		to the attorney general outlining the four charges
	16		that were laid against Mr. Fisher on December
	17		30th, 1970, and I showed you the information for
	18		(V1) (V1)-, but he was charged on December
	19		30th. And then if we can go to the next page and
10:51	20		just call out, the letter sets out the facts
	21		relating to the charges, and in connection with
	22		the (V1)- matter it says:
	23		"In relation to charge number one, at
	24		approximately 11:00 p.m., October 21,
10:51	25		1968, (V1) (V1)- (22 years), 528



	1		Avenue G South, was walking along 18th
	2		Street West when he she was grabbed from
	3		behind and, at knifepoint, forced down a
	4		lane. She was forced to remove most of
10:52	5		her clothing and was then raped. (V1)-
	6		described her assailant as a male in his
	7		early twenties, dark hair and of small
	8		stature. The knife appeared similar to
	9		a paring knife.
10:52	10		During the investigation of
	11		this offence Miss (V1)- viewed Police
	12		photos, including that of Fisher, and
	13		was unable to identify him as her
	14		assailant."
10:52	15		Do you have any recollection, Mr. Cressman, of
	16		showing (V1) (V1)- a picture of Larry Fisher?
	17	A	No, I don't, at this point.
	18	Q	And at the time, when you told us that Inspector
	19		Nordstrom had asked you to go out and check Mr.
10:52	20		Fisher's residence, remember telling us about
	21		that?
	22	A	Yes sir.
	23	Q	At that time, would you have had any contact with
	24		(V1) (V1)- yourself, do you think?
10:52	25	A	No.

			Page 13301 —————————————————————————————————
	1	Q	Okay. And do you know if someone else was looking
	2	×	after the (V1)- file at that time?
			alter the (vi) - lile at that time:
	3	А	Not to my knowledge.
	4	Q	And you, I think you said you didn't re-open it,
10:52	5		is that right?
	6	A	No, sir.
	7	Q	And, in this, it talks about:
	8		"The knife appeared similar to a paring
	9		knife."
10:53	10		And I don't believe that description is given in
	11		her statement, in the original statement, now we
	12		don't have the rest of the file; so do you have
	13		any recollection of (V1) (V1)- describing the
	14		knife as being similar to a paring knife?
10:53	15	A	Yeah, as I recalled at the time, I wasn't I
	16		don't think she knew if it was a knife or she
	17		thought it was a knife, or if she had actually
	18		seen it, that was my recollection at the time I
	19		mean now, like.
10:53	20	Q	Okay. Do you recall anything being mentioned
	21		about a paring knife?
	22	A	No, I can't, but it could have been, yes.
	23	Q	Okay. And if we can go to the next page, please.
	24		And the letter says, if we can call out this
10:53	25		paragraph, it says:

	1		"During October 22, 1970, Members of our
	2		Force interviewed Fisher while he was
	3		confined to cells at the Fort Garry,
	4		Manitoba, Police Station. Fisher
10:53	5		admitted being responsible for the rape
	6		of (V5) (V5) (V5) on February
	7		21, 1970, and also the attempted rape of
	8		(V3)(V3)(V3) on November 29,
	9		1968. Fisher was questioned about the
10:54	10		offences committed on October 21 and
	11		November 13, 1968, and denied any
	12		knowledge of same."
	13		Now the October 21 offence is the (V1) (V1)-
	14		file. Do you recall or were you aware, at that
10:54	15		time, that members of the police force questioned
	16		Larry Fisher in Winnipeg about the (V1)- file; do
	17		you have any knowledge of that?
	18	A	I don't recall, but I would assume they would
	19		have, but I really can't recall for sure.
10:54	20	Q	And then if we can scroll down it says:
	21		"Police investigation revealed that
	22		Fisher lived within a block of the
	23		locations where these rapes occurred,
	24		" ,
10:54	25		and if I can pause there. Is that, I think



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	1		that's what you told us you were checking out; is
	2		that fair?
	3	A	Yes sir.
	4	Q	And:
10:54	5		" the description of the culprit is
	6		very similar and the modus operandi is
	7		the same in all four cases."
	8		Did you ever look at the (V5) rape file to see
	9		if the modus operandi was the same as the (V1)-
10:55	10		file at the time?
	11	А	I can't recall, but from my knowledge of when it
	12		happened, I to me it was the same, yes.
	13	Q	And then it goes on to say:
	14		"Fisher claims that he had never heard
10:55	15		of these offences being committed, which
	16		is hard to believe as they happened
	17		within a three week period in the same
	18		area and received wide publicity."
	19		And, again, do you recall whether you would have
10:55	20		drawn that conclusion or given that information
	21		in a report or to anybody else?
	22	А	Umm, no, I wouldn't have, I don't think, gave the
	23		in a report about it being but in my own
	24		mind I was satisfied they were the same person.
10:55	25	Q	Okay. If we can then go ahead and call up
		ii	



	1		document 042831, is the doc. ID, and go to 042864.
	2		And November, this is a November 18th, 1991 report
	3		of the Saskatchewan Police Commission, and they
	4		were asked to investigate into certain matters
10:56	5		including missing files related to these four
	6		sexual assaults; do you remember that happening,
	7		Mr. Cressman?
	8	А	Well, yeah, yeah, I was retired in 1991 but I
	9		remember, from the media coverage, that there was
10:56	10		some well, about the investigation about the
	11		Milgaard conviction.
	12	Q	Yeah. And do you remember being interviewed by a
	13		fella by the name of Bill Graham?
	14	А	Yes sir.
10:56	15	Q	If we could just go to page 042865, and this
	16		appears to be a typed version of a statement that
	17		you gave, do you recall giving a statement to the
	18		Police Commission, to Mr. Graham, at the time?
	19	А	Yes sir.
10:57	20	Q	Okay. And then it goes on to describe your term
	21		with the police, the and it says:
	22		"I took the complaint of rape from
	23		(V1) $(V1)$ At the time I was
	24		working alone and felt that she was
10:57	25		raped. As I recall she was walking down



	1		18th Street when she was forced down the
	2		lane and raped between a garage. He
	3		kept behind her so she never did see
	4		him. I felt that she was raped, I found
10:57	5		her glasses and panty hose where she
	6		said it occurred. Morality Sergeant
	7		Walt Gryba and I went up to City
	8		Hospital with her. For some reason,
	9		because she wouldn't be examined by the
10:57	10		doctor he didn't think it was a genuine
	11		rape. I did then and I still do."
	12		Now do you remember at this time, Mr. Cressman,
	13		whether you would have had (V1) (V1)-'s
	14		statement or any documents that were shown to you
10:57	15		when you were giving this information?
	16	A	Umm, by Mr. Graham? Umm, I can't recall, although
	17		I he must have shown me this statement, any
	18		information he had, or paper, yes.
	19	Q	Yeah. Do you recall if you had your notebook
10:57	20		available at that time?
	21	A	No, I did not.
	22	Q	And then it says:
	23		"I can't remember her attacker beating
	24		her up, he might have cuffed her. From
10:58	25		what she said there was a knife

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	1		involved."
	2		And I take it, is that something you would have
	3		said to Mr. Graham, is that what you believed?
	4	А	Yes sir.
10:58	5	Q	Next page:
	6		"As far as I remember he pulled part of
	7		her clothing over her eyes and she never
	8		got a look at him."
	9		Is that your recollection of
10:58	10	A	Yes sir.
	11	Q	And so, on that, was it your understanding, sir,
	12		that what was your understanding as to whether
	13		or not $(V1)$ $(V1)$ - was able to identify her
	14		assailant?
10:58	15	А	Well for her face covered, I felt it would be
	16		impossible, only his, maybe his size and his
	17		voice, that would be about it, and his age.
	18	Q	But as far as being shown a photograph of an
	19		assailant, did you have an understanding at the
10:58	20		time as to whether or not, based on your dealings
	21		with her, whether Ms. (V1)- would be able to
	22		identify her assailant from a photograph of the
	23		face?
	24	А	I can't see how she could, no.
10:59	25	Q	It says:
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	1		"I did the normal statement form and
	2		report. I can't remember if the file
	3		was assigned back to me or not. I can't
	4		remember doing much else on it."
10:59	5	And the	en it says:
	6		"The two rapes on 18th Street were so
	7		close that myself, Morality officer Maun
	8		and I staked out the area. We went out
	9		in the evening on the same shift and
10:59	10		walked around and worked from our cars.
	11		We'd work 6 pm to 2 am, it was the
	12		fall."
	13	And I	think that's what you told us earlier?
	14	A That's	right, sir. Mann's name was spelled
10:59	15	M-A-N-1	N .
	16	Q Yes, I	see that.
	17	A Okay.	
	18	Q And the	en it says:
	19		"The last time I saw the report was when
10:59	20		I filed the report, the sergeant would
	21		have concluded the report.
	22		I do remember Morality officer
	23		Gord Lewis attended the (V2) rape."
	24	Then i	t says, if we can scroll down, it says:
10:59	25		"Inspector Nordstrom he sent me around
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	1		to Fisher's former address, I think it
	2		was the 500 block Avenue E or F probably
	3		E to make enquiries of the whereabouts
	4		and background of him. It was to find
11:00	5		out if he lived there at the time of
	6		those two rapes.
	7		It was probably more to find
	8		out the time period he lived at that
	9		address and where he worked. I can't
11:00	10		remember if I left a report or left him
	11		something on paper. I'd have put
	12		everything in my memo book.
	13		When I retired I turned in my
	14		memo books to stores. The girl took
11:00	15		them and they are supposed to put them
	16		in records' storage."
	17		And, again, is that an accurate account of what
	18		you would have told Mr. Graham?
	19	А	That is correct.
11:00	20	Q	And that is truthful?
	21	А	Yes sir.
	22	Q	And so is it fair to say that in 1991, when you
	23		were asked about it, you had a recollection of the
	24		500 block of Avenue E or F?
11:00	25	А	Yes sir.
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	1	Q	And do you have a recollection of that today,
	2		independent of any documents, that that's where
	3		you went to look for him?
	4	A	Yes sir.
11:00	5	Q	And then the next page. It appears here that, it
	6		says:
	7		"I want you to look at this file and
	8		tell me if you think this is a complete
	9		file?"
11:00	10		And I'm presuming it's exactly what I showed you,
	11		a couple reports and the statement, and your
	12		answer:
	13		"It's not complete without the
	14		occurrence, I can't remember if there
11:01	15		were follow-up reports."
	16		And that's accurate, is it?
	17	A	Yes sir.
	18	Q	And then in June of 1993 do you recall being
	19		interviewed by the RCMP in connection with an
11:01	20		investigation they were doing?
	21	A	Yes sir.
	22	Q	And if we could go to 035598, please, and these
	23		are notes of the RCMP interview of you. Call out
	24		paragraph 4, it says:
11:01	25		"Cressman stated that he had mentioned



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	1		to someone that his rape was similar to
	2		the Miller murder/rape but whoever he
	3		was speaking",
	4		next page:
11:01	5		" to had for some reason replied 'no
	6		way'. He can't remember who the person
	7		was -"
	8		And, again, is that the same information as you
	9		provided to us this morning?
11:01	10	A	Yes sir.
	11	Q	And next page, please, paragraph 8:
	12		"Cressman agreed that there was a good
	13		relationship between morality &
	14		detectives with information on different
11:02	15		activities/suspects being constantly
	16		interchanged. Morale was good."
	17		Is that something you believed at the time?
	18	А	Yes, I did, sir.
	19	Q	And told the RCMP that?
11:02	20	A	Yes sir.
	21	Q	And that's your belief today?
	22	А	Yes sir.
	23	Q	And then it says, paragraph 9, if we can just
	24		scroll down:
11:02	25		"He wasn't aware that Karst had gone to $lacksquare$



	1		Wpg. to interview Larry Fisher on some
	2		rape charges. Cressman felt that Karst
	3		was a good interviewer and could take
	4		good statements. These two reasons are
11:02	5		probably why he would have been sent to
	6		Wpg."
	7		Now, and I think this morning, Mr. Cressman, you
	8		said you have a memory of Mr. Karst going to
	9		Winnipeg; is that right?
11:02	10	A	Yes. I don't know, like this differs in that
	11		respect, but yeah, somehow I had heard somewhere
	12		along the line, yeah.
	13	Q	Okay. Now just back on that, when you say you
	14		'heard somewhere along the line', and I think
11:02	15		earlier when I asked you the question you said you
	16		had a memory from back in and around 1970, around
	17		the time, that Mr. Karst and I think you said
	18	А	Yeah.
	19	Q	Mr. Oleksyn would have gone there, and are you
11:03	20		able to in light of this statement to the RCMP,
	21		is it still your evidence that you have that
	22		memory, or is it a memory that you or something
	23		that you picked up much later on?
	24	A	It was probably later on. I'm not just sure.
11:03	25	Q	Okay.
		1	



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1	А	Sorry.
2	Q	So it's possible that it's something you
3		remembered or knew in 1970, or thereabouts,
4	A	Yeah.
11:03 5	Q	and remember it today, or are you now saying
6		it's maybe something you learned later on?
7	Α	It could be, yes.
8	Q	And did you, back when Mr. Karst, and there's some
9		suggestion that Mr. Nordstrom may have gone with
11:03 10		him to Winnipeg; were you aware of that or did you
11		ever hear that?
12	A	I didn't know it was Nordstrom, I just learned
13		that most recently, but my impression was Oleksyn
14		but apparently I was wrong. Yeah.
11:04 15	Q	And why do you say that?
16	A	Well because the evidence that's come out that
17		it was Nordstrom.
18	Q	Okay.
19	A	I just, I had heard that recently.
11:04 20	Q	Okay. Would it be more unusual for Inspector
21		Nordstrom to go to take a statement out of the
22		city?
23	A	Umm, well, yeah. Well I don't know of him going
24		before at all. Mind you, he was in charge of the
11:04 25		morality, so I suppose that's why.
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	1	Q	And as far as would there be any reason that
	2		Mr. Karst would go instead of you, for example, as
	3		morality officer?
	4	А	Well Karst was a detective, and he was a very good
11:04	5		interviewer and a very good for taking
	6		statements, and I I would be happy that he
	7		would go. I wouldn't feel comfortable going
	8		myself, I wouldn't feel competent interviewing
	9		that person.
11:04	10	Q	And why not?
	11	А	Because, well, I just didn't feel competent doing
	12		that kind of thing. Taking statements, but not an
	13		accused in such a serious, such a serious charge
	14		or charges. I felt Karst was far more capable
11:05	15		than myself.
	16	Q	Okay. Then next page, please I'm sorry, next
	17		page after that, or I'm sorry, go back to
	18		paragraph 10, the previous page. It says here:
	19		"Cressman was unaware that a charge in
11:05	20		the (V1)- incident had been laid in Dec.
	21		'70 and only learned of it in 1991 after
	22		he had retired from the SCP. He learned
	23		of it during the publicity on the
	24		Milgaard matter when it was before the
11:05	25		Supreme Court."
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1		And, again, is that an accurate recording of what
2		you would have told the RCMP?
3	A	Yes sir.
4	Q	And is that what you believed at the time, and
5		now?
6	А	Yeah, yes sir.
7	Q	And then paragraph 11, please, scroll down:
8		"He did not advise (V1)- of disposition
9		in the matter as he had concluded the
10		file in May '69 and didn't hear of the
11		conviction until 1991."
12		Is that correct?
13	А	Yes. I I was under the impression earlier that
14		I returned the things to her, but I guess I didn't
15		learn until '91, yeah. But so I wouldn't have
16		been able to tell her the yeah.
17	Q	Apart from I'm sorry?
18	А	Sorry. I wouldn't be able to have told her if I
19		didn't know, yeah.
20	Q	In your years in morality from 1968 to 1971, did
21		you investigate any other rape files other than
22		the (V1) (V1)- one?
23	А	I can't remember any. I specifically remember
24		this because I attended it, but I can't remember
25		investigating any others.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2



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	1	Q	Any other indecent assaults or anything of that
	2		nature?
	3	А	Probably, and assaults, yes.
	4	Q	And in any of those files would you have notified
11:06	5		the victim or complainant about charges or
	6		convictions?
	7	А	No, sir.
	8	Q	Next page, please, it says:
	9		"The only thing that Cressman could
11:06	10		faintly remember was that Nordstrom at
	11		sometime had told him that Larry Fisher
	12		had been caught in Wpg. raping a woman.
	13		Nordstrom had asked him to conduct
	14		neighbourhood enquiries at Fisher's
11:06	15		former residence. Cressman couldn't
	16		remember when or what the conclusion was
	17		of his enquires."
	18		And again, is that accurate as to what you would
	19		have told the RCMP?
11:06	20	А	Yes, sir.
	21	Q	And that's what you recalled at the time and
	22		recall now; is that correct?
	23	А	Yes, sir.
	24	Q	Now, I understand that you testified at the Larry
11:06	25		Fisher trial; is that right?

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		3
1	Α	Yes, sir.
2	Q	And I believe that the examination in fact, I
3		think you were called by Mr. Fisher's counsel, Mr.
4		Beresh, as a witness; is that right?
11:07 5	A	That's right.
6	Q	And gave evidence regarding your observations in
7		the back alley the night of the murder; is that
8		correct?
9	A	Yes, sir, or the night after the murder.
11:07 10	Q	Yes.
11	A	Yes.
12	Q	And I don't I'll identify it for the record.
13		310211, Mr. Commissioner, I don't propose to ask
14		any questions about.
11:07 15		Those are all my questions, Mr.
16		Cressman. I believe other counsel may have
17		questions for you.
18	A	Thank you.
19		MR. HODSON: There are no further
11:07 20		questions, Mr. Cressman. Thank you very much for
21		attending.
22	A	Thank you, sir.
23		COMMISSIONER MacCALLUM: Thank you, Mr.
24		Cressman, you are excused.
11:08 25		MR. HODSON: The next witness is John
		•



	1		Malanowich. Come up, please.
	2	ЈО Н	N MALANOWICH, sworn:
	3	ВУ	MR. HODSON:
	4	Q	Good morning, Mr. Malanowich, thank you for
11:09	5		agreeing to testify before the Commission. I
	6		understand you currently reside in Chitek Lake,
	7		Saskatchewan?
	8	A	That is correct.
	9	Q	And what is your current age?
11:09	10	A	76.
	11	Q	And I understand that you were a member of the
	12		Saskatoon City Police Service from 1957 until
	13		1983?
	14	A	Correct.
11:09	15	Q	I'll call up 325558, please, and, Mr. Malanowich,
	16		this is a record that the Saskatoon City Police
	17		has provided to us setting out the dates and
	18		positions you've held with the police force and
	19		you've reviewed this and can you confirm that it
11:09	20		is correct, please?
	21	A	Yes, it is.
	22	Q	And I would like to focus on the time period in
	23		here, it looks as though May 1 of 1966 you were a
	24		morality officer, March 1, 1968 you became a
11:10	25		detective, shortly after, that August 15th, 1968
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1		you became a youth sergeant and then April 8th,
2		1971 a youth staff sergeant and then in '73 a
3		youth lieutenant. Is that right?
4	A	That is correct.
11:10 5	Q	And let's just focus on August 15th, '68, I'm
6		going to be asking you questions about your
7		involvement in the Gail Miller murder which was
8		January of 1969. August 15th, '68 you became the
9		youth sergeant; is that correct?
11:10 10	А	Correct.
11	Q	What was the youth sergeant?
12	А	My duties as a youth sergeant in August of 1968
13		was to set up a new section within the police
14		department called the youth section.
11:10 15	Q	And would this have been then, August of '68, is
16		that about the time this new section was formed?
17	А	That is correct.
18	Q	And as youth sergeant, were you the senior officer
19		in that division?
11:11 20	A	Correct.
21	Q	And were there other officers that worked in the
22		youth section at the time?
23	A	No, when I started I had nobody, I just started
24		organization of it.
11:11 25	Q	And in subsequent years other officers became
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Page 13319

	1		active in your division; is that fair?
	2	А	Right.
	3	Q	And can you tell us what prompted the city police
	4		service to set up a youth section or a youth
11:11	5		division?
	6	А	It was in regards to concern about juvenile crime.
	7	Q	And juvenile crime at that time, what was a youth
	8		or a juvenile, can you tell us what age group
	9		we're talking about?
11:11	10	A	Up to 16 years of age.
	11	Q	And so was there specific concerns at that time
	12		about juvenile or youth crime in the city?
	13	А	Well, it was increasing and it seemed that more
	14		juveniles were involved in crimes.
11:12	15	Q	We've heard some evidence that in the late '60s,
	16		we've heard evidence of prevalence of biker gangs
	17		and as well the hippie culture, for lack of a
	18		better term. Do you recall that being present in
	19		Saskatoon in '68, '69, '70?
11:12	20	А	Yes, the hippie culture was more prevalent than
	21		the gang situation.
	22	Q	And as youth sergeant, did you have occasion to
	23		deal with people who, and I'm not sure if we've
	24		got an accurate description of what a hippie was
11:12	25		at the time, but would the youth, as youth
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1		sergeant would you be dealing with people that you
2		believed to be part of that culture?
3	А	Well, as a peace officer I was surprised how the
4		younger ages were involved in the youth crimes,
11:13 5		under 16.
6	Q	Yes. And tell me in your words, what were the
7		young people again, '68, '69, what types of
8		activities were they doing that caused you concern
9		as a youth sergeant?
11:13 10	А	A lot of house break-ins, business break-ins, a
11		lot of missing children, child neglect.
12	Q	I'm sorry, when you say missing children, are you
13		talking run-away teens, things of that nature?
14	А	Run-away teens, we had some children gone missing
11:13 15		that finally, the cases were solved. It seemed to
16		be on the increase of the involvement of family
17		and juveniles.
18	Q	What about drugs?
19	А	Drugs were starting to come in.
11:13 20	Q	And what types of drugs, and again '68, '69, those
21		years?
22	А	Marijuana.
23	Q	And so starting in August of '68 then, you were
24		the youth sergeant. Would it be fair to say,
11:14 25		then, that you would have spent a significant part
		-



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	1		of your time thereafter dealing with young people?
	2	A	Totally pretty well.
	3	Q	And so if I take it at that time there was
	4		juvenile, I think it was a Juvenile Delinquents
11:14	5		Act or similar legislation?
	6	A	That is correct.
	7	Q	So you would deal with juveniles who were dealt
	8		with under that statute at the time; is that fair?
	9	A	That is right.
11:14	10	Q	What about on other files handled by detectives or
	11		morality or patrol where young people were
	12		involved, were you drawn in as a resource on those
	13		files?
	14	A	No. The detective division would investigate
11:14	15		those and I might get a copy of a file involving
	16		juveniles, but that was, those files were
	17		concluded by a detective in morality, patrol
	18		division.
	19	Q	So if morality was investigating a rape, for
11:15	20		example, and a suspect or a witness was a
	21		juvenile, under 16, would they deal with the file
	22		or would they call on you to assist them in
	23		dealing with the young person?
	24	A	They would deal with it.
11:15	25	Q	Now, who did you report to at the time, what was
		1	

		Page 13322 —————
1		the
2	A	My immediate supervisor was Inspector Nordstrom.
3	Q	And we've seen on an organizational chart, I don't
4		think we need to bring it up, that you were under
11:15 5		the morality division. Were you part of the
6		morality division at the time or
7	A	No, I wasn't. It was a separate section all
8		together.
9	Q	And your direct supervisor though was Inspector
11:15 10	A	Nordstrom.
11	Q	And did you from time to time work with morality
12		officers and detectives then?
13	A	Oh, yes. The members of the youth section and
14		other sections were working together on a lot of
11:16 15		cases.
16	Q	Now, I understand that you had involvement in the
17		Gail Miller murder investigation; is that correct?
18	A	Just one incident.
19	Q	And what was that incident?
11:16 20	A	Taking a statement from a young girl in
21		St. Albert, Alberta.
22	Q	And was that Sharon Williams?
23	A	That's the name.
24	Q	Now, I'm going to go through some documents and
11:16 25		do you have a recollection of going to Edmonton to

		——————————————————————————————————————
1		visit Ms. Williams?
2	A	Yes, I do.
3	Q	And just for the record, I'm going to identify
4		some documents, first of all is your notebook,
11:16 5		your memo book which is doc ID 324652, just have
6		that up for a moment, please, and that's your
7		handwriting, sir, is it? I think that's your
8		notebook.
9	А	I just can't focus on this, so I'll take a little
11:17 10		time.
11	Q	We'll just call that out, please.
12	A	That's better, thank you.
13	Q	That's your handwriting?
14	A	That's my handwriting.
11:17 15	Q	And I'll go back to that in a moment. If we could
16		then call up doc ID 178577, and that's a
17		typewritten version which I'll be asking you
18		questions about. Did you type up the statement or
19		was that done later? This is Sharon Williams'
11:17 20		statement.
21	А	I didn't type it out, but I had a handwritten
22		statement when I took it.
23	Q	If we could call up 006500, and that's your
24		handwriting, sir?
11:17 25	А	If I may address the Court, I would like that
	II .	and the second of the second o



1		brought out.
2	Q	Certainly, and we'll deal with it in more detail.
3	A	That's better, thank you. That's my handwriting,
4		sir.
5	Q	So that's the handwritten statement, and again
6		we'll go back to that. As well if we could call
7		up 009245, please, and go to the second page, just
8		call out that.
9	А	May I get it
10	Q	It's coming.
11	А	Thank you.
12	Q	And that is your report I think of March 22nd and
13		we'll go through that. Is that correct? I'll go
14		through it in detail with you, sir.
15	А	That is correct.
16	Q	And so just before we go to the notes and
17		documents, what do you recall today about your
18		trip to Edmonton and how it came about?
19	А	My recollection was that I did go to Edmonton, met
20		by a member of the Edmonton police department and
21		that I was or I was provided transportation by
22		them to go to St. Albert, which is north of
23		Edmonton, and they, a couple, one female peace
24		officer and one male peace officer were present
25		when this statement was taken.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	2 Q 3 A 4 4 5 Q 6 7 8 9 A 10 Q 11 A 12 Q 13 14 15 A 16 Q 17 18 19 A 20 21 22 23 24



			1 age 10020
	1	Q	And who asked you to go to Edmonton? If you would
	2		like to refer to your I could bring up your
	3		notebook, would that assist?
	4	А	No, I can advise you on that. Originally when I
11:19	5		was placed in charge of the youth section, I
	6		wanted to, made it known to administration that I
	7		wanted to visit some other department to see their
	8		operation of their juvenile practice and at this
	9		time the chief and I discussed that maybe at this
11:20	10		point it's a good opportunity while I was in
	11		Edmonton to go and visit their juvenile section.
	12	Q	And that was Chief Kettles?
	13	А	That is correct.
	14	Q	So let me understand this. Had you planned on
11:20	15		going to Edmonton for purposes other than
	16		interviewing Sharon Williams?
	17	Α	It was on short notice, yes.
	18	Q	I'm trying to understand, were you going to
	19		Edmonton anyway let me rephrase that. Was it a
11:20	20		situation where you had plans to go to Edmonton to
	21		check out their juvenile facilities and it
	22		happened to be that you were available then to
	23		take the Sharon Williams statement?
	24	А	No, it was never clear before that I was going
11:20	25		anywhere.



			Page 13326 ————
	1	Q	Or is it a case then when you were asked or
	2		identified to go to Edmonton to take the statement
	3		that you could also visit their section?
	4	А	That is right.
11:21	5	Q	And I'm wondering if you can help us out on this,
	6		and maybe you can't answer this, but do you know
	7		why you were selected to go and take the statement
	8		from her?
	9	А	I have no I can't tell you why I was elected to
11:21	10		take the statement, but I understand why I was
	11		selected to go to the juvenile section in
	12		Edmonton.
	13	Q	Okay. So at the time, and I think the, maybe if
	14		we can just call up your notebook, 324653,
11:21	15		please actually 652 is the doc ID and if we
	16		can just call out that, please. It looks here
	17		that your notes of March 19th, '69:
	18		"Attended Juvenile Court."
	19		And then:
11:21	20		"Arrangements with chief re trip to
	21		Edmonton
	22		Met with Superintendent Wood and Lt.
	23		Short, D/Sgt. Mackie re murder file."
	24		And those are your notes; is that right?
11:22	25	А	That's my notes.
			



	1	Q	And do you recall a meeting with those gentlemen
	2		then to talk about the Gail Miller file?
	3	A	That's what it says on that report and that's what
	4		happened.
11:22	5	Q	Do you recall that or are you just basing that on
	6		your notes?
	7	А	I am basing that on the notes.
	8	Q	Okay. And prior to this time, prior to your trip
	9		to Edmonton and talking to these gentlemen,
11:22	10		Mr. Malanowich, what was your knowledge or what
	11		was your involvement in the Gail Miller
	12		investigation up to this point?
	13	A	Nil.
	14	Q	And what was your knowledge about the
11:22	15		investigation prior to talking to or prior to
	16		this meeting with Wood, Short and Mackie, would
	17		you have had a general understanding of the case
	18		or can you help us out as to what you would have
	19		known?
11:22	20	А	I didn't know too much about the Gail Miller
	21		murder case.
	22	Q	And do you have a recollection of what you would
	23		have been told then when you had this meeting
	24		before you went to Edmonton about the case?
11:23	25	A	Yes, there was some details given to me in regards

			o
	1		to some of the evidence that they had or what
	2		investigation was carried out before I went to
	3		Edmonton.
	4	Q	And what was your understanding as to why you were
11:23	5		interviewing Sharon Williams, where did you
	6		understand her to fit in?
	7	A	That she knew David Milgaard.
	8	Q	Yes.
	9	A	And that apparently it was evident from some
11:23	10		information that she was in his company around
	11		that time of the murder.
	12	Q	Okay. And so did someone give you instructions
	13		then as to what information you were to get from
	14		Sharon Williams?
11:24	15	А	Generally, but nothing specific.
	16	Q	And generally, when you got on the plane to go to
	17		Edmonton, what did you think, what was your
	18		purpose in interviewing, what were you trying to
	19		find out from her?
11:24	20	А	Generally how she met David Milgaard at that
	21		occasion, previous meetings with him and previous
	22		association with him and her association with him
	23		in Edmonton when he arrived.
	24	Q	And was it your understanding then that David
11:24	25		Milgaard was a suspect at this time for the murder



	1		of Gail Miller?
	2	А	Well, he was what we call a person of interest.
	3	Q	Okay. And I think at this time the record shows,
	4		Mr. Malanowich, as of March 19th, 1969, that
11:25	5		Mr. Cadrain had given a statement to the police
	6		indicating that Mr. Milgaard had arrived at his
	7		house the morning of the murder with blood on his
	8		clothes. Do you remember hearing about that
	9		before you went to see Sharon Williams?
11:25	10	A	That is correct.
	11	Q	And that Mr. Milgaard was travelling with a fellow
	12		by the name of Ron Wilson and a young lady by the
	13		name of Nichol John. Would you have known that at
	14		the time?
11:25	15	A	I think so.
	16	Q	And that again prior to your visit to Sharon
	17		Williams, the police, both the city police and the
	18		RCMP had obtained statements from Mr. Milgaard,
	19		Mr. Wilson and Ms. John where they I think
11:25	20		basically each said that they were together that
	21		morning and that, A, there was no opportunity for
	22		Mr. Milgaard to leave their sight for more than a
	23		couple of minutes, and two, none of them observed
	24		blood on his clothes. Were you aware of that
11:26	25		being the information the police had at the time
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	1		when you went to see Sharon Williams?
	2	А	I think the only thing was that he had no blood on
	3		his clothing, but at that time my knowledge was
	4		that they weren't sure whether he did or not, the
11:26	5		police members didn't know whether it was a fact
	6		or not.
	7	Q	So when you went to see Sharon Williams then, I
	8		think you said David Milgaard was a person of
	9		interest; is that right?
11:26	10	A	Correct.
	11	Q	And what level of knowledge did you have, sir,
	12		about the circumstances of the murder of Gail
	13		Miller? Let me be a bit more specific, about
	14		where her body was found, how she was killed,
11:26	15		whether she was raped, whether she was robbed,
	16		things of that nature? Do you remember if you
	17		would have learned that?
	18	A	I had knowledge that she was murdered, that she
	19		was found in an alley in the Westmount area, or
11:27	20		northwest portion of Saskatoon, that at that point
	21		there was investigation in regards to David
	22		Milgaard being in the area with some friends,
	23		etcetera. That's about it that I can recall.
	24	Q	At the time, and again before you met with Sharon
11:27	25		Williams after you were briefed, do you recall



	1		whether you had any, formed any thoughts in your
	2		own mind as to whether this was I guess at the one
	3		end a person of interest, at the other end of the
	4		spectrum being this we think, or the police think
11:27	5		this is the killer of Gail Miller? Do you
	6		remember if you were aware, whether you had your
	7		own thoughts or your own impressions as to where
	8		Mr. Milgaard was in the scheme of things as far as
	9		the investigators?
11:28	10	Α	I have no idea.
	11	Q	Go to the next page of the notes, please. And did
	12		you have any background information or any
	13		information about Mr. Milgaard at the time?
	14	Α	Didn't know a single thing about him.
11:28	15	Q	And I think you said the general reason you would
	16		go was to, I think on the one hand you had
	17		information that, the police had information that
	18		Sharon Williams had been with Mr. Milgaard after
	19		the date of Gail Miller's murder; is that right?
11:28	20	А	That's right.
	21	Q	And I think, were you aware that Mr. Milgaard,
	22		again prior to your going to see Sharon Williams,
	23		were you aware that Mr. Milgaard had given a
	24		statement to the police indicating that after they
11:28	25		were in Saskatoon they drove to Edmonton and that



	1		he spent some time, or their group spent some time
	2		with Sharon Williams. Were you aware of that?
	3	A	Could you give me the question again, sir?
	4	Q	Sure, yeah. What we know from the documents, Mr.
11:29	5		Malanowich, is that on March the 3rd, 1969, so a
	6		couple of weeks prior to your visit with Sharon
	7		Williams, David Milgaard was interviewed by the
	8		police and gave a statement and in that statement
	9		he said that they were in Saskatoon on the morning
11:29	10		of the murder, January 31, 1969, and that they
	11		travelled to Calgary and Edmonton that day and met
	12		up with Sharon Williams and spent some time with
	13		her a couple of days after the date of the murder,
	14		and my question is, would you have been aware of
11:29	15		that when you went to see Sharon Williams, that
	16		Mr. Milgaard had said yes, I was with her the days
	17		after January 31?
	18	A	I don't recall being told that he had given a
	19		statement.
11:30	20	Q	But were you aware, sir, that Sharon Williams had
	21		been with Mr. Milgaard in the days following Gail
	22		Miller's murder?
	23	Α	I think my meeting with the people you had stated
	24		before, before I went to Edmonton, that they
11:30	25		had had that information.

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	1	Q	And I think you said, and please correct me if I'm
	2		wrong, but words to the effect that you were going
	3		to get information from her as to what she
	4		recalled or observed of her encounter with Mr.
11:30	5		Milgaard after the date of the murder; is that
	6		fair?
	7	A	Just her general feeling about Mr. Milgaard and
	8		also the activities that they were involved in
	9		while he was there.
11:31	10	Q	Okay. So the activities, that was my question,
	11		the activities of Mr. Milgaard while he was in
	12		Edmonton with Sharon Williams is one of the things
	13		you were looking for; is that right?
	14	A	Exactly.
11:31	15	Q	And why would that be important?
	16	A	Well, I think to find out more of his character
	17		and that from people that he had, was visiting,
	18		and in this case was this young gal.
	19	Q	You talked about character then and I think you
11:31	20		also said background, so were you trying to find
	21		out information from Sharon Williams about what
	22		type of person David Milgaard was?
	23	A	Exactly.
	24	Q	And why was that important?
11:31	25	А	Well, that would help in the investigation of
		1	



			Page 13334 ————
	1		David Milgaard.
	2	Q	In what way?
	3	A	Was he a violent person, was he involved in drugs,
	4		was he involved in juvenile delinquencies, was
11:32	5		he had a previous record of anything.
	6	Q	And was this I mean, gaining this type of
	7		information then, Mr. Malanowich, in your
	8		experience was this a common step that police
	9		would take with a suspect?
11:32	10	А	Yes.
	11	Q	If we could then go to 009245, please, and this
	12		is we can enlarge it I've shown you the
	13		second page of this, Mr. Malanowich, earlier, that
	14		had your name, but I believe, and I think you told
11:32	15		us this is the report that you prepared; is that
	16		correct?
	17	А	I typed that report personally.
	18	Q	And when would you have done that?
	19	А	I think the date is March the 22nd, 1969.
11:32	20	Q	10 a.m., so I think your notes indicate the
	21		statement was given on March 20th, 1969 in the
	22		afternoon; is that right? I think that's what the
	23		record shows.
	24	А	Correct.
11:33	25	Q	And then the next morning at 10 a.m. you would
		II	•



			r ago reses
	1		have personally typed this report; is that right?
	2	A	The interview took earlier I think.
	3	Q	Let me just help you out here. I think here you
	4		talk about on March 20th, 1969 I'm sorry, I did
11:33	5		have an extra day in there. In the afternoon of
	6		March 20th you took the statement and then two
	7		days later, on March 22nd, you typed up the
	8		report; is that correct?
	9	А	When I returned to Saskatoon, that's right.
11:33	10	Q	And apart from the notebook which I actually,
	11		if we could just go back to that, 324654, just
	12		call out that part, please, and your notes say:
	13		"Then with policewoman Shirley Mitchell
	14		and Vern McIntosh called at 54 Gillian
11:34	15		Cres. St. Albert.
	16		12:40 statement commenced with Sharon
	17		Williams
	18		14 pages completed at 3:20 p.m. in
	19		presence of above.
11:34	20		Very co-operative."
	21		And then:
	22		"Called at Trail Inn on St. Albert
	23		Trail. Mrs. Net Hesse, box 11, site 13,
	24		stated 2 young men came night of Feb.
11:34	25		1st booked room."



	Ī		——————————————————————————————————————
	1		I think that's what's that there?
	2	A	Number 1.
	3	Q	"No 1 to them. Saw no one else around -
	4		found no clothing - of no help."
11:34	5		So this looks to be your notebook of your trip to
	6		Edmonton; is that right?
	7	А	That is correct, sir.
	8	Q	And then if we can just go back to the police
	9		report of 009245, so we've got this report, call
11:35	10		out that, of March 22nd, and we've got the
	11		handwritten statements that I'll go to in a
	12		moment, and apart from that, Mr. Malanowich, did
	13		you make any other notes of your interview with
	14		Sharon Williams?
11:36	15	A	My memo book and these items that you've pointed
	16		out to me this morning are the only ones.
	17	Q	Okay. And so again, when you typed this report on
	18		March 22nd, 1969, I take it you would have had
	19		your notebook, which I just went through with you;
11:36	20		correct?
	21	A	Correct.
	22	Q	And I think in that notebook, other than saying
	23		she was very cooperative and the number of pages
	24		of the statement, there's no detail in your
11:36	25		notebook about what she said to you; is that fair?
		1	



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	1	A	Right.
	2	Q	And the handwritten statement of 14 pages, which I
	3		will go to, you would have had that as well?
	4	А	I had that as well.
11:36	5	Q	And then I take it, sir, on this date when you
	6		typed this, you would have also had your
	7		recollection of what transpired two days earlier;
	8		is that
	9	A	My memory.
11:36	10	Q	Yeah. And then we'll just call out or in this
	11		report it talks about, and I think you told us,
	12		Vern McIntosh of the Edmonton police and Shirley
	13		Mitchell; who got them involved or and why were
	14		they involved in this interview?
11:37	15	А	Because I think somebody from our department had
	16		contacted their office that I was coming, and I
	17		wanted some assistance with going to their
	18		juvenile, their juvenile section, youth court,
	19		juvenile court in Edmonton, and I think
11:37	20		arrangements were made, but initially the contact
	21		was made with the RCMP.
	22	Q	And did someone else make all these arrangements
	23		to have Sharon Williams available for an interview
	24		or did you make them?
11:37	25	A	No, I think the RCMP in Edmonton made that



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	1		arrangements with the mother and/or the father. I
	2		don't know.
	3	Q	So it was set up for you already; is that fair?
	4	А	Exactly.
11:38	5	Q	Prior to your attending at Ms. Williams' home to
	6		interview her had you talked to her previously?
	7	A	No, I that was the first encounter with her.
	8	Q	And what role if any, then, did Vern McIntosh and
	9		Shirley Mitchell play in the interview?
11:38	10	A	Just observers.
	11	Q	They were present. Do you know if they took any
	12		notes or asked any questions?
	13	A	I don't know. They didn't ask any questions, I
	14		did all the questioning.
11:38	15	Q	And then this paragraph here:
	16		"In company of Det. Vern McIntosh and
	17		Policewoman Shirley Mitchell we
	18		called at",
	19		her house:
11:38	20		" and first spoke with the parents
	21		Mr. and Mrs. Hugh Williams. They could
	22		not tell us anything of any value which
	23		would aid in this investigation.
	24		Mr. Williams then left for work and
11:38	25		Mrs. Williams then left the living room
			•



	1		to another section of their house after
	2		she gave us permission to talk to
	3		Sharon."
	4		And does that accurately record what transpired
11:38	5		then, Mr. Malanowich?
	6	A	Yes.
	7	Q	And do you recall talking to the parents, then,
	8		about this matter?
	9	A	When we arrived.
11:39	10	Q	And so then, when you interviewed Sharon Williams,
	11		where were her parents at the time?
	12	A	The father I think had gone to work, and the
	13		mother had just went, and I think she sat in the
	14		kitchen. This was just adjacent to the living
11:39	15		room, I believe, that we took the statement, and I
	16		think she was still in there, she could hear what
	17		was going on.
	18	Q	You thought she could hear what was going on?
	19	A	Yes.
11:39	20	Q	Okay. And then it says:
	21		"At 12:50 p.m. a statement was commenced
	22		by me in the presence of Vern McIntosh
	23		and P.W. Mitchell and 14 pages were
	24		received revealing some of the
11:39	25		association Sharon Williams had with her
	J	1	



1 friend David Milgaard." 2 Let me just pause there. Did you, before you 3 started to take the statement down, did you have a discussion with her and get information or did 4 5 you start writing right away? 11:39 No, umm, I think when I talked to the parents they 6 Α 7 were under the impression that they had received 8 from the RCMP members that had been there that 9 this involved a rape of a female. 11:40 10 Maybe I'll just read the next paragraph of your 11 report, sir. It says: 12 "In speaking with Sharon Williams she is 13 a clean, average girl, who seems to be 14 quite sincere in her conversation with 11:40 15 She was explained the seriousness 16 of the offence here in Saskatoon and 17 stated that she had no knowledge of any 18 murder and thought it was rape. 19 questioned as to where she heard 11:40 20 anything about rape she stated that her 21 mother advised her after Sqt. Wilson and 22 Willis of the RCMP had spoken with her 23 in regards to David Milgaard that her 24 mother told her that David was suspected 11:40 25 of rape."



			1 ago 13541
	1		And is that what you are talking about there?
	2	А	Yes.
	3	Q	And would you have advised Sharon Williams' mother
	4		and father differently, then, or what did you tell
11:41	5		them?
	6	А	I, with Sharon present, I said that it was not a
	7		that it involved more than rape, it was a
	8		murder, where a life was lost.
	9	Q	And it was your impression that they had not known
11:41 1	10		that prior to you telling them that?
1	11	\boldsymbol{A}	Yes.
1	12	Q	So again, after you talked to the mother and then
1	13		when you were with Sharon Williams, can you tell
1	14		us generally and I'll get into the specifics of
11:41 1	15		the statement but how did you approach the
1	16		interview, was it a question and answer, or did
1	17		you just what did you ask her to tell you?
1	18	Α	I asked her to that we will I'll
1	19		she'll to give me the facts in regards to how
11:41 2	20		she met David Milgaard,
2	21	Q	Yes.
2	22	Α	all her dealings with David Milgaard, what they
2	23		did when he came up, and to also give me
2	24		information in regards to any other activities
11:42 2	25		that she knew that David Milgaard was involved in.



	1	Q	And would you have been would you have asked
	2		specific things about his behaviour, things of
	3		that or was it just was it an open-ended
	4		'tell me everything you know' or would you have
11:42	5		specifics areas that you asked her to cover with
	6		you?
	7	A	No, I just asked her, and I also advised her that
	8		I, I might, if something wasn't clear, before I
	9		wrote it down, that I'd I'd verify it with her.
11:42	10	Q	Okay. Let's call up the handwritten statement,
	11		006500, please. And if you want to just
	12		actually, let's do the bottom part, I think that's
	13		got the signatures. And so there's 14 pages here
	14		of your handwriting, is that correct Mr.
11:43	15		Malanowich?
	16	A	Correct.
	17	Q	And so tell us how did and I think the
	18		interview spanned a couple of hours; is that fair?
	19	А	Yes.
11:43	20	Q	And so again tell us, I think you started to say
	21		that you would ask her to tell you what she knew,
	22		you would record it, and where there was some
	23		doubt or some issue you would ask her to clarify;
	24		can you explain that?
11:43	25	A	Right.
		l .	



			Page 13343
	1	Q	Is that are these her
	2	A	That's right.
	3	Q	I'm sorry, go ahead?
	4	A	That's right.
11:43	5	Q	Are these her words that you wrote down then?
	6	A	That's right.
	7	Q	And did you record them verbatim, word for word,
	8		or summarize?
	9	A	I copied them down as she told me.
11:43	10	Q	And then did you read them back to her or anything
	11		of that nature?
	12	A	Not in some instances I would if she I
	13		couldn't understand what she said.
	14	Q	Okay.
11:44	15	A	And then I would go on, I'd let her go on to tell
	16		me about David Milgaard.
	17	Q	And then how did you get her to sign? That, I
	18		think, is her signature in the bottom; how did
	19		that happen?
11:44	20	A	At the end, at the end of the interview and
	21		writing 14 pages of what she had told me, I asked
	22		her to read the statement and tell me if she
	23		couldn't understand some of my writing, or
	24		whatever, and that I would ask her to sign every
11:44	25		page if she thought that that everything that $lack$



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	1		was on that statement was what she had told me.
	2	Q	And did you observe her reading the statement
	3		then?
	4	A	Yes.
11:45	5	Q	And did you have any concerns about whether or not
	6		she understood the statement or anything of that
	7		nature?
	8	A	Oh, she seemed to be a quite a bright girl to me,
	9		and she said signed it after she agreed with
11:45	10		what was written.
	11	Q	Now we'll go through this statement and your
	12		subsequent report in detail, but what is your
	13		recollection of Sharon Williams and your
	14		observations at the time about her candour with
11:45	15		you or her demeanour at the time, did you form any
	16		impressions?
	17	А	I my impression of Sharon Williams, she was
	18		quite an intelligent girl, she was just a
	19		normal-type girl that I guess everybody, every
11:46	20		parent, dreams about having such a daughter.
	21	Q	And what caused you to reach that conclusion?
	22	А	Just her manner that she conducted herself in.
	23	Q	And did you detect any hesitation or reluctance on
	24		her part to talk to you?
11:46	25	А	Not once I explained why I was there, who I was,

	1		and this type of thing. She, she just was in
	2		agreement and was very cooperative.
	3	Q	Okay. If I could then maybe go back to the typed
	4		statement, 178577, please. And Mr. Malanowich,
11:46	5		this is a statement that someone has typed based
	6		on the handwritten statement, it's just easier to
	7		follow this, are you okay with that if we go
	8		through the typed
	9	A	I'm okay with it.
11:47	10	Q	And it appears that it starts:
	11		"Well I met David Milgaard in Regina
	12		last Easter in Regina",
	13		which would be 1968, is that would you have
	14		asked her and I think you maybe said this
11:47	15		already to tell you where she met him and her
	16		dealings with him; is that correct?
	17	A	Correct.
	18	Q	And if I can just read a couple of lines, here, it
	19		talks about meeting him in:
11:47	20		" downtown Regina, we were walking
	21		downtown",
	22		and then there is a name here, I don't think it
	23		matters:
	24		" from Regina. We met David and some
11:47	25		other boys whom we knew. He went up to

	1		his apartment on Cornwall Ave. I don't
	2		know his address. We cleaned up these
	3		such as washed dishes then we left
	4		around 6:00 p.m. The next day Friday I
11:47	5		went out with him and we drove around
	6		with John",
	7		etcetera. And I'm just wondering, Mr.
	8		Malanowich, this detail here about washing dishes
	9		and that, is that something that again, I'm
11:47	10		not sure there's much significance of that, is
	11		there a reason you would write that down as
	12		just
	13	А	Because that's what she had said.
	14	Q	Okay.
11:48	15	А	And I had asked her to just in her own words.
	16	Q	Okay. So, again, is it fair to say that you would
	17		have or let me ask you this. When you wrote
	18		down what she told you were you selective in
	19		writing down what she told you or did you write
11:48	20		down everything?
	21	А	I pretty well wrote down everything she had told
	22		me.
	23	Q	Okay. Then, if we can just scroll down, it talks
	24		about:
11:48	25		"We drove around Regina and went to the

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	1		outskirts to a small town. It was
	2		John's car we used.",
	3		describes the car:
	4		"Then on Monday he came to my school and
11:48	5		he picked me up at lunch, I missed the
	6		afternoon and he had stolen a car from
	7		Manitoba. He told me he stole a Pontiac
	8		64 dark red with Manitoba plates. He
	9		used this car to drive around."
11:49	10		And, again, was this information or her knowledge
	11		of this relevant to the police in their
	12		investigation of David Milgaard as a suspect?
	13	A	Well it's the character.
	14	Q	And can you explain how, how and in what way this
11:49	15		information, then, would be relevant?
	16	A	Well his, his what type of person is he, and
	17		some of this shows that he did involve, get
	18		involved with criminal activity.
	19	Q	And so the fact that Sharon Williams tells you
11:49	20		that he stole a car, is that a piece of
	21		information, then, that you as a police officer,
	22		did you feel that that was important, an important
	23		piece of information for the investigation? Is
	24		that
11:49	25	А	Well it sounded to me when I that first
		ll .	



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	1		information that he stole a car is that he was out
	2		of control, that young fellow.
	3	Q	Okay. If we can scroll down, it talks about going
	4		to Vancouver, and:
11:50	5		"Bonnie and a short dark girl were the
	6		other two and Ron Wilson came with us."
	7		Now would you have known, at that time, that Ron
	8		Wilson was one of the persons who was with David
	9		Milgaard when they attended in Saskatoon on
11:50	10		January 31 of '69?
	11	А	That was just a name to me, I don't didn't know
	12		who Ron Wilson was, as well as Bonnie and a short
	13		dark girl.
	14	Q	And then it goes on to say:
11:50	15		"We stopped at Salmon Arm and David
	16		picked up some drugs that they had
	17		hidden in a brown cabin underneath a
	18		dresser. This is a cottage at a lake by
	19		Salmon Arm. He got into this cottage by
11:50	20		breaking a window. He told me he was
	21		there before, he got picked up for drugs
	22		at Salmon Arm a week before I met him.
	23		He couldn't go back to B.C. until he was
	24		18. He got a dime or nickel or both
11:51	25		bags of marihuana and David and Ron and



	1		2 hitch hikers we picked up by a gas
	2		station in the mountains."
	3		Again, is this information was this
	4		information from Sharon Williams relevant to the
11:51	5		investigation, by the police, of David Milgaard
	6		as a suspect in the Gail Miller murder?
	7	A	Yes, it continues to give us information as to his
	8		criminal activity.
	9	Q	And do you recall, sir, would you have asked
11:51	10		Sharon Williams specifically a question such as
	11		"tell me whether David Milgaard had been in
	12		trouble before", I mean were you prompting this
	13		information by specific questions?
	14	A	No.
11:51	15	Q	Okay. Scroll down a bit, please. It says:
	16		"Then we went to Vancouver all seven of
	17		us. In Vancouver we slept in the car by
	18		a place on 4th Ave. west and the next
	19		day he bought some more marihuana we
11:52	20		spent a week in Vancouver and David
	21		Milgaard bought and sold marihuana
	22		during that whole time, he sold it at
	23		the Court House, to kids mostly. In
	24		front by the water fountain."
11:52	25		And, again, this information she provides about
		1	



	1		David Milgaard and buying, selling, and using
	2		drugs, was that relevant information to the
	3		police in their investigation of Mr. Milgaard as
	4		a suspect in the Gail Miller murder?
11:52	5	A	Yes. It shows the nature of his demeanour.
	6	Q	Okay. In what way?
	7	A	What type of life he was leading and that. It
	8		seemed to me, when I heard all this, that he was
	9		out of control of the parents.
11:52	10	Q	If and we've touched on a couple here, I think
	11		one a stolen car, two using drugs, and three
	12		selling drugs; as a police officer at the time,
	13		sir, did that cause you to think that he was more
	14		likely to have committed a murder than someone who
11:53	15		had not stolen a car, used drugs, and sold drugs?
	16	A	I had no opinion then.
	17	Q	I'm just trying to understand, on the are you
	18		telling us that this information caused you to
	19		assess his character?
11:53	20	A	That is right.
	21	Q	And as far as suggesting that he could have
	22		murdered, raped and murdered a woman, did it have
	23		a connection there?
	24	A	Well, if we go further into the statement, it
11:53	25		showed more the character.



	1	Q	Okay, we'll go through, that's fine. It then goes
	2		on to say:
	3		"We had a hotel room in the Butler Hotel
	4		on Water Street. Ron, David and I slept
11:53	5		in one room. The other 2 girls they
	6		went to a place and they were sent home.
	7		David usually had intercourse with me
	8		once a night and it usually lasted about
	9		5 minutes. He usually just made me. He
11:54	10		was rough to me and if I said no he
	11		would force me by using his legs and
	12		push me with his legs and force himself
	13		upon myself. The first time I had
	14		intercourse with him would have been
11:54	15		Wednesday night. Ron Wilson was usually
	16		present when David had intercourse with
	17		me. Ron was usually asleep at the time.
	18		He never threatened me, he just wouldn't
	19		give up trying to lay me."
11:54	20		And pause there. And, again, would this
	21		information that Sharon Williams provided to you
	22		be relevant to the police in their investigation
	23		of David Milgaard as a suspect in the murder of
	24		Gail Miller?
11:54	25	A	Well it showed that he was involved in sexual

			Page 13352 ————
	1		acts.
	2	Q	Okay. And, again, did that what bearing, if
	3		any, did that have on your thoughts about whether
	4		it made him more or less of a suspect in the
11:54	5		murder of Gail Miller?
	6	А	Well, the fact that she was sexually assaulted,
	7		this would be relevant.
	8	Q	So that would be information that you would try to
	9		seek from her, then, is that fair?
11:55	10	А	That's the information she volunteered.
	11	Q	Then it goes on to say:
	12		"He usually gave the marihuana to carry,
	13		so that I would be the one to be charged
	14		with possession."
11:55	15		And can you tell me what relevance, if any, that
	16		had to your investigation of David Milgaard as a
	17		suspect?
	18	А	Well, it just showed the nature of the person,
	19		that he'd he had no qualms about getting
11:55	20		somebody else involved.
	21	Q	Okay. It then says:
	22		"We got picked up on Sunday night at
	23		this hotel room. Lloyd who is nicknamed
	24		"Lord" was there and he's the one from
11:55	25		Salmon Arm. He was staying somewhere

1 and got arrested for trafficking. Ι went to this place on 7th Avenue ... 2 3 caught the plane back to Regina ... returned the marihuana to David ... The 4 5 welfare was now looking after me. I had the marihuana on me while I was in their 6 I returned to Regina and the 8 next time I saw David was about 3 weeks 9 He got picked up in Vancouver later. 11:56 10 during these 3 weeks, they never convicted him." 11 12 Again, any significance to this information? 13 Α Well it gave us a time period that she stated of 14 him still continuing criminal activity. 11:56 15 And it goes on to say: 16 "In May of 1968 he was in the city 17 (Regina) for a week. He was trying to 18 sell marihuana and he gave it to me to 19 keep for him. I just remember that when 11:56 20 I had come back from Vancouver my dad 21 found the oz. of marihuana and I talked 22 to the RCMP in Regina about it and they 23 were trying to get enough on David to 24 charge him with giving it to me." 11:56 25 And again, you may have answered this in previous



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	1		questions, but is this what relevance did this
	2		information have in your investigation of Mr.
	3		Milgaard?
	4	А	Again, that he was involved with endangering other
11:57	5		lives of other people.
	6	Q	When you say 'endangering their lives' can you
	7		explain?
	8	A	With the use of drugs.
	9	Q	And then scroll down, please.
11:57	10		"After he got back from Vancouver we
	11		didn't get caught with the marihuana.
	12		The following Sunday David, John, Ed
	13		(his parents live in Edmonton) Belanger
	14		and Frenchie, Ken Hymen and myself went
11:57	15		to Winnipeg with John's car. In
	16		Winnipeg we stayed until Thurs. morning
	17		when we were picked up by Winnipeg
	18		police in a hotel room on Main Street
	19		and Jane Cobb from Melita was with us.
11:57	20		I got returned home. While in the hotel
	21		room in Winnipeg where all the 4 WCA
	22		ladies stayed for a night he had
	23		intercourse with me about 5 times during
	24		the whole night. I went along with him
11:57	25		in his love making, I didn't",



	1		and I think that word should be 'resist' from
	2		the:
	3		" I didn't [resist] him he wasn't
	4		rough to me. We stayed at the hotel on
11:58	5		Main St. for one night and June slept
	6		with David and myself in one bed. He
	7		made love to me and then turned to have
	8		inter course with her. With me it
	9		seemed strange that David would do a
11:58	10		thing like this. I thought he only
	11		cared for me. Jane and I were on
	12		Vaughan street and discussed David. We
	13		decided that David was a type of person
	14		who didn't care what happened to anyone.
11:58	15		I came home on 30th of May after being
	16		caught by the police on Monday."
	17		Now would those be her words?
	18	А	That, those words are said by her.
	19	Q	Now the fact, here, that she talks about her
11:58	20		relations with Mr. Milgaard being consensual, and
	21		I think went along with him, didn't resist, and
	22		fine; what significance did you place on that?
	23	А	That's what she continued to tell me.
	24	Q	I appreciate that but, again, did that have any
11:58	25		relevance to you as far as your investigation of
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	1		Mr. Milgaard as a suspect?
	2	A	Again, in regards to his character, what type of
	3		person was he.
	4	Q	And, again, I think and if I can just
11:59	5		summarize I think she is saying that they had
	6		consensual sexual intercourse that was not
	7		unusual, if I can put it that way, and I'm just
	8		wondering where that fit in, if anywhere, in your
	9		assessment of him?
11:59	10	A	Well I might say that, further on in the
	11		statement, it just goes to show what type of
	12		person he is.
	13	Q	And did you draw a negative from this thing, did
	14		you did this cause you to think that Mr.
11:59	15		Milgaard was this a factor, her description of
	16		having consensual sex with him, was that a factor,
	17		in your mind, that was to be considered in a
	18		negative way about Mr. Milgaard as a suspect?
	19	A	Not as in a negative way, I we wanted to know
11:59	20		what his character was.
	21	Q	Okay.
	22	A	There's some good parts in it too.
	23	Q	So it was a factor?
	24	A	It's a factor, yes.
12:00	25	Q	This is probably a good time to break, Mr.
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1 Commissioner. 2 COMMISSIONER MacCALLUM: Okay. 3 (Adjourned at 12:00 p.m.) 4 (Reconvened at 1:31 p.m.) 5 BY MR. HODSON: 01:31 Just to go back, we were, before the break, going 6 Q 7 through the typewritten statement of Sharon Williams, this is doc ID -- page 4 I think is 8 9 where we ended up, it starts here again, we'll 01:31 10 just go through it, the statement says: 11 "Then he talked me into going to his 12 parents place in Langenburg. We went to 13 Langenberg by hitch hiking. We stayed 14 at as parents place for the day and on 01:31 15 Monday we went towards Winnipeg. 16 arrived in Winnipeg and went to Crypt 17 and we went to a girls apartment. 18 stayed there one night. We also had 19 intercourse at this apartment about 2 01:31 20 times. Then we went towards the Ont. 21 Man. Border and we stayed in Kenora Ont. 22 for short and we hitch hiked further 23 east to Peterborough and stayed there in 24 a park and went on to Ottawa. We stayed 01:31 25 there for a month at 91 Flora."



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	1		Just pause there. Were you trying to determine
	2		Mr. Milgaard's whereabouts over the previous time
	3		frame or were you gest letting her tell you what
	4		she knew?
01:32	5	А	I don't understand.
	6	Q	I'm just wondering here about, would you have
	7		asked her would you have asked her the
	8		question, "Tell me everything you did with Mr.
	9		Milgaard over the last couple of years?"
01:32	10	А	Initially when we first
	11	Q	Okay.
	12	А	first saw her before we sat down to get the
	13		interview done.
	14	Q	And would there be any significance then in just
01:32	15		the part that I read you as to where they
	16		travelled together, was there anything there that
	17		you were looking for or that was relevant for the
	18		police investigation?
	19	Α	No, this was just a statement taken. I don't know
01:32	20		whether it had any, you know, relationship. It
	21		was a matter of information I guess.
	22	Q	Okay. And if we can just scroll down, please, it
	23		says there:
	24		"We fought and he would punch me over
01:33	25		the most stupid things. He has a bad



	1		temper and if I didn't do something he
	2		wanted he would punch me."
	3		And again, is that information that would have
	4		been relevant to the police investigation of
01:33	5		David Milgaard?
	6	А	I don't know. It would be a statement she made on
	7		her own that I had
	8	Q	Okay.
	9	А	I had nothing to I had no opinion on it.
01:33	10	Q	Okay. And then it says:
	11		"One evening he had a little gun, it was
	12		the guy's Rick Shroder's it had one
	13		bullet and he played Russian Roulette
	14		with it. He wasn't on drugs now."
01:33	15		And again, do you recall whether you placed any
	16		significance on that information?
	17	А	No. It's her statement and obviously she wanted
	18		to say that.
	19	Q	Okay. Then it goes on to say:
01:34	20		"He did at lot of stealing in Ottawa,
	21		stole a bunch of dresses from a
	22		salesman's car, he sold a couple, he
	23		just about made a living stealing and
	24		selling drugs and sold an underground
01:34	25		paper. After about a month we went to
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	1		Langenberg and his parents weren't home
	2		we stayed there for about a week and a
	3		half - two weeks. During this time he
	4		forced me to suck him off once he was
01:34	5		pretty rough to me that night by pushing
	6		me around. He said now you are going to
	7		be my prostitute! The rest of the night
	8		we didn't talk to each other very much.
	9		We would go back and forth to Regina and
01:34	10		he would go out with other girls."
	11		Again, that information that Mr. Williams
	12		provided, was it relevant to the police
	13		investigation of David Milgaard?
	14	A	Sir, I would like you to explain to me by what you
01:34	15		mean
	16	Q	Sure.
	17	A	by relevance. You know, I just don't get
	18		your and I haven't before really had
	19	Q	Sure, let me explain it this way. Are you telling
01:34	20		us, sir, that you simply wrote down what she told
	21		you and you let someone else figure out whether it
	22		was relevant for the purposes of the
	23		investigation?
	24	A	Exactly, that's what I stated initially, that I
01:35	25		was there to take a statement. I didn't ever, was



	1		involved in any decision-making or any
	2	Q	Let me put it this way, sir, that as a police
	3		officer you had dealt with youth suspects and
	4		witnesses before; is that fair?
01:35	5	A	Yes.
	6	Q	And so certain things that a witness would say,
	7		and I think you told us this morning, for example,
	8		drug use and stealing a vehicle, things like that
	9		were factors to be considered in assessing a
01:35	10		suspect's character or words to that effect; is
	11		that fair?
	12	A	That's right.
	13	Q	And I guess my question when I asked you was it
	14		relevant, is it something that you as an officer
01:35	15		were trying to get from Sharon Williams to put in
	16		the package of information to assist the police in
	17		assessing Mr. Milgaard's character?
	18	A	No, that's not right. I was there for the purpose
	19		of just taking a statement.
01:36	20	Q	Okay.
	21	A	I wasn't there to direct her in certain just
	22		to I directed her initially and then it was up
	23		to her to, that but as I said, there was times
	24		that I said could you I didn't understand what
01:36	25		she said, so I had her repeat whatever she said.
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	1	Q	Okay. If we could go down, it says:
	2		"He went back to Regina stayed there for
	3		a couple of weeks and we went out with
	4		John. John (the queer) usually buys for
01:36	5		the boys that or drugs. Other thing
	6		about David he stayed with John.
	7		Everyone talks about John being a
	8		homosexual. David told me he likes both
	9		men and girls told me he was bisexual.
01:36	10		I couldn't tell whether this was the
	11		truth or not. He doesn't like to fight
	12		with other men."
	13		And again, was this information that she simply
	14		volunteered unprompted or do you
01:37	15	A	That's right, you know, when she said that, it
	16		was, you know, very surprising to me, but I didn't
	17		say anything because that's what she wanted to say
	18		apparently.
	19	Q	Okay. Then scrolling down, again it talks about
01:37	20		an event during the exhibition, and then:
	21		"During the exhibition in Regina we had
	22		a fight. That night he forced me to
	23		have intercourse with him."
	24		And again I think you talked earlier about the
01:37	25		importance or significance that might have; is
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	1		that correct?
	2	А	Yes, to an investigating officer as in regards to
	3		what activities he had, you know, and whether
	4		there was sexual involvement and other human
01:37	5		traits, you know.
	6	Q	Okay. And then it says:
	7		"David wrote me that he was going to
	8		court in Vancouver for trafficking and
	9		possession. Told me he was sorry for
01:38	10		treating me like an animal and said he
	11		was going to change."
	12		And again, would those have been Ms. Williams'
	13		words do you recall?
	14	А	Yes.
01:38	15	Q	And then:
	16		"On Jan. 6 and 7th this year he stopped
	17		in Edmonton."
	18		So that would be of 1969; is that right? This
	19		would be about three weeks prior to his visit to
01:38	20		Saskatoon; would that be correct?
	21	А	I don't know.
	22	Q	Okay. It says:
	23		"On Jan. 6 and 7th this year he stopped
	24		in Edmonton."
01:38	25		And the statement was March of '69; right?
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	1		That's fine, I mean, it says what it says, but I
	2		think she's talking about events a couple of
	3		months earlier. Is that fair?
	4	A	That's right, that's what she stated.
01:38	5	Q	It says:
	6		"I met him at the Sanctum we just
	7		talked, said he had been going into
	8		Regina from Langenberg. He was
	9		travelling by train with his Mom and
01:38	10		said he was going to straighten out."
	11		And again, do you recall, was that prompted by
	12		any question or again was this information she
	13		simply volunteered?
	14	А	She volunteered that.
01:39	15	Q	And did you place any significance on this
	16		information about Mr. Milgaard telling her that he
	17		was going to straighten out?
	18	А	Well, I wasn't there to place any, you know, have
	19		any opinions or anything like that, it's just that
01:39	20		I what she, her involvement with Milgaard was.
	21	Q	Next page, please, the top, and then I think here
	22		in the statement is where we get into the events
	23		of February 1, '69. Do you see that?
	24	А	Yes.
01:39	25	Q	It says:
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	1		"The next time I saw David Milgaard was
	2		on Saturday Feb. 1st/69 at 6:30 p.m., he
	3		told me that he arrived in Edmonton
	4		early Friday January 31/69 no that was
01:39	5		Saturday morning. I suspected that he
	6		broke into the Sanctum that night
	7		(Saturday) morning. The Sanctum had
	8		been broken into and the other guys Ron
	9		Wilson, Shorty and Nicky told me that
01:40	10		they weren't actually watching but when
	11		David came back to the car the door was
	12		open to the Sanctum. Ron Wilson told
	13		me, David told him the door was open.
	14		Ron Wilson also told me that somehow the
01:40	15		screwdriver in his car or that was
	16		stolen from the Sanctum was bent."
	17		And again, is this information we talked earlier
	18		about, a theft, is this again information that
	19		you as a police officer might think to be
01:40	20		important in an investigation of Mr. Milgaard?
	21	А	Well, again, sir, this is her words and I had no
	22		opinion about what this was. It was up to the
	23		investigators to decide that.
	24	Q	Okay. If we could scroll down, here there's a
01:40	25		comment, it says Nicky, talking about some

1 marijuana Nicky had: 2 "... they had it. Nicky had it on her. 3 David said something about a girl was 4 going to buy some marihuana she gave him 5 some money but that he took off without 01:41 6 giving her the marijuana and he also 7 kept the money. He said that this 8 happened in Regina just before they came 9 to Edmonton. He mentioned something 01:41 10 about being in Calgary but I am not sure 11 about it. He introduced me to Shorty. 12 Shorty wanted to go to Vancouver with 13 David but Nicky and Ron didn't. 14 mentioned something about getting a bag 01:41 15 of marihuana back to the girl in Regina, 16 to me it seemed not like David to do 17 something like this. They sold some 18 marihuana at the Sanctum, got about 15 19 dollars from boys and girls one dime bag 01:41 20 one nickel bag. This is all the 21 marihuana he had as far as I know." 22 Pause there. Again, do you recall your thoughts 23 about this information, Mr. Malanowich, and any 24 significance of it? 01:41 25 Α You mean at the time I took the statement?



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	1	Q	Yes.
	2	A	Or later?
	3	Q	Either or both, pardon me.
	4	А	It's my only answer is that she said it and I
01:42	5		just copied it down.
	6	Q	There's a reference in your police report which
	7		we'll deal with when we get to that, okay, that
	8		talks about this, maybe we'll leave it until then.
	9		Next page, please, and then
01:42	10		again this talks, I won't go through it, but it
	11		talks about the events and driving around and
	12		clothing. Would you have asked her to describe
	13		Mr. Milgaard's clothing, would that have been
	14		something important you would want to get from her
01:42	15		as to what he was wearing and
	16	А	I think on this point, the clothing, there was
	17		probably a hesitation, whatever, and I asked her
	18		if she could comment on the clothing that David
	19		was wearing the day that they arrived there.
01:43	20	Q	And was that something because you knew there had
	21		been some information given to the police that
	22		someone had observed blood on his clothing?
	23	А	At this point I don't recall when I knew about the
	24		blood on the clothing.
01:43	25	Q	Okay.



	1	A	It possibly could be because that's why I would
	2		have asked.
	3	Q	Scroll down to the bottom, please, and it just
	4		talks here about, again this is in Edmonton:
01:43	5		"David had brought his suitcase into the
	6		hotel room from the car and I looked
	7		into it the next morning, I saw some
	8		nylons in it, but they were used ones
	9		just thrown in. I asked him about them,
01:43	10		he said they were Nicky's."
	11		Next page there was a writing pad, two pairs of
	12		pants, a white shirt, deodorant, these pants
	13		dirty and used. And again, do you recall whether
	14		this was something you would have specifically
01:43	15		asked her to try and identify, what clothing, or
	16		was this something she just volunteered?
	17	A	No, I think before she said this I probably asked
	18		her to describe the clothing and stuff.
	19	Q	And if we could just scroll down, they talk about
01:44	20		money, about who had money between Shorty and
	21		David. Again, is that something you might have
	22		inquired specifically about whether they had
	23	A	No, she gave that voluntarily.
	24	Q	And scroll down, it says:
01:44	25		"Ron wanted to stay on in Edmonton to



1		get a job and Shorty wanted to go on.
2		It seemed to me David just wanted to go
3		right now. They said they wanted to go
4		to Calgary. They talked about stealing
<i>01:44</i> 5		things like doing breaking and entering
6		here and or in Calgary."
7		And again, is that something that she would have
8		volunteered or did you ask about that?
9	A	No, that's a volunteered statement.
01:44 10	Q	And then down at the bottom she says:
11		"They sounded like they came straight
12		from Edmonton from Regina. No mention
13		of Calgary and Saskatoon was made."
14		And I take it, sir, that you knew when you
<i>01:45</i> 15		interviewed her that at least the information the
16		police had was that Mr. Milgaard had been in
17		Saskatoon; is that right?
18	A	That is probably a little point that I had asked
19		her to clarify.
01:45 20	Q	Next page, please and so I think there, that
21		ends up with where they were in Edmonton and then
22		on the last page it talks about:
23		"In Langenberg he was fooling around
24		with a knife a big butcher knife he sort
01:45 25		of would point it at my stomach and push
	I	

1		on it and say something like "I'm going
2		to kill you" this seemed like he was
3		just fooling around."
4		And I'm wondering, sir, do you know if that was
01:45 5		something, did you perhaps ask her about whether
6		she ever saw him with a knife, do you recall
7		that, or was this simply volunteered?
8	А	I just don't know, don't recall, you know, the
9		progression there.
01:46 10	Q	And I take it, would the fact that she told you
11		about him having a knife at one time, would that
12		be of relevance to you as a police officer, as
13		being perhaps an important piece of information or
14		was it like everything else she said, you simply
01:46 15		wrote it down?
16	А	I simply wrote it down. Later on when I reread
17		the statement at home and while doing that
18		investigation report, that really struck me, that
19		she had said that I'm going to kill you, what he
01:46 20		had said.
21	Q	And why was that? And she had said this seemed
22		like he was just fooling around.
23	А	Well, it seems like a strange act that no you
24		know, just not experienced by normal people.
01:46 25	Q	The next paragraph says:
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1		"In Langenberg, in his dresser, were
2		pictures of two girls and I think that
3		he said one was named Gail. They were
4		the type you would take at the Bay or
01:47 5		one of the stores. He said that the
6		picture of Gail was taken in Winnipeg."
7		And do you have a recollection of getting that
8		information or how that came about?
9	А	It could be that I had asked her to recall whether
01:47 10		she heard if Milgaard had ever talked about Gail
11		Miller.
12	Q	Okay.
13	А	The name Gail Miller, and then I took it down as
14		she told me.
01:47 15	Q	And are you recalling that or are you saying
16		that's possibly what
17	А	That could be possible, in that area.
18	Q	Okay. And then when we go down here, it says:
19		"When David was in St. Albert on Feb.
01:47 20		1st and 2nd I didn't see any blood
21		stains on his clothing or on any of his
22		possessions."
23		And again, would that have been an inquiry by you
24		to her, did you see any blood stains on his
01:48 25		clothing or any of his possessions or was this
	1	



			Page 13372 —————
	1		volunteered do you know?
	2	А	To me, I don't recall the actual interval in this
	3		statement taking, but I could have asked her about
	4		it, but I don't think I knew about the blood
01:48	5		stains at that time, but I don't know, I don't
	6		recall.
	7	Q	Fair enough. Just scroll down, please, and then
	8		it says here:
	9		"He mentioned I think it was in
01:48	10		Vancouver that he had broken into a
	11		house and taken a purse but I never saw
	12		him with any ladies' purses."
	13		And is it possible that this would have been an
	14		answer to a question from you about whether Mr.
01:48	15		Milgaard had a lady's purse while he was in
	16		Edmonton on that occasion?
	17	A	It could have been.
	18	Q	Okay.
	19	А	I don't I can't tell you the exact facts on
01:49	20		that.
	21	Q	And lastly it says:
	22		"David Milgaard wrote to me from
	23		Winnipeg during the last week of
	24		February. I haven't heard from him
01:49	25		since."



	1		I take it you would have asked her when was the
	2		last time she saw or heard from him; is that
	3		fair?
	4	Α	I think in these last two, or last two items, that
01:49	5		I asked her whether she had anything further to
	6		say in regards to this whole affair.
	7	Q	Okay. If we could go back to the police report,
	8		please, 009245. Now, you mentioned a bit earlier,
	9		Mr. Malanowich, that after you took this
01:49	10		statement, but then when you went to prepare your
	11		report, did you spend some time going through the
	12		statement and thinking about it then; is that
	13	A	Yes. I read it several times and
	14	Q	Okay. If we could just, this is your report, sir,
01:50	15		of March 22nd and we'll just go through parts of
	16		it, and it says:
	17		"Now dealing with the statement received
	18		from Sharon Williams - it is quite
	19		obvious from talking to her that she
01:50	20		thinks that David Milgaard is capable of
	21		murder. She was queried twice on this
	22		point and she definitely without
	23		hesitation stated this."
	24		And I'm just wondering, Mr. Malanowich, I don't
01:50	25		believe that that query and answer is in the \P



	1		statement that we went through. Would you agree?
	2	A	It's not in the statement, no.
	3	Q	And was this something then that was discussed
	4		with her at the time? Did you query did you
01:50	5		ask her whether she thought David Milgaard was
	6		capable of murder?
	7	A	I think probably that was at the end of, you know,
	8		at the end of the statement-taking and stuff, that
	9		I had probably because, you know, I don't
01:51	10		recall the event, but I put down in a report that
	11		she was queried and I wouldn't have put that in if
	12		I at the time that I was typing that report.
	13	Q	And would there be any reason that you wouldn't
	14		have put that in her handwritten statement?
01:51	15	A	It was probably after the as I stated, after I
	16		had finished taking the statement.
	17	Q	And then it goes on to say:
	18		"She stated quite honestly that she got
	19		suckered in by this boy and when she
01:51	20		realized that he was taking advantage of
	21		her she broke relations with him, then
	22		he would come back to her and talk her
	23		into having relations with her again.
	24		She gave the impression that she liked
01:51	25		her sex relations at times with this boy
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1 and went along with him in this regard 2 but then when she refused him he got 3 violent and forced her and she admits it is at these times that she thought he 4 5 was abnormal and a violent type of 01:51 6 person." And again, is that information that would have 8 been provided to you by Sharon Williams when you 9 met with her on March 20th, 1969? 01:52 10 Α She gave those opinions in her statement. 11 Q Okay. 12 А I don't know if that's the identical statement she 13 made, but I was of that opinion, that she thought 14 that he was a violent type of person. 01:52 15 Then it says: 16 "She was questioned in regards to 17 whether she saw any blood on his 18 clothing or any clothing in his 19 possession and she admits she looked 01:52 20 into his suitcase at the motel in 21 St. Albert and noticed these beige 22 nylons in it which were the only items 23 belonging to a woman and that she 24 questioned him about them. He gave her



the answer that they were Nichol

01:52 25

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	1		John's."
	2		And I think that we saw that in the statement,
	3		and then:
	4		"When questioned about the matter if
01:52	5		David Milgaard mentioned to her about
	6		going to Calgary or Saskatoon before
	7		coming to Edmonton on Feb. 1st/69 she
	8		wasn't clear about it but gave me the
	9		impression that he came straight to
01:53	10		Edmonton from Regina through
	11		Saskatchewan."
	12		Is that accurate?
	13	A	I think your statement says that.
	14	Q	And it says:
01:53	15		"It is quite obvious that David Milgaard
	16		was definitely different on this
	17		occasion when he saw her in Edmonton,
	18		she made it quite clear that he seemed
	19		to be running away from something, she
01:53	20		sensed this."
	21		And again, is that something Sharon Williams
	22		would have told you on March 20th, 1969 when you
	23		interviewed her?
	24	A	I don't recall whether she said it during that day
01:53	25		or during the day of the statement-taking. When
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	1		she mentioned that he kept repeating the matter of
	2		the, taking some money off a female and not giving
	3		her the marijuana, it seemed that that's what
	4		she's referring to in there.
01:54	5	Q	And, sir, do you recall, and I think we determined
	6		that it was a couple of hours that you would have
	7		been with Sharon Williams that afternoon; is that
	8		right?
	9	Α	Yes.
01:54	10	Q	Apart from the 14 pages, the statement that you
	11		wrote down, apart from the discussions and that
	12		information, were there other discussions where
	13		you would have talked to her about this matter,
	14		like, before and after the formal written
01:55	15		statement was done?
	16	Α	As I said before, I think I talked to her after
	17		the statement was taken but before like I
	18		stated before, I kind of outlined this to the
	19		areas I wanted her to cover in her statement.
01:55	20	Q	And then this comment here, that "she made it
	21		quite clear that he seemed to be running away from
	22		something, she sensed this," is this something
	23		that she had expressly told you or is this your
	24		impression, your impression, sir, of what you
01:55	25		thought she was sensing or saying? Do you
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	1		understand my question?
	2	A	Just let me reread this, please.
	3	Q	Sure.
	4	A	I wish I could tell you, but I don't remember
01:56	5		just
	6	Q	Okay. So one possibility is that she actually
	7		said the words "that I think he's running away
	8		from something, I sensed this," or another
	9		alternative is that based on everything she said,
01:56	10		you interpreted, or your impression was that
	11		that's what she was thinking or somewhere in
	12		between?
	13	A	It's possibly something in between, you know. I
	14		just don't know at this time.
01:56	15	Q	Okay. Next page, it says:
	16		"The matter also came up that David
	17		Milgaard mentioned several times to her
	18		that he was concerned about the girl
	19		that he took money from and didn't give
01:56	20		her any marihuana for it, that he just
	21		took off with her money. When
	22		questioned Sharon Williams stated that
	23		she thought the girl was from Regina,
	24		just took it for granted, that she never
01:56	25		thought that this girl could have been
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	1		from Saskatoon. I think that in a way
	2		David Milgaard possibly did in this way
	3		admit a guilt complex and instead of
	4		saying that he killed a girl, he shared
01:57	5		his guilt by talking about it
	6		substituting marihuana for sex and the
	7		money he received as the money he took
	8		from the murdered girl's purse."
	9		Can you explain what you meant by that statement,
01:57	10		Mr. Malanowich?
	11	A	This is a theory that I sort of developed after
	12		dealing with Sharon Williams and reading her
	13		statement and that I just let me
	14	Q	Sure, go ahead.
01:57	15	A	I have to slow down a bit.
	16	Q	That's fine.
	17	A	This theory that I sort of threw out in my
	18		investigation report as to that statement that she
	19		told us about that he kept repeating about that
01:58	20		girl, a transaction with a girl and taking the
	21		money and not giving her the marijuana, and that
	22		was my theory I think.
	23	Q	When you say a theory, what do you mean by a
	24		theory?
01:58	25	A	Well, people do things different and say different

	1		things and that was one theory that I came up
	2		with, that I thought possibly that's why, like,
	3		after Sharon Williams still telling that in the
	4		statement, that that could be the reason he was
01:58	5		repeating that.
	6	Q	Sorry, that she had said that he had repeated, he
	7		had told her this on a number of occasions?
	8	A	Whether he kept repeating it or he told her on
	9		different occasions, I don't recall.
01:59	10	Q	And his guilt complex, sir, as far as in your
	11		experience as an investigator at this point, is
	12		this something that you had you say was a
	13		theory. Was it based on something you had
	14	A	I had other people do the same thing.
01:59	15	Q	And can you just explain
	16	A	They would give false names they wanted to get
	17		it off their chest, but they would use other
	18		names, somebody else's name and they would, you
	19		know, sort of want to pin it on whether
01:59	20		intentionally or not intentionally, I don't know,
	21		on somebody else.
	22	Q	And then I think the words you use, "In a way
	23		David Milgaard possibly did this," I mean, how
	24		strong were you thinking this theory was at the
02:00	25		time?



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	1	Α	Well, I don't know, that needed further
	2		investigation because that's why I left the
	3		investigation report, and that was just a theory
	4		that I extended to the investigators that were on
02:00	5		this file.
	6	Q	So you are communicating to other officers,
	7		lookit, because he repeated this to her, that
	8		maybe this is what it means; is that
	9	A	Yes.
02:00	10	Q	Scroll down. Did you consider anything at the
	11		time, sir, that given that he was there
	12		immediately after his trip to Saskatoon, that the
	13		fact that nothing came up about the nurse or the
	14		murder, that there might be some significance to
02:00	15		that, sort of the other way, a theory that says
	16		something Sharon Williams said may cause one to
	17		think that Mr. Milgaard was not involved? Do you
	18		follow?
	19	Α	I don't follow you, sir.
02:01	20	Q	What you talked about here is when you looked at
	21		the statement you came up with a possible theory
	22		that, based on what Sharon Williams told you, that
	23		you said possibly this means Mr. Milgaard was, in
	24		a way, admitting to the murder; right?
02:02	25	Α	No, that something was bugging him and he wanted
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	1		it, this event with the girl, he wanted to get it
	2		off his chest.
	3	Q	So I think though, and correct me if I'm wrong,
	4		that this theory, though and I appreciate what
02:02	5		you said, that it was a theory was consistent
	6		with the outcome that Mr. Milgaard was the
	7		murderer of Gail Miller; is that fair? Let me
	8		restate it. I think what you are saying is that
	9		in a way he had a bit of a guilt complex and,
02:02	10		instead of saying that he killed a girl, he shared
	11		his guilt by talking about it, substituting
	12		marihuana for sex. And correct me if I'm wrong,
	13		sir, but I thought when we when you told us
	14		about that, that it was a theory that was
02:03	15		consistent with Mr. Milgaard being involved in the
	16		murder; is that fair?
	17	Α	I, I don't know, when I left that theory there I
	18		don't know, and I at that time don't believe I
	19		didn't know whether he was guilty or he wasn't or
02:03	20		he was just airing his frustration with that
	21		event.
	22	Q	But when you left this report for other officers I
	23		think you said that this was a theory for somebody
	24		to check out?
02:03	25	A	Check out, yes, maybe question him or whatever,



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	1		you know.
	2	Q	And I guess back to my original question; did you
	3		consider or think of any other theories for
	4		explaining Sharon Williams' statement that would
02:03	5		suggest that Mr. Milgaard was not involved in the
	6		murder?
	7	А	Yes. There was one, I think it's in the
	8		statement, that she expressed that he was sorry
	9		for this event with that girl.
02:04	10	Q	Yes.
	11	А	And it shows, you know, remorsefulness
	12	Q	And so that
	13	А	on his part.
	14	Q	I'm sorry, so that might be something where, when
02:04	15		you are analysing this statement, you might say
	16		'well, that might be on the side that says maybe
	17		he wasn't involved'; is that what you are saying?
	18	A	Exactly. It's it needs further investigation.
	19	Q	And then the bottom part of the report just talks
02:04	20		about checking out at the motel, or checking the
	21		motel, and I take it nothing was found there; is
	22		that correct?
	23	А	Yes.
	24	Q	And then, at the bottom, it says:
02:04	25		"In conclusion I would say that it might

1 be an idea to search the home of David 2 Milgaard in Langenberg, Sask., to see if 3 the photo he has of a girl in his 4 dresser is in fact a photo of Gail 5 Miller." 02:05 And I take it that would have been based on the 6 information Ms. Williams told you about the 8 photograph and possibly the name Gail; is that 9 fair? 02:05 10 Α Exactly. 11 If we could go to 106640, please. And this is a 12 report March 22nd, so this is the same day as your 13 report, sir. March 20th, '69 is the day you 14 interviewed Sharon Williams. If we could go to 02:05 15 the next page, please, and I'll call this out, 16 this is Charlie Short, Lieutenant Short's report. 17 And he simply says: "I have since learned from Malanowich 18 19 who has recently made a trip to Edmonton 02:05 20 to locate a girl in that city who 21 Milgaard contacted on this trip that 22 they made, and that this particular girl 23 is of the same opinion as Nichol John 24 and Cadrain in regards to Milgaard, that

02:05 25



he is of a dangerous character."

	1		Do you have any recollection of talking to
	2		Lieutenant Short about your interview with Sharon
	3		Williams?
	4	А	I don't recall that, but I can only go by his
02:06	5		report, that I must have talked to him.
	6	Q	Okay. After your visit with Sharon Williams, did
	7		you have any further involvement in the Gail
	8		Miller file, to your recollection?
	9	А	I did. You know, when you are working with young
02:06	10		people and there's this in the media and the, you
	11		know, the unfortunate incident in the media,
	12		people talk about it, and if there's anything that
	13		was closely anybody said closely associated
	14		with the murder, I I think I there are some
02:06	15		investigation reports that I put forward.
	16	Q	Yeah, there's some, about four reports in February
	17		of 1969 that I don't propose to go through them, I
	18		actually, why don't we just call up one for an
	19		example, 106512. And, again, this is February
02:07	20		10th, '69, it talks about information received
	21		from Rick Thatcher, and sort of information about
	22		being with another fellow at the time this other
	23		fellow killed Gail Miller, so I take it that's the
	24		type of thing where you had information and you
02:07	25		would prepare a investigation report?
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	1	Α	Things like that, that I would leave a and that
	2		is my investigation report.
	3	Q	Okay. Now I think based upon my review of the
	4		records, and I could be wrong, but those reports
02:07	5		that we have predated your interview of Sharon
	6		Williams in March. And do you recall, after you
	7		interviewed Sharon Williams, whether you had any
	8		further involvement with her?
	9	А	With Sharon Williams?
02:08	10	Q	Yes?
	11	Α	No.
	12	Q	And any further involvement, to your recollection,
	13		in the Gail Miller investigation?
	14	А	I had no involvement.
02:08	15	Q	Did you ever, were you ever asked to talk to, in
	16		April or May, senior officers about your interview
	17		with Sharon Williams and your thoughts, or
	18		anything of that nature?
	19	A	I could have reported at a morning meeting that we
02:08	20		usually held with administrative staff about an
	21		incident, and probably this came up.
	22	Q	But you don't recall that?
	23	А	I don't recall it, but it could be possible that I
	24		gave a short report at that meeting, that morning
02:08	25		meeting.
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	1	Q	And we've heard some evidence that in May of '69
	2		there was some meetings of senior officers,
	3		Lieutenant Penkala, Charlie Short, Jack Wood,
	4		Inspector Riddell of the RCMP, talking about the
02:09	5		case and theories, etcetera; do you recall being
	6		any part of that or having any discussions with
	7		anybody about that?
	8	A	I wasn't involved in that. Especially the name
	9		Riddell, that, this is the first time I hear his
02:09	10		name other than other people, you know, that have
	11		stated it.
	12	Q	Okay. If we could call up 009302, please. This
	13		is a letter June 19th, 1969, and this is after Mr.
	14		Milgaard has been charged with the murder of Gail
02:09	15		Miller, and it's a letter from the Calgary Police
	16		department to the Superintendent Wood. And it
	17		talks about Inspector Roberts of the Calgary
	18		Police Service attending or interviewing Sharon
	19		Williams on July 11th, 1969 regarding her
02:09	20		knowledge of David Milgaard and the Gail Miller
	21		murder, it says:
	22		"Miss Williams was interrogated with the
	23		use of the Polygraph for approximately
	24		3 1/2 hours."
02:10	25		Were you aware sir, at the time, that someone



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	1		went back and re-interviewed Ms. Williams with a
	2		polygraph?
	3	А	Yeah. Who?
	4	Q	I'm this is Inspector Roberts who was with the
02:10	5		Calgary Police Service, this report indicates that
	6		in June of 1969 he went back and interviewed
	7		Sharon Williams, so that would be about three
	8		months after you had; were you aware of it?
	9	А	I wasn't aware of it until just yesterday.
02:10	10	Q	When I showed you this letter?
1	11	А	Exactly.
1	12	Q	Okay. And so I take it no one came and asked you
1	13		about your dealings with Sharon Williams as part
1	14		of this?
02:10	15	А	The RCMP did.
1	16	Q	In 1993?
1	17	А	Or when they had that
1	18	Q	Yeah?
1	19	А	The RCMP investigation.
02:10 2	20	Q	I'm sorry, back in June of 1969 you didn't get a
2	21		call from somebody to say 'tell me about what you
2	22		thought of Sharon Williams', or anything like
2	23		that?
2	24	А	No, I don't recall anything, I don't think there
02:11 2	25		was such a thing.
	- 11		



			1 age 13309
	1	Q	And then in this report and I appreciate, sir,
	2		that you haven't seen it until yesterday but it
	3		says:
	4		"It is the opinion of Inspector
02:11	5		Roberts",
	6		he is the polygraph fellow:
	7		" that Miss Williams does not have
	8		any information that would assist you in
	9		the prosecution of David Milgaard. She
02:11	10		did state, however, that she remembers
	11		Milgaard saying, 'I tried to make a girl
	12		in Saskatoon.'"
	13		Now do you recall Sharon Williams saying anything
	14		like that to you when you interviewed her?
02:11	15	А	No, I that's news to me.
	16	Q	And, if she would have said something like that,
	17		do you think you would have put it in her
	18		statement or in your report?
	19	А	I could have missed it but I this is news to
02:11	20		me.
	21	Q	But this type of statement, you would agree, would
	22		be pretty important; wouldn't it?
	23	A	Well, it would be, yes.
	24	Q	And if you had heard that, that's something you
02:11	25		think you would have put in the statement or the \P



			Page 13390 ————
	1		report?
	2	A	In the investigation report, yes.
	3	Q	And if we can then go ahead, I think you said you
	4		were interviewed by the RCMP, is that right?
02:12	5	A	Yes.
	6	Q	If we can go to 034829, please, I think the doc.
	7		ID is 820, if we could go to 829. And you recall
	8		being interviewed in 1993 by the RCMP?
	9	А	I recall I recall what date was that?
02:12	10	Q	This is March of 1993.
	11	A	I remember them coming up to Chitek Lake to
	12		interview me.
	13	Q	Okay. If we could go down to the bottom, these
	14		are notes that the RCMP officers made of their
02:12	15		meeting with you, okay. It says:
	16		"- the only part he played with regard
	17		to the murder investigation was that of
	18		conducting an interview of Sharon
	19		Williams in Edmonton. Malanowich read
02:12	20		this statement in our presence and
	21		adopted it as being an accurate
	22		portrayal of what Williams said to him
	23		on 69 Mar 20."
	24		Scroll down a bit:
02:13	25		"- Malanowich was of the opinion that
		l .	



			r ago rocor
	1		Williams was being truthful to him. He
	2		added however, that she was terrified of
	3		Milgaard and that she was 'holding back'
	4		on some information. Specifically,
02:13	5		Malanowich was of the opinion she may
	6		have known more of the events of
	7		Saskatoon but was afraid to disclose
	8		them."
	9		Is that something you would have told the RCMP in
02:13	10		1993?
	11	A	Yes, I did. It was my opinion, after interviewing
	12		her and that, my feeling was that she was holding
	13		back some information but and but I didn't
	14		press her for anything more.
02:13	15	Q	When you say holding back, what caused you to
	16		think she was holding back?
	17	A	Because I think she was terrified that her you
	18		know, she seemed terrified of David Milgaard.
	19	Q	And why, and what causes you to
02:14	20	A	Well all these events that she mentioned in the
	21		statement about him playing Russian
	22	Q	Roulette?
	23	A	roulette and a gun to his head, a dangerous
	24		person, you can't ever tell what may happen.
02:14	25	Q	Did she say to you words to the effect that she
		•	



			1 age 10032
	1		was terrified of him, or did you form that
	2		impression that she was?
	3	А	I sort of, in talking with her and getting the
	4		statement and that, that she was basically, you
02:14	5		know, not not that she probably stayed awake at
	6		nights, but I think she, she didn't want to have
	7		anything more to do with him.
	8	Q	Okay. Do you know if the fact that you told her
	9		he was being investigated as a suspect in a murder
02:14	10		
	11	А	Yes.
	12	Q	caused her some concern?
	13	А	I don't think so, because I think if she was told
	14		that it was a rape, it was a serious enough
02:15	15		offence that it made her think.
	16	Q	Okay. Well let me rephrase it. The fact that,
	17		whether she thought it was a rape and then knew it
	18		was a rape and a murder that he was suspected of,
	19		do you know if that were you able to observe
02:15	20		whether that had an effect on her?
	21	А	I don't know.
	22	Q	Okay. And this, again this holding back, was
	23		there something in what she said or what she
	24		didn't say or her mannerisms; what caused you to
02:15	25		believe that she was holding something back?



			Page 13393 ————
	1	А	I don't know. You get that gut feeling when you
	2		interview people,
	3	Q	Okay.
	4	А	you know, just observation of the individual
02:15	5		and that, and it's just the feeling I had.
	6	Q	Okay. If we can go to the next page, please. It
	7		says:
	8		"- he stated he had absolutely no
	9		knowledge of Larry Fisher during the
02:15	10		1969-1970 period. He stated that
	11		Fisher's name was never mentioned at any
	12		meetings he attended nor was he aware of
	13		any connection drawn between Fisher and
	14		the Miller murder. He only became aware
02:16	15		of Fisher through the press when the
	16		events began to lead up to the SCC
	17		hearing. (He couldn't recall exact
	18		dates but he thought it was within the
	19		recent past years)."
02:16	20		And is that an accurate recording of what you
	21		would have told the RCMP at the time?
	22	А	Yes, I think that was.
	23	Q	Next page. You were asked here, I think, about
	24		Mr. Karst and Mr. Nordstrom going to Winnipeg. It
02:16	25		says:
			_



		- -
1		"- when advised that Karst-Nordstrom had
2		interviewed Fisher in Winnipeg,
3		Malanowich stated that this was not
4		unusual. Karst was the best, he said
02:16 5		and it wouldn't matter what section the
6		latter was in, he would be sent to
7		handle a difficult interview or one that
8		was considered to be important. He
9		couldn't comment as to why Nordstrom
02:16 10		would be present except that he was
11		there for the trip."
12		Is that an accurate recording of what you would
13		have said?
14	А	Yes.
02:17 15	Q	What do you mean by the last part:
16		" that he was there for the trip."
17	А	Let me explain.
18	Q	Sure.
19	А	Eddie Karst was my trainer when I was a rookie,
02:17 20		and I had quite a, during the training period I
21		had a lot of experience for, him, and I felt that
22		he was a really capable person at that time, and I
23		do today, and I think if I was in Nordstrom's
24		position at that time I would have done the same
02:17 25		thing, I would have called upon Karst to go to
	1	—

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	1		Winnipeg.
	2	Q	Okay.
	3	A	Because he was a capable person, and is a capable
	4		and an honest person.
02:17	5	Q	Thank you, Mr. Malanowich, those are my questions.
	6		I'm wondering, Mr. Commissioner,
	7		I'm not sure what time we break in the afternoon,
	8		we only go 'til 3:30, but maybe if we take a short
	9		break I could check on cross-examination.
02:18	10		COMMISSIONER MacCALLUM: We could do that,
	11		sir.
	12		(Adjourned at 2:18 p.m.)
	13		(Reconvened at 2:33 p.m.)
	14	ву	MR. WOLCH:
02:34	15	Q	Good afternoon, sir. I'm Hersh Wolch, I'm David
	16		Milgaard's counsel.
	17	А	Pleased to meet you.
	18	Q	And I just have a few questions for you. In and
	19		around the relevant period of time there were
02:34	20		rapes being committed in Saskatoon which we now,
	21		or later, found out Larry Fisher committed,
	22		etcetera, etcetera; were you aware of those back
	23		then?
	24	A	I'm just trying to
02:34	25	Q	No, take your time.
		1	.



	1	А	This there were rapes every year, I mean so
	2		many, and
	3	Q	Well maybe I could help you this way; you are
	4		aware of Karst and Nordstrom going to Winnipeg?
02:34	5	A	I was not aware until very shortly before the
	6		trial that was held in regards to David Milgaard.
	7	Q	Okay. I am particularly interested and I'll
	8		help you a little bit we're aware of the fact
	9		that for a while there was a theory that the
02:35	10		person committing the rapes in Saskatoon, and I'm
	11		talking about very, very serious rapes at
	12		knifepoint, stranger-type rapes, was the
	13		perpetrator of the murder of Gail Miller; now were
	14		you aware of that or have any knowledge of that
02:35	15		back then?
	16	A	You are can you give me your question again,
	17		please, sir?
	18	Q	Well were you here this morning when Officer
	19		Cressman testified?
02:35	20	A	Yes I was.
	21	Q	And do you recall his evidence about he was
	22		thinking that the same person was committing, who
	23		committed the rapes had murdered Gail Miller, and
	24		some other officer said 'no', or 'forget it', or
02:36	25		words to that effect?
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	1	A	Well I knew that there were rapes but I'll tell
	2		you, sir, I wasn't involved in the I was paying
	3		attention to my own section. In fact I had, I was
	4		quite busy with establishing the youth section,
02:36	5		and I had no dealings with that, but I had heard
	6		that there were rapes.
	7	Q	Okay. You heard Officer Cressman say that it was
	8		suggested to him that the person who had killed
	9		Gail Miller would likely be a different person
02:36	10		because the other guy was raping and this was a
	11		murder; did you hear him say that this morning?
	12	A	I did, I did.
	13	Q	Okay. Does that make sense to you?
	14	A	Well as peace officers we keep our minds open. We
02:36	15		use different theories, you know, you just don't
	16		have tunnel vision on one person, you as a
	17		peace officer you keep an open mind.
	18	Q	Well so are you saying that if you were aware that
	19		a person was committing rapes at knifepoint,
02:37	20		etcetera, etcetera, and then there was a murder,
	21		would you think that's a more likely suspect or a
	22		less-likely suspect, or does it matter?
	23	A	Well you, you would investigate whether there
	24		you know, in regards to the evidence, and they
02:37	25		you could make that assumption, you know, so
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		Page 13398 ————
1	Q	Now when you were detailed to speak to Sharon
2		Williams would it be fair to say that you would
3		have wanted as much information as you could
4		before you went?
<i>0</i> 2:37 5	А	Yes, sir, meeting with the people that we dealt
6		as was pointed out. Umm, I I didn't really
7		there's some facts that I kind of was interested
8		in, but to me, I was going to go there to take a
9		statement from a young person.
02:38 10	Q	Well, I appreciate that, but you would want to
11		know the facts that you are looking for I would
12		think?
13	А	Yes, like I said, about the blood on the clothing,
14		what activities, you know, how is the person
<i>0</i> 2:38 15		living, how what his characteristics are, you
16		know, this kind of thing.
17	Q	Well let's back up a little bit. Might you agree
18		with me that the most important things that you
19		would be looking for would be anything connected
02:38 20		with the nature of the crime in Saskatoon?
21	А	Yes, you that's what you would get concerned
22		with.
23	Q	Yeah. More important than character or background
24		would be, for example, observations of blood, the
<i>0</i> 2:39 25		type of behaviour after getting into Edmonton,
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	1		that is did David or the group appear nervous,
	2		upset, how were they behaving, another factor
	3		might be did anybody say anything, a confession,
	4		an admission, anything?
02:39	5	А	That was the reason for the statement.
	6	Q	Yeah. Or are there any exhibits, for example
	7		clothing with blood, a knife, something stolen
	8		from a victim, anything like that?
	9	А	Yes, as you I made inquiries at the motel and I
02:39	10		looked for clothing that could have been
	11		discarded, it was a few, you know, quite a few
	12		days later. Yes, this is the purpose.
	13	Q	Those are all the important things, primarily,
	14		aren't they?
02:40	15	А	Yes, they are all important. You can't let as
	16		an investigator you've got to have an open mind on
	17		everything.
	18	Q	Well it's not a matter of an open mind I suggest,
	19		sir, it's some things are obviously more important
02:40	20		than others?
	21	А	Well it depends what you what the information
	22		is.
	23	Q	No, what I am saying is those items I listed,
	24		whether there was an admission, a confession,
02:40	25		behaviour that suggested they were coming from a



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	1		crime, exhibits, blood, those are the really
	2		crucial factors that you are looking for?
	3	A	Those are important, very important.
	4	Q	And they're much more important than whether there
02:40	5		was oral sex in Langenburg?
	6	А	I don't know if you could, in getting information
	7		that there is any extreme assaults to go along
	8		with those acts, that people could become
	9		dangerous, and that's how matters lead to it, even
02:41	10		during involving sexual acts.
	11	Q	I appreciate that, but what I am saying is the
	12		evidence I listed earlier is clearly more
	13		important, is it not?
	14	А	Than what?
02:41	15	Q	Than whether these kids has oral sex in Langenburg
	16		or whether there was nickel and dime bags being
	17		transferred among people, it's certainly more
	18		important, isn't it?
	19	А	It's important about the drugs.
02:41	20	Q	Nickel bags of marihuana?
	21	A	You doggone right. There's more influence on
	22		committing crimes by using drugs than a lot of
	23		things. It's a danger. People change, their
	24		attitudes change, they use it as an excuse.
02:41	25	Q	Okay. Would you agree with me that if you have



	1		two people side by side and one of them has a
	2		history of taking knives to women, dragging them
	3		into alleys, taking off their clothes, lying them
	4		on blank on coats and raping them, and the
02:42	5		other one has a history of selling nickel bags of
	6		marihuana, that the first one might be a more
	7		logical suspect?
	8	A	You can never tell.
	9	Q	You can't tell?
02:42	10	А	Well it depends on the human behaviour.
	11	Q	In speaking with Ms. Williams you found her to be
	12		a very nice girl?
	13	Α	Well as I said, you know, the dealings I had with
	14		her and that, she gave me no cause for concern.
02:43	15		After she gave me the statement I wondered, that
	16		poor those poor parents, what they went through
	17		with her, and but I know that the outside
	18		influence is sometimes greater and greater than
	19		what the parents can offer.
02:42	20	Q	Let me understand this. When you were talking to
	21		her, she was about 15 years of age?
	22	А	No, I think she was, what, 17? I'm sorry, I don't
	23		have
	24	Q	I thought she was 15 talking about when she was
02:42	25		14. Let's not look it up, let's just assume she's

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	1		young.
	2	А	She's young, she skipped school.
	3	Q	Sorry?
	4	A	She skipped school, it's in the statement that she
02:42	5		skipped school because she was associating with
	6		people that chose not to go to school.
	7	Q	Now, are you saying that she just spoke for 14
	8		pages basically of notes without prompting as to
	9		questions or
02:43	10	A	Well, I stated in regards to the blood on the
	11		clothing and what other area, that I possibly
	12		brought these out so that she could comment on
	13		them, but those are her own words that I copied
	14		down.
02:43	15	Q	Well, okay, on the main issues you asked her, did
	16		you not, if there was blood. She saw blood
	17		everywhere; would that be fair?
	18	А	No, it was whether she saw any blood on the
	19		clothing, including the clothing that were in that
02:43	20		suitcase.
	21	Q	Okay. And did you ask her if there was anything
	22		unusual in the behaviour of David or his
	23		companions?
	24	Α	I didn't ask her, she volunteered that, that she
02:43	25		seemed to be preoccupied with this business of

	1		being guilty about not giving that girl the
	2		marijuana but taking her money.
	3	Q	Well, did she say preoccupied or did she just
	4		describe it among 14 pages of activity? Did she
02:44	5		say preoccupied?
	6	A	I don't know what you mean.
	7	Q	Well, did she repeat it more than once?
	8	А	Well, she said that he kept saying it. I don't
	9		have the statement, so I don't I would have to
02:44	10		recall by looking at a statement. I think she was
	11		concerned about how many times that he referred to
	12		that.
	13	Q	Let's look at that if we could. I think the
	14		statement is 178577 and I think it's about six
02:44	15		pages down. I'm sorry, I wasn't planning on going
	16		through this, but I think it's this portion
	17		here, if we can highlight it. I would also point
	18		out to you that she says here, "he mentioned
	19		something about being in Calgary, but I'm not sure
02:45	20		about that," because later on she said he didn't
	21		mention Calgary, but there is a reference to it
	22		here. "He mentioned something about getting a bag
	23		of marihuana back to the girl in Regina, it seemed
	24		not like David to do something like this." What
02:45	25		did you do you know what you understood to be
			Meyer CompuCourt Reporting



1		meant by "it seemed not like David to do something
2		like this," that is, not to give the girl the
3		marijuana or to give it back to her?
4	A	I'll have to read this, I'm sorry.
<i>02:4</i> 5 5	Q	I might mention this is the only time I see this
6		in the statement. I'm wondering where you get
7		this preoccupation?
8	A	No, she made a statement that he mentioned it.
9	Q	Yeah, but where's the preoccupation with it?
<i>02:4</i> 6 10	A	Well, sort of in that area.
11	Q	I mean, I'm trying to understand where the
12		preoccupation is. This is the only mention I can
13		find of it.
14	A	I think that's your label on it.
<i>02:4</i> 6 15	Q	Okay, if it's mine, it's mine.
16	A	It's not mine.
17	Q	Okay. Now, you in your report suggest that this
18		might be some sort of guilt complex about a murder
19		in Saskatoon?
02:46 20	A	After I received the statement, I got home and I
21		read the statement and that and one of the
22		theories, that as a peace officer I said, hey,
23		this guy must have a guilt complex of something,
24		and it was mentioned in the statement, it could
02:47 25		be, and I've had experience with criminals, that
	11	



	1		when you question them they always will use false
	2		names and try and blame it on somebody else, but
	3		they would like to get it off their chest sort of,
	4		but it was never them, it was the other guy.
02:47	5	Q	Okay. But I'm just trying to understand what you
	6		are getting at here, you put it in your report,
	7		and the suggestion is that he took some money from
	8		a girl in Regina and didn't give her the marijuana
	9		that she wanted, and you are quantum leaping that
02:47	10		to getting it off his chest that he had killed
	11		somebody in Saskatoon?
	12	А	I didn't say that, I said that it could be, when
	13		you kind of understand human behaviour, and I've
	14		experienced, you know, this kind of thing with
02:47	15		people I dealt with, that sometimes they but it
	16		was left for the purpose of the investigators to
	17		explore. Just another thought.
	18	Q	Okay. But she does say back to the girl in
	19		Regina, you see that?
02:48	20	А	Well, that's her words.
	21	Q	No, but, I mean, if it's thoughts about a murder,
	22		how do you give something back to somebody? I
	23		don't
	24	А	I don't understand what you are getting at.
02:48	25	Q	Now, Sharon was very young; right?



			Page 13406 —————
	1	A	Yes.
	2	Q	And
	3	A	I have four daughters, so I am sort of, feel sorry
	4		for everybody concerned with the activities of
02:49	5		her.
	6	Q	I have four daughters too, so I'll carry on. What
	7		I'm saying is she was young when you were talking
	8		to her?
	9	A	Yes, and young people, I lectured on juvenile
02:49	10		delinquency and taking statements from juveniles
	11		in police college in Regina and one of the things
	12		that you have to take into consideration is the
	13		child's, person's age. Not age, but mannerisms
	14		and that, because at 12, boy, some of the
02:49	15		knowledge that these young people have.
	16	Q	Okay. Would you think that telling her you were
	17		investigating her, I'll put it in quotation marks,
	18		boyfriend or whatever, on a rape and a murder may
	19		have had some effect on her?
02:50	20	A	Well, that's something that should have been asked
	21		of her when she appeared here as a witness. I
	22		can't say. I mean, I can observe, but I'm sure
	23		they must have, but if she was any human being
	24		I mean, she's a human being, I'm sure it affected
02:50	25		her.



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	1	Q	You mentioned in your report that she had a sense
	2		of David wanting to run away or was running away
	3		from something, I'm not going to pull it up, but
	4		you recall that?
02:50	5	А	That's in relationship with that money and
	6		marijuana that he didn't give this girl.
	7	Q	That was the sense of running away from something?
	8	А	He was running away, but she couldn't that's
	9		her words. I don't know what she meant. Probably
02:51	10		it came out in her evidence.
	11	Q	Did you, to your memory, question her at all about
	12		the behaviour of the others and whether it
	13		appeared that they were acting abnormally?
	14	А	Well, she gave the statement, the use of drugs,
02:51	15		the break and enter, the theft of vehicles, all
	16		that.
	17	Q	Did you ask her herself if she felt intimidated or
	18		threatened by David or did you just form an
	19		impression?
02:52	20	Α	I think she felt a threat when she got, every time
	21		that she refused his advances, sexual advances and
	22		she felt that because she said that he abused
	23		her.
	24	Q	We'll go much faster if you just listen to my
02:52	25		question.



		——————————————————————————————————————
1	A	Well, that's my answer.
2	Q Q	But just listen to the question. The question was
3	3	did you ask her specifically if at the time she
4	Į.	was making the statement she felt threatened?
02:52	5 A	Whether she said that to in the statement?
6	Q	No, no, listen, listen. When you are talking to
7	,	her, at some time you say to her, "Young lady, do
8	3	you, when talking to me, are you holding back
Ç		because you feel threatened or are you frightened
02:52 10)	of David," did you ask her that question?
11	А	I don't believe I did. That wouldn't be no.
12	2 Q	That's all I require. See, if you listen to the
13	3	question, it requires a yes or a no.
14	A	That's how lawyers advise their witnesses, to do
02:53 15	5	that, but I like to explain things.
16	Q	I'll give you ample chance, please.
17	, А	Thank you.
18	3 Q	You notice also in her statement that she said
19)	when David called her collect, she wouldn't take
<i>0</i> 2:53 20)	the call?
21	А	I think that's in the statement.
22	2 Q	Would that be consistent with somebody who isn't
23	3	scared of somebody?
24	A	Well, she wouldn't take his call.
02:53 25	S Q	Because it was collect.
	П	



			Page 13409 —————
	1	A	I don't know.
	2	Q	But it says when he called collect.
	3	A	Well, like I say, she should have been asked
	4		that I don't know.
02:53	5		COMMISSIONER MacCALLUM: I don't know what
	6		the question was, when David called her collect
	7		she wouldn't take the call?
	8		MR. WOLCH: Yes.
	9		COMMISSIONER MacCALLUM: That indicated
02:53	10		what?
	11		BY MR. WOLCH:
	12	Q	That doesn't sound like a person who's frightened
	13		by somebody if you are going to form an opinion of
	14		the statement.
02:54	15		You are aware that Larry Fisher
	16		has been convicted of the murder of Gail Miller?
	17	A	You know, I didn't learn about I learned about
	18		it through reading the Saskatoon Star I think.
	19	Q	My question is you are aware of it, that's all I
02:54	20		asked.
	21	A	I'm aware of it and I was sitting in here and I
	22		heard some evidence in that regard.
	23	Q	Does that cause you to rethink perhaps how you
	24		viewed Sharon back then as to how you may think of
02:55	25		certain things now?



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	1	A	No.
	2	Q	Surely you don't still think the marijuana was a
	3		sign of a guilt complex over Gail Miller?
	4	А	Well, I don't understand your question.
02:55	5	Q	Do you realize now that perhaps the thought that
	6		the comments about not getting the girl her
	7		marijuana and taking her money was not related to
	8		a guilt complex over Saskatoon?
	9	А	I think I said that sometimes people do that.
02:55	10	Q	So you don't realize now that perhaps there was no
	11		foundation in that?
	12	А	I don't know.
	13		MR. WOLCH: I have no further questions.
	14		MR. HODSON: Just one quick point on
02:56	15		re-exam.
	16	BY I	MR. HODSON:
	17	Q	If you could call up 178577, please, and just on
	18		the question of the age of Sharon Williams, the
	19		statement suggests that, the statement of March
02:56	20		20th, her date of birth was November 29th, I think
	21		'51, would put her at 17, 17 years four months.
	22		Does that sound right?
	23	А	May I get this expanded?
	24	Q	Sorry.
02:56	25	А	Thank you.
			4



			o
	1	Q	And just to point out, there was a question about
	2		her age. It appears from this statement, based on
	3		her birth date and the date of the statement, she
	4		would be about 17 years and four months; does that
02:56	5		sound right?
	6	А	Yes. I think that I noticed that and I failed
	7		to
	8		MR. HODSON: Those are all my questions and
	9		I think that's all for this witness. Thank you
02:56	10		very much, Mr. Malanowich.
	11		COMMISSIONER MacCALLUM: You are excused,
	12		Mr. Malanowich. Thank you.
	13	А	Thanks for the opportunity.
	14		MR. HODSON: And the only remaining police
02:57	15		evidence we have, we have the Elmer Ullrich video
	16		which is three hours in length and rather than
	17		start it now, I think we will play it when we
	18		resume in September, and in the meantime I'll
	19		send the transcript out to the parties, likely
02:57	20		tomorrow, so they have a chance to view it, so I
	21		think we are done for the day and the week.
	22		COMMISSIONER MacCALLUM: Do we reconvene
	23		here?
	24		MR. HODSON: The Sheraton.
02:57	25		COMMISSIONER MacCALLUM: The Sheraton on



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1
                the 12th?
2
                                      12th of September, yes.
                       MR. HODSON:
 3
                                                   12th of September,
                       COMMISSIONER MacCALLUM:
 4
                one o'clock.
                                Thank you.
5
                          (Adjourned at 2:57 p.m.)
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1 OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATE: 2 We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR, 3 Official Queen's Bench Court Reporters for the Province of 4 Saskatchewan, hereby certify that the foregoing pages 5 contain a true and correct transcription of our shorthand notes taken herein to the best of my knowledge, skill, and 6 7 ability. 8 9 10 11 12 ____, CSR 13 Karen Hinz, CSR 14 Official Queen's Bench Court Reporter 15 16 ____, RPR, CSR 17 Donald G. Meyer, RPR, CSR 18 Official Queen's Bench Court Reporter 19 20 21 22 23 24 25



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**Total National Programme **Total National Prog	106112 - 13261:8 106132 - 13263:20 106167 - 13264:5 106512 - 13385:19 106626 - 13264:11 106640 - 13384:11 10:30 - 13298:17 10:49 - 13298:18 10th - 13264:12, 13264:25, 13266:18, 13385:20 11 - 13314:7, 13335:23 11:00 - 13299:24 11th - 13387:19 12 - 13406:14 12:00 - 13357:3 12:40 - 13357:3 12:40 - 13357:3 12:40 - 13357:3 12:40 - 13357:3 12:41 - 13412:1, 13412:2, 13412:3 13 - 13302:11, 13335:23 13224 - 13223:4 13317 - 13223:6 13395 - 13223:7 13410 - 13223:8 13th - 13223:6	13302:9, 13302:11, 13314:20, 13317:24, 13317:25, 13318:12, 13345:13, 13353:16 1968-1969 - 13240:2 1969 - 13225:14, 13233:16, 13239:25, 13240:6, 13242:1, 13242:5, 13242:15, 13250:2, 13256:4, 13260:1, 13261:11, 13264:6, 13264:25, 13271:15, 13272:23, 13274:24, 13277:10, 13279:5, 13318:8, 13329:4, 13332:5, 13332:10, 13334:19, 13334:21, 13335:4, 1336:18, 13363:18, 13375:9, 13376:22, 13385:17, 13387:13, 13387:19, 13388:6, 13388:20 1969-1970 - 13393:10 1970 - 13240:16, 13279:3, 13279:6, 13279:7, 13279:25,	21st - 13279:6 22 - 13242:17, 13242:6, 13299:25, 13302:1 22nd - 13243:16, 13245:14, 13252:5, 13279:6, 13384:19, 13335:7, 13336:10, 13336:18, 13373:15, 13384:12 230781 - 13243:1, 13246:14 230783 - 13243:1, 13246:14 230785 - 13246:13 230785 - 13246:13 230785 - 13266:13 250597 - 13266:13 250603 - 13266:17 260945 - 13293:24 261053 - 13293:24 261053 - 13293:24 261055; 13274:24, 13277:10 29 - 13265:7, 13302:8 29th - 13255:10, 13282:7, 13410:20 2:18 - 13395:12	13288:5, 13288:22 523 - 13285:20, 13288:11 528 - 13284:20, 13287:7, 13287:9, 13287:14, 13299:25 54 - 13335:14 6 6 - 13307:11, 13363:16, 13363:23 64 - 13347:8 641 - 13261:12 652 - 13326:15 67 - 13220:22 68 - 13224:22, 13265:7 69 - 13268:2, 13390:23 6:00 - 13346:4 6:30 - 13365:2 7 76 - 13217:10 7th - 13266:15, 13353:2, 13363:16, 13363:23
'90s - 13297:25	13254:22	13280:11, 13282:5,	2:33 - 13395:13	13303.23
'91 - 13314:15	14 - 13240:12,	13283:9, 13291:4,	2:35 - 13246:2	8
'concluded' - 13249:14	13240:17, 13241:15, 13335:18, 13337:2,	13294:11, 13294:19, 13295:2, 13296:4,	2:57 - 13412:5 2nd - 13264:6,	8 - 13310:11
'endangering -	13339:23, 13342:13,	13299:17, 13302:1,	13371:20	820 - 13390:7
13354:6 'filed' - 13238:19	13343:21, 13377:10, 13401:25, 13402:7,	13302:7, 13311:16, 13312:3	•	829 - 13390:7 8th - 13225:16,
			3	our - 13223.10,
'toraet - 13396:24	13403:4	1971 - 13225:16.	•	13318:1
'forget - 13396:24 'go - 13294:14	13403:4 15 - 13241:6, 13242:3,	1971 - 13225:16, 13226:9, 13228:14,	3 - 13353:8, 13353:10,	13318:1
'go - 13294:14 'heard - 13311:14	15 - 13241:6, 13242:3, 13285:2, 13366:18,	13226:9, 13228:14, 13229:6, 13232:21,	3 - 13353:8, 13353:10, 13387:24	13318:1 9
'go - 13294:14	15 - 13241:6, 13242:3,	13226:9, 13228:14,	3 - 13353:8, 13353:10,	
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2,	9 9 - 13310:23 91 - 13357:25
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19,	9 9 - 13310:23
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2,	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5,	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4,	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10,	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5,	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13379:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 1341340:17, 13403:14, 13410:17	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 1332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13326:14 324654 - 13326:14	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13256:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13285:11, 13286:7,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324654 - 13335:11 325556 - 13225:2	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:18, 13390:10, 13391:10 19th - 13285:4, 13286:7, 13287:19, 13287:24,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 13335:11 325556 - 13225:2 325558 - 13317:15	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13287:24, 13287:19, 13287:24, 13326:17, 13287:24, 13387:13	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13225:23 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 1325:11 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13410:21, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13287:19, 13287:24, 13326:17, 13329:4, 13387:13 1:31 - 13357:4	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13326:14 324654 - 13326:14 324556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13395:8	9 9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13287:24, 13287:19, 13287:24, 13326:17, 13287:24, 13387:13	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 1325:23 325558 - 13317:15 3255571 - 13225:23 3:20 - 13335:18	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormall - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13254:15,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13390:10, 13391:10 19th - 13285:4, 13285:11, 13286:7, 13287:19, 13287:24, 13387:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 133279:6, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 13335:11 325556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13395:8 3:30 - 13395:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13254:15, 13281:7, 13285:5,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13304:2, 13314:11 1993 - 13309:18, 13398:10 1991 - 13285:4, 13286:7, 13287:19, 13285:4, 13285:11, 13286:7, 13287:19, 13287:24, 13326:17, 13329:4, 13387:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13326:14 324654 - 13326:14 324556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13335:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17 accurate - 13308:17
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 1325:11 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13254:15,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13287:19, 13287:24, 13326:17, 13329:4, 13387:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2, 13376:7	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 133279:6, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 13335:11 325556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13395:8 3:30 - 13395:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormall - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17 accurate - 13308:17, 13309:16, 13314:1,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13285:2, 13285:2, 13286:7, 13285:21, 13285:21, 13285:21, 13285:21, 13285:22, 13286:7, 13287:21,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13286:7, 13287:19, 13287:4, 13287:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2, 13376:7	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 1335:11 325556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13335:18 3:30 - 13335:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17 accurate - 13308:17 13309:16, 13314:1, 13315:18, 13319:24, 13376:12, 13390:21,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13285:5, 13285:7, 13285:21, 13285:21, 13285:21, 13287:20, 13287:21, 13288:13, 13288:14,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13390:10, 13391:10 19th - 13285:4, 13285:11, 13286:7, 13287:19, 13287:24, 13387:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2, 13376:7	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 13326:14 324556 - 13225:2 325558 - 1327:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13395:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17, 13309:16, 13314:1, 13315:18, 13319:24, 13376:12, 13390:21, 13393:20, 13394:12
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13285:1, 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13285:2, 13285:2, 13286:7, 13285:21, 13285:21, 13285:21, 13285:21, 13285:22, 13286:7, 13287:21,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13298:21, 13299:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13286:7, 13287:19, 13287:4, 13287:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2, 13376:7	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:5, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13323:5 324653 - 13326:14 324654 - 1335:11 325556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13335:18 3:30 - 13335:8 3rd - 13332:5	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13306:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17 accurate - 13308:17 13309:16, 13314:1, 13315:18, 13319:24, 13376:12, 13390:21,
'go - 13294:14 'heard - 13311:14 'holding - 13391:3 'lookit - 13248:9 'no - 13310:5 'no' - 13396:24 'otherwise' - 13241:16 'resist' - 13355:1 'secretor' - 13266:24 'tell - 13342:4, 13388:21 'the - 13296:17 'well - 13383:16	15 - 13241:6, 13242:3, 13285:2, 13366:18, 13401:21, 13401:24 1530 - 13282:16, 13282:24 15th - 13271:15, 13317:25, 13318:5, 13318:8 16 - 13319:10, 13320:5, 13321:21 164332 - 13286:3 17 - 13401:22, 13410:21, 13411:4 178577 - 13323:16, 13345:4, 13403:14, 13410:17 17th - 13286:8, 13287:14, 13298:21 18 - 13348:24 1824 - 13283:10 18th - 13244:10, 13244:17, 13244:18, 13252:7, 13285:5, 13285:2, 13285:21, 13285:21, 13287:20, 13287:21, 13288:13, 13288:14, 13294:6, 13300:1,	13226:9, 13228:14, 13229:6, 13232:21, 13234:18, 13296:2, 13296:22, 13298:21, 13299:11, 13314:20, 13318:2 1983 - 13317:13 1990 - 13224:24, 13291:5, 13298:6 1991 - 13304:2, 13304:8, 13308:22, 13313:21, 13314:11 1993 - 13309:18, 13388:16, 13390:8, 13390:10, 13391:10 19th - 13285:4, 13287:19, 13287:24, 13287:19, 13287:24, 13387:13 1:31 - 13357:4 1st - 13220:21, 13335:25, 13371:20 1st/69 - 13365:2, 13376:7 2 2 - 13292:2, 13297:15, 13307:11, 13335:24,	3 - 13353:8, 13353:10, 13387:24 306437 - 13239:23 306474 - 13239:24 30th - 13295:2, 13299:17, 13299:19, 13355:15 31 - 13256:4, 13261:10, 13279:6, 13332:10, 13332:17, 13348:10 31/69 - 13365:4 310211 - 13316:13 324652 - 13326:14 324654 - 13326:14 324654 - 13325:11 325556 - 13225:2 325558 - 13317:15 325571 - 13225:23 3:20 - 13335:18 3:30 - 13335:18 3:30 - 13335:18 3:30 - 13335:18 3:4 - 13335:18 3:5 - 13325:3	9 - 13310:23 91 - 13357:25 9:00 - 13224:2 A Ab - 13266:25 ability - 13413:7 able - 13227:2, 13274:11, 13289:3, 13296:21, 13306:13, 13396:21, 13311:20, 13314:16, 13314:18, 13392:19 abnormal - 13375:5 abnormally - 13407:13 absolutely - 13393:8 abused - 13407:22 accept - 13272:18 Accordingly - 13268:2 account - 13308:17 accurate - 13308:17, 13309:16, 13314:1, 13315:18, 13319:24, 13376:12, 13390:21, 13393:20, 13394:12 accurately - 13225:8,

065399 - 13264:24 **087736** - 13285:16

13263:21, 13317:23, 13317:24, 13336:2, 13336:3, 13364:23

1/2 - 13387:24 **10** - 13265:2, 13265:25, 13313:18, 13334:20, 13334:25

1 - 13225:15,

1957 - 13271:24 1957 - 13317:12 1958 - 13224:24 1966 - 13317:23

1968 - 13226:9,

13229:6, 13232:21,

13229:6, 13232:21, 13234:18, 13240:11, 13241:14, 13242:15, 13243:16, 13245:14, 13252:6, 13253:7, 13255:10, 13267:5, 13282:7, 13282:14, 13299:25,



Act - 13321:5 act - 13290:3, 13290:25, 13370:23 acting - 13407:13 active - 13319:1

activities - 13280:21,

13320:8, 13333:8, 13333:10, 13333:11, 13341:24, 13363:3, 13398:14, 13406:4

activities/suspects -

activity - 13347:18,

13310:15

13390:23 **2005** - 13220:21 **20th** - 13286:7,

13410:20

21 - 13265:7,

20 - 13241:6, 13267:18, 13268:2, 13285:2, 13291:5,

13334:21, 13335:4, 13335:6, 13375:9, 13376:22, 13384:13,

13299:24, 13302:7, 13302:10, 13302:13

13285:18, 13288:9 **42** - 13242:2, 13242:3

5 - 13351:9, 13354:23 **500** - 13281:23,

13285:25, 13288:16, 13308:2, 13308:24

13282:17, 13282:25, 13286:22, 13286:24, 13287:2, 13287:4,

512 - 13282:15,

4th - 13349:18

13349:8, 13353:14,	aid - j
13403:4 acts - 13352:1,	air - 1 airing
13400:8, 13400:10 Actual - 13240:12,	Alber 13324
13241:15, 13242:3 actual - 13240:17,	13335 13375
13372:2	Alber
add - 13269:3 added - 13391:2	alley 13252
added - 13391:2 address - 13262:15, 13281:19, 13281:24,	13265 13288
13282:17, 13282:18,	13288 13330
13282:17, 13282:18, 13282:24, 13283:11, 13283:18, 13284:21, 13284:25, 13286:21, 13288:18, 13289:20, 13291:20, 13293:22,	alleys
13284:25, 13286:21, 13288:18, 13289:20,	allow alone
13291:20, 13293:22, 13295:18, 13308:1,	altern Alvin
13308:9, 13323:25,	13224
13346:2 addresses - 13284:20,	
13286:5 adjacent - 13339:14	analy anima
Adjourned - 13298:17, 13357:3, 13395:12,	annu 13240
13412:5	answ
administration - 13325:6	13274 13326
administrative - 13386:20	13367 13373
13386:20 admission - 13399:4, 13399:24	13408 answ
admit - 13379:3	anyth
admits - 13375:3, 13375:19	anyw 13280
admitted - 13280:8, 13302:5	13325 apart
admitting - 13381:24	13248 13335
adopted - 13390:21 advances - 13407:21	13377
advantage - 13374:20 advise - 13314:8, 13325:4, 13408:14	Apart 13377
13325:4, 13408:14 advised - 13237:12	apart 13263
advised - 13237:12, 13266:21, 13340:21,	13357
13341:3, 13342:7, 13394:1	appe 13399
affair - 13373:6 affected - 13406:24	Appe 13222
afraid - 13391:7 afternoon - 13334:22, 13335:5 13347:6	
13335:5, 13347:6, 13377:7, 13395:7,	10400
13395:15	appre 13382
age - 13224:21, 13306:17, 13317:9,	13398 appre
13306:17, 13317:9, 13319:8, 13319:10, 13401:21, 13406:13	13280 13280
13401:21, 13406:13, 13410:18, 13411:2	13292
ages - 13320:4 agglutogens -	appro appro
13268:9, 13268:13 ago - 13229:16	13298 appro
agree - 13242:9.	April 13271
13252:2, 13264:20, 13289:9, 13374:1, 13389:21, 13398:17,	13386
13400:25	area - 13254
agreed - 13238:17, 13238:19, 13310:12,	13254 13254
13344:9	13256
agreeing - 13224:15, 13317:5	13281 13283
agreement - 13345:2 ahead - 13241:24,	13284 13286
13247:21, 13261:20, 13290:4, 13303:25,	13287 13292
13343:3, 13379:14,	13303
13390:3	13330

```
13338:23
          3256:21
        g - 13382:20
rt - 13322:21,
          :22, 13335:15,
          :22, 13371:19,
         5:21
         rta - 13322:21
         - 13251:3,
         2:21, 13258:14,
          :13, 13285:24,
          :16, 13288:18,
          :24, 13316:7,
         ):19<sup>°</sup>
        s - 13401:3
         ı - 13245:8
        e - 13304:24
        native - 13378:9
1 - 13223:3,
         :8
        le - 13408:16
         /sing - 13383:15
/zed - 13267:21
         al - 13363:10
         ial - 13239:25,
         er - 13274:10,
         13274.10,
4:11, 13309:12,
5:6, 13341:16,
7:4, 13372:14,
3:25, 13375:25,
         3:1
         rered - 13353:25
        vereu - 13333.23
hing' - 13293:20
vay - 13278:14,
0:9, 13281:22,
         :19
          - 13248:14,
         3:15, 13294:4,
5:10, 13336:12,
         ':11
         t - 13314:17,
         ':10
         tment - 13261:24,
          :2, 13346:1,
         1:17, 13357:19
         ar - 13288:20,
         9:1
         earances -
         ared - 13258:24,
         0:8, 13301:8,
0:21, 13407:13
         eciate - 13355:24,
         2:4, 13389:1,
          :10, 13400:11
         ehended -
         0:3, 13280:6,
0:17, 13291:25,
2:2, 13292:8
         oach - 13341:15
         opriate -
         3:15
        roved - 13249:12
I- 13225:16,
1:15, 13318:1,
         3:16
        - 13253:14,
        - 13253:14,
4:4, 13254:11,
4:14, 13254:17,
4:18, 13255:12,
5:15, 13265:9,
1:19, 13283:4,
3:12, 13283:15,
4:11, 13286:6,
5:11, 13286:23,
7:9, 13288:22,
2:3, 18, 13307:8
13303:18, 13307:8,
13330:19, 13330:22,
```

Page 2
13371:17, 13402:11,
13404:10 areas - 13342:5,
13377·19
arm - 13259:9 Arm - 13348:15,
13348:19, 13348:22, 13352:25
arms - 13259:9 Arrangements -
13326:20 arrangements -
13337:20, 13337:22, 13338:1
arrested - 13353:1
arrived - 13328:23, 13329:6, 13339:9, 13357:16, 13365:3,
13357:16, 13365:3, 13367:19
article - 13246:17, 13297:2
articles - 13244:23 aside - 13257:16
aciaan - 13351·17
assailant - 13244:19, 13251:1, 13251:4,
13252:20, 13252:22, 13255:14, 13269:12.
assailant - 13244:19, 13251:1, 13251:4, 13252:20, 13252:22, 13255:14, 13269:12, 13300:6, 13300:14, 13306:14, 13306:19,
13300:22
assault - 13234:20, 13241:11
assault/rape - 13227:5 assaulted - 13255:12,
13352:6 assaults - 13226:20,
13227:8, 13227:10, 13235:18, 13304:6,
13315:1, 13315:3, 13400:7
assess - 13350:19 assessing - 13361:9,
13361:17
assessment - 13356:9 assign - 13230:25
accianad 12220-10
assigned - 13250:19, 13254:6, 13256:12, 13258:3, 13307:3 assist - 13246:10, 13273:20, 13321:22, 13325:3, 13361:16,
assist - 13246:10, 13273:20, 13321:22,
13325:3, 13361:16, 13389:8
assistance - 13337:17
Assistant - 13221:6 assisting - 13257:1 associated - 13277:15
13385:13
associating - 13402:5 association -
13328:22, 13339:25 assume - 13302:18,
13401:25 assumed - 13292:22
Assuming - 13238:12 assumption -
13397:25
attached - 13267:2, 13268:20
attacked - 13244:16
13265:12, 13305:23
attacker - 13259.21, 13265:12, 13305:23 attempt - 13231:10, 13268:12, 13268:16 attempted - 13265:8,
13207:7. 13302:7
attend - 13228:6
Attended - 13326:18 attended - 13252:12, 13264:14, 13278:9.

3307:23, 13314:24, 3348:9, 13393:12	
attending - 13228:4, 3243:18, 13244:3,	
3276:4, 13316:21,	
3338:5, 13387:18 attention - 13227:17,	
3397:3	
attitudes - 13400:24 Attorney - 13298:24	
Attorney - 13298:24 attorney - 13235:22, 13299:15	
Audio - 13221:14 August - 13317:25, 13318:5, 13318:8, 13318:12, 13318:15,	
3318:5, 13318:8,	
3318:12, 13318:15, 3320:23	
authority - 13234:19, -3235·1	
available - 13305:20, 3325:22, 13337:23	
Λνα - 133/6·1	
3349:18 Avenue - 13244:19.	
3252:8, 13254:14,	
3281:22, 13282:15,	
3282:16, 13282:17, 3282:24, 13283:1.	
3283:4, 13283:10,	
3285:1, 13285:3,	
3285:4, 13285:5, 3285:6, 13285:7,	
3285:9, 13285:19,	
3285:22, 13285:25,	
3349:18 Avenue - 13244:19, 3252:8, 13254:14, 3255:14, 13279:8, 3281:22, 13282:15, 3282:16, 13282:17, 3282:24, 13283:1, 3283:4, 13283:10, 3283:15, 13284:20, 3285:4, 13285:5, 3285:6, 13285:7, 3285:9, 13285:19, 3285:20, 13285:21, 3285:22, 13285:25, 3286:12, 13286:15, 3286:12, 13286:15, 3286:19, 13287:2, 3287:7, 13287:9, 3287:15, 13287:16, 3287:18, 13287:20, 3288:9, 13288:12, 3288:23, 13300:1, 3308:24,	
3287:7, 13287:9, 3287:15, 13287:16	
3287:18, 13287:20,	
3288:9, 13288:12, 3288:23, 13300:1,	
3308:2, 13308:24, 3353:2	
average - 13277:3,	
3340.13 awake - 13392:5 aware - 13227:14, 3228:16, 13255:25, 3258:11, 13259:13, 3259:1, 13259:13, 3261:4, 13272:24, 3273:2, 13279:9, 3279:12, 13280:2, 3289:17, 13292:8, 3292:11, 13295:3, 3292:19, 13295:3, 3295:7, 13296:9, 3296:10, 13297:7,	
aware - 13227:14, 3228:16, 13255:25,	
3258:11, 13258:23,	
3261:4, 13272:24,	
3273:2, 13279:9, 3279:12, 13280:2,	
3289:17, 13292:8, 3292:11, 13292:15	
3292:19, 13295:3,	
3296:7, 13296:9, 3296:10, 13297:7, 3298:2, 13299:11, 3302:14, 13310:25, 3312:10, 13329:24, 3331:23, 13332:2, 3332:14, 13332:20, 3387:25, 13388:8, 3388:9, 13393:12	
3298:2, 13299:11, 3302:14, 13310:25.	
3312:10, 13329:24,	
3331:23, 13332:2,	
3332:14, 13332:20, 3387:25, 13388:8,	
3388:9, 13393:12,	
3388:9, 13393:12, 3393:14, 13395:22, 3396:4, 13396:5, 3396:8, 13396:14,	
3396:8, 13396:14, 3397:18, 13409:15, 3409:19, 13409:21	
3409:19, 13409:21	
В	

back' - 13391:3

background -13280:22, 13281:17,

12202.1 12200.1
13292:4, 13308:4,
13331:12, 13333:20,
13398:23
bad - 13358:25
bag - 13269:20,
12266.44 12266.40
13300:14, 13300:19,
13366:14, 13366:19, 13366:20, 13403:22
bags - 13348:25, 13400:16, 13400:20,
13400:16 13400:20
12401.6
13401:5
based - 13240:20, 13306:20, 13345:5, 13378:9, 13380:13,
13306:20, 13345:5,
13378:9. 13380:13.
13381:22, 13384:6,
10001.22, 10004.0,
13386:3, 13411:2
basing - 13327:5, 13327:7
13327:7
basis - 13228:9,
12252:12
13253:13
Bay - 13371:4
Bay - 13371:4 Bc - 13348:23
hearing - 13352:2
beating - 13305:23 became - 13225:18, 13239:19, 13280:25, 13317:24, 13318:1,
beating - 13303.23
became - 13225:18,
13239:19, 13280:25,
13317:24, 13318:1.
13318:8, 13318:25,
40000.44
13393:14
become - 13273:2, 13280:2, 13292:19, 13298:2, 13400:8
13280:2, 13292:19,
13298 2 13400 8
becoming - 13265:5,
13296:10
bed - 13355:6
began - 13393:16 behaving - 13399:2 behaviour - 13342:2,
hehaving - 13300:2
behaviour 10000.2
benaviour - 13342:2,
13398:25, 13399:25,
13401:10, 13402:22,
13405 13 13407 12
hobind 12244:16
10050 15 10000
13253:15, 13300:3,
13401:10, 13402:22, 13405:13, 13407:12 behind - 13244:16, 13253:15, 13300:3, 13305:3
13305:3
13305:3
13305:3 beige - 13375:21 Beitel - 13221:10
beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13
beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7,
heige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21
heige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1.
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18.
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18.
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3.
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 1323:12, 13324:3 between - 13227:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 1329:8, 13255:21, 13260:9, 13261:2, 13269:8, 13255:21, 13269:8, 13255:22, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 1329:8, 13255:21, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13306:20, 13378:13, 13393:13
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13224:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 1329:8, 13255:21, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13285:25, 13285:25, 13285:25, 13285:27, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13378:12, 13378:13, 13393:13 Between - 13265:7
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 13229:8, 13252:8, 13252:8, 13252:8, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13265:7 Bev - 13224:6
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 13229:8, 13252:8, 13252:8, 13252:8, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13265:7 Bev - 13224:6
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 13229:8, 13252:8, 13255:21, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:16, 13294:1, 13306:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13265:7 Bev - 13224:6 Beverley - 13223:3,
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 13229:8, 13255:21, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13265:7 Bev - 13224:6 Beverley - 13223:3, 13224:8
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 belonging - 13375:23 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13224:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 1329:8, 13255:21, 13260:9, 13265:22, 13260:9, 13265:24, 13285:25, 13285:25, 13285:24, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13224:6 Beverley - 13223:3, 13224:8 big - 13369:24
13305:3 beige - 13375:21 Beitel - 13221:10 Belanger - 13354:13 belief - 13255:7, 13310:21 Bench - 13413:1, 13413:3, 13413:14, 13413:18 Benny - 13235:20 bent - 13365:16 Beresh - 13222:10, 13316:4 beside - 13244:22 best - 13394:4, 13413:6 better - 13319:18, 13323:12, 13324:3 between - 13227:3, 13229:8, 13255:21, 13260:9, 13261:2, 13269:8, 13276:16, 13285:25, 13287:23, 13288:14, 13288:15, 13288:16, 13294:1, 13305:2, 13310:13, 13368:20, 13378:12, 13378:13, 13393:13 Between - 13265:7 Bev - 13224:6 Beverley - 13223:3, 13224:8



birth - 13410:20,
13411:3
bisexual - 13362:9
bit - 13287:3,
bit - 13287:3, 13287:17, 13287:18, 13288:3, 13288:10,
13288:3 13288:10
10200.0, 10200.10,
13299:13, 13330:13,
13299:13, 13330:13, 13349:15, 13373:8, 13379:15, 13382:9, 13390:24, 13396:8,
13379:15, 13382:9,
13390.24 13396.8
10000.24, 10000.0,
13398:17
bite - 13269:19
blame - 13405:2
blank - 13401:4 block - 13281:22,
block 12291:22
DIOCK - 13201.22,
13281:23, 13285:3, 13285:25, 13287:18, 13288:17, 13288:23, 13302:22, 13308:2,
13285:25, 13287:18,
13288:17, 13288:23,
13302:22 13308:2
10002.22, 10000.2,
13308:24
blocks - 13252:9
blood - 13262:17,
13266:25 13269:14
12271:10 12200:14,
13271.10, 13329.7,
13329:24, 13330:2,
13367:22, 13367:24,
13371.20 13371.24
10071.20, 10071.24,
13372.4, 13373.17,
13262:17, 13266:25, 13269:14, 13271:18, 13329:7, 13329:24, 13330:2, 13367:22, 13367:24, 13371:20, 13371:24, 13372:4, 13375:17, 13398:13, 13398:24, 13399:7, 13400:1, 13402:10, 13402:16
13399:7, 13400:1,
13402:10, 13402:16,
10 102.10, 10 102.10,
13402:18
blouse - 13251:9
blue - 13268:10
Bobs - 13222:5
body 122E2.0
body - 13258:14,
13259:7, 13267:1,
13270:7, 13270:20,
13285:11 13330:14
13285:11, 13330:14
13259:7, 132367:1, 13270:7, 13270:20, 13285:11, 13330:14 Bonnie - 13348:5,
13348:12
13348:12 book - 13308:12
13348:12 book - 13308:12
13348:12 book - 13308:12
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18,
hook - 13308:12, 13348:12 hook - 13308:12, 13323:5, 13336:15 hooked - 13335:25 hooks - 13308:14 hootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 hottle - 13244:24, 13247:16 hottom - 13245:17, 13266:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 hought - 13349:19,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13244:27, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13244:27, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13244:27, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21
hooke - 13308:12, 13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13224:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13374:19.
hooke - 13308:12, 13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13224:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13374:19.
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13266:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20,
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13366:19
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13244:27, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:21 box - 13349:21 box - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:21 box - 13349:21 box - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10
hothlie 13345.5, 13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5
hothlie 13345.5, 13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5 Brian - 13222:10
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5 Brian - 13222:10
13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13357:6, 13395:7, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5 Brian - 13222:10
hothlie 13345.5, 13348:12 book - 13308:12, 13323:5, 13336:15 booked - 13335:25 books - 13308:14 bootlegging - 13227:1 Border - 13357:21 Boswell - 13221:5 bottle - 13244:24, 13247:16 bottom - 13245:17, 13261:10, 13266:17, 13286:9, 13286:18, 13287:4, 13342:12, 13343:18, 13368:3, 13369:10, 13383:19, 13383:24, 13390:13 bought - 13349:19, 13349:21 box - 13335:23 boy - 13374:19, 13374:25, 13406:14 Boychuk - 13222:8 boyfriend - 13285:20, 13406:18 boys - 13345:25, 13362:5, 13362:5, 13366:19 break - 13298:15, 13320:10, 13356:25, 13395:9, 13407:15 break-ins - 13320:10 breakdown - 13227:2 breaking - 13348:20, 13369:5

bring - 13290:7,

13322:4, 13325:2
broke - 13365:6,
13374:21
broken - 13365:8,
13372:10
brought - 13324:1,
13368:5, 13402:12
brown - 13348:17
Bruce - 13222:9
bugging - 13381:25
building - 13229:4
bullet - 13359:21
business - 13320:10,
13402:25
busy - 13397:4
butcher - 13369:24
Butler - 13366:4
buying - 13365:1
buys - 13365:1

C

cabin - 13348:17 **cabinet** - 13233:10, 13233:12, 13233:13 Cadrain - 13329:5, 13384:24 Caldwell - 13222:5 Calgary - 13332:11, 13366:10, 13369:4, 13369:6, 13369:13, 13376:6, 13387:15, 13387:17, 13388:5, 13403:19, 13403:21 Canada - 13222:12 Candace - 13221:4 candour - 13344:14 capable - 13313:14, 13373:20, 13374:6, 13394:22, 13395:3 car - 13261:22, 13347:2, 13347:3, 13347:6, 13347:9, 13347:20, 13348:1, 13349:17, 13350:11, 13350:15, 13354:15, 13359:22, 13365:11, 13365:15, 13368:6 care - 13355:14 cared - 13355:11 carriage - 13295:5 carried - 13241:4, 13328:2 **carry** - 13238:4, 13294:5, 13352:12, 13406:6 cars - 13264:1, 13307:10 case - 13229:24, 13232:18, 13233:4, 13234:21, 13236:13, 13237:7, 13237:20, 13247:12, 13247:25, 13248:13, 13257:10, 13265:12, 13266:5, 13326:1, 13327:17, 13327:21, 13327:24, 13333:18, 13387:5 cases - 13229:20, 13233:11, 13236:9, 13241:2, 13267:21, 13275:20, 13303:7, 13320:15, 13322:15 **catch** - 13254:13 Catherine - 13222:5 caught - 13290:2. 13290:24, 13291:11, 13297:14, 13315:12,

13353:3, 13354:11, 13355:16 caused - 13262:22, 13320:8, 13344:21, 13350:18, 13391:15, 13392:12, 13392:24 causes - 13391:19 Cdl - 13268:5 cells - 13302:3 central - 13239:2, 13239:11 Central - 13233:2 13234:7, 13234:16 certain - 13245:7, 13249:10, 13304:4, 13361:6, 13361:21, 13409:25 **certainly** - 13227:19, 13228:4, 13228:17, 13231:22, 13232:17, 13239:13, 13240:25, 13253:12, 13253:19, 13257:15, 13272:18, 13278:14, 13400:17 Certainly - 13232:3, 13291:14, 13324:2 Certificate - 13413:1 certify - 13413:4 chair - 13224:11 chance - 13225:5. 13252:18, 13260:25, 13408:16, 13411:20 **change** - 13299:1, 13363:11, 13400:23, 13400:24 **character** - 13333:16, 13333:19, 13347:13, 13350:19, 13350:25, 13356:2, 13356:20, 13361:10, 13361:17, 13384:25, 13398:23 characteristics -Charge - 13241:15 charge - 13241:15 charge - 13230:20, 13231:2, 13231:4, 13231:9, 13231:25, 13234:19, 13234:23, 13235:2, 13235:5, 13235:24, 13237:9, 13237:14, 13242:6, 13243:2, 13248:7, 13255:16, 13273:17, 13278:7, 13279:16, 13295:4, 13295:14 13299:23, 13312:24, 13313:13, 13313:19, 13325:5, 13353:24 **charged** - 13273:3, 13274:12, 13292:20, 13295:20, 13296:4, 13299:18, 13352:13, 13387:14 **charges** - 13236:14, 13237:5, 13237:6, 13240:18, 13241:18, 13242:7, 13246:9, 13249:1, 13277:11, 13299:1, 13299:2, 13299:15, 13299:21, 13311:2, 13313:14, 13315:5 **Charges** - 13240:13, 13240:17, 13242:4 charging - 13295:2 Charlie - 13384:16, 13387:3

chasing - 13261:24 **check** - 13236:22, 13236:23, 13257:14, 13271:3, 13281:19, 13289:20, 13291:20, 13292:7, 13293:2, 13293:21, 13294:12, 13294:14, 13294:21, 13295:18, 13297:13, 13300:19, 13325:21, 13382:24, 13395:9 Check - 13382:25 checked - 13282:18, 13283:3, 13283:19, 13284:11, 13288:22, 13289:1, 13289:2 **checking** - 13283:5, 13283:11, 13303:1, 13383:20 **chest** - 13380:17, 13382:2, 13405:3, 13405:10 **chief** - 13325:9, 13326:20 Chief - 13298:22 13299:14, 13325:12 child - 13320:11 child's - 13406:13 children - 13320:11, 13320:12, 13320:14 Chitek - 13317:6, 13390:11 **chose** - 13402:6 **Chris** - 13222:8 **chronology** - 13266:16 circumstances -13243:12, 13250:23, 13252:21, 13252:23, 13260:5, 13265:11, 13330:12 city - 13227:23 13235:21, 13265:4, 13267:8, 13286:4, 13312:22, 13319:3, 13319:12, 13329:17, 13353:16, 13384:20 13353:16, 13384:20 City - 13224:24, 13225:4, 13245:5, 13268:17, 13305:7, 13317:12, 13317:16 claims - 13303:14 clarify - 13342:23, 13369:19 clean - 13340:13 cleaned - 13346:2 **clear** - 13325:24, 13342:8, 13376:8, 13376:18, 13377:21 clearly - 13400:12 Clerk - 13221:10 close - 13255:1, 13278:16, 13289:9, 13307:7 closed - 13239:1, 13275:12, 13278:22 closely - 13385:13 closing - 13277:18 clothes - 13254:11, 13329:8, 13329:24, 13401:3 13401:3 clothing - 13244:25, 13252:22, 13258:23, 13262:17, 13270:7, 13270:8, 13270:21, 13300:5, 13306:7, 13330:3, 13336:4, 13367:12, 13367:13, 13367:16, 13367:18, 13367:22, 13367:24, 13368:15, 13368:18,

13371:21, 13371:25, 13375:18, 13398:13, 13399:7, 13399:10, 13402:11, 13402:19 Cm - 13285:1 co - 13229:8, 13335:20 co-operation -13229:8 co-operative -13335:20 coat - 13251:5, 13251:7, 13251:19, 13251:20, 13252:22, 13258:24, 13258:25, 13259:6, 13259:7, 13259:9, 13259:11, 13259:19, 13267:17 coats - 13401:4 Cobb - 13354:19 coincide - 13270:9 cold - 13256:20 **collect** - 13408:19, 13408:25, 13409:2, 13409:6 college - 13406:11 comfortable - 13313:7 coming - 13324:10, 13337:16, 13376:7, 13390:11, 13399:25 commenced -13335:16, 13339:21 **comment** - 13260:18, 13365:25, 13367:18, 13377:20, 13394:9, 13402:12 comments - 13410:6 Commission -13220:2, 13220:14, 13221:1, 13221:2, 13221:3, 13221:10, 13224:16, 13276:8, 13304:3, 13304:18, Commissioner -13224:3, 13224:6, 13224:11, 13298:16, 13316:13, 13316:23, 13357:1, 13357:2, 13395:6, 13395:10, 13409:5, 13409:9, 13411:11, 13411:22, 13411:25, 13412:3 commitment -13236:21 committed - 13235:12, 13260:3, 13265:8, 13265:20, 13302:10, 13303:15, 13350:14, 13395:20, 13395:21, 13396:23 committing 13265:15, 13265:18, 13396:10, 13396:22, 13397:19, 13400:22 common - 13334:8 communicating 13381:6 companions -13402:23 company - 13328:10, 13338:16 compare - 13270:16 competent - 13313:8, complainant -13237:16. 13315:5 complaint - 13228:5, 13228:6, 13237:13, 13252:16, 13304:22



chart - 13225:24,

13322:3 charts - 13228:7

complaints - 13227:8
complete - 13309:8, 13309:13
completed - 13335:18
complex - 13379:3, 13380:10, 13382:9, 13404:18, 13404:23,
13404:18, 13404:23, 13410:3, 13410:8 concern - 13250:11,
concern - 13250:11, 13319:6, 13320:8,
13392:12, 13401:14 concerned - 13295:16,
13378:18, 13398:21, 13403:11, 13406:4
13403:11, 13406:4 concerns - 13319:11,
13344:5 conclude - 13237:25,
13243:22, 13250:10, 13276:20, 13277:16
concluded - 13238:23.
13248:25, 13249:5, 13249:6, 13249:11,
13249:6, 13249:11, 13249:12, 13249:15, 13259:18, 13275:25, 13277:25, 13280:1, 13293:4, 13295:12,
13277:25, 13280:1,
13293:4, 13295:12, 13307:21, 13314:9, 13321:17
13321:17 concluding -
13237:22, 13238:8,
13250:5, 13275:15, 13276:17
conclusion - 13232:17, 13277:9,
13232:17, 13277:9, 13303:20, 13315:16, 13344:21, 13383:25 conduct - 13293:12,
conduct - 13293:12,
13315:13 conducted - 13267:8,
13269:1, 13344:22 conducting - 13390:18
confectionary - 13244:12
confessed - 13289:16.
13291:16, 13292:16, 13292:17
confession - 13399:3, 13399:24
confined - 13302:3 confirm - 13317:19
confrontation -
13259:21 Congram - 13221:4
connect - 13270:15 connected - 13268:25,
13274:22, 13398:19 connection - 13260:9,
13260:23, 13261:2,
13260:23, 13261:2, 13262:19, 13266:8, 13269:8, 13271:19, 13274:2, 13274:9,
13274:2, 13274:9, 13274:19, 13280:11
13274:19, 13280:11, 13281:5, 13282:6,
13289:24, 13290:1, 13294:1, 13294:8,
1320 <u>4-24</u> 13200-4
13299:21, 13309:19, 13350:23, 13393:13 consensual -
13355:20, 13356:6,
13356:16 consider - 13253:9, 13260:2, 13273:18,
13260:2, 13273:18, 13381:10, 13383:3
consideration - 13406:12
considered -
13356:17, 13361:9, 13394:8
consistent - 13382:5,

```
13382:15, 13408:22
Constable - 13262:15.
13263:24
constantly - 13310:15
contact - 13228:9,
13228:22, 13262:22,
13300:23, 13337:20
contacted - 13236:5,
13337:16, 13384:21
contacting - 13271:16
contain - 13413:5
context - 13299:13
continued - 13355:23
Continued - 13285:4
continues - 13349:7
continues - 13349.7
continuing - 13353:14
continuity - 13248:5,
13248:8, 13250:12
control - 13348:2,
13350:9
conversation -
13260:19, 13340:14
convicted - 13279:5,
13294:18, 13295:14,
13295:15, 13295:20,
13296:6, 13296:23,
13297:19, 13297:22
13353:11, 13409:16
Conviction - 13220:4
conviction - 13237:18,
13297:2, 13304:11,
13314:11
convictions - 13315:6
cooperative -
13336:23, 13345:2
coordinate - 13230:11,
13253.24
coordinated -
13278:25
coordination -
13230:12
copied - 13343:9,
13367:5, 13402:13

copies - 13232:25,
13233:3, 13239:18
Copy - 13267:1
copy - 13233:2,
13233:6, 13233:7,
13233:8, 13234:1,
13234:4, 13234:8,
13238:21, 13238:24, 13239:1, 13239:5,
13239:14, 13243:19,
13282:20, 13321:15
Corey - 13298:22,
13299:14
corner - 13244:11,
13245:19, 13275:20, 13286:18, 13287:4
Cornwall - 13346:1
Corporal - 13264:13,
13264:17
corporal - 13225:21
Correct - 13282:11, 13317:14, 13318:10,
13318:20, 13330:10,
13334:24, 13336:21,
13342:16, 13345:17
correct - 13224:19, 13224:25, 13225:1,
13225:6, 13225:16,
13225:17, 13226:4,
13226:5, 13226:21,
13226:22, 13228:10,
13229:1, 13229:4,
13229:5, 13231:20
13233:18, 13234:10, 13236:12, 13239:5,
13240:7, 13241:13, 13242:12, 13243:4,
```

```
13243:5, 13245:24,
13245:25, 13246:22,
13246:23, 13248:11,
13248:12, 13248:18,
13248:21, 13251:8,
13258:16, 13264:4,
13267:13, 13275:1,
13276:13, 13278:8,
13281:11, 13281:12,
13282:10, 13283:1,
13284:21, 13287:11,
13288:6, 13288:7,
13288:19, 13293:5,
13296:2, 13308:19,
13314:12, 13315:22, 13316:8, 13317:8,
13317:20, 13318:4,
13318:9, 13318:17,
13321:6, 13322:17,
13324:13, 13324:15,
13325:13, 13329:10,
13333:1, 13334:16,
13335:8, 13336:7,
13336:20, 13342:14,
13345:16, 13363:1,
13363:20, 13382:3,
13382:12, 13383:22,
13413:5
 corrected - 13279:21
Cotler - 13222:12 cottage - 13348:18,
13348:19
counsel - 13316:3,
13316:16, 13395:16
Counsel - 13221:2,
13221:3, 13224:4
couple - 13224:17,
13250:19, 13251:1,
13252:8, 13255:10
13309:11, 13324:23,
13329:23, 13332:6,
13332:13, 13342:18,
13345:18, 13350:10,
13358:9, 13359:22, 13362:3, 13364:2,
13377:6
course - 13227:18, 13229:24, 13245:2,
13262:1, 13291:11,
13355:8
court - 13337:18, 13337:19, 13363:8
Court - 13221:11,
13236:7, 13236:24,
13313:25, 13323:25, 13326:18, 13349:23,
13413:1, 13413:3,
13413:14, 13413:18
courthouse -
13235:22
cover - 13342:5,
13377:19
coverage - 13304:9
covered - 13306:15
covers - 13261:16
 Cres - 13335:15
Cressman - 13223:3, 13224:7, 13224:8,
13224:10, 13224:12, 13225:3, 13226:1,
13227:12, 13235:1, 13239:24, 13240:19,
13242:13, 13243:10,
13243:20, 13246:5,
13245.26, 13246.5,
13246:15, 13247:2,
13250:9, 13252:10,
13253:6, 13256:6,
13256:22, 13259:24,
13261:7, 13265:3,
13269:5, 13271:11,
```

13275:16, 13282:4, 13284:19, 13285:13, 13288:22, 13289:8, 13295:17, 13297:7, 13298:20, 13300:15, 13304:7, 13305:12, 13309:25, 13310:12, 13311:2, 13311:7, 13313:19, 13315:9, 13315:15, 13316:16, 13316:20, 13316:24, 13396:19, 13397:7 Crime - 13266:20 crime - 13237:5, 13247:8, 13250:16, 13269:21, 13319:6, 13319:7, 13319:12, 13398:20, 13400:1 **crimes** - 13230:8, 13319:14, 13320:4, 13400:22 criminal - 13234:19, 13347:18, 13349:8, 13353:14 criminals - 13404:25 cross - 13395:9 cross-examination -13395:9 crossed - 13273:10 Crown - 13298:25 crucial - 13400:2 Crypt - 13357:16 crystals - 13256:21 Csr - 13221:11, 13221:12, 13413:2, 13413:12, 13413:13, 13413:16, 13413:17 13413:16, 13413:17 **cuffed** - 13305:24 **culprit** - 13303:5 culture - 13319:17, 13319:20, 13320:2 current - 13224:21, 13317:9

D
D/sgt - 13272:4,
13326:23
dad - 13353:20
daily - 13227:25 danger - 13400:23
dangerous - 13384:25,
13391:23, 13400:9
dark - 13300:7,
13347:8, 13348:5,
13348:13
date - 13243:16,
13246:3, 13246:20,
13256:4, 13261:12,
13275:5, 13276:3,
13276:16, 13276:17,
13276:19, 13331:19, 13332:13, 13333:5,
13334:19, 13337:5,
13390:9, 13410:20,
13411:3
dated - 13245:14,
13246:19
dates - 13317:17,
13393:18
daughter - 13344:20
daughters - 13406:3,
13406:6
David - 13220:4,
13222:2, 13222:11, 13272:3, 13272:8,
13272:21, 13272:24,
13273:5, 13274:12,
13277:12, 13328:7,
13328:20, 13328:24,

13330:8, 13330:21, 13332:7, 13333:22, 13334:1, 13340:1, 13340:23, 13340:24, 13341:22, 13341:20, 13341:22, 13341:25, 13343:16, 13345:24, 13347:12, 13348:8, 13348:15, 13348:25, 13349:5, 13349:11, 13349:20, 13350:1, 13351:4, 13351:7, 13351:16, 13351:23, 13352:16, 13353:4, 13353:8, 13353:23, 13354:12, 13355:6, 13355:9, 13355:12, 13355:13, 13359:5, 13362:8, 13362:6, 13362:8, 13363:7, 13365:1, 13365:11, 13365:13, 13366:14, 13366:13, 13366:16, 13367:18, 13368:5, 13368:21, 13369:2, 13371:19, 13372:22, 13373:20, 13374:5, 13376:5, 13376:15, 13376:5, 13376:15, 13378:16, 13379:2, 13380:23, 13384:1, 13387:20, 13389:9, 13391:18, 13395:15, 13396:6, 13399:1, 13402:22, 13403:24, 13404:1, 13407:2, 13407:18, 13408:19, 13409:6 days - 13224:17, 13228:11, 13231:21, 13246:7, 13258:12, 13260:15, 13277:10, 13332:13, 13332:16, 13332:21, 13335:7, 13337:7, 13399:12 daytime - 13252:16 dead - 13238:6, 13276:22 13276:22 deal - 13227:11, 13319:23, 13321:7, 13321:21, 13321:24, 13324:2, 13367:7 dealing - 13231:3, 13261:18, 13320:1, 13321:1, 13321:23, 13373:17, 13379:12 **dealings** - 13306:20, 13341:22, 13345:16, 13388:13, 13397:5, 13401:13 **dealt** - 13321:7, 13361:3, 13398:5, 13405:15 death - 13264:22 Dec - 13313:20 **December** - 13295:1, 13296:2, 13296:4, 13297:2, 13299:16, 13299:18 **decide** - 13232:7, 13232:16, 13235:2, 13365:23 decided - 13237:23, 13355:13 decision - 13235:7, 13271:1, 13271:12, 13276:20, 13277:11, 13361:1 decision-making -13271:1, 13361:1 decoys - 13254:4



defined - 13266:23
Definitely - 13289:12
Definitely - 13289:12 definitely - 13272:11, 13293:10, 13373:22,
13293:10, 13373:22,
13376:16
degree - 13229:7
delinquencies - 13334:4
delinquency -
13406:10
Delinquents - 13321:4
demeanour -
13344:15, 13350:5 denied - 13291:16,
13302:11
deodorant - 13368:12
department -
13229:18, 13230:16, 13239:25, 13242:22,
13239:25, 13242:22,
13267:5, 13318:14, 13324:20, 13325:7
13324:20, 13325:7, 13337:15, 13387:16 Deputy - 13298:21, 13298:22, 13298:24,
Deputy - 13298:21,
13298:22, 13298:24,
13299:14
describe - 13304:20,
13367:12, 13368:18, 13403:4
described - 13244:13,
13287:13, 13300:6
describes - 13252:20,
13347:3
describing - 13301:13
Description - 13223:2 description -
13231:16. 13241:2.
13301:10, 13303:5,
13231:16, 13241:2, 13301:10, 13303:5, 13319:24, 13356:15
desk - 13272:6
destroyed - 13238:25,
13239:5 Det - 13338:16
detail - 13225:11,
detail - 13225:11, 13226:2, 13261:7,
13261:15, 13324:2,
13324:14, 13336:24,
13344:12, 13340:0 detailed - 13308:1
details - 13264:1.
13261:15, 13324:2, 13324:14, 13336:24, 13344:12, 13346:8 detailed - 13398:1 details - 13264:1, 13264:13, 13275:3,
13321.25
detect - 13344:23
Detection - 13266:20
13225:19 13225:10,
Detection - 13266:20 detective - 13225:18, 13225:19, 13225:22, 13256:24, 13257:18, 13263:12, 13263:15,
13263:12, 13263:15,
13313:4, 13317:23,
13321:14, 13321:17 Detective - 13264:12,
13290:9, 13290:11,
13290:20
detectives - 13225:11, 13228:25, 13229:8, 13229:20, 13230:4,
13228:25, 13229:8,
13229:20, 13230:4,
13230:6, 13230:11, 13257:11, 13310:14, 13321:10, 13322:12
13257:11, 13310:14,
determine - 13268:12,
13270:19. 13358:1
determined - 13377:5 developed - 13379:11
developed - 13379:11
devoted - 13227:4 different - 13229:4,
13230:5. 13230:7.
13249:14, 13274:7,
13249:14, 13274:7, 13310:14, 13376:16, 13379:25, 13380:9,
13379:25, 13380:9,
13397:9, 13397:15
differently - 13341:4

```
differs - 13311:10
 difficult - 13394:7
 dime - 13348:24,
13366:19, 13400:16
 direct - 13322:9,
13361:21
 directed - 13263:8.
13280:19, 13361:22
 direction - 13226:10,
 13232:11
 directly - 13268:24
 Director - 13221:4
 dirty - 13368:13
 discarded - 13399:11
 disclose - 13391:7
discussed - 13325:9,
13355:12, 13374:3
 discussion -
13260:14, 13340:4
 discussions -
13277:14, 13377:11, 13377:12, 13387:6
 dishes - 13346:3,
13346:8
 dispatcher - 13244:7
 disposition - 13237:6,
 13237:9, 13314:8
 distance - 13282:25,
13294:4
 division - 13226:19,
13228:15, 13228:20, 13228:25, 13229:1, 13229:20, 13233:4,
13263:15, 13318:19,
13319:1, 13319:5,
13321:14, 13321:18,
13322:5, 13322:6
 doc - 13239:23,
 13304:1, 13323:5
13323:16, 13326:15,
13357:8, 13390:6
 docket - 13236:23,
13236:24
doctor - 13245:6, 13245:7, 13305:10
 Document - 13221:5,
13221:6
 document - 13240:9,
13243:1, 13243:25, 13252:3, 13266:3,
13275:19, 13286:3,
13304:1
 documents - 13243:9,
 13261:6, 13305:14,
13309:2, 13322:24,
13323:4, 13324:17,
13332:4
 doggone - 13400:21
 dollars - 13366:19
 domestic - 13227:8
 Don - 13221:12,
13256:11
 Donald - 13413:2,
13413:17
 done - 13237:12
done - 13237:12,
13237:24, 13238:10,
13249:20, 13249:24,
13252:3, 13263:5,
13267:23, 13289:13,
13323:19, 13334:18,
13358:13, 13377:15, 13394:24, 13411:21
door - 13365:11, 13365:13
 dot - 13286:24
 doubt - 13342:23
 Douglas - 13221:2
 down - 13244:20,
13251:16, 13253:18, 13258:10, 13265:13,
```

rayes	
13266:17, 13267:18, 13283:11, 13285:5, 13285:6, 13285:11, 13285:23, 13287:20, 13288:3, 13288:24, 13291:17, 13300:3, 13302:20, 13304:25, 13305:1, 13307:24, 13310:24, 13340:3, 13342:9, 13346:11, 13346:18, 13346:11, 13346:20, 13346:21, 13346:21, 13358:22, 13362:19, 13362:19, 13362:19, 13362:19, 13362:19, 13362:19, 13363:3, 13362:19, 13363:24, 13362:19, 13363:24, 13371:18, 13371:15, 13371:18, 13371:17, 13371:18, 13371:17, 13371:18, 13371:11, 13371:18, 13371:11, 13371:15, 13381:10, 13390:24, 13402:14, 13403:15	C
drafting - 13299:10	
drafting - 13299:10 dragged - 13288:16 dragging - 13401:2 draw - 13261:2, 13294:1, 13294:8, 13356:13	
Drawer - 13272:1 drawn - 13303:20,	
drawn - 13303:20,	
13321:12, 13393:13 dreams - 13344:20	
drace 12250:11	
dressed - 13254:10 dresser - 13348:18, 13371:1, 13384:4	
13371:1. 13384:4	
dresses - 13359:21	
drew - 13255:20,	
13269:8	
dried - 13247:11 drive - 13347:9	
driving - 13367:11 Drononjic - 13264:14	
Drononjic - 13264:14	ļ
drove - 13256:15, 13331:25, 13346:5	
13331:25, 13346:5, 13346:25	
drug - 13361:8 drugs - 13320:18, 13320:20, 13334:3, 13348:16, 13348:21, 13350:2, 13350:11, 13350:12, 13350:15,	
arugs - 13320:18, 13320:20 13334:3	
13348:16, 13348:21,	
13350:2, 13350:11,	
13350:12, 13350:15, 13354:8, 13359:14,	
13359:24. 13362:5.	
13359:24, 13362:5, 13400:19, 13400:22,	
13407:14	
Drugs - 13320:19 due - 13275:7	
during - 13242:23,	
due - 13275.7 during - 13242:23, 13246:7, 13265:21, 13267:4, 13313:23, 13349:22, 13353:10, 13354:23, 13362:20, 13372:23, 13376:24, 13376:25, 13393:9, 13394:20, 13400:10	
13207.4, 13313.23, 13349:22. 13353:10	
13354:23, 13362:20,	
13372:23, 13376:24,	
13394:20, 13393:9, 13394:20, 13400:10	
During - 13300:10,	
13302:1, 13360:3	
13362:21 duties - 13318:12	
duty - 13232:1,	

E
early - 13297:25, 13300:7, 13365:4 easier - 13345:6 east - 13244:17, 13287:19, 13357:23 Easter - 13345:12 Ed - 13354:12 Eddie - 13222:8, 13394:19
Edmonton - 13322:25, 13324:18, 13324:19, 13324:20, 13324:21, 13325:11, 13325:15, 13325:19, 13325:20, 13326:2, 13326:12, 13326:12, 13326:3, 13326:17, 13328:3, 13328:17, 13328:3, 13332:14, 13333:12, 133333:12, 13333:12, 13333:12, 13333:12, 13333:12, 13333:12, 13333:12
13376:10, 13376:17, 13384:19, 13390:19,
13398:25 Edward - 13220:7 effect - 13284:5, 13333:2, 13361:10, 13391:25, 13392:20, 13396:25, 13406:19 efforts - 13253:24 eight - 13228:8, 13242:1
13242:1 Either - 13367:3 either - 13230:16, 13235:6, 13237:20, 13238:25, 13249:1, 13258:12, 13258:18, 13259:19, 13274:14, 13280:8, 13291:1 elected - 13326:9 eliminate - 13274:14,
13274:15 Elmer - 13411:15 Elson - 13222:7 encounter - 13333:4, 13338:7 end - 13256:13, 13276:22, 13331:3, 13343:20, 13374:7,
13374:8 endangering - 13354:4 ended - 13274:4, 13342:3, 13357:9 ends - 13369:21 enlarge - 13334:12 enquires - 13315:17 enquiries - 13308:3,
13315:14 ensure - 13248:7 enter - 13407:15 entering - 13369:5 entire - 13243:10, 13243:21 enwezni - 13221:3
especially - 13231:21, 13236:6, 13277:7, 13278:2 Especially - 13387:8

Esq - 13222:6, 13222:7, 13222:8, 13222:9, 13222:10 **Esson** - 13221:13 establish - 13267:23 **establishing** - 13397:4 **etcetera** - 13285:8, 13330:23, 13346:7, 13387:5, 13395:22, 13397:20 evening - 13307:9, 13359:11 event - 13244:9, 13254:12, 13275:12, 13362:20, 13374:10, 13382:1, 13382:21, 13383:9 events - 13266:16, 13364:2, 13364:22, 13367:11, 13391:6, 13391:20, 13393:16 everywhere -13402:17 evidence - 13226:18, 13229:3, 13230:17, 13231:11, 13232:19, 13234:23, 13235:3, 13235:25, 13238:5, 13238:7, 13239:3, 13238:7, 13239:3, 13243:20, 13246:21, 13248:4, 13248:23, 13250:12, 13250:16, 13252:17, 13255:13, 13259:4, 13259:17, 13260:24, 13269:7, 13270:10, 13270:5, 13270:10, 13270:17, 13271:4, 13311:21 13271:4, 13311:21, 13312:16, 13316:6, 13319:16, 13328:1, 13387:1, 13396:21, 13397:24, 13400:12, 13407:10, 13409:22, 13411:15 evident - 13328:9 exact - 13372:19, 13393:17 **Exactly** - 13260:21, 13333:14, 13333:23, 13338:4, 13360:24, 13383:18, 13384:10, 13388:11 **exactly** - 13244:24, 13270:24, 13309:10 **exam** - 13410:15 examination 13247:9, 13268:6, 13268:8, 13268:19, 13269:22, 13316:2, examine - 13245:8 examined - 13245:6, 13247:17, 13250:15, 13305:9 example - 13227:20, 13230:2, 13236:15, 13237:22, 13313:2, 13321:20, 13361:7, 13385:19, 13398:24, 13399:6 **except** - 13228:11, 13247:15, 13271:7, 13271:8, 13394:10 excuse - 13400:24 excused - 13316:24, 13411:11 **Executive - 13221:4** exhibit - 13246:17 exhibition - 13362:20, 13362:21



13233:22

F

face - 13251:11, 13306:15, 13306:23 facilities - 13325:21 fact - 13250:20, 13253:9, 13259:4, 13261:2, 13265:21, 13316:2, 13330:5, 13347:19, 13352:6, 13355:19, 13370:10, 13381:13, 13384:4, 13392:8, 13392:16, 13396:8, 13397:3 factor - 13356:15 13356:16, 13356:23, 13356:24, 13399:2 factors - 13361:9, 13400:2 facts - 13299:20, 13341:19, 13372:19, 13398:7, 13398:11 failed - 13411:6 faintly - 13315:10 fair - 13228:13, 13231:16, 13234:5, 13236:11, 13237:20, 13241:12, 13241:18, 13242:8, 13242:18, 13242:24, 13243:21, 13248:2, 13250:23, 13254:25, 13255:2, 13255:5, 13256:17 13258:15, 13258:19, 13262:20, 13266:1, 13282:25, 13299:5, 13303:2, 13308:22, 13319:1, 13320:24, 13321:8, 13333:6, 13336:25, 13338:3, 13342:18, 13346:16, 13352:9, 13361:4, 13361:11, 13364:3, 13373:3, 13382:7, 13382:16, 13384:9, 13398:2, 13402:17 Fair- 13372:7

familiar - 13250:22, 13251:6, 13269:16 family - 13320:16 far - 13228:25, 13234:15, 13240:21, 13246:6, 13271:7, 13276:19, 13286:10, 13295:16, 13297:16, 13306:6, 13306:18, 13313:1, 13313:14, 13331:8, 13350:21, 13355:25, 13366:21, 13380:10 fashion - 13275:16 faster - 13407:24 father - 13338:1, 13339:12, 13341:4 **Feb**- 13335:24, 13365:2, 13371:19, 13376:7 february - 13240:16 February - 13263:21, 13264:6, 13265:5, 13279:3, 13279:6, 13283:9, 13302:6, 13364:23, 13372:24, 13385:16, 13385:19 feedback - 13228:23 fella - 13304:13 fellow - 13261:16, 13329:11, 13348:2, 13385:22, 13385:23, 13389:6 felt - 13230:25, 13238:9, 13253:19, 13268:22, 13274:20, 13276:22, 13294:3, 13294:6, 13304:24, 13305:4, 13306:15, 13311:2, 13313:14, 13394:21, 13407:17, 13407:20, 13407:22, 13408:4 female - 13324:23, 13340:9, 13377:2 few - 13229:16, 13246:7, 13256:19, 13395:18, 13399:11 fight - 13362:11, 13362:22 figure - 13360:21 figured - 13292:3, 13295:23 file - 13227:21 116 - 1322/:21, 13230:5, 13230:20, 13230:21, 13231:1, 13231:3, 13231:4, 13231:9, 13231:12, 13231:18, 13231:20, 13231:24, 13232:2, 13231:24, 13232:2, 13232:14, 13233:9, 13233:10, 13233:12 13233:13, 13233:17, 13233:24, 13234:16, 13235:19, 13236:8, 13236:19, 13237:1, 13237:25, 13238:4, 13238:10, 13238:23, 13239:11, 13239:15, 13243:3, 13243:7, 13243:10, 13243:7, 13243:10, 13243:21, 13248:25, 13249:4, 13249:6, 13249:11, 13249:15, 13249:19, 13250:10,

fairly - 13229:9 fall - 13267:5, 13307:12

false - 13380:16, 13405:1

13256:17, 13256:24, 13257:17, 13257:18, 13257:19, 13262:10, 13262:14, 13263:22, 13273:16, 13273:17, 13274:25, 13275:8, 13275:11, 13275:13, 13275:15, 13275:21, 13275:25, 13276:2, 13276:9, 13276:21, 13277:2, 13277:4, 13277:8, 13277:16, 13277:19, 13278:6, 13278:10, 13278:13, 13278:17, 13278:22, 13279:17, 13280:1, 13292:24, 13293:4, 13293:13, 13295:4, 13295:12, 13301:2, 13301:12, 13302:14, 13302:16, 13303:8, 13303:10, 13307:2, 13309:7, 13309:9, 13314:10, 13321:15, 13321:21, 13326:23, 13327:2, 13381:5, 13385:8 **filed** - 13238:10, 13238:11, 13277:8, 13307:20 files - 13227:14, 13227:16, 13230:1, 13230:18, 13237:22, 13241:4, 13241:6, 13246:18, 13257:17, 13263:16, 13277:23 13263:16, 13277:23, 13281:6, 13304:5, 13314:21, 13315:4, 13321:10, 13321:13, 13321:16 filing - 13234:4 finally - 13320:15 fine - 13351:1, 13355:22, 13364:1, 13379:16 fingerprints -13247:17 finish - 13270:3 finished - 13236:25, 13295:15, 13374:16 **finishes** - 13265:16 **first** - 13230:22, 13235:19, 13246:7, 13276:1, 13276:2, 13283:6, 13284:16, 13323:4, 13338:7, 13338:20, 13347:25, 13351:13, 13358:10, 13358:12, 13387:9, 13401:6 Fisher- 13222:10, 13280:6, 13280:11, 13280:25, 13281:4, 13282:21, 13282:5, 13282:10, 13288:5, 13289:4, 13289:15, 13290:24 13291:24, 13292:20, 13293:25, 13294:1, 13294:21, 13294:23, 13295:2, 13295:19, 13296:23, 13299:3, 13299:16, 13300:12, 13300:16, 13302:2, 13302:4, 13302:9, 13302:16, 13302:22, 13303:14, 13311:1, 13315:25, 13393:9, 13393:13, 13393:15, 13394:2,

13295:18, 13298:3, 13300:20, 13308:1, 13315:14, 13316:3, 13393:11 fit - 13328:6, 13356:8 **five** - 13240:13, 13240:17, 13241:15, 13242:3, 13242:4, 13282:8 flashers - 13241:21 Flora- 13357:25 flow - 13232:20 fluid - 13266:21 fluids - 13267:1, 13270:7, 13270:15, 13270:20 focus - 13317:22, 13318:5, 13323:9 folder - 13233:12, 13233:21 follow - 13232:2, 13237:1, 13273:24, 13284:6, 13309:15, 13345:7, 13381:18, 13381:19 follow-up - 13284:6, 13309:15 followed - 13258:13, **following** - 13254:24, 13264:8, 13332:21, 13354:12 follows - 13267:10 **fooling** - 13369:23, 13370:3, 13370:22 foot - 13254:10 Force- 13302:2 **force** - 13302:15, 13317:18, 13351:11, 13351:12 forced - 13265:12, 13265:14, 13300:3, 13300:4, 13365:1, 13360:4, 13362:22, 13375:3 foregoing - 13268:22, 13413:4 form - 13234:13, 13307:1, 13344:15, 13392:1, 13407:18, 13409:13 formal - 13260:19, 13377:14 formed - 13318:16, 13331:1 former - 13308:1, 13315:15 Forsyth- 13258:5, 13262:15, 13263:24 Fort- 13302:3 forth - 13360:9 forward - 13385:15 fought - 13358:24 foundation - 13410:11 fountain - 13349:24 four - 13256:19, 13295:24, 13296:5, 13296:15, 13299:1, 13299:2, 13299:15, 13303:7, 13304:5, 13385:16, 13406:3, 13406:6, 13410:21, 13411:4 frame - 13254:19, 13254:20, 13260:1,

13395:21, 13409:15

Fisher'- 13294:15 Fisher's- 13286:21, 13287:5, 13288:18,

13291:20, 13293:2,

13261:19, 13358:3 Frayer- 13222:11 Frenchie- 13354:14 Friday- 13346:4, 13365:4 friend - 13340:1 friends - 13330:22 fright - 13245:10 frightened - 13408:9, 13409:12 front - 13349:24 frustration - 13382:20 funeral - 13258:5

G

Gail - 13225:14. Gail - 13225:14, 13256:5, 13256:16, 13257:2, 13257:16, 13257:23, 13258:13, 13259:5, 13259:18, 13259:25, 13260:2, 13261:12, 13262:7, 13261:12, 13262:19 13262:10, 13262:19, 13263:13, 13263:22, 13263:13, 13263:22, 13264:22, 13266:10, 13269:11, 13270:10, 13271:5, 13272:25, 13273:12, 13273:20, 13273:22, 13274:13, 13277:20, 13279:4, 13294:2, 13294:24, 13318:7, 13322:17, 13327:12, 13327:11, 13327:20, 13329:1, 13330:12, 13329:1, 13330:12, 13331:5, 13331:19, 13332:21, 13349:6, 13350:4, 13351:24, 13352:5, 13371:3, 13371:6, 13371:10, 13371:13, 13382:7, 13384:4, 13384:8, 13385:7, 13385:23, 13386:13, 13387:14, 13387:20, 13396:13, 13396:23, 13397:9, 13409:16, 13410:3 **gain** - 13231:11, 13231:13 gaining - 13334:6 gal - 13333:18 Gamble - 13261:17, 13261:18, 13262:4, 13262:11, 13262:23, 13264:7, 13264:9 Gaming - 13226:25 gang - 13319:21 gangs - 13319:16 garage - 13244:22, garments - 13246:24 Garry - 13302:3 gas - 13349:1 gasoline - 13253:4 **General** - 13298:24 **general** - 13299:15, 13327:17, 13331:15, 13333:7 general's - 13235:22 Generally - 13328:15, 13328:20 **generally** - 13228:13, 13229:6, 13240:22, 13328:16, 13341:14 gentlemen - 13327:1, 13327.9 genuine - 13305:10



George - 13261:17,
13261:18, 13262:11,
13264:7
gest - 13358:3
Gibson - 13222:9
Gillian - 13335:14
girl - 13265:9,
13308:14, 13322:20,
13340-13 13344-8
13308:14, 13322:20, 13340:13, 13344:8, 13344:18, 13344:19,
13344.10, 13344.19,
13348:5, 13348:13, 13366:3, 13366:15,
13366:3, 13366:15,
13378-18 13378-23
13378:25, 13379:4, 13379:20, 13382:1, 13382:10, 13383:9,
13376.23, 13379.4,
13379:20, 13382:1,
13382:10, 13383:9,
13384:3. 13384:20.
13384:3, 13384:20, 13384:22, 13389:11, 13401:12, 13403:1, 13403:23, 13404:2,
12401:12 12402:1
13401.12, 13403.1,
13403:23, 13404:2,
13405:8, 13405:18, 13407:6, 13410:6 girl's - 13379:8
13407:6. 13410:6
airl's - 13370:8
girle 12265:42
girls - 13265:13,
13351:5, 13357:17,
13360:10, 13362:9,
13366:19, 13371:2
givon - 132/12:20
giveii - 13242.20,
13281:19, 13282:20, 13283:19, 13301:10, 13303:20, 13327:25, 13329:5, 13331:23,
13283:19, 13301:10,
13303:20, 13327:25,
13329.5 13331.23
10020.0, 10001.20,
13332:18, 13334:21,
13367:21, 13381:11
UIASSES - 13244.23.
13247:15, 13305:5
Gord - 13307:23
Gordon - 13252:12
Government - 13222:4
grabbed - 13253:15, 13253:16, 13261:24, 13285:10, 13285:24, 13287:23, 13300:2
13253:16 13261:24
12205:10, 10201:24,
13203.10, 13203.24,
13287:23, 13300:2
Graham - 13304:13, 13304:18, 13305:16,
13304:18, 13305:16
13306:3, 13308:18
13300.3, 13300.10
granted - 13378:24
great - 13239:19
greater - 13401:18
9
around - 13251:20
ground - 13251:20
grounds - 13235:12
grounds - 13235:12 Group - 13266:23,
grounds - 13235:12 Group - 13266:23, 13268:15
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14 13331:2
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14 13331:2
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23.
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23.
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 quilty - 13236:14,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 quilty - 13236:14,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 quilty - 13236:14,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13249:1, 13290:6,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13249:1, 13290:6,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 1336:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13296:1, 13296:6, 13296:14, 13297:23, 13382:19, 13403:1
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 1336:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13296:1, 13296:6, 13296:14, 13297:23, 13382:19, 13403:1
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 13361:13, 13383:2 guilt - 13379:3, 1349:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13249:1, 13280:8, 13296:14, 13297:23, 13382:19, 13403:1 gun - 13262:2,
grounds - 13235:12 Group - 13266:23, 13268:15 group - 13269:13, 13271:24, 13319:8, 13332:1, 13399:1 grouping - 13266:25 Gryba - 13244:9, 13245:4, 13245:5, 13305:7 guard - 13256:14 guess - 13230:1, 13236:23, 13238:3, 13253:18, 13290:3, 13290:13, 13291:10, 13314:14, 13331:2, 13344:19, 13358:21, 1336:13, 13383:2 guilt - 13379:3, 13379:5, 13380:10, 13382:9, 13382:11, 13404:18, 13404:23, 13410:3, 13410:8 guilty - 13236:14, 13296:1, 13296:6, 13296:14, 13297:23, 13382:19, 13403:1

Gus - 13261:22, 13261:25, 13279:16 gut - 13393:1 guy - 13397:10, 13404:23, 13405:4 guys - 13365:8

Н

hair - 13261:25, 13300:7 half - 13244:21 13251:16, 13360:3 half-way - 13244:21 hand - 13331:16 handed - 13254:13 handle - 13394:7 handled - 13321:10 handwriting -13245:21, 13246:14, 13323:7, 13323:13, 13323:14, 13323:24, 13324:3, 13342:14 handwritten -13234:11, 13234:13, 13323:21, 13324:5, 13336:11, 13337:2, 13342:10, 13345:6, 13374:14 happy - 13313:6 hard - 13253:3, 13303:16 hat - 13253:3 head - 13391:23 headings - 13240:4 health - 13227:8 hear - 13228:4, 13236:10, 13312:11, 13314:10, 13339:16, 13339:18, 13387:9, 13397:11 heard - 13225:25, 13226:18, 13229:3, 13230:17, 13232:19, 13248:4, 13248:6, 13252:17, 13255:13, 13256:10, 13259:4, 13259:17, 13260:24, 13269:7, 13269:17, 13270:17, 13279:14, 13285:8, 13290:19, 13290:24, 13291:17, 13291:18, 13292:23, 13296:12, 13297:15, 13297:17, 13297:20, 13298:7, 13298:10, 13303:14, 13311:11, 13312:19, 13319:15, 13319:16, 13340:19, 13350:8, 13371:10, 13372:24, 13373:2, 13387:1, 13389:24, 13397:5, 13397:7, 13409:22 hearing - 13255:17, 13260:5, 13290:17, 13291:15, 13298:8, 13329:8, 13393:17 held - 13225:9 13253:20, 13317:18, 13386:20, 13396:6 help - 13273:23, 13326:5, 13327:18, 13333:25, 13335:3, 13336:4, 13396:3, 13396:8 helpful - 13284:1 hereby - 13413:4 herein - 13413:6

herself - 13259:20,

13344:22, 13407:17 **Hersh** - 13222:2, 13395:15 hesitation - 13344:23, 13367:17, 13373:23 **Hesse** - 13335:23 hidden - 13348:17 high - 13229:23 **higher** - 13235:6, 13236:1, 13287:19 highlight - 13403:17 hiked - 13357:22 hikers - 13349:1 hiking - 13357:13 himself - 13351:12 Hinz - 13221:11, 13413:2, 13413:13 hippie - 13319:17, 13319:20, 13319:24 history - 13401:2, 13401:5 hitch - 13349:1, 13357:13, 13357:22 Hodson - 13221:2, 13223:4, 13223:6, 13223:8, 13224:5, 13224:9, 13224:14 13298:19, 13316:19, 13316:25, 13317:3, 13357:5, 13410:14, 13410:16, 13411:8, 13411:14, 13411:24, 13412:2 hold - 13239:8 holding - 13266:6, 13391:12, 13391:15 13391:16, 13392:22, 13392:25, 13408:8 holes - 13259:9 home - 13258:5, 13283:23, 13285:5, 13338:5, 13351:6, 13354:20, 13355:15, 13360:1, 13370:17, 13384:1, 13404:20 homicide - 13256:23 homosexual - 13362:8 Hon - 13222:12 honest - 13395:4 honestly - 13260:17, 13374:18 Honourable - 13220:6 hopes - 13238:5 hose - 13305:5 Hospital - 13245:5, 13305:8 **hotel** - 13351:3, 13352:23, 13354:18, 13354:20, 13355:4, 13368:6 Hotel - 13220:16, 13351:3 hours - 13256:20, 13342:18, 13377:6, 13387:24, 13411:16 house - 13280:18, 13280:20, 13283:23, 13286:5, 13288:25, 13292:7, 13294:12, 13297:13, 13320:10, 13329:7, 13338:19, 13339:1, 13353:7, 13372:11 House - 13349:23 houses - 13289:1 Hugh - 13221:13, 13338:21 human - 13363:4.

hung - 13239:18 Hvmen - 13354:14 ice - 13256:20 Id - 13239:23, 13304:1, 13323:5, 13323:16, 13326:15, 13357:8, 13390:7 idea - 13331:10, 13384:1 ident - 13247:22, 13248:14 identical - 13375:12 identification -13247:8, 13247:11, 13247:14 identified - 13280:3, 13326:2 identify - 13263:16, 13270:5, 13270:7, 13272:14, 13296:22, 13300:13, 13306:13, 13306:22, 13316:12, 13323:3, 13368:15 identity - 13272:9 imagine - 13230:13 immediate - 13322:2 immediately -13272:7, 13381:12 importance - 13362:25 important - 13239:20, 1333:15, 13333:24, 13347:22, 13365:20, 13367:14, 13370:13, 13389:22, 13394:8, 13389:24, 13889:24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24, 13889*24 13398:18, 13398:23, 13399:13, 13399:15, 13399:19, 13400:3, 13400:4, 13400:13, 13400:18, 13400:19 impossible - 13306:16 impression -13252:15, 13290:8, 13312:13, 13314:13, 13340:7, 13341:9, 13344:17, 13374:24, 13376:9, 13377:24, 13378:10, 13392:2, 13407:19 impressions -13331:7, 13344:16 incident - 13230:4, 13252:10, 13313:20, 13322:18, 13322:19, 13385:11, 13386:21 incidents - 13267:25 included - 13272:2 including - 13260:24, 13300:12, 13304:5, 13402:19 increase - 13320:16 increasing - 13319:13 indecent - 13226:20, 13234:20, 13235:18, 13241:10, 13241:21, 13315:1 indecently - 13255:12 independent - 13309:2 Index - 13223:1 indicate - 13334:20 indicated - 13245:8, 13268:8, 13409:9 indicates - 13250:25, 13388:5 indicating - 13253:2, 13296:22, 13329:6,

13393:4 influence - 13400:21. 13401:18 informants - 13276:23 information information -13227:19, 13227:24, 13229:10, 13229:11, 13229:13, 13230:15, 13231:13, 13231:22, 13231:25, 13236:17, 13239:10, 13260:20, 13269:4, 13275:13, 13276:23, 13280:23 13269:4, 13275:13, 13280:23, 13281:24, 13283:21, 13288:21, 13289:5, 13289:15, 13299:14, 13299:17, 13303:20, 13305:15, 13305:18 1329:17, 13303:20, 13305:15, 13305:15, 13305:18, 13310:14, 13328:10, 13328:13, 13329:25, 13331:12, 13331:13, 13332:25, 13333:37, 13332:25, 13333:7, 13332:21, 13334:7, 13332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 133332:21, 13334:7, 1334:7, 1345:7, 1345:7, 1345:7, 1345:7, 1345:7, 1345:7, 1345:7, 1345:7, 1345:7, 134 13333:21, 13334:7, 13340:4, 13341:24, 13340:4, 13341:24, 13347:10, 13347:15, 13347:21, 13347:23, 13348:1, 13349:3, 13349:4, 13349:7, 13349:13, 13350:2, 13350:2, 13350:2, 13350:28, 13352:10, 13353:12 13352:10, 13353:12, 13354:2, 13354:2, 13359:3, 13359:16, 13360:11, 13361:16, 13360:12, 13360:11, 13361:16, 13360:11, 13362:13, 13364:12, 13364:16, 13365:17, 13365:18, 13366:23, 13367:21, 13369:15, 13367:21, 13369:15, 13370:13, 13371:8, 13375:7, 13377:12, 13384:7, 13385:20, 13385:21, 13385:24, 13391:13, 13398:3, 13399:21, 13400:6 Inland - 13221:14 Inn - 13335:22 inquire - 13236:23. inquire - 13236:23, 13262:23 inquired - 13295:11, 13368:22 inquiries - 13280:13, 13280:19, 13281:4, 13281:10, 13283:25, 13399:9 inquiry - 13371:23 Inquiry - 13220:2, 13220:23, 13250:20 Inspector - 13226:6, 13226:11, 13230:23, 13254:6, 13264:25, 13269:17, 13280:19, 13269:17, 13280:19, 13280:24, 13281:10, 13282:1, 13282:21, 13289:19, 13291:19, 13293:16, 13294:14, 13297:13, 13300:18, 13300:25, 13312:26 13307:25, 13312:20, 13322:2, 13322:9, 13387:4, 13387:17, 13388:4, 13389:4 inspector - 13233:5, 13234:9, 13235:7, 13239:15, 13263:10 instance - 13232:18, 13235:19 instances - 13267:16,



13401:10, 13405:13,

13406:23, 13406:24

13331:24

individual - 13265:20,

40040-40
13343:12 instead - 13313:2, 13379:3, 13382:10
13379:3. 13382:10
instinct - 13260:22
instructions -
13293:15, 13328:12
int - 13290:6
intelligent - 13344:18 intend - 13226:1
intentionally -
13380:20
inter - 13355:8
interchanged -
13310:16 intercourse - 13351:7,
13351:14, 13351:16.
13351:14, 13351:16, 13354:23, 13356:6, 13357:19, 13362:23 interest - 13329:2,
13357:19, 13362:23
interest - 13329:2,
13330:9, 13331:3 interested - 13396:7,
13398:7
interpreted - 13378:10
interrogated -
13387:22
interval - 13372:2
13291:10, 13292:13.
interval - 1337/2:2 interview - 13290:6, 13291:10, 13292:13, 13309:23, 13311:1, 13335:2, 13336:13, 13337:14, 13337:23,
13335:2, 13336:13,
13337:14, 13337:23,
10000.0. 10000.9.
13341:16, 13342:18, 13343:20, 13358:13,
13385:2. 13386:5.
13385:2, 13386:5, 13386:16, 13390:12, 13390:18, 13393:2,
13390:18, 13393:2,
13394:7
interviewed - 13262:10, 13262:16,
13302:2, 13304:12, 13309:19, 13332:7, 13339:10, 13369:15, 13376:23, 13384:14,
13309:19, 13332:7,
13339:10, 13369:15,
13376:23, 13384:14, 13386:7, 13388:1
13386:7, 13388:1, 13388:6, 13389:14, 13390:4, 13390:8,
13390:4, 13390:8,
13394:2
interviewer - 13311:3,
13313:5 interviewing -
13244:4, 13313:8,
13325:16, 13328:5, 13328:18, 13387:18,
13328:18, 13387:18,
13391:11
intimidated - 13407:17 introduced - 13366:11
investigate -
13233:23, 13304:4,
13314:21, 13321:14,
13397:23
investigated - 13228:15, 13392:9
investigating -
13227:22, 13229:21
13230:2, 13230:5,
13236:18, 13253:7,
13236:18, 13253:7, 13253:25, 13273:18, 13314:25, 13321:19,
13363:2, 13406:17
investigation -
13231:16, 13232:20, 13232:22, 13232:24, 13233:17, 13237:24,
13233:17 13232:24,
13243:3, 13243:13,
13243:3, 13243:13, 13246:8, 13246:11, 13253:23, 13256:1,
13253:23, 13256:1,
13257:3, 13261:8, 13264:18, 13264:22,
13265:6, 13265:22,
,,

13266:11, 13269:1, 13275:20, 13275:24, 13276:9, 13276:15, 13277:15, 13277:20, 13278:25, 13284:4, 13203:18, 13203:18 13293:18, 13300:10, 13302:21, 13304:10, 13309:20, 13322:17 13327:12, 13327:15, 13328:2, 13330:21, 13333:25, 13338:23, 13347:12, 13347:23, 13349:5, 13350:3, 13351:22, 13352:16, 13354:2, 13355:25, 13354.2, 13352.2, 13358:18, 13359:4, 13360:13, 13360:23, 13365:20, 13370:18, 13379:18, 13381:2, 13381:3, 13383:18, 13385:15, 13385:25, 13386:2, 13386:13, 13388:19, 13390:2, 13390:17 investigations -13226:15, 13267:7 investigative -13275:3 investigator -13380:11, 13399:16 investigators -13331:9, 13365:23, 13381:4, 13405:16 involve - 13347:17 involve - 1334/:1/ involved - 13230:15, 13257:4, 13258:1, 13264:18, 13264:21, 13265:5, 13267:9, 13270:12, 13279:12, 13299:10, 13306:1, 13319:14, 13320:4, 13321:12, 13333:8, 13334:3, 13334:4, 13337:13, 13337:14, 13340:9, 13341:7, 13341:25, 13347:18, 13351:25, 13352:20, 13354:4, 13361:1, 13381:17, 13382:15, 13383:5, 13387:8, 13397:2 involved' - 13383:17 involvement -13261:7, 13261:16, 13266:10, 13318:7, 13320:16, 13322:16, 13327:11, 13363:4, 13364:20, 13385:7, 13386:8, 13386:12, 13386:14 involving - 13321:15, 13400:10 Irene - 13221:10 Irwin - 13222:12

J

Jack- 13228:18, 13387:3 jacket - 13268:10

Isabelle - 13221:6 issue - 13342:23 issues - 13402:15

it' - 13396:24

item - 13244:25

items - 13246:20

13246:24, 13249:2,

13250:7, 13336:15,

13373:4, 13375:22, 13399:23

Jan- 13363:16, 13363:23 Jane- 13354:19, 13355:11 **January**- 13225:14, 13240:16, 13256:4, 13261:10, 13279:5, 13279:6, 13294:19, 13318:8, 13332:10, 13332:17, 13348:10, 13365:4 January-february-Jay- 13222:6 Joanne- 13222:3 job - 13369:1 **John**- 13223:5, 13316:25, 13317:2, 13329:13, 13329:19, 13346:6, 13354:12, 13362:4, 13362:6, 13362:7, 13384:23 **John's**- 13347:2, 13354:15, 13376:1 Joyce- 13222:3 July- 13387:19 jump - 13262:2 June- 13309:18, 13355:5, 13387:13, 13388:6, 13388:20 Justice- 13220:6, 13222:11 Juvenile- 13321:4, 13326:18 juvenile - 13319:6, 13319:7, 13319:8, 13319:12, 13321:4, 13321:21, 13325:8, 13325:11, 13325:21, 13326:11, 13334:4, 13337:18, 13337:19, 13406:9 juveniles - 13319:14, 13320:17, 13321:7, 13321:16, 13406:10

K

Kara - 13221:6 Karen - 13221:11 13413:2, 13413:13 **Karst** - 13222:8, 13290:9, 13290:14, 13290:20, 13291:23, 13292:12, 13310:25, 13311:2, 13311:8, 13311:17, 13312:8, 13313:2, 13313:4, 13313:14, 13393:24, 13394:1, 13394:4, 13394:19, 13394:25, 13396:4 Karst-nordstrom -13394:1 **keep** - 13233:6, 13233:8, 13233:9, 13277:2, 13353:19 13397:14, 13397:17 keeping - 13263:24 Ken - 13354:14 Kenora - 13357:21 kept - 13232:16, 13234:16, 13239:21, 13247:16, 13277:6, 13305:3, 13366:7, 13377:1, 13379:19, 13380:8, 13403:8 Kettles - 13325:12 **kids** - 13349:23, 13400:15

kill - 13370:2, 13370:19 killed - 13259:5, 13260:2, 13330:14, 13379:4, 13382:10, 13385:23, 13397:8, 13405:10 killer - 13273:11 13273:13, 13273:20, 13331:5 **kind** - 13239:18, 13252:14, 13313:12, 13377:18, 13398:7, 13398:16, 13405:13, 13405:14 kitchen - 13339:14 Kitchen - 13339:14 Kleenex - 13269:19 knife - 13251:2, 13251:18, 13252:20, 13253:2, 13258:21, 13260:7, 13265:13, 13273:14, 13274:2, 13274:8, 13300:8, 13300:9, 13301:14 13301:9, 13301:14 13301:16, 13301:17, 13301:21, 13305:25, 13369:24, 13370:6, 13370:11, 13399:7 knifepoint - 13300:3, 13396:12, 13397:19 knives - 13401:2 know' - 13342:4 knowing - 13283:22 knowledge -Rnowledge -13227:18, 13229:17, 13229:19, 13229:23, 13237:17, 13291:22, 13292:1, 13301:3, 13302:12, 13302:17, 13303:11, 13327:10, 13327:14, 13330:3, 13330:11, 13330:18, 13340:17, 13347:10, 13387:20, 13393:9, 13396:14, 13406:15, 13413:6 known - 13268:15, 13272:9, 13297:11, 13298:7, 13325:6, 13327:19, 13329:13, 13341:9, 13348:7, 13391:6 Knox - 13222:5 Krogan - 13222:4 Kujawa - 13222:6

lab - 13247:8, 13248:1, 13250:16, 13269:21 **Lab**- 13266:23, 13267:1 label - 13404:14 Laboratory- 13266:20, 13267:22 lack - 13319:17 ladies - 13354:22 ladies' - 13372:12 lady - 13252:6, 13279:7, 13329:12, 13408:7 lady's - 13372:15 laid - 13235:25, 13237:6, 13237:14, 13240:18, 13241:18, 13242:7, 13277:12, 13295:4, 13295:14, 13299:16, 13313:20 lake - 13348:18

Lake- 13317:6, 13390:11 Lana- 13222:4 lane - 13244:18. 13244:20, 13244:21, 13251:16, 13253:18, 13256:13, 13258:2, 13258:6, 13263:25, 13264:2, 13285:8, 13285:11, 13287:22, 13287:23, 13290:3, 13300:4, 13305:2 lanes - 13254:18 Langenberg-13357:13, 13360:1, 13364:8, 13369:23, 13371:1, 13384:2 **Langenburg**-13357:12, 13400:5, 13400:15 **Larry**- 13221:14, 13222:10, 13280:5, 13280:11, 13280:24, 13280:25, 13281:4, 13281:11, 13282:5, 13294:14, 13295:2, 13300:16, 13302:16, 13311:1, 13315:11, 13315:24, 13393:9, 13395:21, 13409:15 last - 13224:17, 1324-17, 13240:6, 13272:3, 13275:4, 13307:19, 13345:12, 13358:9, 13369:22, 13372:23, 13373:2, 13373:4, 13394:15 lasted - 13351:8 lastly - 13372:21 late - 13265:5, 13267:4, 13297:25, 13319:15 latter - 13394:6 lawyers - 13408:14 lay - 13234:19, 13235:2, 13235:4, 13351:19 lead - 13250:10, 13393:16, 13400:9 leading - 13350:7 leads - 13237:23, 13238:8, 13249:16, 13275:9, 13276:23, 13277:3 leaping - 13405:9 learn - 13293:20, 13295:19, 13314:15, 13409:17 learned - 13256:8, 13230.8, 13275:10, 13280:7, 13312:6, 13312:12, 13313:21, 13313:22, 13330:17, 13384:18, 13409:17 learning - 13228:2, 13252:10, 13298:5 least - 13228:14, 13240:15, 13258:14, 13274:15, 13296:20, 13369:15 leave - 13232:17, 13234:22, 13235:13, 13238:8, 13329:22, 13367:8, 13386:1 leaving - 13284:25 lectured - 13406:9 Lee 13221:3 left - 13230:14 13232:15, 13232:24, 13233:1, 13233:11,



13236:19, 13244:2, 13244:2, 13244:23, 13245:17, 13260:11, 13275:19, 13284:4, 13293:18, 13308:10, 13338:24, 1338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:3, 13299:8, 13299:20, 13301:24, 13387:15, 13388:10 letting - 13358:3 level - 13229:17, 13229:17, 13229:17, 13229:17, 1329:17, 1329:18, 1330:11 Lewis - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13311:12 line - 13311:14 lines - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 132	
13308:10, 13338:24, 13338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13289:8, 13289:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13289:4, 13289:4, 13289:5, 13398:15 Lloyd - 13359:23, 13398:15 Lloyd - 133299:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	
13308:10, 13338:24, 13338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13289:8, 13289:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13289:4, 13289:4, 13289:5, 13398:15 Lloyd - 13359:23, 13398:15 Lloyd - 133299:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13236:19, 13244:2,
13308:10, 13338:24, 13338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13289:8, 13289:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13289:4, 13289:4, 13289:5, 13398:15 Lloyd - 13359:23, 13398:15 Lloyd - 133299:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13244:23, 13245:17,
13308:10, 13338:24, 13338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13289:8, 13289:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13289:4, 13289:4, 13289:5, 13398:15 Lloyd - 13359:23, 13398:15 Lloyd - 133299:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13260:11, 13275:19,
13308:10, 13338:24, 13338:25, 13346:3, 13381:2, 13382:17, 13382:22, 13405:16 legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13289:8, 13289:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13289:4, 13289:4, 13289:5, 13398:15 Lloyd - 13359:23, 13398:15 Lloyd - 133299:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13284:4, 13293:18.
legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13288:10, 13288:9, 13287:9, 13287:10, 13288:10, 13288:9, 13288:10, 13288:9, 13289:2, 13308:5, 13308:15 Lloyd - 13359:23, 13398:15 Lloyd - 133297:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13308:10 13338:24
legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13288:10, 13288:9, 13287:9, 13287:10, 13288:10, 13288:9, 13288:10, 13288:9, 13289:2, 13308:5, 13308:15 Lloyd - 13359:23, 13398:15 Lloyd - 133297:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13338:25 13346:3
legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13288:10, 13288:9, 13287:9, 13287:10, 13288:10, 13288:9, 13288:10, 13288:9, 13289:2, 13308:5, 13308:15 Lloyd - 13359:23, 13398:15 Lloyd - 133297:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	10000.20, 10040.0,
legislation - 13321:5 legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13288:10, 13288:9, 13287:9, 13287:10, 13288:10, 13288:9, 13288:10, 13288:9, 13289:2, 13308:5, 13308:15 Lloyd - 13359:23, 13398:15 Lloyd - 133297:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13301.2, 13302.17,
legs - 13351:11, 13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:2, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line - 13311:12 line - 13311:12 line - 13311:12 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 1329:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13281:10, 13288:10, 13289:	13382:22, 13405:16
13351:12 length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:18, 13350:7 light - 13231:22, 13275:13, 13311:20 likely - 13350:14, 13397:2, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13397:2, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13288:10, 13288:9, 13288:10, 13288:4, 13289:6, 13289:10, 13292:5, 13297:22, 13308:5 lives' - 13354:6 living - 13354:5 lives' - 13354:6 living - 13359:23, 1339:15 Lloyd- 13359:23, 1339:15 Lloyd- 13359:23, 13398:15 Lloyd- 133299:11, 13384:20 located - 13229:31, 13248:17	legislation - 13321:5
length - 13275:8, 13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13207:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13241:8, 13350:7 light - 13231:22, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:24, 13397:24, 13297:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:2, 13408:6, 13289:8, 13354:13 lived - 13282:13, 13289:4, 13288:6, 13288:10, 13288:10, 13288:6, 13288:6, 13288:7, 13288:6, 13288:7, 13388:10, 13288:7, 13388:10, 13288:6, 13289:4, 13289:4, 13359:23, 13398:15 lives - 13354:5 lives' - 13359:23, 13398:15 locate - 13229:11, 13384:20 located - 13229:3, 13287:1 locations - 13302:23 locater - 13229:3, 13248:17	legs - 13351:11,
13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13278:7, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13289:8, 13354:13 lived - 13280:10, 13288:6, 13288:10, 13288:10, 13288:6, 13288:10, 13288:4, 13289:4, 13289:4, 13389:5, 13398:15 Lloyd- 13352:23 local - 13267:5, 13397:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13351:12
13411:16 less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13278:7, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13289:8, 13354:13 lived - 13280:10, 13288:6, 13288:10, 13288:10, 13288:6, 13288:10, 13288:4, 13289:4, 13289:4, 13389:5, 13398:15 Lloyd- 13352:23 local - 13267:5, 13397:1 locate - 13229:11, 13384:20 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	length - 13275:8,
less - 13239:20, 13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:9, 13281:0, 13288:4, 13287:9, 13287:10, 13288:6, 13288:9, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13309:23, 13398:15 Lloyd- 13359:23, 13243:21, 13297:1 locate - 13229:3, 13248:17	13411:16
13352:4, 13397:22 less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13278:7, 13307:23, 1ight - 13231:22, 13278:7, 13307:23, 1ight - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 133350:14, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13289:18, 13287:9, 13287:10, 13288:6, 13288:18, 13287:9, 13287:10, 13288:6, 13288:4, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13289:7, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:5 lives' - 13354:5 lives' - 13359:23, 1339:14, 13359:23, 1339:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	less - 13239:20.
less-important - 13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13275:13, 13311:20 likely - 13350:14, 13397:29, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13288:6, 13288:9, 13288:10, 13288:9, 13288:10, 13288:4, 13289:6, 13289:10, 13292:5, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	
13239:20 less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis - 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13288:1, 13287:9, 13287:10, 13288:6, 13288:9, 13288:10, 13288:9, 13288:10, 13288:4, 13289:5, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13359:23, 13398:15 Lloyd- 133297:1 locate - 13229:11, 13384:20 locate - 13229:3, 13248:17	
less-likely - 13397:22 letter - 13298:21, 13298:24, 13299:3, 13299:8, 13299:20, 13301:24, 13387:15, 13387:15, 13387:15, 13387:15, 13329:18, 13330:11 Lewis- 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 1338:3 Lieutenant - 1338:3 Lieutenant - 1338:3 Lieutenant - 1338:3 Lieutenant - 1338:10, 13385:2, 13387:3 life - 13341:20, 13278:10, 13278:10, 13278:10, 13278:10, 13278:10, 13278:10, 13278:10, 13281:12 line - 13311:12 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:10, 13281:15, 13281:0, 13288:6, 13288:9, 13287:9, 13287:10, 13288:6, 13288:9, 13289:10, 13289:4, 13289:6, 13289:10, 13289:4, 13389:15 Lloyd - 13354:6 living - 13354:6 living - 13354:5 lives' - 13354:6 living - 13359:23, 13398:15 Lloyd - 13329:3, 13398:15 Lloyd - 13329:1, 13384:20 located - 13229:1, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	
13298:24, 13299:3, 13299:8, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13288:6, 13288:10, 13287:9, 13287:10, 13288:6, 13289:4, 13289:4, 13289:4, 13399:25, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateor - 13229:3, 13243:21, 13297:1 locateor - 13233:11, 13248:17	loca likely 12207:22
13298:24, 13299:3, 13299:8, 13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13288:6, 13288:10, 13287:9, 13287:10, 13288:6, 13289:4, 13289:4, 13289:4, 13399:25, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateor - 13229:3, 13243:21, 13297:1 locateor - 13233:11, 13248:17	less-likely - 13397.22
13299:8, 13299:20, 13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13297:14, 13297:24, 13297:24, 13297:24, 13297:25:14, 13297:25:14, 13281:14 lines - 13345:18 liquor - 13246:23, 13230:3 listed - 13349:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13280:20, 13281:15, 13281:20, 13281:15, 13281:20, 13288:6, 13287:9, 13287:10, 13288:6, 13288:9, 13288:10, 13288:4, 13289:4, 13289:4, 13289:5, 13397:22, 13308:5, 13398:15 Lloyd- 13350:23 local - 13267:5, 13297:1 locate - 13229:3, 13440:11 located - 13229:3, 13384:20 located - 13229:3, 13384:20 located - 13229:3, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	letter - 13296.21,
13301:24, 13387:13, 13387:15, 13388:10 letting - 13358:3 level - 13229:7, 13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13288:1, 13287:9, 13287:10, 13288:6, 13288:9, 13288:10, 13288:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13354:6 living - 13354:5 lives' - 13354:6 living - 13359:23, 13398:15 Lloyd- 13352:23 located - 13229:31, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13229:3, 13248:17	13298:24, 13299:3,
level - 13229:7, 1329:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13359:23, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateors - 13302:23 locker - 13223:31, 13248:17	13299:8, 13299:20,
level - 13229:7, 1329:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13359:23, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateors - 13302:23 locker - 13223:31, 13248:17	13301:24, 13387:13,
level - 13229:7, 1329:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13359:23, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateors - 13302:23 locker - 13223:31, 13248:17	13387:15, 13388:10
level - 13229:7, 1329:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13359:23, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateors - 13302:23 locker - 13223:31, 13248:17	letting - 13358:3
13229:17, 13229:18, 13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant- 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:6, 13408:2, 13408:2, 13408:6, 13289:8, 13354:13 lived - 13282:13, 13289:4, 13289:8, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13289:4, 13389:21, 13389:4, 13389:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13399:12, 13389:15 Lloyd- 13352:23 located - 13229:3, 13384:20 located - 13229:3, 13287:1 locations - 13302:23 locker - 13229:11, 13384:20 located - 13229:3, 13248:17	level - 13229:7.
13330:11 Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13289:8, 13354:13 lived - 13282:13, 13289:8, 13354:13 lived - 13282:13, 13289:8, 13288:6, 13289:10, 13288:8, 13288:10, 13288:9, 13288:10, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lives' - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd- 13352:23 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13229:17, 13229:18
Lewis- 13252:12, 13278:7, 13307:23 licence - 13258:10 lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:21, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13288:6, 13288:10, 13287:9, 13287:10, 13288:6, 13289:4, 13289:6, 13289:4, 13289:6, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lloyd- 13354:5 lives' - 13354:5 lives' - 13252:23 local - 13267:5, 13297:1 locate - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13330:11
lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13282:13, 13289:8, 13354:13 lived - 13288:6, 13287:9, 13287:10, 13288:6, 13288:10, 13288:10, 13288:4, 13289:9, 13287:10, 13288:6, 13289:10, 13292:5, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13223:11, 13248:17	l ewis- 13252:12
lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13282:13, 13289:8, 13354:13 lived - 13288:6, 13287:9, 13287:10, 13288:6, 13288:10, 13288:10, 13288:4, 13289:9, 13287:10, 13288:6, 13289:10, 13292:5, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13223:11, 13248:17	12270.7 12207.22
lie - 13267:17 lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13282:13, 13289:8, 13354:13 lived - 13288:6, 13287:9, 13287:10, 13288:6, 13288:10, 13288:10, 13288:4, 13289:9, 13287:10, 13288:6, 13289:10, 13292:5, 13297:22, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13223:11, 13248:17	13270.7, 13307.23
lieutenant - 13318:3 Lieutenant - 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13281:20, 13283:9, 13288:6, 13288:8, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13359:23, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13359:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13223:11, 13248:17	11Cence - 13238:10
Lieutenant- 13384:16, 13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13287:9, 13287:10, 13287:9, 13287:10, 13287:9, 13287:10, 13287:9, 13287:10, 13289:4, 13388:8, 13387:9, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:0, 13287:10 located - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locateors - 13302:23 locker - 13223:11, 13248:17	ile - 13267:17
13385:2, 13387:3 life - 13341:8, 13350:7 light - 13231:22, 13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:9, 13397:21, 13397:22, 13411:19 line - 13311:12 line' - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13289:18, 13289:8, 13354:13 lived - 13289:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13288:1, 13288:6, 13288:4, 13289:6, 13289:10, 13289:6, 13289:10, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 Lives' - 13354:6 living - 13354:5 lives' - 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	lieutenant - 13318:3
13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13292:5, 13398:15 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd-13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	Lieutenant- 13384:16
13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13292:5, 13398:15 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd-13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13385:2, 13387:3
13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13289:4, 13289:6, 13289:4, 13289:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13359:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	life - 13341:8, 13350:7
13252:14, 13274:10, 13275:13, 13311:20 likely - 13350:14, 13397:21, 13397:22, 13411:19 line - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13288:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13288:6, 13289:10, 13289:4, 13289:6, 13289:4, 13289:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13359:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	liaht - 13231:22.
Ilkely - 13350:14, 13397:9, 13397:9, 13397:21, 13397:92, 13411:19 line - 13311:12 line' - 13311:14 lines - 13326:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 lives' - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13252:14, 13274:10
Ilkely - 13350:14, 13397:9, 13397:9, 13397:21, 13397:92, 13411:19 line - 13311:12 line' - 13311:14 lines - 13326:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13287:9, 13287:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 lives' - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13275:13 13311:20
line - 13311:12 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13299:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	likely - 13350:14
line - 13311:12 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13299:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	12207:0 12207:21
line - 13311:12 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13299:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13397.9, 13397.21,
line - 13311:12 line - 13311:14 lines - 13311:14 lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13299:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13397:22, 13411:19
lines - 13345:18 liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13281:15, 13287:9, 13287:10, 13288:6, 13288:10, 13288:6, 13289:4, 13288:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 1339:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 locations - 13302:23 locker - 13233:11, 13248:17	line - 13311:12
liquor - 13226:23, 13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:6, 13408:1, 13408:1, 13408:1, 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13287:10, 13288:6, 13288:4, 13287:9, 13287:10, 13288:6, 13289:4, 13289:6, 13289:10, 1329:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	
13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13335:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	lines - 13345:18
13230:3 listed - 13399:23, 13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13335:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	liquor - 13226:23,
13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:6, 13289:4, 13289:6, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 1339:14, 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 1339:14, 13359:23, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13230:3
13400:12 listen - 13407:24, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 1339:14, 13359:23, 1339:14, 13359:23, 1339:14, 13359:23, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	listed - 13399:23.
listen - 13407:24, 13408:2, 13408:2, 13408:6, 13408:12 live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13280:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:4, 13289:4, 13289:4, 13289:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13/100-12
live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	listen - 13407:24
live - 13282:13, 13289:8, 13354:13 lived - 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13408:2 13408:6
live - 13282:13, 13289:8, 13354:13 lived - 13280:18, 13354:15, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:4, 13289:4, 13289:6, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13398:15 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13359:23, 13398:15 Lloyd- 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13/08:12
13289:8, 13354:13 lived - 13280:18, 13280:20, 13281:15, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13289:4, 13289:6, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 1339:14, 13359:23, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	live 12202:12
13280:20, 13281:19, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13288:4, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	12200:0 12254:42
13280:20, 13281:19, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13288:4, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13203.0, 13304.13
13280:20, 13281:19, 13281:20, 13283:9, 13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:6, 13288:4, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	iivea - 13280:18,
13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13302:22, 13308:5, 13398:5, 13398:15 Lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13280:20, 13281:15,
13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13302:22, 13308:5, 13398:5, 13398:15 Lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13281:20, 13283:9,
13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13302:22, 13308:5, 13398:5, 13398:15 Lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	
13289:6, 13289:10, 13292:5, 13297:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13283:10, 13285:18,
13289:6, 13289:10, 13292:5, 13297:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13283:10, 13285:18, 13287:9, 13287:10,
13289:6, 13289:10, 13292:5, 13297:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13283:10, 13285:18, 13287:9, 13287:10, 13288:6, 13288:8,
13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4
13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4
13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4
lives - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4
13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5,
13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8
13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8
13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8
13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8
13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:4, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23,
13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:5 lives' - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15
13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:5 lives' - 13354:5 lives' - 13354:6 living - 13338:25, 13339:14, 13359:23, 13398:15
locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5,
13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5,
located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:4, 13288:10, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 13338:25, 1339:14, 13359:23, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11,
locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20
locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20
locker - 13233:11, 13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20
13248:17	13287:9, 13287:10, 13288:6, 13288:8, 13288:4, 13289:4, 13289:4, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:6 living - 13338:25, 13398:15 Lloyd- 13352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20
logical - 13/01:7	13287:9, 13287:10, 13288:6, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13308:8 lives - 13354:5 lives' - 13354:6 living - 133352:23 local - 13267:5, 13297:1 locate - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23
	13287:9, 13287:10, 13288:6, 13288:8, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:5, 13398:45 lives' - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd- 13359:23 local - 13267:5, 13297:1 located - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11.
iogioai - 10401.7	13287:9, 13287:10, 13288:6, 13288:8, 13288:6, 13289:4, 13289:6, 13289:10, 13292:5, 13297:22, 13302:22, 13308:5, 13398:5, 13398:45 lives' - 13354:6 living - 13354:6 living - 13359:23, 13398:15 Lloyd- 13359:23 local - 13267:5, 13297:1 located - 13229:11, 13384:20 located - 13229:3, 13243:21, 13297:1 locations - 13302:23 locker - 13233:11.

look - 13225:5, 13225:13, 13225:23, 13236:1, 13240:11, 13242:1, 13260:25, 13303:8, 13306:8, 13309:3, 13309:7, 13401:25, 13403:13 looked - 13248:14, 13272:5, 13368:6, 13375:19, 13381:20, 13399:10 **looking** - 13230:7, 13255:3, 13258:6, 13279:1, 13281:13, 13292:4, 13293:13, 13293:25, 13301:1, 13333:13, 13353:5, 13358:17, 13398:11, 13208:10, 13408:2 13398:19, 13400:2, 13403:10 lookit - 13381:7 looks - 13241:14, 13241:17, 13242:4, 13317:23, 13326:16, 13336:5 Lord- 13352:24 Loreburn- 13224:19 lost - 13341:8 love - 13354:25, 13355:7 lower - 13286:17 Lt- 13326:22 Lunch- 13285:1 lunch - 13347:5 lying - 13401:3

М Maccallum - 13220:7, 13224:3, 13224:11, 13316:23, 13357:2, 13395:10, 13409:5, 13409:9, 13411:11, 13411:22, 13411:25, 13412:3 Mackay - 13298:25 Mackie - 13272:4, 13326:23, 13327:16 Main - 13354:18, 13355:5 **main** - 13275:19, 13402:15 Malanowich -13223:5, 13317:1, 13317:2, 13317:4, 13317:15, 13327:10, 13329:4, 13332:5, 13334:7, 13334:13, 13334:7, 13334:13, 13334:13, 13336:12, 13339:5, 13345:4, 13346:8, 13366:23, 13373:9, 13373:24, 13379:10, 13384:18, 13390:19, 13390:25, 13391:5, 13394:3, 13395:5, 13411:10 13395:5, 13411:10, 13411:12 male - 13272:8, 13300:6, 13324:24 man - 13262:1, 13285:10, 13288:15 Man - 13357:21 Manager - 13221:5 Manitoba - 13302:4, 13347:7, 13347:8 **Mann** - 13254:9, 13255:16, 13256:11, 13307:15 Mann's - 13307:14 manner - 13344:22

mannerisms -13392:24. 13406:13 manpower - 13257:13 map - 13284:12, 13284:24, 13285:12, 13286:4, 13289:14 Mar - 13390:23 March - 13225:15 13264:12, 13264:25, 13266:18, 13268:2, 13298:21, 13317:24 13324:12, 13326:17, 13329:4, 13332:5, 13334:19, 13334:21, 13335:4, 13335:6, 13335:7, 13336:10 13336:18, 13363:25, 13373:15, 13375:9, 13376:22, 13384:12, 13384:13, 13386:6, 13390:10, 13410:19 marihuana - 13348:25, 13349:19, 13349:21, 13352:12, 13353:4, 13353:6, 13353:18, 13353:21, 13354:11, 13366:4, 13366:15, 13366:18, 13366:21, 13378:20, 13379:6, 13382:12, 13400:20, 13401:6, 13403:23 Marijuana - 13320:22 marijuana - 13366:1, 13366:6, 13377:3, 13379:21, 13403:2, 13404:2, 13404:2 13404:3, 13405:8, 13407:6, 13410:2, 13410:7 mark - 13238:19 marker - 13286:13 marks - 13259:10, 13406:17 match - 13271:4 matter - 13248:8, 13248:20, 13250:6, 13256:2, 13279:9. 13299:22, 13313:24, 13314:9, 13339:8, 13358:21, 13376:4, 13377:1, 13377:13, 13378:16, 13394:5, 13397:22, 13399:18 matters - 13304:4, 13345:23, 13400:9 Maun - 13307:7 **Mcintosh** - 13335:14, 13337:12, 13338:8, 13338:16, 13339:22 Mclean - 13222:3 mean - 13229:23, 13231:7, 13241:20, 13246:6, 13271:12, 13301:19, 13334:6, 13349:12, 13360:15, 13364:1, 13366:25, 13379:23, 13380:23, 13394:15, 13396:1, 13403:6, 13404:11 13405:21, 13406:22, 13406:24 means - 13241:16, 13275:24, 13381:8, 13381:23 meant - 13230:19, 13249:18, 13269:14, 13379:9, 13404:1, 13407:9 meantime - 13411:18 mechanics - 13235:10 13290:17, 13291:2, 13296:13, 13296:17, 13298:3, 13298:6, 13298:8, 13304:9, 13385:10, 13385:11 media' - 13296:17 meet - 13395:17 meeting - 13265:4, 13327:1, 13327:16, 13327:23, 13332:23, 13345:19, 13386:19, 13386:24, 13386:25, 13390:15, 13398:5 meetings - 13328:21, 13387:2, 13393:12 Melita - 13354:19 member - 13317:11. 13324:20 members - 13227:17, 13290:6, 13302:15, 13322:13, 13330:5, 13340:8 Members - 13302:1 **memo** - 13308:12, 13308:14, 13323:5, 13336:15 **memory** - 13290:15, 13311:8, 13311:16, 13311:22, 13337:9, 13407:11 men - 13335:24, 13362:9, 13362:12 mental - 13227:8, 13227:9 mention - 13253:1, 13369:12, 13403:21, 13404:5, 13404:12 mentioned - 13267:4, 13273:25, 13274:8, 13279:19, 13296:13, 13279:19, 13296:13, 13301:20, 13309:25, 13366:9, 13366:14, 13372:9, 13373:8, 13376:5, 13377:1, 13378:17, 13391:20, 13393:11, 13403:18, 13403:22, 13404:8, 13404:24, 13407:1 mentioning - 13266:9 Met - 13326:22 met - 13244:10 13244:12, 13324:19, 13328:20, 13330:24, 13332:11, 13341:20, 13345:11, 13345:15, 13345:24, 13348:22, 13364:6, 13375:9 method - 13253:14 methods - 13265:17 **Meyer** - 13221:12 13413:2, 13413:17 might - 13232:2, 13233:25, 13236:5, 13236:10, 13241:20, 13246:10, 13247:15, 13248:1, 13248:15, 13258:8, 13271:4, 13273:20, 13273:21, 13305:24, 13321:15, 13342:8, 13356:10, 13362:25, 13365:19, 13368:21, 13381:14, 13383:15, 13383:25, 13399:3, 13401:6, 13404:5, 13404:18 Might - 13398:17 Milgaard - 13220:4, 13222:2, 13222:3, 13272:3, 13272:8,

13272:24, 13273:6, 13274:12, 13277:12, 13279:5, 13294:17, 13304:11, 13313:24, 13328:7, 13328:20, 13328:25, 13329:6, 13329:11, 13329:18, 13329:11, 13329:18, 13329:22, 13330:8, 13330:22, 13331:8, 13331:13, 13331:18, 13331:21, 13331:23, 13332:7, 13332:16, 13332:21, 13333:5, 13333:7, 13333:7, 13333:7, 13333:7, 13333:7, 13333:17, 13333 13333:22, 13334:1, 13340:1, 13340:23, 13341:20, 13341:22, 13341:25, 13343:16, 13341.23, 15545.10, 13345:11, 13347:12, 13348:9, 13349:5, 13349:11, 13349:21, 13350:1, 13350:1, 13350:16 13351:23, 13352:16, 13354:3, 13355:20, 13356:1, 13356:15, 13356:18, 13358:9, 13359:5, 13360:13, 13364:16, 13364:20, 13365:1, 13365:20, 13365:1, 13365:20, 13369:16, 13371:10, 13372:15, 13372:22, 13373:20, 13374:5, 13376:5, 13376:15, 13376:17, 13381:23, 13381:17, 13381:23, 13382:6, 13382:15, 13384:2, 13384:2, 13384:2, 13384:2, 13384:2, 13384:2, 13384:2, 1 13384:2, 13384:21, 13384:24, 13387:14, 13387:20, 13389:9, 13389:11, 13391:3, 13391:18, 13396:6 Milgaard's - 13272:21, 13358:2, 13361:17, 13367:13, 13395:16 Miller - 13256:17, Miller - 13256:17, 13257:2, 13257:17, 13257:23, 13258:13, 13259:6, 13259:19, 13259:25, 13260:2, 13260:6, 13261:3, 13261:8, 13261:12, 13262:7, 13262:10, 13262:20, 13263:14, 13263:22, 13266:10, 13268:1, 13269:11, 13268:1, 13269:11, 13270:10, 13271:5, 13272:25, 13273:12, 13273:13, 13273:20, 13273:22, 13274:3, 13274:13, 13277:13, 13277:15, 13277:20 13277:15, 13277:20, 13279:4, 13294:2, 13294:24, 13310:2, 13318:7, 13322:17, 13327:2, 13327:11, 13327:20, 13329:1, 13330:13, 13331:5, 13349:6, 13350:4, 13349:6, 13350:4, 13351:24, 13352:5, 13371:11, 13371:13, 13382:7, 13384:5, 13385:8, 13385:23, 13386:13, 13387:15, 13387:20, 13393:14, 13396:13, 13396:13, 13396:13, 13396:16, 13397:9, 13409:16, 13410:3 **Miller's** - 13225:14, 13256:5, 13264:22,



media - 13289:23,

13389:19

newspaper - 13297:1

13331:19, 13332:22	13236:20, 13238:15,
mind - 13260:7,	13239:15 13240:5
13260:12, 13260:21,	13240:20, 13241:1,
13265:25, 13273:10, 13294:22, 13303:24,	13239:15, 13240:5, 13240:20, 13241:1, 13242:21, 13253:21,
13294:22, 13303:24,	13256:11, 13256:12,
13331:2, 13356:17,	13256:23, 13257:4,
13397:17, 13399:16,	13257:11, 13257:17,
13399:18 Mind - 13250:15,	13257:11, 13257:17, 13257:19, 13263:10, 13263:11, 13263:15,
13312:24	13310:13, 13312:25,
minds - 13397:14	13313:3, 13314:20,
mine - 13297:21,	13313:3, 13314:20, 13317:24, 13321:11,
13297:23, 13404:15,	13321:17, 13321:19,
13404:16	13322:5, 13322:6,
Minister - 13222:11	13322:11
minor - 13277:7 minutes - 13229:16,	Morality - 13225:21, 13243:17 13252:12
13285:2, 13329:23,	13243:17, 13252:12, 13254:7, 13254:8,
13351:9	13255:16. 13258:4.
Miss - 13271:23,	13272:1, 13305:6,
13272:4, 13300:11,	13307:7, 13307:22
13387:22, 13389:7	morning - 13224:3,
missed - 13347:5,	13224:4, 13224:5,
13389:19	13224:10, 13310:9,
missing - 13304:5, 13320:11, 13320:12,	13311:7, 13317:4, 13329:7, 13329:21,
13320:14	13332:9, 13334:25,
mistaken - 13288:10,	13336:16, 13354:16,
13288:17	13361:7, 13365:5,
misunderstood -	13365:7, 13368:7,
13290:12	13386:19, 13386:24, 13396:18, 13397:11
Mitchell - 13335:13,	13396:18, 13397:11
13337:13, 13338:9, 13338:17, 13339:23	most - 13300:4,
Mo - 13267:16	13312:13, 13358:25, 13398:18
modus - 13303:6,	mostly - 13247:14,
13303:9	13349:23
moisture - 13247:10	motel - 13375:20,
Mom - 13364:9	13383:20, 13383:21,
moment - 13249:5,	13399:9
13250:3, 13284:12,	mother - 13338:1,
13286:24, 13323:6, 13323:15, 13336:12	13339:13, 13340:21, 13340:24, 13341:3,
Monar - 13221:3	13341:12
Monar-enweani -	mountains - 13349:2
13221:3	mouth - 13230:13
Monday - 13347:4,	move - 13256:4
13355:16, 13357:15 money - 13366:5, 13366:7, 13368:20, 13377:2, 13378:19,	moved - 13281:15, 13283:22
13366·7 13368·20	murder - 13225:14,
13377:2. 13378:19.	13256:5, 13256:9,
13376:21. 13379:7.	13256:10, 13256:13,
13379:21, 13403:2,	13257:9, 13257:23,
13405:7, 13407:5,	13257:25, 13258:6,
13410:7	13257:25, 13258:6, 13258:12, 13258:18, 13259:25, 13260:6,
month - 13282:8,	13259:25, 13260:6,
13357:25, 13359:25	13261:3, 13261:19, 13262:7, 13262:9,
months - 13240:6, 13276:25, 13277:3,	13262:14, 13262:20,
13364:3, 13388:8,	13262:23, 13263:14,
13410:21, 13411:4	13268:1, 13268:24,
13410:21, 13411:4 Morale - 13310:16	13260-10 13260-11
morality - 13225:15,	13269:12, 13271:5, 13272:25, 13273:3, 13273:22, 13274:3,
13225:20, 13226:2,	13272:25, 13273:3,
13226:3, 13226:7, 13226:9, 13226:13,	13273:22, 13274:3, 13274:4, 13274:13,
13226:18, 13226:19,	13274:16, 13277:12,
13227:3. 13227:13.	13279:4, 13294:2,
13227:3, 13227:13, 13227:15, 13228:8,	13294:24, 13316:7,
13228:15 13228:20	13316:9, 13318:7,
13229:7, 13229:8,	13322:17, 13326:23, 13327:21, 13328:11,
	13327:21, 13328:11,
13230:10, 13230:19,	13328:25, 13329:7,
13230.41, 13232.1,	13330:12, 13331:19, 13332:13
13230:10, 13230:19, 13230:21, 13232:1, 13232:10, 13232:12, 13233:4, 13233:5, 13233:4, 13233:5,	13332:22, 13333:5
13233.12, 13233.14,	13332:10, 13332:13, 13332:22, 13333:5, 13340:18, 13341:8,
13233:18, 13234:8, 13234:18, 13235:2,	13349:6, 13350:4,
13234:18, 13235:2,	13350:14, 13351:23,
13235:6, 13235:13,	13352:5, 13373:21,

13374:6, 13381:14, 13381:24, 13382:16, 13383:6, 13385:14, 13387:14, 13387:21, 13390:17, 13392:9, 13392:18, 13393:14, 13396:13, 13397:11, 13397:20, 13404:18, 13405:21, 13406:18, 13409:16 murder/rape -13274:21, 13310:2 murdered - 13265:10, 13330:18, 13350:22, 13379:8, 13396:23 murderer - 13382:7 murders - 13229:24 must - 13305:17, 13385:5, 13404:23, 13406:23

N
name - 13252:6, 13261:17, 13261:21, 13262:4, 13264:19, 13279:7, 13279:19, 13298:3, 13304:13, 13307:14, 13322:23, 13329:12, 13329:13, 13334:14, 13345:22, 13348:11, 13371:13, 13380:18, 13384:8, 13387:8, 13387:10, 13393:11
named - 13371:3 names - 13227:12, 13380:16, 13380:18, 13405:2 nature - 13241:11,
13246:10, 13253:5, 13254:5, 13257:9, 13274:6, 13277:7, 13280:14, 13294:7, 13315:2, 13320:13, 13330:16, 13343:11, 13344:7, 13350:5, 13352:18, 13386:18, 13398:20 near - 13255:13,
need - 13229:15, 13322:4
needed - 13229:14, 13248:21, 13257:13, 13381:1 needs - 13383:18 negative - 13267:9, 13269:2, 13356:13, 13356:18, 13356:19 neglect - 13320:11
neglect - 13320:11 neighbourhood - 13315:14 neighbouring -
13288:25 neighbours -
13280:20, 13283:20 nervous - 13399:1 Net - 13335:23 never - 13236:10, 13303:14, 13305:3, 13306:7, 13325:24, 13351:18, 13353:10, 13372:11, 13378:24, 13393:11, 13401:8, 13405:4
new - 13239:3, 13239:10, 13275:12, 13318:13, 13318:16

Next - 13306:5, 13315:8, 13364:21, 13367:9, 13368:11, 13369:20, 13378:15, 13393:23 next - 13224:6 13232:7, 13243:15, 13251:14, 13258:4, 13266:14, 13267:11, 13285:10, 13299:19, 13301:23, 13309:5, 13310:4, 13310:11, 13310:4, 13310:11, 13313:16, 13316:25, 13331:11, 13334:25, 13340:10, 13346:4, 13349:18, 13353:8, 13365:1, 13368:7, 13370:25, 13384:15, 13393:6 nice - 13401:12 Nichol - 13329:13, 13375:25, 13384:23 Nickel - 13400:20 nickel - 13348:24 13366:20, 13400:16, 13401:5 nicknamed - 13352:23 **Nicky** - 13365:9, 13365:25, 13366:1, 13366:2, 13366:13 13366:2, 13366:13 Nicky's - 13368:10 night - 13254:9, 13258:4, 13316:7, 13316:9, 13335:24, 13351:8, 13351:15, 13352:22, 13354:24, 13256:24, 13256:25 13354:24, 13355:5, 13357:18, 13360:5, 13360:7, 13362:22, 13365:6 nights - 13392:6 Nil - 13327:13 nine - 13240:18 **nobody** - 13256:15, 13318:23 none - 13267:20, 13329:23 nordstrom - 13394:1 Nordstrom - 13226:6, 13226:11, 13230:23, 13254:6, 13269:17, 13280:19, 13280:24, 13281:10, 13282:1, 13282:21, 13289:19, 13291:19, 13293:16, 13294:14, 13297:14, 13300:19, 13307:25, 13312:9, 13312:12, 13312:17, 13312:21, 13315:10, 13315:13, 13322:2, 13322:10, 13393:24, 13394:9, 13396:4 Nordstrom's -13394:23 normal - 13307:1 13344:19, 13370:24 normal-type -13344:19 north - 13244:18, 13256:13, 13258:6, 13285:2, 13285:9, 13287:16, 13287:18, 13287:21, 13287:22, 13324:22 North - 13282:16, 13282:25, 13283:4,

north-south -13256:13, 13287:22 northwest - 13330:20 notebook - 13305:19, 13323:4, 13323:8, 13325:3, 13326:14, 13335:10, 13336:5, 13336:19, 13336:22, 13336:25 notes - 13309:23, notes - 13309:23, 13324:16, 13326:17, 13326:24, 13326:25, 13327:6, 13327:7, 13331:11, 13334:20, 13335:12, 13390:14, 13402:8, 13413:6 nothing - 13238:9, 13275:10, 13297:5, 1328:15, 13359:9, 13381:13, 13383:21 13381:13, 13383:21 **notice** - 13325:17, 13408:18 noticed - 13375:21, 13411:6 notified - 13237:7, 13315:4 **notify** - 13237:15, 13237:19 **notifying** - 13237:5, 13237:8 Nov - 13265:7 November - 13252:6, 13254:22, 13255:10, 13282:7, 13282:14, 13302:8, 13302:11, 13304:2, 13410:20 november - 13253:7 number - 13225:25, 13232:19, 13240:21, 13241:2, 13241:4, 13241:5, 13242:15, 13257:3, 13257:25, 13261:12, 13263:25, 13299:23, 13336:23, 13380:7 Number - 13336:2 numbers - 13258:10 nurse - 13381:13 nurse's - 13258:25, 13259:8 **nylons** - 13368:8, 13375:22

0

o'clock - 13412:4 observation - 13393:4 observations -13263:25, 13316:6, 13344:14, 13398:24 **observe** - 13344:2, 13392:19, 13406:22 observed - 13262:18, 13329:23, 13333:4, 13367:22 observers - 13338:10 obtain - 13268:18, 13296:21 obtained - 13225:4, 13267:20, 13268:3, 13272:4, 13289:6, 13329:18 **obtaining** - 13289:5 obvious - 13373:19, 13376:15 Obviously - 13248:19 obviously - 13359:17, 13399:19 occasion - 13230:9,



13283:10

news - 13389:15,

13254:8, 13263:1,	13363:2, 13365:19,
13274:20, 13319:22,	13370:12, 13396:24,
13328:21, 13372:16,	13370:12, 13396:24, 13397:17, 13404:22 officers - 13226:13,
13376:17	officers - 13226:13,
occasions - 13231:19, 13233:24, 13236:4,	13228:2, 13228:8, 13228:9, 13230:14,
13250:19, 13257:3,	13231:19, 13232:19,
13257:16, 13380:7,	13231:19, 13232:19, 13233:14, 13234:5,
13380:9	13253:21, 13253:25,
occur - 13254:12 occurred - 13227:22,	13255:2, 13257:4, 13257:11, 13259:18,
13231:13, 13244:15,	13263:14, 13266:6,
13244:22, 13254:16,	13269:8, 13278:13,
13256:14, 13258:7, 13302:23, 13305:6	13291:8, 13292:11,
occurrence -	13318:21, 13318:25, 13322:12, 13381:6, 13382:22, 13386:16,
13243:19, 13243:22,	13382:22, 13386:16,
13261:11, 13276:11,	13387:2, 13390:14,
13309:14 occurrences - 13233:1	13397:14 Official - 13221:11,
Oct - 13265:7	13413:1, 13413:3,
October - 13243:16,	13413:14, 13413:18
13245:14, 13252:5, 13253:7, 13282:4,	oil - 13253:4
13299:24, 13302:1,	old - 13254:11 Oleksyn - 13290:9
13302:10, 13302:13	Oleksyn - 13290:9, 13290:11, 13290:20, 13291:23, 13292:12, 13311:19, 13312:13
October-november -	13291:23, 13292:12,
13253:7 offence - 13230:3,	13311:19, 13312:13 once - 13231:2,
13243:16. 13243:23.	13235:24, 13236:19.
13243:16, 13243:23, 13246:20, 13250:23,	13235:24, 13236:19, 13236:25, 13240:10,
13251:3, 13252:1, 13252:4, 13252:21,	13247:3. 13283:24.
13252:4, 13252:21, 13252:24, 13255:21,	13295:11, 13344:25, 13351:8, 13360:4,
13265:15, 13300:11,	13403:7
13302:13, 13340:16,	Once - 13247:18
13392:15	one - 13230:9,
offences - 13226:19, 13226:23, 13226:25,	13231:14, 13233:2, 13238:21, 13242:2,
13227:5, 13227:6,	13242:4, 13242:5,
13228:14. 13240:2.	13242:24, 13248:7,
13240:23, 13241:17, 13242:7, 13242:16,	13251:1, 13251:25,
13265:18, 13294:10,	13254:7, 13255:8, 13264:8, 13265:8,
13302:10, 13303:15	13267:6, 13267:25,
Offences - 13241:10,	13272:2, 13272:6,
13242:2 offenders - 13263:17	13272:8, 13272:14, 13274:20, 13277:7,
offer - 13401:19	13278:3. 13281:7.
office - 13233:12,	13282:19, 13288:23,
13239:16, 13337:16	13294:8, 13297:6,
Officer - 13221:13, 13233:23, 13252:12,	13297:23, 13299:23, 13314:22, 13322:18,
13254:7, 13254:8,	13324:23. 13324:24.
13255:16, 13258:5,	13331:2, 13331:16,
13272:1, 13278:7, 13396:18, 13397:7	13333:12, 13336:3,
officer - 13224:23,	13348:8, 13350:11, 13351:5, 13352:13,
13225:15, 13225:20,	13352:24, 13355:5,
13225:21, 13226:3,	13355:6, 13357:18, 13359:12, 13366:19,
13227:13, 13230:20, 13231:9, 13231:14,	13366:20, 13370:11,
13231:25, 13232:1,	13371:3, 13371:5,
13233:20, 13233:21,	13371:3, 13371:5, 13378:6, 13380:1,
13233:25, 13234:4, 13235:2, 13236:18,	13381:16, 13383:7, 13385:18, 13388:12,
13238:13. 13243:2.	13394:7. 13397:16.
13238:13, 13243:2, 13247:22, 13248:7,	13394:7, 13397:16, 13401:1, 13401:5,
13248:9, 13253:8,	13401:6, 13404:21, 13406:11, 13410:14,
13255:16, 13256:11, 13256:23, 13260:10,	13412:4
13260:13, 13260:20, 13269:16, 13273:17,	One - 13359:11
13269:16, 13273:17,	ones - 13239:20,
13278:7, 13279:1, 13279:16, 13307:7,	13267:13, 13336:16, 13368:8
13307:22, 13313:3,	ongoing - 13227:14,
13307:22, 13313:3, 13317:24, 13318:18,	13232:11
13320:3, 13324:24, 13347:21, 13350:12,	Ont - 13357:20,
13361:3, 13361:14,	13357:21 open - 13233:17,
. ,	

13275:9, 13275:22, 13277:2, 13277:4, 13277:6, 13277:24, 13278:1, 13293:7, 13293:9, 13301:4, 13342:3, 13365:12, 13365:13, 13397:14, 13397:17, 13399:16, 13399:18 open-ended - 13342:3 opened - 13239:2, 13275:14 operandi - 13303:6, 13303:9 operation - 13229:8, operative - 13335:20 opinion - 13274:6, 13350:16, 13359:9, 13365:22, 13375:13, 13384:23, 13389:4, 13390:25, 13391:5, 13391:11, 13409:13 opinions - 13364:19, 13375:10 opportunity -13325:10, 13329:21, 13411:13 opposed - 13260:19, 13270:1, 13291:5 oral - 13400:5, 13400:15 order - 13267:23 organization -13318:24 organizational -13225:24, 13322:3 organized - 13233:20 original - 13233:3, 13234:14, 13234:15, 13239:1, 13301:11, 13383:2 Originally - 13325:4 Otherwise - 13240:14, 13241:15, 13242:4 Ottawa-13357:24, 13359:20 ought - 13232:7 ourselves - 13236:22 outcome - 13382:6 outer - 13259:6 outlined - 13377:18 outlining - 13299:15 outside - 13401:17 outskirts - 13347:1 outstanding -13246:9, 13299:2 overlooked - 13265:21 oversee - 13231:15 own - 13226:14, 13227:16, 13227:21, 13233:21, 13263:6, 13303:23, 13331:2, 13331:7, 13346:15, 13359:7, 13397:3, 13402:13 owner - 13250:14 oz - 13353:21

Ρ

package - 13361:16 pad - 13368:11 page - 13239:24. 13240:1, 13243:15, 13251:12, 13251:14, 13265:1, 13266:14, 13266:17, 13267:11, 13282:3, 13283:6, 13285:10, 13299:19,

13301:23, 13304:15, 13306:5, 13309:5, 13310:4, 13310:11 13313:16, 13313:17, 13313:18, 13315:8, 13324:7, 13331:11, 1334:13, 13343:25, 13357:8, 13364:21, 13367:9, 13368:11, 13369:220, 1369:220, 1369:200, 1369:200, 1369:200, 1369:200 13378:15, 13384:15, 13393:6, 13393:23 Page - 13223:2 pages - 13335:18, 13336:23, 13337:2, 13339:23, 13342:13, 13343:21, 13377:10, 13402:8, 13403:4, 13403:15, 13413:4 pairs - 13368:11 panties - 13268:10 pants - 13368:12 panty - 13305:5 paper - 13232:20 13291:3, 13296:18, 13296:19, 13305:18, 13308:11, 13359:25 paragraph - 13265:2, 13265:25, 13267:18, 13275:4, 13301:25, 13309:24, 13310:11, 13310:23, 13313:18, 13314:7, 13338:15, 13340:10, 13370:25 parallel - 13244:19 pardon - 13367:3 parent - 13344:20 parents - 13338:20, 13339:7, 13339:11, 13340:6, 13350:9, 13354:13, 13357:12, 13357:14, 13360:1, 13401:16, 13401:19 paring - 13300:9, 13301:8, 13301:14, 13301:21 park - 13357:24 Part - 13256:18 part - 13229:4, 13240:4, 13246:13, 13259:20, 13299:8, 13306:6, 13320:2, 13320:25, 13322:5, 13335:12, 13342:12, 13344:24, 13358:15, 13383:13, 13383:19, 13387:6, 13388:13, 13390:16, 13394:15 particular - 13229:15, 13229:22, 13272:20, 13277:5, 13384:22 particularly -13229:13, 13396:7 parties - 13411:19 partners - 13226:14 parts - 13356:22, 13373:15 pass - 13229:12, 13230:15 passed - 13229:13, 13260:16, 13285:4 Passet - 13243:17, 13276:2 passing - 13260:18 past - 13253:16, 13287:18, 13393:19 patience - 13224:16 patients - 13227:9 patrol - 13321:11, 13321:17

Pause - 13366:22 pause - 13269:13, 13302:25, 13340:2, 13351:20, 13358:1 pawn - 13225:11 pay - 13227:16 paying - 13397:2 peace - 13320:3, 13324:23, 13324:24, 13397:14, 13397:17, 13404:22 Penkala - 13260:25, people - 13271:25 people - 132/1:25, 13283:23, 13319:23, 13320:1, 13320:7, 13321:1, 13321:11, 13332:23, 13333:17, 13354:5, 13370:24, 13379:25, 13380:14, 13385:10, 13385:12, 13387:10, 13393:2, 13398:5, 13400:8, 13400:17, 13401:1, 13402:6, 13405:15, 13406:9, 13406:15, 13410:9 People - 13400:23 **perhaps** - 13370:5, 13370:13, 13409:23, 13410:5, 13410:10 period - 13225:13, 13228:19, 13242:23, 13245:7, 13249:10, 13303:17, 13308:8, 13317:22, 13353:13, 13393:10, 13394:20, 13395:19 permission - 13339:2 perpetrated -. 13274:17 perpetrator 13254:13, 13255:4, 13269:12, 13270:1, 13273:10, 13274:16, 13278:18, 13278:19, 13396:13 person - 13230:7, 13231:21, 13248:13, 13253:9, 13253:10, 13253:19, 13255:8, 13260:2, 13260:3, 13260:10, 13261:23, 13266:24, 13267:24, 13272:8, 13273:21, 13274:17, 13275:11, 13278:12, 13285:23, 13295:14, 13303:24, 13295:14, 13303:24, 13310:6, 13313:9, 13321:23, 13329:2, 13330:8, 13331:3, 13333:22, 13334:3, 13347:16, 13352:18, 13355:13, 13356:12, 13375:6, 13375:44, 13391:24 13375:14, 13391:24, 13394:22, 13395:3, 13395:4, 13396:10, 13396:22, 13397:8, 13397:9, 13397:16, 13397:19, 13398:9, 13398:14, 13409:12 person's - 13406:13 personally - 13235:5, 13334:17, 13335:1 Persons - 13267:9 persons - 13272:11, 13272:14, 13348:8 Peterborough -13357:23



premises - 13264:14

photo - 13272:3, 13272:7, 13272:21, 13384:3, 13384:4 photograph - 13306:18, 13306:22, 13384:8 photographs - 13272:16 photos - 13271:24, 13272:2, 13272:5, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13247:20, 13247:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 1325:2:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 133271:7, 13338:9, 13411:17 played - 13228:20 plates - 13329:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:16 playing - 13390:16 playing - 13391:21 plea - 13236:14,
13272:7, 13272:21, 13384:3, 13384:4, photograph - 13306:18, 13306:22, 13384:8, photographs - 13272:16 photos - 13271:24, 13272:2, 13249:2, 13249:7, 13269:10, 13270:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4, 13246:25, 13247:4, 13246:25, 13247:4, 13246:25, 13247:4, 13246:25, 13247:4, 13246:25, 13247:4, 13246:25, 13247:4, 13246:25, 13247:4, 13348:16, 13348:21, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13350:19 place - 13227:20, 13236:17, 13251:3, 13352:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13325:14 planning - 13403:15 plans - 13325:20 plates - 133271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
photograph - 13306:18, 13306:22, 13384:8 photographs - 13272:16 photos - 13271:24, 13272:2, 13272:5, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13306:18, 13306:22, 13384:8 photographs - 13272:16 photos - 13271:24, 13272:2, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13246:25, 13247:4, 13246:25, 13247:4, 13271:25, 13247:27, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13355:22, 13357:12, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:20 plates - 13347:80 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:12 plea - 13236:14,
13384:8 photographs - 13272:16 photos - 13271:24, 13272:2, 13272:5, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13353:3 planned - 13325:14 planning - 13403:15 plais - 13325:20 plates - 133271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:121 plea - 13228:10, 13390:16 playing - 13390:12
13272:16 photos - 13271:24, 13272:2, 13272:5, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13355:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
photos - 13271:24, 13272:5, 13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plas - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:16 playing - 13390:12 plea - 13236:14,
13300:12 physical - 13249:2, 13249:7, 13269:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plas - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:16 playing - 13390:12 plea - 13236:14,
13249:7, 13269:10, 13270:5, 13270:5, 13270:10, 13270:5, 13270:10, 13271:3, 13271:4 physically - 13247:23 pick - 13246:21, 13246:25, 13247:25, 13247:25, 13247:25, 13247:25, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13347:20 piece - 13347:20 piece - 13347:20 piece - 13347:20 piece - 13347:20, 13247:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
132/1:3, 132/1:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13355:22, 13357:12, 13355:22, 13357:12, 13355:22, 13357:12, 13355:21, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13228:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
132/1:3, 132/1:4 physically - 13247:23 pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13355:22, 13357:12, 13355:22, 13357:12, 13355:22, 13357:12, 13355:21, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13228:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
pick - 13245:4 picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
picked - 13246:21, 13246:25, 13247:4, 13271:25, 13272:7, 13311:23, 13347:5, 13348:16, 13348:21, 13349:1, 13352:22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13357:14, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13349.1, 13352.22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13357:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13349.1, 13352.22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13357:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13349.1, 13352.22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13357:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13349.1, 13352.22, 13353:9, 13354:17 picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13357:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13327:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13325:20 plates - 133232:20 plates - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
picture - 13300:16, 13371:6 pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13325:20 plates - 133232:20 plates - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
pictures - 13371:2 piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13363:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 1328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
piece - 13347:20, 13347:23, 13370:13 pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plase - 13325:20 plates - 13325:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:12 plea - 13236:14,
pin - 13380:19 place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plais - 13325:20 plates - 13325:20 plates - 13325:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
place - 13227:20, 13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13355:22, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13325:20 plates - 133271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13236:17, 13251:3, 13252:21, 13349:18, 13351:6, 13353:2, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 1328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:12 plea - 13236:14,
13355:22, 13357:12, 13357:14, 13364:15, 13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13390:12 plea - 13236:14,
13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13364:18 placed - 13272:6, 13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13325:5, 13359:15 plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13325:20 plates - 133271:7, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
plaid - 13268:10 plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
plane - 13328:16, 13353:3 planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
planned - 13325:14 planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
planning - 13403:15 plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
plans - 13325:20 plates - 13347:8 play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
play - 13232:11, 13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13271:5, 13271:7, 13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13338:9, 13411:17 played - 13228:20, 13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
13359:13, 13390:16 playing - 13391:21 plea - 13236:14,
plea - 13236:14,
plea - 13236:14,
13249:1 nleaded - 13280:8
pleaded - 13280:8, 13296:14, 13297:23
Pleased - 13395:17
pled - 13296:1, 13296:6
pm - 13307:11
Pm - 13299:24,
13335:18, 13339:21,
13346:4, 13357:3, 13357:4, 13365:2,
13395:12, 13395:13,
13412:5 point - 13247:6,
13258:18. 13265:13.
13272:18. 13272:22.
13272:23, 13273:2, 13273:5, 13275:25,
13280:15, 13292:19,
13295:17, 13295:19,
13297:24, 13300:17, 13325:10, 13327:12,
13330:20, 13367:16,
13367:23, 13369:18,
13369:25, 13373:22, 13380:11, 13403:17

pointed - 13336:15, 13398:6 Police - 13222:7. 13224:24, 13225:4, 13268:17, 13300:11, 13302:4, 13302:21, 13304:3, 13304:18, 13317:12, 13317:16, 13387:15, 13387:18, 13388:5 **police** - 13239:25, 13245:11, 13246:17, 13260:22, 13261:1, 13265:4, 13267:5, 13267:8, 13269:8, 13271:23, 13287:6, 13290:3, 13291:1, 13302:15, 13304:21, 13317:18, 13318:13, 13319:3, 13324:20, 13329:5, 13329:17, 13329:25, 13330:5, 13331:4, 13331:17, 13331:24, 13332:8, 13334:8, 13336:8, 13337:12, 13347:11, 13347:21, 13349:5, 13350:3, 13350:12, 13351:22, 13354:18, 13355:16, 13358:18, 13359:4, 13360:12, 13361:2, 13361:16, 13365:19, 13367:6, 13367:21, 13369:16, 13370:12, 13373:7, 13406:11, 13411:14 policewoman -13335:13 Policewoman -13338:17 Polygraph - 13387:23 polygraph - 13388:2, Pontiac - 13347:7 poor - 13401:16 pop - 13244:24, 13247:16 portion - 13330:20, 13403:16 portrayal - 13390:22 position - 13394:24 positions - 13225:8, 13317:18 possession -13248:10, 13248:16, 13352:14, 13363:9, 13375:19 possessions -13371:22, 13371:25 possibility - 13265:19, 13268:23, 13378:6 possible - 13312:2, 13371:17, 13372:13, 13381:21, 13386:23 possibly - 13241:6, 13247:7, 13250:1, 13281:14, 13289:22, 13368:1, 13371:16, 13378:13, 13379:2, 13380:2, 13380:23, 13381:23, 13384:8, 13402:11 Possibly - 13235:20 practice - 13237:4, 13237:15, 13237:19, 13247:3, 13249:9, 13325:8 predated - 13386:5 Prehodchenko -

13221:14

preoccupation -13404:7, 13404:9, 13404:12 preoccupied -13402:25, 13403:3, 13403:5 preparation -13232:22, 13299:4, 13299:8 prepare - 13235:11, 13373:10, 13385:25 prepared - 13240:15, 13243:23, 13244:1, 13265:3, 13271:19, 13276:12, 13284:2, 13334:15 presence - 13335:19, 13339:22, 13390:20 present - 13319:18, 13324:24, 13338:11, 13341:6, 13351:16, 13394:10 press - 13391:14, 13393:15 **presume** - 13241:10, 13248:20, 13297:20 presuming - 13309:10 pretty - 13241:5, 13247:6, 13289:9, 13293:19, 13321:2, 13346:21, 13360:5, 13389:22 prevalence - 13319:16 prevalent - 13319:20 previous - 13313:18, 13328:21, 13334:5, 13353:25, 13358:2 previously - 13295:5, 13338:6 primarily - 13399:13 probable - 13235:12 problem - 13247:10, 13247:12 proceed - 13236:14 proceeded - 13245:5 proceedings - 13299:5 Proceedings -13220:12, 13220:23, 13223:1, 13224:1 process - 13227:20, 13295:13 profile - 13229:23 progression - 13370:9 promotion - 13225:19 prompted - 13319:3, 13364:11 prompting - 13349:12, 13402:8 propose - 13250:21, 13261:15, 13263:23, 13316:13, 13385:17 prosecuting -13235:18 prosecution - 13389:9 prosecutor -13234:25, 13235:16, 13235:21, 13236:5, 13236:10 prostitute - 13360:7 protecting - 13257:1 **provide** - 13268:14 provided - 13200.14 provided - 13310:9, 13317:17, 13324:21, 13351:21, 13360:12, 13375:8

pull - 13407:3 pulled - 13295:12, 13306:6 pulling - 13251:9 punch - 13358:24, 13359:2 purpose - 13269:24, 13270:18, 13328:18, 13361:18, 13399:12, 13405:16 purposes - 13325:15, 13360:22 **purse** - 13251:20, 13372:11, 13372:15, 13379:8 purses - 13372:12 **pursue** - 13260:11, 13273:15, 13273:22, 13292:24 push - 13351:12, 13369:25 pushed - 13285:11 pushing - 13360:5 put - 13251:19, 13258:25, 13259:9, 13269:20, 13289:9, 13292:2, 13297:15, 13308:11, 13308:15, 13356:7, 13361:2, 13361:7, 13361:2, 13361:15, 13374:10, 13374:11, 13374:14, 13385:15, 13389:17, 13389:25, 13405:6, 13406:17, 13410:21 putting - 13257:16 Pw - 13339:23 Q Qb-13221:11

Qc - 13222:2, 13222:11 qualms - 13352:19 quantum - 13405:9 quarterback -13231:15 quartermaster -13225:10 **Queen's** - 13413:1, 13413:3, 13413:14, 13413:18 queer - 13362:4 queried - 13373:21, 13374:11 query - 13373:25, 13374:4 questioned -13293:11, 13302:9, 13302:15, 13340:19, 13375:16, 13375:24, 13376:4, 13378:22 questioning -13262:19, 13338:14 questions - 13236:6, 13236:8, 13316:14, 13316:15, 13316:17, 13316:20, 13318:6, 13323:18, 13338:12 13338:13, 13349:13, 13354:1, 13395:5, 13395:18, 13402:9, 13410:13, 13411:8 quick - 13410:14 quickly - 13225:23 quite - 13294:3, 13340:14, 13344:8, 13344:18, 13373:18, 13374:18, 13376:15, 13376:18, 13377:21, 13394:20, 13397:4, 13399:11

quotation - 13406:17

R

radio - 13297:5 Radisson- 13220:16 ran - 13237:23, 13238:6, 13260:6, 13260:12, 13260:21, 13265:25 random - 13271:25 rank - 13225:21, 13225:22 rape - 13227:21, 13227:22, 13231:2, 13232:12, 13234:20, 13237:13, 13242:5, 13243:3, 13243:12, 13244:10, 13244:22, 13245:2, 13246:9, 13246:11, 13253:8, 13253:24, 13254:1, 13254:22, 13254:21, 13254:22, 13255:11, 13258:7, 13261:3, 13265:8, 13267:7, 13270:6, 13273:6, 13273:11, 13274:4, 13274:6, 13274:15, rape - 13227:21, 13274:6, 13274:15, 13276:3, 13276:16, 13276:3, 13276:16, 13278:18, 13278:19, 13279:1, 13279:13, 13280:4, 13280:8, 13280:9, 13282:6, 13282:9, 13295:20, 13302:5, 13302:7, 13303:8, 13304:22, 13305:11, 13307:23, 13310:1, 13311:2, 13314:21, 13321:19, 13340:9. 13321:19, 13340:9, 13340:18, 13340:20, 13340:25, 13341:7, 13392:14, 13392:17, 13392:18, 13406:18 rape' - 13235:12 raped - 13235:12 raped - 13251:5, 13252:7, 13252:9, 13253:9, 13253:11, 13253:18, 13258:17, 13272:15, 13279:8, 13284:14, 13288:4, 13289:11, 13300:5, 13304:25, 13305:2, 13305:4, 13330:15, 13350:22 Rapes- 13240:12, 13240:17, 13242:1 rapes - 13226:19, rapes - 13226:19, 13227:9, 13235:18, 13240:13, 13240:22, 13242:16, 13242:21, 13254:16, 13255:5, 13255:22, 13260:3, 13265:7, 13267:6, 13267:12, 13268:24, 13269:9, 13274:17, 13281:1, 13281:5, 13281:19, 13289:16 13281:9, 13289:16, 13291:11, 13291:16, 13292:5, 13292:9, 13292:3, 13292:9, 13292:16, 13292:21, 13294:6, 13296:24, 13297:3, 13302:23, 13307:6, 13308:6, 13395:20, 13396:1, 13396:10, 13396:11, 13396:12, 13396:23, 13397:1, 13397:6,



provides - 13349:25 Province - 13413:3

publicity - 13303:18,

13313:23

13397:19	13242:20, 13243:6,
raping - 13315:12, 13397:10, 13401:4	13243:11, 13244:3, 13263:3, 13270:11,
rapist - 13273:19,	13276:20, 13279:22,
13273:23	13280:10, 13283:14,
Rasmussen-	13291:4, 13296:10,
13264:13, 13264:17 rather - 13252:15,	13297:9, 13298:13, 13300:15, 13301:13,
13411:16	13301:18, 13306:9,
Rcmp- 13222:9,	13308:23, 13309:1,
13248:1, 13248:15,	13322:25, 13324:19,
13264:17, 13264:21, 13265:1, 13265:3,	13327:22, 13337:7, 13344:13, 13371:7,
13266:15, 13270:4,	13385:1, 13385:8,
13271:2, 13309:19,	13386:12
13309:23, 13310:19, 13311:20, 13314:2,	recommend - 13234:22
13315:19, 13329:18,	recommendation -
13337:21, 13337:25,	13235:24, 13238:17
13340:8, 13340:22,	reconvene - 13411:22
13353:22, 13387:4, 13388:15, 13388:19,	Reconvened- 13224:2, 13298:18, 13357:4,
13390:4, 13390:8,	13395:13
13390:14, 13391:9,	record - 13225:3,
13393:21	13246:18, 13284:19,
re - 13239:2, 13293:7, 13293:9, 13301:4,	13316:12, 13317:16, 13323:3, 13329:3,
13326:20, 13326:23,	13334:5, 13334:23,
13388:1, 13410:15	13339:4, 13342:22,
re-exam - 13410:15 re-interviewed -	13343:7 recording - 13314:1,
13388:1	13393:20, 13394:12
re-open - 13293:7,	Records- 13233:3,
13293:9, 13301:4	13234:7, 13234:16
re-opened - 13239:2 reach - 13344:21	records - 13239:2, 13239:11, 13276:8,
reaction - 13242:14	13296:20, 13386:4
read - 13232:6,	records' - 13308:16
13232:15, 13340:10, 13343:10, 13343:22,	red - 13254:13, 13299:1, 13347:8
13345:18, 13358:15,	red-handed -
13373:13, 13390:19,	13254:13
13404:4, 13404:21 reading - 13241:19,	refer - 13251:14, 13325:2
13242:8, 13344:2,	reference - 13254:3,
13379:12, 13409:18	13257:2, 13367:6,
ready - 13262:1	13403:21
realize - 13410:5, 13410:10	referred - 13403:11 referring - 13377:4
realized - 13374:20	reflect - 13225:8
really - 13229:22,	reflected - 13262:5
13261:21, 13264:23, 13279:14, 13298:14,	refused - 13375:2, 13407:21
13302:19, 13360:18,	regard - 13277:6,
13370:18, 13394:22,	13375:1, 13390:16,
13398:6, 13400:1 reason - 13237:1,	13409:22 regarding - 13262:14,
13237:10, 13239:8,	13276:9, 13316:6,
13270:2, 13305:8, 13310:5, 13313:1,	13387:19
13310:5, 13313:1, 13331:15, 13346:11,	regards - 13276:18, 13291:11, 13319:6,
13374:13, 13380:4,	13327:25. 13330:21.
13399:5	13327:25, 13330:21, 13340:23, 13341:19,
reasonable - 13235:11	13341:24, 13356:2, 13363:2, 13373:6,
reasons - 13245:9, 13311:4	13375:16, 13384:24,
recalled - 13301:15,	13396:6, 13397:24,
13315:21, 13333:4	13402:10
recalling - 13371:15 receive - 13230:21	Regina - 13247:9, 13266:21, 13268:5,
received - 13244:7,	13269:21, 13345:11,
13303:18, 13339:24,	13269:21, 13345:11, 13345:12, 13345:20,
13340:7, 13373:17, 13379:7, 13385:20,	13345:24, 13346:25, 13353:3, 13353:7,
13404:20	13353:17, 13353:22,
recent - 13393:19	13360:9, 13362:2,
recently - 13312:13,	13362:21, 13364:8,
13312:19, 13384:19 recollection -	13366:8, 13366:15, 13369:12, 13376:10,
12220:10 12222:22	12270:22 12402:22

13230:18, 13232:22,

13378:23, 13403:23,

Page 13
Page 13 13405:8, 13405:19, 13406:11 regular - 13227:7, 13228:9 Reid- 13264:12 related - 13277:20, 13304:5, 13410:7 relates - 13299:25 relating - 13299:21 relation - 13299:23 relations - 13355:20, 13374:21, 13374:25 relationship - 13310:13, 13358:20, 13407:5 relevance - 13352:15, 13354:1, 13355:25, 13360:17, 13370:12 relevant - 13347:11, 13347:15, 13349:4, 13350:2, 13351:2, 13359:4, 13360:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12, 13359:12,
13360:22, 13361:14,
13395:19 reluctance - 13344:23 remained - 13277:24 remaining - 13411:14 remember - 13234:21, 13239:22, 13241:4, 13242:10, 13244:6, 13244:14, 13245:1, 13245:3, 13249:24, 13251:7, 13253:2, 13254:4, 13260:8, 13260:13, 13260:17, 13261:21, 13264:17, 13266:4, 13272:13, 13272:20, 13291:7, 13291:15, 13292:17, 13309:20, 13304:6, 13304:9, 13304:12, 13305:12, 13305:23, 13306:6, 13307:2, 13307:4, 13307:2, 13307:4, 13309:14, 13310:6, 13312:5, 13314:23, 13314:24, 13315:10, 13315:16, 13329:8, 13330:16, 13378:4, 13390:11 remembered - 13312:3 remembers - 13389:10 remorsefulness - 13383:11
remove - 13251:4, 13252:22, 13300:4 removed - 13234:4, 13258:24, 13258:25 repeat - 13361:25, 13403:7 repeated - 13380:6, 13381:7 repeating - 13377:1, 13379:19, 13380:5, 13380:8 rephrase - 13325:19, 13392:16 replied - 13310:5 report - 13230:14, 13232:4, 13232:7, 13232:24, 13232:7, 13232:24, 13233:11, 13234:22, 13235:11, 13235:13, 13238:8, 13238:22, 13239:25, 13240:2, 13240:10, 13240:15, 13243:17, 13243:19, 13243:23,

13244:10, 13250:3, 13250:5, 13260:19, 13261:9, 13263:21, 13263:22, 13264:5, 13264:11, 13264:25, 13265:2, 13265:6, 13266:15, 13266:19, 13267:1, 13270:4, 13271:2, 13271:15, 13271:16, 13271:19, 13272:19, 13274:24, 13274:25, 13276:2, 13276:4, 13276:7, 13276:12, 13276:17, 13284:3, 13284:5, 13296:22, 13303:21, 13303:23, 13304:2, 13307:2, 13307:19, 13307:20, 13307:21, 13308:10, 13321:25, 13324:12, 13327:3, 13334:15, 13334:17, 13335:1, 13335:8, 13336:9, 13336:17, 13337:11, 13340:11, 13344:12, 13367:6, 13344:12, 13367:6, 13370:18, 13373:7, 13373:11, 13373:14, 13374:10, 13374:12, 13379:18, 13381:3, 13382:22, 13383:19, 13384:12, 13384:13, 13384:16, 13385:5, 13386:2 13384:16, 13385:3, 13385:25, 13386:2, 13386:24, 13388:5, 13389:1, 13389:18, 13390:1, 13390:2, 13404:17, 13405:6, 13407:1 reported - 13226:3, 13240:12, 13240:17, 13241:17, 13242:5, 13293:17, 13386:19 Reporter- 13413:14, 13413:18 Reporters- 13221:11, 13413:3 Reporters'- 13413:1 reporting - 13297:2 reports - 13232:14, 13232:20, 13232:23, 13257:3, 13261:1, 13262:5, 13267:6, 13269:6, 13276:16, 13279:20, 13309:11, 13309:15, 13385:16, 13386:4 representatives -13265:4 request - 13234:23, 13235:3, 13238:10 require - 13408:12 required - 13237:11 requires - 13408:13 reread - 13370:16, 13378:2 reside - 13224:18, 13317:6 resided - 13287:6 residence - 13280:13, 13287:5, 13293:2, 13300:20, 13315:15 resist - 13355:3, 13355:21 resource - 13321:12 respect - 13283:8, 13311:11 respectfully - 13275:7 responsibility - 13231:8, 13232:6

responsible -13231:11, 13231:15, 13267:24, 13268:1, 13275:11, 13302:5 rest - 13301:12, 13360:7 restate - 13382:8 result - 13268:22 results - 13267:9, 13269:2 Results- 13268:8 resume - 13411:18 retain - 13249:7 retained - 13249:10 rethink - 13409:23 retired - 13304:8, 13308:13, 13313:22 return - 13249:8, 13249:13, 13258:8 returned - 13249:3, 13250:7, 13250:14, 13314:14, 13353:7, 13353:4, 13353:7, 13354:20 revealed - 13302:21 revealing - 13339:24 review - 13232:13, 13235:15, 13252:18, 13386:3 reviewed - 13317:19 Rick- 13222:7, 13359:12, 13385:21 rid - 13239:20 Riddell- 13264:25, 13387:4, 13387:9 Rm1- 13286:14 road - 13291:17 robbed - 13330:15 Roberts- 13387:17, 13388:4, 13389:5 role - 13228:19, 13232:10, 13270:25, 13271:5, 13271:7, 13273:17, 13338:8 Ron- 13260:16, 13329:12, 13348:6, 13348:7, 13348:12, 13348:25, 13351:4, 13351:15, 13351:17, 13365:8, 13365:12, 13365:14, 13366:13, 13368:25 rookie - 13394:19 room - 13247:11, 13335:25, 13338:25, 13339:15, 13351:3, 13351:5, 13352:23, 13354:18, 13354:21, 13368:6 Ross- 13260:16 rough - 13251:21, 13351:10, 13355:4, 13360:5 Roulette- 13359:13, 13391:22 roulette - 13391:23 **Rpr**- 13221:12, 13413:2, 13413:16, 13413:17 rule - 13277:1, 13277:5 run - 13320:13, 13407:2 Run-13320:14 run-away - 13320:13 Run-away- 13320:14 runing - 13244:18, 13244:19, 13376:19, 13377:21, 13378:7, 13407:2, 13407:7, 13407:8



runs - 13285:9 Russian- 13359:13. 13391:21 S salesman's - 13359:22 **saliva** - 13268:18, 13269:19, 13270:12 13270:14, 13270:18, 13271:17 Salmon - 13348:15, 13348:19, 13348:22, 13352:25 sample - 13268:14, 13269:19, 13271:8 samples - 13268:18 **Sanctum** - 13364:6, 13365:6, 13365:7, 13365:12, 13365:16, 13366:18 **Sandra** - 13221:5 **Sask** - 13384:2 Saskatchewan -13220:17, 13222:4, 13224:19, 13304:3, 13317:7, 13376:11, 13413:4 Saskatoon - 13220:17, 13222:7, 13224:23, 13225:4, 13268:17, 13279:8, 13282:13, 13297:3, 13317:12, 13317:16, 13319:19, 13330:20, 13331:25, 13332:9, 13335:9, 13340:16, 13348:9 13363:20, 13369:13, 13369:17, 13376:6, 13379:1, 13381:12 13389:12, 13391:7 13395:20, 13396:10, 13398:20, 13404:19, 13405:11, 13409:18, 13410:8 **sat** - 13254:10, 13258:2, 13262:2, 13339:13, 13358:12 satisfied - 13245:2, 13303:24 **Saturday** - 13365:2, 13365:5, 13365:7 **Saw** - 13336:3 **saw** - 13285:22 13288:15, 13307:19, 13353:8, 13358:12, 13365:1, 13368:7, 13370:6, 13372:11, 13373:2, 13375:17, 13376:2, 13376:17, 13402:16, 13402:18 scared - 13255:14, 13408:23

Scc - 13393:16

scene - 13243:18, 13244:3, 13246:25,

13256:14, 13257:1,

13266:22, 13269:11,

scheme - 13331:8

school - 13347:4, 13402:2, 13402:4, 13402:5, 13402:6

13349:15, 13368:3, 13381:10, 13390:24

Scp - 13313:22

screwdriver -

13365:15 **Scroll** - 13283:10,

13258:8, 13258:9,

13276:4

scroll - 13267:18, 13285:6, 13285:23, 13286:9, 13286:22, 13287:8, 13287:17, 13288:3, 13288:9, 13302:20, 13307:24, 13310:24, 13314:7, 13346:23, 13348:3, 13354:9, 13358:22, 13365:24, 13368:19, 13368:24, 13372:7 scrolling - 13362:19 search - 13384:1 second - 13254:21, 13254:22, 13324:7, 13334:13 secondly - 13251:2, 13269:10 secretes - 13266:24 secretor - 13266:23, 13268:16, 13269:13, 13269:15, 13270:9, 13270:19 section - 13318:13, 13318:14, 13318:16, 13318:22, 13319:4, 13322:7, 13322:13, 13325:5, 13325:11, 13326:3, 13326:11, 13337:18, 13339:1, 13394:5, 13397:3, 13397:4 sections - 13322:14 Security - 13322:14 Security - 13221:13 See - 13408:12 see - 13240:11, 13245:15, 13251:11, 13251:15, 13251:23, 13261:9, 13261:11, 13261:13, 13264:19, 13267:11, 13270:8, 13275:19, 13275:22, 13282:24, 13285:18, 13285:19, 13285:25, 13286:6, 13286:11, 13286:14, 13286:24, 13286:14, 13286:24, 13287:4, 13288:1, 13303:8, 13305:3, 13306:24, 13307:16, 13325:7, 13329:9, 13330-1, 13330-7 13330:1, 13330:7, 13331:22, 13332:15, 13364:23, 13371:20, 13371:24, 13384:2, 13404:5, 13405:19 seek - 13352:9 seem - 13283:20 seized - 13246:17 selected - 13326:7, 13326:11 selective - 13346:18 sell - 13353:18 selling - 13350:1, 13350:12, 13359:24, 13401:5 seminal - 13266:21 send - 13235:15, 13235:16, 13411:19 sending - 13254:4, 13271:8, 13299:14 senior - 13318:18, 13386:16, 13387:2 sense - 13227:2, 13397:13, 13407:1, 13407:7 sensed - 13376:20. 13377:22, 13378:8 sensing - 13377:25 sent - 13234:24, 13235:21, 13247:7,

13247:8, 13247:15, 13269:21, 13307:25, 13311:5, 13351:6, 13394:6 separate - 13229:1, September - 13220:21, 13411:18, 13412:2, 13412:3 Serge - 13222:6 sergeant - 13225:22, 13230:22, 13230:24, 13230:25, 13235:6, 13235:13, 13238:15, 13233.13, 13236.13, 13236.13, 13236.13, 13307:20, 13318:1, 13318:2, 13318:11, 13318:12, 13318:18, 13218:22, 13220:1 13319:22, 13320:1, 13320:9, 13320:24 Sergeant - 13243:17, 13244:9, 13245:4, 13245:5, 13264:12, 13305:6 sergeant's - 13239:15 sergeants - 13226:3, 13226:7, 13232:10, 13233:6, 13234:8 serious - 13228:14 13238:4, 13294:7, 13313:13, 13392:14, 13396:11 seriousness -13238:3, 13340:15 serological - 13268:5 service - 13225:3, 13319:4 Service - 13222:7, 13224:24, 13317:12, 13387:18, 13388:5 set - 13240:1, 13318:13, 13319:4, 13338:3 sets - 13299:20 setting - 13317:17 seven - 13242:3, 13276:25, 13277:3, 13349:16 several - 13373:13, 13378:17 **sex** - 13356:16, 13374:25, 13379:6, 13382:12, 13400:5, 13400:15 sexual - 13226:20, 13227:4, 13227:10, 13240:23, 13241:17, 13242:7, 13242:16, 13263:16, 13304:6, 13351:25, 13356:6, 13363:4, 13400:10, 13407:21 Sexual - 13241:9, 13242:2 **sexually** - 13352:6 **Sgt** - 13340:21 **share** - 13227:18 shared - 13233:13, 13379:4, 13382:10 Sharon - 13322:22, 13323:19, 13325:16, 13325:23, 13328:5, 13328:14, 13329:9, 13329:16, 13330:1, 13330:7, 13330:24, 13331:18, 13331:22, 13332:2, 13332:6, 13332:12, 13332:15, 13332:20, 13333:12, 13333:21, 13335:16,

13336:14, 13337:23, 1339:3, 13339:10, 13339:25, 13340:12, 13341:3, 13341:6, 13341:13, 13344:13, 13344:17, 13347:19, 13349:4, 13349:10, 13351:21, 13357:7, 13351:21, 13357:7, 13361:15, 13376:21, 13375:8, 13376:21, 133779:12, 13380:3, 13381:16, 13381:22, 13383:4, 13384:14, 13385:2, 13386:5, 13386:7, 13386:9, 13386:17, 13387:18, 13388:7, 13388:13, 13388:22, 13389:13, 13390:18, 13398:1, 13405:25, 13409:24, 13410:18 sheets - 13227:25 sheets - 13227:25 Sheraton - 13411:24, 13411:25 shift - 13256:16, 13307:9 **Shirley** - 13335:13, 13337:12, 13338:9, 13338:17 shirt - 13368:12 Short - 13326:23, Snort - 13320.20, 13327:16, 13384:16, 13385:2, 13387:3 short - 13277:3, 13325:17, 13348:5, 13348:12, 13357:28, 13386:24, 13395:8 Short's - 13384:16 shorthand - 13413:5 **shortly** - 13265:3, 13317:25, 13396:5 **Shorty** - 13365:9, 13366:11, 13366:12, 13368:20, 13369:1 show - 13228:7, 13285:14, 13287:15, 13356:11 **showed** - 13244:15, 13244:21, 13276:1, 13299:17, 13309:10, 13350:25, 13351:25, 13352:18, 13388:10 **showing** - 13250:3, 13272:16, 13272:20, 13300:16 shown - 13271:24, 13305:14, 13305:17, 13306:18, 13334:12 shows - 13329:3, 13334:23, 13347:17, 13350:5, 13383:11 **Shroder's** - 13359:12 **side** - 13285:22, 13287:21, 13288:13, 13383:16, 13401:1 sides - 13283:20 sight - 13329:22 **sign** - 13343:17, 13343:24, 13410:3 signature - 13245:17, 13246:15, 13343:18 signatures - 13342:13 signed - 13245:23, significance -13275:23, 13346:10, 13353:12, 13355:22, 13358:14, 13359:16, 13362:25, 13364:15,

13366:24, 13381:14 significant - 13320:25 Silvester - 13275:6 similar - 13265:17, 13267:16, 13300:8, 13301:8, 13301:14, 13303:6, 13310:1, 13321:5 similarities -13255:21, 13273:12 **simply** - 13360:20, 13362:13, 13364:13, 13370:7, 13370:14, 13370:16, 13384:17 sincere - 13340:14 single - 13331:14 sit - 13258:5 site - 13335:23 sitting - 13220:15, 13261:22, 13409:21 situation - 13252:14, 13259:1, 13319:21, 13325:20 six - 13276:25 13277:3, 13403:14 size - 13306:16 skeptical - 13252:15 skill - 13413:6 skipped - 13402:2, 13402:4, 13402:5 slept - 13349:17, 13351:4, 13355:5 slide - 13268:13 slow - 13379:15 small - 13300:7, 13347:1 smelled - 13253:4 snapshots - 13271:24 **sniff** - 13285:8 sold - 13349:21 13349:22, 13350:15, 13359:24, 13366:17 Solicitor - 13298:25 solved - 13320:15 someone - 13230:4, 13232:2, 13235:25, 13259:20, 13271:11, 13271:13, 13271:14, 13293:7, 13293:12, 13301:1, 13310:1, 13328:12, 13337:22, 13345:5, 13350:14, 13360:21, 13367:22, 13387:25 Someone - 13235:6 sometime - 13273:1, 13291:17, 13315:11 sometimes -13401:18, 13405:15, 13410:9 somewhere -13272:12, 13297:11, 13311:14, 13372:41 13352:25, 13378:11 sooner - 13277:8 **Sorry** - 13247:21, 13278:5, 13281:23, 13312:1, 13314:18, 13380:6, 13402:3, 13410:24 13410:24 sorry - 13234:7, 13241:16, 13241:24, 13247:20, 13261:20, 13266:9, 13278:4, 13288:23, 13288:24, 13290:4, 13293:1, 13294:5, 13296:16, 13313:16, 13313:17. 13313:16, 13313:17, 13314:17, 13320:12,



13335:4, 13343:3,	13411:17
13363:9, 13383:8,	started - 13318:23,
13383:14, 13388:20,	13340:3, 13342:20
13383:14, 13388:20, 13401:22, 13403:15,	starting - 13320:19,
13404:4, 13406:3	13320:23
sort - 13232:11,	starts - 13345:10,
13257:24, 13369:24,	13357:9
13379:11, 13379:17,	state - 13389:10
13380:19, 13381:15,	statement - 13234:12,
13385:21, 13392:3,	13234:14, 13245:12,
13404:10, 13404:18, 13405:3, 13406:3	13245:14, 13245:21, 13246:1, 13250:19,
sound - 13251:6,	13250:22, 13250:24,
13270:23, 13409:12,	13250:25, 13251:13,
13410:22, 13411:5	13252:19, 13276:6,
sounded - 13347:25,	13282:5, 13282:12,
13369:11	13282:20, 13283:7,
sounds - 13240:21	13284:18, 13285:16,
south - 13244:18,	13285:18, 13301:11,
13256:12, 13256:13,	13304:16, 13304:17,
13285:9, 13285:21,	13305:14, 13305:17,
13285:22, 13285:24,	13307:1, 13309:11,
13287:22, 13288:13	13311:20, 13312:21,
South - 13281:22,	13322:20, 13323:18,
13282:15, 13282:17,	13323:20, 13323:22,
13283:1, 13284:21,	13324:5, 13324:25,
13285:19, 13286:22,	13325:23, 13326:2,
13287:7, 13287:10, 13300:1	13326:7, 13326:10,
spanned - 13342:18	13329:5, 13331:24, 13332:8, 13332:19,
speaking - 13310:3,	13334:21, 13335:6,
13340:12. 13401:11	13335:16, 13336:24,
specific - 13240:21, 13319:11, 13328:15,	13337:2, 13339:15,
13319:11, 13328:15,	13339:21, 13340:3,
13330:13, 13342:2,	13341:15, 13342:10, 13343:22, 13344:1,
13349:13	13343:22, 13344:1,
Specifically - 13391:4	13344:2, 13344:6,
specifically -	13344:11, 13345:4,
13225:12, 13227:11,	13345:5, 13345:6,
13228:20, 13257:21,	13350:24, 13356:11,
13263:19, 13281:13, 13295:22, 13314:23,	13357:7, 13357:10,
13349:10, 13368:14,	13358:19, 13359:6, 13359:17, 13360:25,
13368:22, 13408:3	13361:19, 13363:25,
specifics - 13341:14,	13364:22, 13366:25,
13342:5	13369:9, 13370:17,
spectrum - 13331:4	13372:3, 13373:10,
spelled - 13307:14	13373:12, 13373:17,
spend - 13373:11	13374:1, 13374:2, 13374:8, 13374:14,
spending - 13264:8	13374:8, 13374:14,
spent - 13227:7,	13374:16, 13375:10,
13256:16, 13320:25,	13375:12, 13376:2,
13332:1, 13332:12,	13376:13, 13376:25,
13349:20	13377:10, 13377:15, 13377:17, 13377:19,
spoken - 13340:22	13377:17, 13377:19, 13379:9, 13379:13,
spring - 13272:23 St - 13322:21,	
13324·22 13335·15	13379:18, 13380:4, 13381:21, 13383:4,
13324:22, 13335:15, 13335:22, 13355:5,	13383:8, 13383:15,
13371:19, 13375:21	13389:18, 13389:21,
stab - 13259:10	13389:25, 13390:20,
stabbings - 13259:5	13389:25, 13390:20, 13391:21, 13392:4,
stabs - 13259:5	13398:9, 13399:5,
staff - 13318:2,	13401:15, 13402:4,
13386:20	13403:9, 13403:10,
Staff - 13221:1,	13403:14, 13404:6,
13221:9	13404:8, 13404:20,
stains - 13262:17,	13404:21, 13404:24,
13371:21, 13371:24, 13372:5	13407:14, 13408:4, 13408:5, 13408:18,
stake - 13261:23	13408:21, 13409:14,
stake-out - 13261:23	13410:19, 13411:2,
staked - 13254:11,	13411:3
13258:2, 13307:8	statement-taking -
staking - 13261:22	13374:8, 13376:25
staking - 13261:22 stand - 13279:20	statements -
standby - 13224:17	13234:12, 13268:20,
Star - 13409:18	13284:12, 13311:4, 13313:6, 13313:12,
start - 13240:13,	13313:6, 13313:12,
13297:11, 13340:5,	13329:18, 13336:11,

13406:10 **station** - 13244:8, 13245:3, 13245:11, 13271:23, 13349:2 Station - 13302:4 statistics - 13240:1, 13242:13 stature - 13300:8 status - 13269:15 statute - 13321:8 stay - 13368:25 stayed - 13285:2 13354:16, 13354:22, 13355:4, 13357:13, 13357:18, 13357:21, 13357:23, 13357:24, 13360:2, 13362:2, 13362:6, 13392:5 staying - 13352:25 stealing - 13359:20, 13359:23, 13361:8, 13369:4 **step** - 13274:13, 13334:8 steps - 13232:7, 13243:13, 13256:1, 13271:2, 13275:3 still - 13262:16, 13281:15, 13305:11, 13311:21, 13339:16, 13353:14, 13380:3, 13410:2 stole - 13347:7 13347:20, 13348:1, 13359:21 **stolen** - 13347:6, 13350:11, 13350:15, 13365:16, 13399:7 stomach - 13369:25 stopped - 13348:15, 13363:16, 13363:23 storage - 13308:16 store - 13287:15 stores - 13308:14, 13371:5 straight - 13369:11, 13376:9 straighten - 13364:10, 13364:17 strange - 13355:9, 13370:23 stranger - 13396:12 stranger-type -13396:12 street - 13287:22 13289:2, 13355:12 Street - 13244:11, 13244:17, 13244:18, 13252:7, 13254:15, 13281:8, 13285:6, 13285:12, 13286:7, 13286:8, 13287:19, 13288:13, 13294:6, 13300:2, 13305:1, 13307:6, 13351:4, 13354:18 strong - 13268:23, 13380:24 struck - 13370:18 stuck - 13251:18 stuff - 13368:18, 13374:8 stupid - 13358:25 subsequent -13257:25, 13318:25, 13344:12 substance - 13266:25 substituting -13379:6, 13382:11

suckered - 13374:19 suggest - 13242:13, 13261:1, 13275:7, 13383:5, 13399:18, 13404:17 **suggested** - 13267:22, 13269:11, 13397:8, 13399:25 suggesting - 13350:21 suggestion - 13312:9, suggests - 13240:11, 13410:19 suitcase - 13368:5, 13375:20, 13402:20 summarize - 13269:6, 13343:8, 13356:5 **Sunday** - 13352:22, 13354:12 Superintendent -13228:18, 13326:22, 13387:16 superior - 13238:13 supervise - 13232:13 supervisor - 13228:23, 13230:16, 13322:2, 13322:9 Support - 13221:9 suppose - 13250:13, 13312:25 supposed - 13308:15 **Supreme** - 13313:25 **Surely** - 13410:2 surfaced - 13298:3 surprised - 13320:3 surprising - 13362:16 suspect - 13230:5, 13234:12, 13249:7, 13272:25, 13273:6, 13274:14, 13275:6, 13280:2, 13280:25, 13321:20, 13328:25, 13334:9, 13347:12, 13349:6, 13350:4, 13351:23, 13352:4, 13352:17, 13356:1, 13356:18, 13392:9, 13397:21, 13397:22, 13401:7 suspect's - 13361:10 suspected - 13340:24, 13365:5, 13392:18 suspects - 13263:17, 13361:3 sweater - 13251:10 Sworn - 13223:3, 13223:5 sworn - 13224:8, 13295:1, 13317:2 system - 13236:17 Т

talks - 13243:18, 13263:23, 13264:7, 13265:6, 13265:11, 13267:18, 13271:16, 13271:22, 13275:5, 13284:25, 13301:7, 13337:11, 13345:19, 13346:23, 13348:3, 13355:19, 13362:7, 13362:19, 13367:8, 13367:10, 13367:11, 13368:4, 13369:22 13383:19, 13385:20, 13387:17 tasks - 13257:5 Tdr- 13222:5 **Technician-** 13221:14

teens - 13320:13, 13320:14 television - 13297:5 temper - 13359:1 ten - 13240:6 tender - 13248:23 term - 13269:16, 13304:20, 13319:18 terrified - 13391:2, 13391:17, 13391:18, 13392:1 test - 13270:14 13270:18, 13271:18 tested - 13248:15 testified - 13250:20, 13315:24, 13396:19 testify - 13224:15, 13317:5 testimony - 13259:3 Testimony - 13220:14 testing - 13248:2 tests - 13268:14, 13270:13 Thatcher- 13385:21 theft - 13365:18, 13407:15 them' - 13248:11 theories - 13383:3, 13387:5, 13397:15, 13404:22 **theory** - 13274:16, 13379:11, 13379:22, 13379:23, 13379:22, 13379:23, 13379:24, 13380:1, 13380:13, 13380:24, 13381:21, 13382:4, 13381:21, 13382:4, 13382:5, 13382:14, 13382:17, 13382:23, 13396:9 thereabouts -13298:6, 13312:3 thereafter - 13321:1 thinking - 13239:17, 13246:6, 13246:7, 13246:8, 13373:12, 13378:11, 13380:24, 13396:22 thinks - 13373:20 third - 13234:7, 13265:1 thirdly - 13251:4 thoroughly - 13245:1 thoughts - 13266:7, 13331:1, 13331:7, 13352:3, 13366:22, 13386:17, 13405:21 threat - 13407:20 threatened - 13351:18, 13407:18, 13408:4, 13408:9 three - 13232:25, 13252:5, 13256:19, 13267:15, 13268:23, 13303:17, 13350:11, 13363:19, 13388:7, 13411:16 threw - 13379:17 thrown - 13368:9 thumb - 13277:1, 13277:5 Thurs- 13354:16 Thurs-13354:16 Thursday-13220:21 timing - 13277:18 today - 13243:6, 13279:9, 13309:1, 13310:21, 13312:5, 13324:17, 13394:23 together - 13226:16, 13226:17, 13292:3,



suck - 13360:4

13297:16, 13322:8,
13297:16, 13322:8, 13322:14, 13329:20,
13358:16
Tomislon- 13264:14 tomorrow - 13411:20
tomorrow - 13411:20
4I- 12221112
13243:13, 13244:20,
13245:11, 13246:1.
13249:22, 13250:24.
13243:13, 13244:20, 13245:11, 13244:1, 13249:22, 13250:24, 13251:3, 13251:16, 13251:19, 13259:20, 13285:24, 13304:22, 13308:14, 13323:22, 13335:2, 13335:6
13251:19, 13259:20
13285:24, 13304:22
13308:14 13323:22
13335:2, 13335:6,
13338:11 13330:15
13366:5 13366:25
13338:11, 13339:15, 13366:5, 13366:25, 13371:13, 13373:9,
13378:10, 13378:21
13378:19, 13378:21, 13378:24, 13379:7,
13405:7
top - 13240:4,
13245:15, 13286:9,
13243.13, 13200.9,
13364:21
Totally- 13321:2
toucned - 13350:10
towards - 13285:11,
13287:24, 13357:15,
touched - 13350:10 towards - 13285:11, 13287:24, 13357:15, 13357:20
town - 13347:1 trace - 13285:13
trace - 13285:13
trafficking - 13353:1,
13363:8
Trail - 13335:22,
13335:23
train - 13364:9
trainer - 13394:19
training - 13394:20
traits - 13363:5
transaction - 13379:20
Transcript - 13220:12,
13224:1
transcript - 13411:19
transcript - 13411:19 transcription -
transcription -
transcription - 13413:5
transcription - 13413:5 transferred - 13400:17
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation -
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported -
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported -
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13398:11 trip - 13324:18, 13326:20, 13327:8.
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12.
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12.
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12.
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13394:11, 13394:16 trouble - 13349:12
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 1336:5, 13381:12, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11.
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 1349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13326:20, 13327:8, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 1349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13229:11, 13221:10, 13258:9, 13352:8, 13368:15,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:11, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9, 13352:8, 13368:15, 13405:2
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:11, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9, 13352:8, 13368:15, 13405:2
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9, 13352:8, 13368:15, 13405:2 trying - 13263:16, 13270:4, 13273:18,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:9, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:21, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9, 13352:8, 13368:15, 13405:2 trying - 13263:16, 13270:4, 13273:18,
transcription - 13413:5 transferred - 13400:17 transpired - 13337:7, 13339:4 transportation - 13324:21 transported - 13245:11, 13268:4 travelled - 13289:10, 13332:11, 13358:16 travelling - 13329:11, 13364:9 treating - 13363:10 trial - 13248:21, 13248:20, 13248:21, 13249:1, 13315:25, 13396:6 tried - 13270:7, 13389:11 trip - 13324:18, 13326:20, 13327:8, 13336:5, 13381:12, 13384:19, 13384:11, 13394:11, 13394:16 trouble - 13349:12 true - 13413:5 truth - 13362:11 truthful - 13308:20, 13391:1 try - 13229:11, 13231:10, 13258:9, 13352:8, 13368:15, 13405:2

13350:17, 13351:19, 13353:17, 13353:23, 13358:1, 13361:15, 13395:24, 13404:11, 13405:5 tunnel - 13397:16 turn - 13247:22 turned - 13238:22 13247:13, 13249:22, 13308:13, 13355:7 turning - 13271:9 Tv- 13291:3, 13296:18 twenties - 13300:7 twice - 13373:21 two - 13226:16. 13233:3, 13242:24, 13252:4, 13256:19, 13260:9, 13265:7, 13267:6, 13274:7, 13282:9, 13290:5, 13307:6, 13308:6, 13311:4, 13329:23 13335:6, 13337:7 13348:6, 13350:11, 13360:3, 13368:11, 13371:2, 13373:4, 13401:1 Type- 13268:9 type - 13230:3, 13323:18, 13323:21, 13333:22, 13334:6, 13344:19, 13345:1, 13347:16, 13350:7, 13355:13, 13356:2, 13356:11, 13371:4, 13375:5, 13375:14, 13385:24, 13389:21, 13396:12, 13398:25 **typed** - 13251:13, 13282:4, 13285:17 13304:16, 13334:17, 13335:1, 13335:7, 13336:17, 13337:6, 13345:3, 13345:5, 13345:8 **types** - 13227:5, 13320:7, 13320:20 typewritten -13284:17, 13323:17, 13357:7 typing - 13269:15, 13374:12

Ullrich - 13411:15 ultimately - 13248:4 Umm - 13239:17, 13254:20, 13256:25, 13291:17, 13292:22, 13294:3, 13295:22, 13303:22, 13305:16, 13312:23, 13398:6 umm - 13340:6 unable - 13300:13 unaware - 13313:19 under - 13290:8, 13314:13, 13320:5, 13321:8, 13321:21, 13322:4, 13340:7 underground -13359:24 underneath -13348:17 understood -13295:23, 13344:6. 13403:25 undress - 13251:17, 13265:14 unfortunate -

13385:11 unfortunately -13286:8 Unfounded - 13242:3 uniform - 13258:25, 13259:8 university - 13255:12 unless - 13227:25, 13239:19 Unless - 13239:8, 13295:11 unprompted -13362:14 unsolved - 13240:22, 13242:15, 13242:21 unusual - 13256:22, 13295:7, 13312:20, 13356:7, 13394:4, 13402:22 up - 13232:2, 13235:6, 13236:1, 13237:1, 13238:6, 13239:23, 13245:4, 13245:13, 13246:13, 13246:21, 13246:25, 13247:4, 13250:4, 13256:15, 13258:5, 13261:8, 13263:20, 13264:8, 13264:19, 13264:24, 13266:13, 13270:3, 13266:13, 13270:3, 13271:10, 13274:4, 13274:23, 13275:10, 13275:19, 13282:2, 13284:6, 13284:16, 13285:15, 13286:3, 13286:9, 13287:17, 13288:9, 13293:24, 13298:20, 13303:25 13298:20, 13303:25, 13305:7, 13305:24, 13309:15, 13311:23, 13317:1, 13317:15, 13318:13, 13319:4, 13322:4, 13323:6, 13323:16, 13323:18, 13323:23, 13324:7, 13325:25, 13326:14, 13325:21, 133326:14, 13327:12, 13332:12, 13335:7, 13338:3, 13341:23, 13345:25, 13346:2, 13345:25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355-25, 1355 13347:5, 13348:16, 13348:21, 13349:1, 13351:19, 13352:22, 13353:9, 13354:17, 13357:9, 13361:22, 13365:22, 13369:21, 13378:16, 13380:1, 13381:13, 13381:21, 13385:18, 13386:21, 13387:12, 13390:11, 13393:16, 13398:17, 13401:25, 13407:3, 13410:17 **Up** - 13319:10 upset - 13399:2 useful - 13284:1

٧

V1 - 13231:3, 13231:4, 13231:24, 13243:3, 13243:12, 13244:4, 13244:10, 13245:23, 13246:2, 13246:11, 13246:21, 13249:19, 13250:18, 13251:4, 13251:15, 13252:4, 13252:9, 13253:8, 13253:10, 13253:23, 13254:15, 13255:4,

13255:22, 13260:4, 13261:2, 13267:11, 13268:4, 13268:15, 13269:9, 13269:18, 13270:6, 13270:18, 13270:19, 13270:13, 13270:19, 13271:3, 13271:17, 13271:23, 13272:5, 13272:17, 13273:6, 13273:7, 13273:11, 13273:16, 13273:19, 13273:23, 13274:15, 13274:25, 13276:2, 13276:6, 13276:9, 13277:16, 13277:19, 13278:16, 13278:18, 13280:1, 13276.16, 13280.1, 13280:3, 13281:9, 13282:9, 13284:13, 13284:17, 13287:6, 13287:13, 13288:5, 13289:10, 13292:20, 13295:3, 13295:20, 13296:5, 13299:18, 13299:22, 13299:25, 13300:5, 13300:11, 13300:16, 13300:24, 13301:2, 13301:13, 13302:13, 13302:16, 13303:9, 13304:23, 13305:13, 13306:13, 13306:21, 13313:20, 13314:8, 13314:22 **V1)-'s** - 13250:18, 13268:11, 13271:3, 13305:13 **V2** - 13252:7, 13252:18, 13253:11, 13253:25, 13254:16, 13255:5, 13255:11, 13255:22, 13260:4, 13261:3, 13267:12, 13268:3, 13269:2, 13269:9, 13277:22, 13278:6, 13278:19, 13278:21, 13279:1, 13281:7, 13281:9, 13282:10, 13284:13, 13284:14, 13285:16, 13288:8, 13289:10, 13292:21, 13295:21, 13296:5, 13307:23 V3 - 13255:11 13256:2, 13267:12, 13269:9, 13277:22, 13278:3, 13282:6, 13296:5, 13302:8 V5 - 13279:7, 13279:12, 13279:23, 13283:8, 13296:5, 13302:6, 13303:8 Valila - 13233:23 value - 13338:22 Vancouver - 13348:4, 13349:16, 13349:17, 13349:20, 13353:9, 13353:20, 13354:10, 13363:8, 13366:12, 13372:10 Vanessa - 13221:3 various - 13225:9, 13230:14, 13241:7, 13245:9, 13257:5, 13266:16, 13271:25 Vaughan - 13355:12 vehicle - 13255:15, 13361:8 **vehicles** - 13254:10, 13258:10, 13407:15 verbatim - 13343:7

verify - 13289:3,

13342:9 Vern - 13243:17, 13276:2, 13335:14, 13337:12, 13338:8, 13338:16, 13339:22 versa - 13257:12 version - 13251:13, 13282:4, 13284:17, 13285:17, 13286:17, 13304:16, 13323:17 vice - 13257:11 vicinity - 13284:13 victim - 13237:20, 13249:3, 13249:13, 13267:17, 13315:5, 13399:8 victims - 13237:5 video - 13411:15 view - 13253:20, 13265:17, 13266:6, 13268:25, 13411:20 viewed - 13300:11, 13409:24 Vince - 13275:5 violent - 13274:3, 13274:5, 13334:3, 13375:3, 13375:5, 13375:14 vision - 13397:16 visit - 13323:1, 13325:7, 13325:11, 13326:3, 13329:16, 13332:6, 13363:19, 13385:6 visiting - 13333:17 voice - 13251:21, 13306:17 Volume - 13220:22 volume - 13239:19 voluntarily - 13368:23 volunteered -13352:10, 13362:14, 13364:13, 13364:14, 13368:16, 13369:8, 13369:9, 13370:7, 13372:1, 13402:24

W

walk - 13285:5 Walk - 13247:3 walked - 13253:16, 13254:10, 13256:15, 13285:1, 13285:2, 13285:6, 13285:21, 13307:10 **walking** - 13244:17, 13300:1, 13304:25, 13345:20 wall - 13238:6 Walt - 13305:7 washed - 13346:3 washing - 13346:8 watch - 13258:7 watched - 13262:2 watching - 13365:10 water - 13349:24 Water - 13351:4 Watson - 13222:6 way' - 13310:6 Wca - 13354:21 wearing - 13367:15, 13367:19 Wednesday - 13351:15 wednesday - 13351 week - 13303:17, 13348:22, 13349:20, 13353:17, 13360:2, 13372:23, 13411:21 weeks - 13252:4, 13252:5, 13254:24,



12255:10 12257:25	12257:16 12271:6
13255:10, 13257:25, 13282:8, 13282:9,	13357:16, 13371:6, 13372:23, 13393:24,
13332:6, 13353:8,	13394:2, 13395:1,
13353:10, 13360:3,	13396:4
13362:3, 13363:19	winter - 13259:7
Weir - 13254:7,	wish - 13271:17,
13261:22, 13262:6, 13263:1, 13279:16	13378:4 witness - 13224:6,
welfare - 13353:5	13234:13, 13238:7,
west - 13285:1,	13234:13, 13238:7, 13245:12, 13316:4, 13316:25, 13321:20,
13285:21, 13287:21,	13316:25, 13321:20,
13288:13, 13349:18 West - 13300:2	13361:6, 13406:21, 13411:9
Westmount - 13330:19	witnesses - 13225:25,
whereabouts -	13231:12, 13361:4,
13262:24, 13308:3,	13408:14
13358:2	Wolch - 13222:2,
whereas - 13274:4 white - 13368:12	13223:7, 13395:14, 13395:15, 13409:8,
whole - 13349:22,	13409:11, 13410:13
13354:24, 13373:6	Wolff - 13235:20
wide - 13303:18	woman - 13261:24,
Wiggins - 13255:14	13315:12, 13350:22,
Williams - 13322:22, 13323:1, 13325:16,	13375:23 women - 13401:2
13325:23, 13328:5,	wonder - 13260:22
13328:14, 13329:9, 13329:17, 13330:1,	wondered - 13401:15
13329:17, 13330:1,	wondering - 13261:17,
13330:7, 13330:25, 13331:18, 13331:22,	13277:13, 13326:5,
13332:2, 13332:7,	13346:7, 13356:8, 13358:6, 13370:4,
13332:12, 13332:15,	13373:24, 13395:6,
13332:20, 13333:12,	13404:6
13333:21, 13335:17,	Wood - 13228:18,
13336:14, 13337:23, 13338:21, 13338:24,	13326:22, 13327:16, 13387:3, 13387:16
13338:25, 13339:10,	word - 13230:13,
13339:25, 13340:12,	13275:21, 13275:22,
13341:13, 13344:13, 13344:17, 13347:19,	13343:7, 13355:1
13349:4, 13349:10,	words - 13270:6, 13273:21, 13320:6,
13351:21, 13357:8,	13333:2, 13343:5,
13360:11, 13361:15,	13346:15, 13355:17,
13373:18, 13375:8,	13355:18, 13361:10,
13376:21, 13377:7, 13378:22, 13379:12,	13363:13, 13365:21, 13378:7, 13380:22,
13380:3, 13381:16,	13391:25, 13396:25,
13381:22, 13384:7,	13402:13, 13405:20,
13384:14, 13385:3,	13407:9
13385:6, 13386:6, 13386:7, 13386:9,	workload - 13241:2 Wpg - 13311:1,
13386:17, 13387:19, 13387:22, 13388:1,	13311:6, 13315:12
	write - 13346:11,
13388:7, 13388:13, 13389:7, 13389:13,	13346:19
13390:19, 13390:22,	writing - 13340:5, 13343:21, 13343:23,
13391:1. 13398:2.	13346:19, 13368:11
13401:11, 13410:18	written - 13344:10,
Williams' - 13323:19, 13338:5, 13341:3,	13377:14 Wrongful - 13220:3
13363:12, 13383:4,	wrote - 13342:9,
13388:22	13343:5, 13346:17,
Willis - 13340:22	13346:21, 13360:20,
Wilson - 13329:12, 13329:19, 13340:21,	13363:7, 13370:15, 13370:16, 13372:22,
13348:6, 13348:8,	13377:11
13348:12, 13351:15,	
13365:9, 13365:12,	Υ
13365:14 window - 13348:20	year - 13279:3,
window - 13348:20 Winnipeg - 13280:6,	13279:25, 13296:6,
13290:2, 13290:3,	13363:16, 13363:23,
13290:21, 13291:9,	13396:1
13291:24, 13292:8, 13292:12, 13296:23,	years - 13291:5, 13299:25, 13314:20,
13296:24, 13297:15,	13318:25, 13319:10,
13302:16, 13311:9,	13318:25, 13319:10, 13320:21, 13358:9, 13393:19, 13401:21,
13312:10, 13354:15, 13354:16, 13354:17,	13393:19, 13401:21, 13410:21, 13411:4
13354:21, 13357:15,	yesterday - 13388:9,
,,	,

13389:2 Young - 13408:7 young - 13320:7, 13321:1, 13321:11, 13321:23, 13322:20, 13329:12, 13333:18, 13335:24, 13348:2 13335:24, 13348:2, 13385:9, 13398:9, 13402:1, 13402:2, 13405:25, 13406:7, 13406:9, 13406:15 younger - 13320:4 yourself - 13300:24 youth - 13318:1, 13318:2, 13318:3, 13318:9, 13318:11, 13318:12, 13318:14, 13318:18, 13318:22, 13319:4, 13319:2, 13319:12, 13319:22, 13319:25, 13320:4, 13320:9, 13320:24, 13321:13, 13325:5, 13337:18, 13361:3, 13397:4 younger - 13320:4 13397:4 yup - 13232:17

Ζ

zoning - 13286:4 **zoom** - 13286:6, 13286:11, 13286:18, 13286:23, 13287:3

