

**THE CORNWALL
PUBLIC INQUIRY**



**L'ENQUÊTE PUBLIQUE
SUR CORNWALL**

Public Hearing

Audience publique

Commissioner

The Honourable Justice /
L'honorable juge
G. Normand Glaude

Commissaire

VOLUME 228

Held at :

Hearings Room
709 Cotton Mill Street
Cornwall, Ontario
K6H 7K7

Wednesday, May 14 2008

Tenue à:

Salle des audiences
709, rue de la Fabrique
Cornwall, Ontario
K6H 7K7

Mercredi, le 14 mai 2008

Appearances/Comparutions

Ms. Lori Beaudette Ms. Julie Gauthier	Registrar
Ms. Karen Jones Ms. Mary Simms	Commission Counsel
Mr. John E. Callaghan Ms. Reena Lalji	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Christopher Thompson	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Ian Paul	Coalition for Action
S/Sgt. Brian Snyder	S/Sgt. Brian Snyder

Table of Contents / Table des matières

	Page
List of Exhibits :	iv
S/SGT. BRIAN SNYDER, Resumed/Sous le même serment	1
Examination in-Chief by/Interrogatoire en-chef par Ms. Karen Jones(cont'd/suite)	1
Cross-Examination by/Contre-interrogatoire par Ms. Helen Daley	147

LIST OF EXHIBITS/LISTE D'EXHIBITS

NO.	DESCRIPTION	PAGE NO
P-1623	(739968) - Letter from CAS to Chief Repa dated 26 Sep 00	25
P-1624	(115734) -1074712-15 - Case Notes of Greg Bell dated 22 Oct 97 to 29 Oct 97	41
P-1625	(200243) - Clement vs. CPS Judgment dated 24 Nov 06	48
P-1626	(740025) - Witness Statement by Ron Lefebvre dated 25 Aug 97	93
P-1627	(740293) - Questions Put to Ron Lefebvre by Garry Derochie	95
P-1628	(740294) - Additional Questions to Ron Lefebvre	95
P-1629	(740055) - Report on Earl Landry Jr. by Brian Snyder	114
P-1630	(200242) - Notes of Brian Snyder dated 19 Mar 08	126
P-1631	(740320) - Indictment - Her Majesty the Queen vs. Earl Landry dated 16 Apr 98	163

1 --- Upon commencing at 9:37 a.m./

2 L'audience débute à 9h37

3 **THE REGISTRAR:** Order; all rise. À l'ordre;
4 veuillez vous lever.

5 This hearing of the Cornwall Public Inquiry
6 is now in session. The Honourable Mr. Justice Normand
7 Glaude, Commissioner, presiding.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning, all. Good
10 morning, Officer Snyder.

11 **S/SGT. BRIAN SNYDER, Resumed/Sous le même serment:**

12 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**
13 **JONES (cont'd/suite):**

14 **MS. JONES:** Good morning again, Mr. Snyder.

15 **MR. SNYDER:** Morning.

16 **MS. JONES:** Sergeant Snyder.

17 Just a couple follow-up questions before I
18 start into what I want to go into today of a couple of
19 areas, some of which were covered yesterday. One small
20 point. Do you remember -- just a moment, please.

21 Do you recall, on or about February 3rd, 1997
22 -- we don't have any notes from you for that date -- but do
23 you recall, on or about that date, having a conversation
24 with Constable Desrosiers about whether a person named
25 Kevin Upper had talked to Officer Desrosiers about

1 allegations concerning Father Charlie MacDonald?

2 **MR. SNYDER:** I remember having a discussion
3 with Constable Desrosiers about that individual because we
4 were working in conjunction with Marcel Lalonde. I can't
5 recall whether he mentioned anything about Father Charlie.
6 It doesn't ---

7 **MS. JONES:** Is it possible that he mentioned
8 something to you?

9 **MR. SNYDER:** Well, if he did, then I would
10 have passed that on to the OPP because I had discussions
11 with Inspector Tim Smith, I believe, or Hall, one of the
12 inspectors involved at the time -- it's in my notes -- that
13 they would be responsible for anything to do with that
14 individual.

15 **MS. JONES:** All right.

16 And there was one other area here that we
17 had talked about yesterday, and that had to do with the
18 disclosure of personal information about -- I'm sorry; I
19 don't have my moniker list here -- about C-52.

20 **MR. SNYDER:** Yes.

21 **MS. JONES:** And I just wanted to refer you
22 back, because we had talked a bit about C-52. You had said
23 very clearly you weren't interested in records. You just
24 wanted a letter.

25 **MR. SNYDER:** Yes.

1 **MS. JONES:** And I just wanted to draw your
2 attention to an exhibit that we had yesterday. That's
3 Exhibit 1603. And I can refer you to a Bates page.

4 **THE COMMISSIONER:** Just a second. All
5 right. What Bates page, please?

6 **MS. JONES:** Yes, Bates page 7179370. Do you
7 have that in front of you, sir?

8 **MR. SNYDER:** Yes.

9 **MS. JONES:** Now, am I correct that this is
10 an authorization for you, being the Cornwall Police Service
11 -- and your signature is at the bottom -- is this not an
12 authorization for you to get "witness statement;
13 medical/personal records" of C-52 with regards to the
14 Friendship Palace?

15 And I would ask -- I believe that there's
16 already -- this is documented or stamped "Publication Ban",
17 this document.

18 **THE COMMISSIONER:** Yes.

19 **MR. SNYDER:** Yes, actually, what this was
20 was the witness, Gail Mitchell, couldn't recall the --
21 sorry, couldn't recall C-52 giving her the disclosure on
22 Landry, so she wanted the records so she could refresh her
23 memory because she had notes from that. So she used -- I
24 had to get permission from C-52 to allow her to access
25 those records to refresh her memory.

1 I never received those records. It was for
2 her to refresh her memory and then provide me with a
3 statement as to what he said to her.

4 **MS. JONES:** So this was a medical consent,
5 in other words, for her to release that information to you?

6 **MR. SNYDER:** Yes.

7 **MS. JONES:** And this was not construed by
8 you as being a request for all records concerning ---

9 **MR. SNYDER:** I didn't want the records.

10 **MS. JONES:** --- medical records of C-52?

11 **MR. SNYDER:** Absolutely.

12 **MS. JONES:** Okay. Thank you for clarifying
13 that.

14 And just one other point of clarification,
15 and this has to do with the -- what I call the McDonald's
16 incident where you saw Earl Landry, Jr. at McDonald's.

17 **MR. SNYDER:** Yes.

18 **MS. JONES:** And I just want to make sure I
19 get your testimony straight, because I looked at the
20 transcript and actually I don't feel it was clarified
21 enough.

22 Is it your evidence that when Earl Landry,
23 Jr. was released on the first charge, certainly by the
24 second charge, but is it your evidence that you thought
25 that the CAS had put some sort of provision in place to

1 require Earl Landry, Jr. to have supervised access only to
2 his own children?

3 **MR. SNYDER:** Yes.

4 **MS. JONES:** Was that your understanding at
5 the time?

6 **MR. SNYDER:** That's my understanding at the
7 time. That's why I called them to let them know what I saw.

8 **MS. JONES:** Okay. That was my next
9 question. Is it your evidence that you called CAS when you
10 observed Earl Landry, Jr. at McDonald's with his children?

11 **MR. SNYDER:** Yes, I did.

12 **MS. JONES:** I just want to refer you,
13 please, back to Exhibit 1618, to the first page. And I'd
14 like to direct you to the second-last paragraph that starts
15 off with "Earl contacted".

16 **MR. SNYDER:** Yes.

17 **MS. JONES:** And I read it into the record
18 yesterday. I'll just refresh your memory:

19 "Earl contacted our agency following
20 having been seen alone with his
21 children on 20/10/97 at McDonald's
22 Restaurant by Sergeant B. Snyder of
23 CPS."

24 Do you recall that?

25 **MR. SNYDER:** Yes.

1 **MS. JONES:** And you may recall there was
2 another exhibit yesterday that had the time of being very
3 late at night, but we talked about that. You said, no, it
4 was during the day?

5 **MR. SNYDER:** Yes.

6 **MS. JONES:** Similar words were spoken, but
7 it would appear that it was actually Mr. Landry himself
8 that contacted the CAS.

9 **MR. SNYDER:** He did contact them after, but
10 I contacted -- I believe it was Greg Bell, spoke to him,
11 and there's actually documentation in Mr. Bell's notes that
12 I contacted him, and I've seen those, to follow that up,
13 saying that I was concerned about him being with them. Mr.
14 Landry saw me, so I think he was just -- I can't say what I
15 think he was doing, but he called them as well.

16 But there's no doubt in my mind -- there's
17 no doubt that I called Greg Bell and spoke to him
18 personally and told him.

19 **MS. JONES:** Did you make any notes of that?

20 **MR. SNYDER:** I was off duty when this
21 occurred and, no, I don't have the notes.

22 **MS. JONES:** I understand that, but
23 presumably the next day when you called or ---

24 **MR. SNYDER:** No, I did not.

25 **MS. JONES:** --- later on that day?

1 **MR. SNYDER:** No, but there is documentation
2 from Greg Bell. I know that. I saw it.

3 **MS. JONES:** Okay.

4 Now, we started yesterday into the next
5 larger area I have to ask you questions about, and that has
6 to do with the investigation that you did with regards to
7 the -- after the civil suit was launched. And we went into
8 that yesterday. I'll just refresh your memory on that.

9 The Statement of Claim was entered already
10 as Exhibit 1359.

11 **MR. SNYDER:** Yes.

12 **MS. JONES:** I don't know if you need to see
13 that again, but you may recall that we did that?

14 **MR. SNYDER:** Yes.

15 **MS. JONES:** And I'd also ask for Exhibit
16 1368, please.

17 **(SHORT PAUSE/COURTE PAUSE)**

18 **MS. JONES:** You have that in front of you?

19 **MR. SNYDER:** Yes.

20 **MS. JONES:** This would appear to be a
21 defence in a crossclaim. Can you understand that from the
22 document? Legal documents can be difficult to understand
23 sometimes.

24 **THE COMMISSIONER:** It's a statement of
25 defence and crossclaim.

1 **MS. JONES:** Do you see that on the front
2 page?

3 **MR. SNYDER:** Yes.

4 **MS. JONES:** Okay. And are you aware that --
5 I don't know if you know what a crossclaim even is. It's
6 kind of a legal term, but the Statement of Claim is made
7 and brought forward by C-53 and the family of C-53 against
8 a variety of people, one of them being the City of
9 Cornwall, the Children's Aid Society for Cornwall and the
10 Cornwall Police.

11 And what Exhibit 368 is, it's a statement of
12 defence with regards to the Cornwall Police. They are
13 defending themselves against the Statement of Claim that's
14 made and then there's also a crossclaim against the City of
15 Cornwall and the CAS.

16 So that's essentially what that document
17 means. Do you understand that?

18 **MR. SNYDER:** Yes, now.

19 **MS. JONES:** And were you aware of the fact
20 that there was a Statement of Claim and then, of course,
21 the police had defended themselves against the Statement of
22 Claim and the crossclaim, when you started off on your
23 criminal investigation?

24 **MR. SNYDER:** I knew about the Statement of
25 Claim. I had no idea of this crossclaim.

1 **MS. JONES:** So you were never told that the
2 Cornwall Police had crossclaimed against the CAS?

3 **MR. SNYDER:** Correct.

4 **MS. JONES:** So when you were tasked to do
5 this investigation, and you call it a criminal
6 investigation, was it Officer Derochie, or Staff Sergeant
7 Derochie, that gave you the instructions or how did that
8 all come about?

9 **MR. SNYDER:** That came through Staff
10 Sergeant Derochie.

11 **MS. JONES:** Did the two of you have a
12 meeting about it or what were the instructions? Can you
13 just describe that, please?

14 **MR. SNYDER:** Basically, we were working
15 together on it. He was going to be the lead, I was going
16 to be an investigator, and it was to determine whether Earl
17 Landry, Sr. used his status, I guess, as previous Chief to
18 hinder the investigation in 1985.

19 **MS. JONES:** And what were your instructions
20 for doing this investigation? What were you told you were
21 supposed to do?

22 **MR. SNYDER:** Go out and do a proper
23 investigation to see if Earl Landry, Sr. obstructed justice
24 in any way and, within that, if anybody else was involved
25 which would lead to a conspiracy.

1 **MS. JONES:** Because I know -- I mentioned
2 yesterday when I brought you to your notes around that
3 time, you were telling people, I believe, just to
4 paraphrase, I'm investigating a conspiracy within Cornwall
5 Police?

6 **MR. SNYDER:** Yes, yes. Ultimately, if you
7 find out that Senior did, in fact, speak to these officers
8 and had them change their mind or not do a thorough
9 investigation, then that would lead to a conspiracy. So it
10 was just easier in my mind to explain that as opposed to
11 saying, "I'm doing an obstruct justice, I'm doing a
12 conspiracy", it was just all encompassing. Ultimately, if
13 there was something done or wrong, it would have led to a
14 conspiracy.

15 **MS. JONES:** Okay, and criminal charges?

16 **MR. SNYDER:** And criminal charges.

17 **MS. JONES:** So in other words, in your mind
18 then, in your understanding when you were given this task
19 by Staff Sergeant Derochie, who were your possible
20 suspects?

21 **MR. SNYDER:** The suspect was Earl Landry,
22 Sr.

23 **MS. JONES:** Well, you've just described
24 though conspiracy would involve more than one police
25 officer.

1 **MR. SNYDER:** Absolutely. If evidence
2 pointed that way, then I would have had other officers who
3 would have led to that, but in my mind I'm doing an
4 obstruct justice and then from there if anything occurred,
5 then I would have other suspects. But they weren't
6 suspects yet because I didn't have that in mind. I didn't
7 have any -- formed any opinion to believe that they were
8 involved in anything.

9 **MS. JONES:** So then how -- if you didn't
10 have any preconceived notions about who the suspects may
11 be, then how were you able to approach this investigation
12 as a normal criminal investigation, shall we say, as you do
13 in other criminal investigations?

14 **MR. SNYDER:** You start with interviewing
15 people to see what they know and then you move on from
16 there. You look at what the facts are, what we want to
17 prove in that case. There was allegations perhaps in '83,
18 there was a complaint made by one of the parties. So I had
19 to look at that and see the dates; I had to work around the
20 dates; whether or not Earl Landry, Sr. called anybody, did
21 anything to have the officers not do a complete
22 investigation.

23 So it's just a matter of getting out there
24 and speaking to as many people as I can involved around
25 that time.

1 **MS. JONES:** Now, you had, if I understand
2 what you are saying, your sort of first and foremost
3 suspect, if you're going to use that word, would have been
4 obviously Earl Landry, Sr.?

5 **MR. SNYDER:** Correct.

6 **MS. JONES:** That's who the allegation was
7 made against?

8 **MR. SNYDER:** Correct.

9 **MS. JONES:** But would it be fair to say that
10 if you're investigating this kind of situation, it's a very
11 defined or definite number of people that you are going to
12 be talking to. You're not talking to people in the world
13 at large, but there's only a certain amount of people that
14 were involved in that investigation back in '85?

15 **MR. SNYDER:** Yes, but I spoke to anybody who
16 was even working in that timeframe to see if they might
17 have heard something or knew something that might lead me
18 to believe that those -- I'm going to call them persons of
19 interest -- were involved in anything.

20 So they might have heard something and then
21 from there I'd say, okay, I've got to go in this direction.
22 So I spoke to inspectors that were retired, you know, back
23 in '83, '82. I spoke to anybody that I could who was
24 working from, I think, almost 1981 to past that who were
25 involved in the criminal investigation field.

1 **MS. JONES:** Okay. For example, to contrast,
2 say that you are involved in investigating another type of
3 crime, say homicide.

4 **MR. SNYDER:** Yes.

5 **MS. JONES:** And someone is just found dead,
6 you have no idea who it is that's committed the murder.

7 **MR. SNYDER:** Correct.

8 **MS. JONES:** It's a very different sort of
9 investigation than if you have a situation where you have a
10 murder where you actually have the suspect that's committed
11 the offence. In other words, you have the person of
12 interest known to you ahead of time versus trying to
13 discover "who done it". Would you agree they're two
14 different types of investigations?

15 **MR. SNYDER:** Not really. You investigate a
16 homicide as a homicide. Some are "who done its" and we've
17 got to do obviously a lot more work quicker than if you
18 have a suspect or somebody upfront. But they're all
19 treated the same, and I -- quite frankly, I don't know how
20 to answer that other than saying that, yes, sometimes you
21 have persons of interest and sometimes you have suspects
22 and sometimes you just have witnesses.

23 And we, as police officers, have to go back
24 and forth sometimes. A person of interest can become a
25 suspect and then from suspect back to, you know what, he's

1 no longer a suspect; he's back to a person of interest or
2 just a witness. So it's not a finite scale. It's back-
3 and-forth all the time or could be back-and-forth all the
4 time.

5 **MS. JONES:** But what you have just said
6 there is one of the points I'm trying to make here. You
7 treat someone who's a possible suspect ---

8 **MR. SNYDER:** Right.

9 **MS. JONES:** --- when you're doing a regular
10 criminal investigation, say on a murder or a bank robbery
11 or something like that.

12 **MR. SNYDER:** Yes.

13 **MS. JONES:** You treat someone who is a
14 suspect or a possible suspect differently than someone who
15 is classified as a person of interest?

16 **MR. SNYDER:** Well, suspect, I'd read them
17 their rights to counsel and caution them, which brings
18 other things into effect. The person of interest, I would
19 not have to read them their rights or caution them, because
20 they're -- we just want to speak to them and see where they
21 stand.

22 **MS. JONES:** Okay, and as soon as you have
23 any indication that the person of interest may be a suspect
24 now ---

25 **MR. SNYDER:** Yes, in my mind.

1 **MS. JONES:** --- all of a sudden, that
2 methodology comes into place?

3 **MR. SNYDER:** That's right.

4 **MS. JONES:** Their rights to counsel and
5 cautions?

6 **MR. SNYDER:** Correct.

7 **MS. JONES:** Okay. Now, with respect to the
8 defence of the civil claim -- let's say there's a statement
9 of defence there -- did you have any role in assisting
10 Cornwall Police in defending the claim? Let me just
11 explain what I mean by that.

12 We had heard from -- we've heard Staff
13 Sergeant Derochie testify, for instance, that he was
14 involved with the insurers in the civil claim. Did you
15 have any role such as that where you were involved in
16 another aspect of the civil claim or was this your sole
17 task?

18 **MR. SNYDER:** My sole -- my sole task was to
19 determine whether or not Earl Landry, Sr. influenced
20 anybody in the investigation of '85.

21 **MS. JONES:** You also said just a moment ago
22 that it was Staff Sergeant Derochie that was the lead in
23 this criminal investigation and you were just the
24 investigator?

25 **MR. SNYDER:** Yes. Basically what that means

1 is that I do the investigation and whatnot. I go back to
2 him, make sure he's informed of what I'm doing. He may
3 direct me to speak to a certain witness, so he would be the
4 liaison, I guess, as a major crime, he'd be the lead, but I
5 would do all the work.

6 **MS. JONES:** But with regards to this
7 criminal investigation though, were you not classified as
8 the lead or the leader in the criminal investigation side;
9 this task that you'd been assigned?

10 **MR. SNYDER:** Well, I guess it's a word that
11 we use under the Major Case management files. A lead
12 investigator basically is the overseer and then you've got
13 an investigator who does the actual going out and
14 interviewing people and gathering evidence, so it's kind of
15 a word thing.

16 **MS. JONES:** So when you took this task on,
17 could you please clarify who exactly you were
18 investigating?

19 **MR. SNYDER:** Earl Landry, Sr., in reference
20 to whether or not he influenced the investigation in 1985.
21 Obviously in the back of my mind if that occurs and he did
22 do that, it could offshoot to individuals being charged
23 with conspiracy.

24 **MS. JONES:** And you said -- and you said
25 several times this morning as well -- this was a criminal

1 investigation, it was not a *Police Services Act*
2 investigation. It was a ---

3 **MR. SNYDER:** It was a criminal
4 investigation.

5 **MS. JONES:** And I briefly asked you about
6 this yesterday, but I don't know if you've thought about it
7 further, but did you not think that there was a conflict of
8 interest with you being a serving Cornwall Police Service
9 officer investigating criminal offences -- possible
10 criminal offences -- against your own people?

11 **MR. SNYDER:** No. Professional Standards,
12 that's what they do. It's in the *Police Services Act*.
13 It's mandated that we have to have police -- a Professional
14 Standards Bureau and we investigate our own officers and
15 I've done it in the past and I've done it since.

16 To put everything out to another agency
17 would be troublesome, I guess, because of the money
18 involved and ultimately it's the Chief's decision to decide
19 are we going to do it inside or are we going to put it out
20 to another agency, but I didn't feel a conflict.

21 **MS. JONES:** I have no problem with
22 Professional Standards investigating under the *Police*
23 *Services Act*, and if a member of the public makes a
24 complaint about the way they were treated or the way they
25 were arrested or something of that nature or there's a

1 delay, that's not what I'm talking about.

2 When you have a criminal investigation, when
3 that is your absolute mandate, you're not even looking at
4 *Police Services Act* at this point.

5 MR. SNYDER: Ultimately, it will be *Police*
6 *Services Act*, however ---

7 MS. JONES: True, but at this ---

8 MR. SNYDER: Yep.

9 MS. JONES: --- particular point, the
10 allegation is extremely serious and is criminal in nature;
11 that comes first.

12 MR. SNYDER: Correct.

13 MS. JONES: And did you not perceive it,
14 even just slightly, as a conflict of interest that this is
15 very different from looking into a *Police Services Act*
16 allegation that someone was improperly arrested for drunk
17 driving or whatever?

18 We have here a Chief of Police or former
19 Chief of Police being accused of conspiracy. It's hard
20 really to come up with a more serious kind of criminal
21 allegation that could be effected against a chief of
22 police.

23 Did you not think, just for a moment, that
24 maybe you should consider going outside for something of
25 such a serious nature?

1 **MR. SNYDER:** Personally, it's not my
2 responsibility to decide if I do or don't do it.
3 Personally, I felt I could do it. I didn't feel any
4 problem doing it. I had knowledge, skills and ability.
5 I've done criminal investigations against police officers
6 in the past in which I've charged them criminally. I've
7 done them since and charged them criminally.

8 It's what Professional Standards do and we
9 do do criminal investigations against our own people, and I
10 have no reservation in my mind as to whether or not I could
11 do a professional, unbiased investigation on this
12 individual or anybody else who may be involved.

13 **MS. JONES:** You mentioned the Keith
14 Ouellette as an example of another criminal investigation -
15 --

16 **MR. SNYDER:** Correct.

17 **MS. JONES:** --- that you did.

18 Again, even at that point, you obviously
19 didn't feel with Keith Ouellette's matter that that was
20 something that should have been referred outside?

21 **MR. SNYDER:** No.

22 **MS. JONES:** You felt comfortable ---

23 **MR. SNYDER:** I felt comfortable ---

24 **MS. JONES:** --- doing that.

25 **MR. SNYDER:** --- I could do it.

1 **MS. JONES:** I'd like you, please, to go to
2 Exhibit 1367.

3 **(SHORT PAUSE/COURT PAUSE)**

4 **MS. JONES:** Do you have that in front of
5 you, sir?

6 **MR. SNYDER:** Yes.

7 **MS. JONES:** This is a letter from the
8 solicitors for C-53 and the family, and his name is Arthur
9 Lust.

10 **MR. SNYDER:** Yes.

11 **MS. JONES:** And he's gotten a letter from --
12 is there a problem?

13 **MR. CALLAGHAN:** I may be mistaken, but I
14 didn't think notice had been given and I'm sure it hasn't
15 been shown to the client in any preparation, but ---

16 **THE COMMISSIONER:** One-three-six-seven
17 (1367)? Do you have that letter?

18 **MR. SNYDER:** I have it right now, yes.

19 **THE COMMISSIONER:** Have you ever seen it
20 before?

21 **MR. SNYDER:** I've seen it in my prep, but
22 not through counsel or questions on it so ---

23 **THE COMMISSIONER:** So you've seen it?

24 **MR. SNYDER:** Yes.

25 **THE COMMISSIONER:** Okay. You've seen it; go

1 ahead. Okay.

2 MS. JONES: You have read the letter?

3 MR. SNYDER: Yes.

4 MS. JONES: Okay. And you'll agree with me,
5 this letter from Arthur Lust is dated August 30th, 2000 and
6 it's referring to the Statement of Claim ---

7 MR. SNYDER: Yes.

8 MS. JONES: --- his clients brought against
9 Cornwall Police. He obviously received a letter dated
10 August 24th, 2000 from Staff Sergeant Derochie and the
11 second paragraph says:

12 "To that end, I am curious as to why
13 the Cornwall Police Service would
14 investigate itself given the rather
15 severe nature of the allegations put
16 forward in the Statement of Claim.
17 Surely, in this case, it is the Ontario
18 Provincial Police that ought to
19 investigate this matter if there are
20 any facts to ascertain, whether there
21 is potential for an obstruction of
22 justice charge against any individuals
23 linked with the police service in
24 Cornwall. Your thoughts on this matter
25 would be greatly appreciated as I

1 intend to move forward the action as it
2 presently stands. Given the nature of
3 the litigation, any interviews of my
4 clients cannot be utilized in the civil
5 action inasmuch as your defence of the
6 claim goes. It is for this reason,
7 among others, I'm somewhat surprised it
8 is the Cornwall Police Service that
9 would initiate their own investigation
10 in this matter."

11 So I guess my first question is, were you
12 aware of this letter back in August or September, 2000
13 which is when you were tasked with this criminal
14 investigation?

15 **MR. SNYDER:** No.

16 **MS. JONES:** And at no point, I take it then,
17 did Staff Sergeant Derochie discuss with you that they had
18 received a letter saying it's a possible conflict of
19 interest, but don't worry, we're okay with that? There was
20 never a discussion about conflict of interest?

21 **MR. SNYDER:** No.

22 **MS. JONES:** Looking back now, and looking at
23 the Statement of Claim, and now learning that Cornwall
24 Police had actually crossclaimed against the CAS, can you
25 now see that there's a potential for conflict of interest?

1 **MR. CALLAGHAN.** First of all, to imply that
2 the crossclaim means anything more than a standard
3 crossclaim, which is standard in the business where any
4 civil lawyer in the back here would understand that, to put
5 the suggestion there's something improper about that or
6 suggest that there is an issue arising out of that, I think
7 is unfair, particularly in light of this witness never saw
8 either of them.

9 **THE COMMISSIONER:** Well, I don't think the
10 issue really is about the crossclaim. I think the -- isn't
11 the real issue that some people could see this criminal
12 investigation as being in conflict with the civil
13 litigation?

14 **MR. CALLAGHAN:** That's fair. You could put
15 the question that way, but the suggestion that -- I mean,
16 you're familiar with the civil litigation process. The
17 nature of the *Negligence Act* almost requires you to do it -
18 --

19 **THE COMMISSIONER:** M'hm.

20 **MR. CALLAGHAN:** --- but thank you.

21 **MS. JONES:** If there was any confusion, I
22 wasn't asking you if it was improper to have a crossclaim
23 or not.

24 All I'm asking you is, it seems that before
25 today or recently, you were not aware of this letter, you

1 were not aware that there was a crossclaim put by Cornwall
2 Police. Now that you have that information, do you have
3 the same opinion today that you don't think there's even a
4 perceived conflict of interest or at least something that
5 could have been discussed at the time?

6 **MR. SNYDER:** Well, again, I don't want to
7 try and second guess what the Chief of Police does. He is
8 the one who directed me to do something and I did what he
9 asked. I can't go into the crossclaims and the claims, I
10 guess. All I want to do is a professional investigation.

11 Now, in saying that, to look back and say,
12 could there have been a perception of a conflict, I think
13 an argument could be made for that, you know, and I'd like
14 to think that maybe I'd have seen it, but I can't say I
15 would've.

16 Staff Sergeant Derochie's obviously a very
17 senior officer and a very good officer so -- and so was the
18 Chief at the time, so I can't very well go back and say
19 that they didn't see a perception or a problem with
20 perception as to -- then I don't know if I could as well,
21 but I see that there could be an argument made that way
22 now. Is that ---

23 **MS. JONES:** And could I please go to
24 Document 739968, please.

25 **(SHORT PAUSE/COURTE PAUSE)**

1 **THE COMMISSIONER:** Exhibit 1623 is a letter
2 from the Children's Aid Society to Chief Anthony Repa,
3 dated September 26th, 2000. Actually, it's to the attention
4 of Brian Snyder.

5 **MS. JONES:** Should it be 1623 this exhibit
6 number?

7 **THE COMMISSIONER:** Yes. What did I say?

8 **--- EXHIBIT NO./PIÈCE NO. P-1623:**

9 (739968) - PUBLICATION BAN - Letter from CAS
10 to Chief Repa dated September 26, 2000

11 **MS. JONES:** Could you just keep that exhibit
12 in front of you for the moment, and I'd like you to go to
13 the exhibit that we had yesterday, which is Exhibit 1622,
14 which is your notes.

15 **THE COMMISSIONER:** What part of the notes?

16 **MS. JONES:** The very first page of the notes
17 actually is what I'm going to be starting off, Bates page
18 9254.

19 **(SHORT PAUSE/COURTE PAUSE)**

20 **THE COMMISSIONER:** Okay, I'm ready to go.
21 Are you there?

22 **MR. SNYDER:** I'm sorry, yes.

23 **THE COMMISSIONER:** All right.

24 **MS. JONES:** Sergeant Snyder, first of all, I
25 think I made the point yesterday but I just want to be

1 clear, you're using regular police notebooks or what I call
2 regular police notebooks by this stage?

3 MR. SNYDER: Yes.

4 MS. JONES: And you still -- and they are in
5 use today?

6 MR. SNYDER: Yes.

7 MS. JONES: As standard practice?

8 MR. SNYDER: Yes.

9 MS. JONES: Okay. And if I could just go to
10 the second page of your notes, Bates page 9254, it would
11 appear that you're assigned this criminal investigation on
12 September 15th, which it states on the date before, the
13 first entry you have -- the upper part is blacked out --
14 but the first entry that you have there is "Tuesday,
15 September 19th, 2000". Do you see that?

16 MR. SNYDER: Yes.

17 MS. JONES: Okay. By the way, this should
18 be stamped "publication ban" also, thank you.

19 So this is quite literally the first thing
20 that you're doing with regards to investigating -- sorry,
21 just a moment, please.

22 MS. JONES: Would you agree with me that was
23 the very first thing that you did in this criminal
24 investigation? There doesn't seem to be any other entries
25 between September 15th, when you were tasked with it, and

1 September 19th; correct?

2 MR. SNYDER: Yes.

3 MS. JONES: And would you agree, it shows an
4 entry at 1403 which is almost the first entry but not
5 quite, that you called Carole Leblanc, at the CAS and left
6 a message for her to call you back?

7 MR. SNYDER: Yes.

8 MS. JONES: So it would appear that the very
9 first person or party that you talked to is actually the
10 CAS?

11 MR. SNYDER: Yes.

12 MS. JONES: And you did this because you
13 likely felt they had the most information to get your story
14 going. Would that be fair to say?

15 MR. SNYDER: They had information to get my
16 story going, yes.

17 MS. JONES: And when you made contact with
18 the CAS on September 19th, 2000, is it your evidence that
19 you did not know at that time that they were actually
20 subject to a crossclaim by CPS with regards to this
21 lawsuit?

22 MR. SNYDER: That's correct.

23 MS. JONES: And at no time -- I call them
24 "adverse litigants". Do you know what that means? It's
25 somebody that's against you in a lawsuit.

1 So just for sake of brevity, I'll just say
2 did you know they were adverse litigants ---

3 **MR. SNYDER:** No.

4 **MS. JONES:** --- but you didn't know that,
5 okay.

6 So it would appear that you had a
7 conversation with CAS and requested them to write to you at
8 some point, and that is when we go to the exhibit which is
9 on your screen.

10 **MR. SNYDER:** Yes.

11 **MS. JONES:** And it would appear that Mr.
12 Carriere, who's the Director of Client Services of the CAS,
13 responded. So that was the information you were seeking
14 from CAS at that particular point?

15 **MR. SNYDER:** Correct.

16 **MS. JONES:** Is that right?

17 And it says it's addressed to Chief Repa,
18 but it says "Attention Sergeant Brian Snyder", so I assume
19 that you saw this document ---

20 **MR. SNYDER:** That's correct.

21 **MS. JONES:** --- in a timely fashion when it
22 was sent at that time?

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** And you'll agree with me that
25 the -- oh, by the way, that exhibit 1623 should also be

1 stamped -- the letter, 1623, refers to a lot of case notes
2 on the investigation and files and basically what CAS
3 documentation they had available to them concerning that
4 particular investigation?

5 MR. SNYDER: Correct.

6 MS. JONES: Do you understand how civil
7 lawsuits generally work with respect to exchanging
8 documents between parties and such?

9 MR. SNYDER: Not really, no. I understand
10 civil lawsuits, I understand being sued, but I never got
11 into a situation where I had the experience.

12 MS. JONES: Lucky you. I hope that lasts
13 forever.

14 Well, essentially, have you heard of
15 discovery processes in civil lawsuits, just as a general
16 term?

17 MR. SNYDER: Yes.

18 MS. JONES: And perhaps you know when
19 somebody sues somebody, they exchange documents back and
20 forth and it's all part of the lawsuit ---

21 MR. SNYDER: Yes.

22 MS. JONES: --- and they ask for relevant
23 documents and sometimes it's a bit of an issue, what's
24 relevant and what's not?

25 MR. SNYDER: Yes.

1 **MS. JONES:** And would you agree with me that
2 all of these documents referred to in that correspondence,
3 in 1623, you certainly considered relevant to the
4 investigation of the Earl Landry, Sr. investigation?

5 **MR. SNYDER:** I would say some of them were
6 relevant; I'd have to go through it again to see.

7 **MS. JONES:** Please go through it. Thank
8 you.

9 **(SHORT PAUSE/COURTE PAUSE)**

10 **MR. SNYDER:** Okay.

11 **MS. JONES:** Would you agree with me that all
12 of the documentary references and quotes that she makes,
13 case note references, were relevant to your investigation
14 of Earl Landry, Sr.?

15 **MR. SNYDER:** They were relevant in that I
16 was looking to see when C-51 may have come -- we may have
17 had contact with him making complaints. So, yeah, there's
18 relevance here to determine dates and times, yes.

19 **MS. JONES:** Okay. I'll ask it another way.
20 There's nothing irrelevant on there? It was all useful
21 information?

22 **MR. SNYDER:** It was all useful information.

23 **MS. JONES:** Okay. When you would get a
24 letter like this, you said earlier that Staff Sergeant
25 Derochie was kind of overseeing this, would you show

1 correspondence like that to Staff Sergeant Derochie?

2 **MR. SNYDER:** Ultimately he would have
3 received this. I wouldn't -- I would not deal with him on
4 a day-to-day basis; I would go on and do my investigation
5 and brief him periodically. Ultimately, he would have seen
6 this letter.

7 **MS. JONES:** Oh, certainly, but as you're
8 doing your investigation though, did you meet and discuss
9 the topic, as you say, brief each other about it? Did you
10 tell him your ongoing investigation, where you were going
11 with things?

12 **MR. SNYDER:** He was made apprised of what I
13 was doing, yes.

14 **MS. JONES:** Okay. And that keeping him
15 apprised it was a regular thing that you did, it wasn't
16 just at the end of the investigation ---

17 **MR. SNYDER:** Correct.

18 **MS. JONES:** --- it was an ongoing thing;
19 correct?

20 **MR. SNYDER:** That's correct.

21 **MS. JONES:** So if you did, in fact, keep him
22 apprised of things as you were going along, sometime along
23 the route you would have shown him this letter?

24 **MR. SNYDER:** Correct.

25 **MS. JONES:** Now, I touched on this

1 yesterday, I'll just go back to it to refresh your memory.
2 I'm looking at Bates page 9261 of your notes, which is
3 Exhibit 1622.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 And we went over this yesterday, and so I'll
6 just recap to keep things in sequence. This is when you
7 called the mother of C-51; correct?

8 **MR. SNYDER:** Yes.

9 **MS. JONES:** And it's C-51 that actually is
10 the complainant or the victim that's at the centre of this
11 whole criminal investigation. It was an alleged complaint
12 made by C-51 or C-51's mother in 1985 that you are
13 investigating; correct?

14 **MR. SNYDER:** Correct.

15 **MS. JONES:** So this is the mother of the
16 victim that's the central focus of this criminal
17 investigation?

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** And when you speak to her on
20 October 17th, 2000, you stated you called her and advised
21 that you were doing the investigation about a possible
22 conspiracy at the Cornwall Police?

23 **MR. SNYDER:** Correct.

24 **MS. JONES:** So that phrase there actually
25 says quite a bit. This was the only internal or external

1 investigation, for that matter, about possible conspiracy
2 at the Cornwall Police?

3 MR. SNYDER: Correct.

4 MS. JONES: And at that particular juncture,
5 you did not actually use the word "criminal", that you were
6 doing a criminal investigation?

7 MR. SNYDER: Correct.

8 MS. JONES: And on the next page, 9262, the
9 next entry at the top of the page, 09:28, you state there
10 that you've left a message for C-53's mother?

11 MR. SNYDER: Correct.

12 MS. JONES: Do you see that? Do you know
13 who C-53 is?

14 MR. SNYDER: Yes.

15 MS. JONES: Okay. Now, C-53, of course, are
16 the adverse litigants, they're the party against you in the
17 Statement of Claim?

18 MR. SNYDER: Yes.

19 MS. JONES: At 10 o'clock, you are actually
20 meeting with C-51's mother?

21 MR. SNYDER: Yes.

22 MS. JONES: And that's when she said she was
23 tired of all the process going on so long, et cetera -- we
24 went over that yesterday -- and that the -- towards the
25 bottom of the page where it starts off "I explained" --

1 that's good, Madam Clerk:

2 "I explained to her that I was with
3 Professional Standards and that I was
4 investigating a possible conspiracy
5 [of] trying to cover Earl..."

6 **MR. SNYDER:** "...and trying to cover Earl
7 Landry's incident up."

8 **MS. JONES:** "...incident up."

9 Okay.

10 **MR. SNYDER:** Good English.

11 **MS. JONES:** So again, just to be clear, now
12 you're telling her your Professional Standards hat is on,
13 but it doesn't say in that description you're doing a
14 "criminal" investigation.

15 **MR. SNYDER:** Well, I guess my assumption is
16 conspiracy is criminal, and I go on there:

17 "...and that people should be punished,
18 but I require proof."

19 So there's a punishment aspect of it. You're right; it
20 doesn't say "criminal". I felt she understood it as being
21 criminal and I ---

22 **MS. JONES:** I'm sorry; it does not say
23 "criminal".

24 **MR. SNYDER:** It does not say "criminal".

25 **MS. JONES:** No.

1 **MR. SNYDER:** I understood it that she
2 understood it was and I know I understood it was.

3 **MS. JONES:** I know that's your
4 understanding, but ---

5 **MR. SNYDER:** Yes.

6 **MS. JONES:** --- you'll agree with me that
7 the word "criminal" wasn't used though?

8 **MR. SNYDER:** Yes, and it wouldn't be
9 something I would be using in probably any investigation.
10 Generally, when police come to speak to you, it's in
11 reference to criminal. I don't know if I would have ever
12 put that in my notes anywhere that I'm talking to somebody
13 and saying "I'm doing a criminal investigation versus a
14 Professional Standards investigation." I'd have to go back
15 in my notes and see that, but it's not something I think I
16 would say or put in my notes.

17 **MS. JONES:** Could I refer you, please, now
18 to 9272? Do you have the hardcopy in front of you?

19 **MR. SNYDER:** Yes, I do.

20 **MS. JONES:** Okay. I'll ---

21 **MR. SNYDER:** I'm going back and forth. I
22 actually enjoy looking at it on the screen. It's much
23 bigger.

24 **MS. JONES:** It's a bit larger, isn't it?

25 **MR. SNYDER:** Yeah.

1 **MS. JONES:** Okay. And ---

2 **MR. SNYDER:** I understand my writing better.

3 **MS. JONES:** --- it is your handwriting.

4 So right at the bottom -- thank you, Madam
5 Clerk -- we have the date of Tuesday, October 31st, 2000,
6 and I believe it's 11:20. You state that you called the
7 mother of C-53. Again, that's the family that started the
8 Statement of Claim. And perhaps you could read, because it
9 is your handwriting, that passage and what follows to the
10 next ---

11 **MR. SNYDER:** "I advised her I was doing
12 the police investigation re:
13 conspiracy. I wanted to ask her
14 questions as to how she got information
15 re: cover-up. She wanted to speak with
16 her lawyer first. I advised her I had
17 no problem. She then mentioned "I must
18 have read about what [C-51's] mother
19 said." I said "Yes." But I was
20 wondering if there was any other
21 evidence. She said she would get back
22 to me after she speaks to her lawyer."

23 **MS. JONES:** Okay. So the first part of what
24 you said at the very beginning, "I wanted to question her
25 how she got the information about the cover-up" ---

1 **MR. SNYDER:** Correct.

2 **MS. JONES:** --- is that not exactly the
3 whole theme of the Statement of Claim, one of the major
4 themes, anyway, that there was a cover-up, a conspiracy
5 involving Earl Landry, Sr.? That's the whole theme?

6 **MR. SNYDER:** Correct.

7 **MS. JONES:** And that's what you're
8 investigating?

9 **MR. SNYDER:** I believe so, sure.

10 **MS. JONES:** One of the themes anyway, a
11 major theme.

12 Is that not a direct question about what the
13 civil lawsuit is completely about?

14 **MR. SNYDER:** Yes, but she's also a witness
15 in my criminal investigation. The best person to speak to
16 about a criminal act is the person who's making the
17 complaint. And so if she had information about a cover-up,
18 a conspiracy, an obstruct justice, then I would like to
19 have her see me or speak to me, and with that information,
20 I went forward and investigated and lay charges if I could.

21 **MS. JONES:** So going back though to the
22 initial point, if there was no criminal investigation being
23 done at all on this, can you see that it would be very
24 strange indeed for a party who's being sued to phone up the
25 party who's launched the lawsuit and say, "What's your

1 evidence?"

2 **MR. SNYDER:** I wouldn't be calling her.

3 **MS. JONES:** You wouldn't be calling her,
4 would you?

5 **MR. SNYDER:** No, I'm doing a criminal
6 investigation. That's why I want to speak to her.

7 **MS. JONES:** Right. But if there wasn't a
8 criminal investigation, say you were sued -- heaven forbid
9 that would ever happen, obviously -- but would you think
10 that that's a normal thing to do, to phone up the person
11 who sued you and say, "What's your evidence against me?"

12 **MR. CALLAGHAN:** The witness has already
13 testified he's never been involved in a civil litigation
14 before. I don't know if you can put that question to him,
15 and then there's actually a very complicated legal analysis
16 that goes along with whether you can speak to a person
17 suing you. I just don't think it's fair to put to a person
18 who's never been involved in one.

19 **THE COMMISSIONER:** All right. Thank you.
20 Yes, I think that could be -- that's a question maybe we
21 can keep for the Chief or someone else to explore. This
22 gentleman obviously was directed to do what he had to do,
23 and you've asked some questions about conflicts, and I
24 think he's indicated he's the foot soldier in this one.

25 **MS. JONES:** Okay.

1 **MR. SNYDER:** Thank you, sir.

2 **MS. JONES:** That particular question that
3 you put to her asking for information about a cover-up, was
4 that some -- is that a question you came up with or was
5 that a question that you were directed to actually ask?

6 **MR. SNYDER:** This is me speaking. No one
7 has directed me with questions. I'm asking the question
8 the way it came out and the way I wrote it.

9 **MS. JONES:** And I believe your evidence was
10 that you had read the Statement of Claim before you started
11 your criminal investigation?

12 **MR. SNYDER:** I believe I did, yes.

13 **MS. JONES:** Okay. So you were aware then of
14 the allegations and, in part, what that Statement of Claim
15 was saying concerning the evidence, whatever you want to
16 call it, about the alleged cover-up?

17 **MR. SNYDER:** Yeah. That's where I started
18 my investigation from. The evidence is there. I'm going
19 to go out and find out if there was in fact a conspiracy or
20 an obstruct justice, any of those things, and do my
21 investigation.

22 **MS. JONES:** So when C-53's mother said she
23 was going to get back to you because she has to talk to her
24 lawyer first, you were okay with that? Obviously, she had
25 a lawyer. You knew that?

1 **MR. SNYDER:** Yes, I had no problem. And
2 again, with her as well as the other, we had a very good
3 rapport because of the incident charging Landry. So it was
4 very amicable. There were no problems.

5 **MS. JONES:** Okay. Now -- sorry.

6 **MS. DALEY:** I'm not going to interrupt. I
7 just want to bring something to your attention.

8 **MS. JONES:** Thank you very much.

9 Mr. Commissioner, is it possible to have a
10 brief recess?

11 **THE COMMISSIONER:** Sure.

12 **MS. JONES:** Thank you.

13 **THE REGISTRAR:** Order; all rise. A l'ordre;
14 veuillez vous lever.

15 This hearing will resume at 10:45.

16 --- Upon recessing at 10:27 a.m./

17 L'audience est suspendue à 10h27

18 --- Upon resuming at 11:04 a.m./

19 L'audience est reprise à 11h04

20 **THE REGISTRAR:** Order; all rise. A l'ordre;
21 veuillez vous lever.

22 The hearing is now resumed. Please be
23 seated. Veuillez vous asseoir.

24 **S/SGT. BRIAN SNYDER, Resumed/Sous le même serment:**

25 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**

1 **JONES (cont'd/suite):**

2 **THE COMMISSIONER:** All right.

3 Yes, ma'am.

4 **MS. JONES:** Thank you very much.

5 Mr. Snyder, there's a document that was
6 handed to you -- there was actually two documents that were
7 handed to you over the break as a result of comments that
8 were made. I'll deal with both of them in order.

9 The first one I want to deal with though,
10 please, is Document 115734 and it's an excerpt.

11 **THE COMMISSIONER:** All right.

12 So that will be Exhibit Number 1624, which
13 is a Case Documentation System Service Record and the first
14 entry is the 22nd of October, 1997.

15 **--- EXHIBIT NO./PIÈCE NO. P-1624:**

16 (115734)-1074712-15 - Case Notes of
17 Greg Bell dated October 22, 1997 to October
18 29, 1997

19 **MS. JONES:** And just for the record, too,
20 the excerpt numbers are 1074712 Front to 1074715 Front. It
21 does not have the Back of 1074715.

22 Now, you may recall, just digressing back a
23 little bit, I want to be really clear about this ---

24 **MR. SNYDER:** Yes.

25 **MS. JONES:** --- because you had actually

1 mentioned these notes ---

2 MR. SNYDER: Yes.

3 MS. JONES: --- in earlier testimony.

4 So just to bring you back, again, this deals
5 with the issue of what happened when you saw Earl Landry,
6 Jr. with his children in the car at McDonald's?

7 MR. SNYDER: Yes.

8 MS. JONES: So there seems to be a missing
9 sort of a link that you mentioned this morning that was not
10 part of the documents that were disclosed earlier?

11 MR. SNYDER: Yes.

12 MS. JONES: And you recall that the
13 McDonald's incident happened on Saturday, the 26th of
14 October, 1997?

15 MR. SNYDER: I don't recall the exact date.
16 It was a McDonald's incident, yes.

17 MS. JONES: Okay. And the excerpt I have
18 here, this Exhibit 1624, are case notes ---

19 MR. SNYDER: Yes.

20 MS. JONES: --- that appear to be of Gregory
21 Bell. He's a case worker at CAS?

22 MR. SNYDER: Yes.

23 MS. JONES: And at the very bottom of the
24 front page, 4712 Front, the date is 29th of October, 1997 at
25 9:25 in the morning, and it says "Discussion with Mr.

1 Abell", who was, I believe, the Director of CAS at the
2 time?

3 MR. SNYDER: Yes.

4 MS. JONES: Are you familiar with Mr. Abell
5 or ---

6 MR. SNYDER: I know who he is, yes.

7 MS. JONES: "Abelle" or "Abell", I don't
8 know if ---

9 MR. SNYDER: Abell. Abell.

10 MS. JONES: Abell?

11 And Mr. Bell is discussing with Mr. Abell
12 that he got a call -- "he", being Mr. Abell ---

13 MR. SNYDER: Yes.

14 MS. JONES: --- got a call from Earl
15 Landry, Jr., concerning the fact that he was seen with his
16 children alone at McDonald's by Sergeant Brian Snyder and
17 he wanted to indicate that he was going to -- he wanted to
18 tell the CAS ---

19 MR. SNYDER: Yes.

20 MS. JONES: --- so that's why he was
21 phoning.

22 THE COMMISSIONER: Well, it seems that you
23 had a conversation -- he's -- okay, hold on.

24 Abell recorded that Landry told him that you
25 had spoken with Landry at McDonald's ---

1 **MR. SNYDER:** Yes.

2 **THE COMMISSIONER:** --- and you had indicated
3 that -- you had told him you would report this to the CAS.

4 **MR. SNYDER:** Yes.

5 **THE COMMISSIONER:** Is that correct?

6 **MS. JONES:** Okay, I'm sorry,

7 **THE COMMISSIONER:** Okay.

8 **MS. JONES:** I'm sorry, I misread that.
9 Thank you.

10 And further down the page -- unfortunately
11 the date's obscured but I think it's still the 27th or the
12 29th, I should say, of the 10th of '97 -- the time is 09:57?

13 **MR. SNYDER:** Yes.

14 **MS. JONES:** And it would appear that
15 Mr. Bell calls for Sergeant B. Snyder -- I'm sorry, it is
16 the 29th, I'm confirmed by CAS counsel -- the 29th, called
17 for Sergeant Brian Snyder. Purpose, to confirm if there
18 was an Earl Landry, Jr. sighting basically at McDonald's?

19 **MR. SNYDER:** Yes.

20 **MS. JONES:** Okay. Then on that same date,
21 on Bates page 4713 Front, there is the time of 9:59, "Call
22 from Earl Landry" -- I assume it's Junior -- and he says on
23 Saturday, the 26th of October, 1997, he had brought the
24 children to McDonald's Restaurant Drive-Thru, and that's
25 when he saw you?

1 **MR. SNYDER:** Yes.

2 **MS. JONES:** Okay. Then there are a few more
3 notes what would happen on other aspects.

4 At the -- if you continue along to Bates
5 page 4714 Back, at the bottom -- am I incorrect? -- the
6 time now is 11:25 and it seems that there's a second call
7 to you?

8 **MR. SNYDER:** Yes.

9 **MS. JONES:** A call for Sergeant B. Snyder,
10 CPS. Purpose, same purpose as the phone call that he made
11 at 9:53.

12 And then 10 minutes later, at 11:35, you
13 seem to return the call and report that you had, in fact,
14 seen Earl at McDonald's Restaurant on Saturday, the 26th,
15 10/97?

16 **MR. SNYDER:** Yes.

17 **MS. JONES:** Correct?

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** So, just to clarify, because I'm
20 not certain it was particularly clear or not, it would
21 appear that you did talk to Mr. Bell, which is what you
22 said this morning.

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** However, it seems that the call
25 initiation came from, first of all from Mr. Landry who

1 phoned CAS first.

2 **MR. SNYDER:** Yes.

3 **MS. JONES:** And the call then came from
4 Mr. Bell to you. He left two messages and then you
5 returned the call and that's how you spoke to Mr. Bell?

6 **MR. SNYDER:** Did he leave two messages or
7 did I speak to him the first time?

8 **MS. JONES:** Yes, there seems to be ---

9 **MR. SNYDER:** Okay, okay.

10 **MS. JONES:** --- a message left at 9:57.

11 **MR. SNYDER:** Okay.

12 **MS. JONES:** And a second message at 11:25.

13 **MR. SNYDER:** Yes.

14 **MS. JONES:** And 11:35, you returned the
15 phone call.

16 **MR. SNYDER:** Yes.

17 **MS. JONES:** So the incident had actually
18 happened three days prior, on the 26th, according to what
19 you said ---

20 **MR. SNYDER:** Well, the 26th would have been
21 the Saturday ---

22 **MS. JONES:** The Saturday.

23 **MR. SNYDER:** --- and this was ---

24 **MS. JONES:** The 29th.

25 **MR. SNYDER:** The 29th is a Tuesday?

1 **MS. JONES:** Tuesday.

2 **MR. SNYDER:** Yes.

3 **MS. JONES:** Okay. And just to be clear, you
4 did speak to Mr. Bell as you stated ---

5 **MR. SNYDER:** Yes.

6 **MS. JONES:** --- in your evidence, but it
7 would appear that you were returning two phone call
8 messages left by Mr. Bell at that particular stage.

9 **MR. SNYDER:** Yes.

10 **THE COMMISSIONER:** So you hadn't initiated
11 all of this. It came around that that Landry phoned CAS,
12 CAS phoned you?

13 **MR. SNYDER:** Yes. Landry got ahead of him
14 and he called -- when I spoke Landry, obviously he got
15 ahead, called CAS before I had the opportunity to call CAS.
16 They called me to confirm that those things actually
17 occurred, yes.

18 **MS. JONES:** Okay.

19 **MR. CALLAGHAN:** We just were presented with
20 these notes but there is an earlier note which indicates on
21 the 23rd of September, Mr. Snyder speaks with Mr. Bell and
22 advises him that he won't be back in the office until the
23 29th of that year. So I mean the point being is, just to be
24 clear on the record, he wasn't in the office during that
25 period.

1 **THE COMMISSIONER:** Okay, can we get on with
2 it?

3 **MS. JONES:** That's fine. I just wanted to
4 clarify that point ---

5 **MR. SNYDER:** Yes.

6 **MS. JONES:** --- in fairness to you.

7 Now, just before the break, you probably saw
8 Ms. Daley hand me a document over my shoulder, and you now
9 have reviewed a copy of that document and this is Document
10 Number 200243.

11 **THE COMMISSIONER:** Thank you.

12 Exhibit 1625 is a decision of the Ontario
13 Court of Justice in a lawsuit -- well, how else do you want
14 me -- what's the date of -- okay, the judgment date is
15 November 24th, 2006.

16 --- **EXHIBIT NO./PIÈCE NO. P-1625:**

17 (200243) - *Clement vs. CPS* Judgment dated
18 November 24, 2006

19 **MS. JONES:** Thank you.

20 Now, I hadn't seen this before. It's
21 actually from Ms. Daley, so I didn't want you to think that
22 I was taking you by surprise or anything.

23 **MR. SNYDER:** No, that's fine.

24 **MS. JONES:** But earlier in your testimony,
25 there were certainly an understanding that you had not been

1 involved in a lawsuit. I actually made a casual comment
2 saying, "Congratulations, you've never been sued" and I
3 believe Mr. Callaghan had also made a similar sort of a
4 comment, but it would appear, without mentioning the names
5 of the party or even the substance of what this is about,
6 it seems that an individual is suing Cornwall Police
7 Services, lists a whole host of names, but one of them is
8 your name?

9 **MR. SNYDER:** Yes.

10 **MS. JONES:** "Sergeant B. Snyder."

11 And it would appear that this actually is a
12 civil lawsuit?

13 **MR. SNYDER:** Yes.

14 **MS. JONES:** And this happened November 24th,
15 2006, and I understand from speaking with you just briefly
16 at the break, that technically it's still ongoing?

17 **MR. SNYDER:** I'm not sure.

18 **MS. JONES:** Or you're not sure about it?

19 **MR. SNYDER:** I'm not sure.

20 **MS. JONES:** Okay. Perhaps you can explain
21 the discrepancy then of what Mr. Callaghan and I had said
22 to you earlier in our casual comments, and we have 1625 in
23 front of us.

24 **MR. SNYDER:** Again, I wasn't trying to
25 mislead the Court. Mr. Commissioner, what we were talking

1 about, being involved in a process, and I was never
2 involved in a process and I didn't understand that and I
3 totally forgot about this document until you said
4 "Congratulations". And when you said "Congratulations" I
5 should have come back with, "Oh, don't congratulate me
6 because I have been sued, but I've never been involved in
7 anything other than that." So it wasn't -- it was more of
8 a misunderstanding as opposed to me trying to mislead
9 anybody. It was the process I was trying to get across. I
10 was never involved in a civil process.

11 **MS. JONES:** But you were aware of that
12 lawsuit and you presumably would have read a Statement of
13 Claim of it? I'm not even sure if ---

14 **MR. SNYDER:** Yeah. And I forgot about it
15 until you said "Congratulations". And when you said
16 "Congratulations" it kind of clicked to me, but I never
17 came back with, "Oh, don't congratulate me." And I should
18 have, and I apologize for that, but it wasn't anything
19 trying to mislead anybody.

20 **MS. JONES:** Okay. And I assume that the
21 lawyers and all the legal documentation is handled by the
22 lawyers and does not involve a lot ---

23 **MR. SNYDER:** By the lawyers.

24 **MS. JONES:** --- of input from you at that
25 particular stage?

1 **MR. SNYDER:** That's correct.

2 **MS. JONES:** Okay.

3 **THE COMMISSIONER:** Do you know when you were
4 sued?

5 **MR. SNYDER:** I think it was 2001, sir.

6 **THE COMMISSIONER:** In 2001? All right.

7 **MR. SNYDER:** Two thousand (2000), 2001.

8 **THE COMMISSIONER:** Okay.

9 **MS. JONES:** And again, without going into
10 particulars, when I used the word, for instance,
11 "discovery" earlier, have you been familiar with that word
12 as a result of that lawsuit?

13 **MR. SNYDER:** I know what discovery is, but I
14 have never been involved in a discovery on a civil
15 litigation. And that's where I was, I guess, going back
16 and forth with you. I don't understand the process. If
17 I'm directed, I would do things, but I don't -- or if I was
18 directed, I would do something, but I have never been
19 directed, so I don't know the process.

20 **MS. JONES:** Okay. Now, if we can go back
21 then to where we left off, we were at Bates page 9273 and
22 you had been talking to the mother of C-53. I'm sorry, the
23 last exhibit we were at was 1622. I apologize.

24 **(SHORT PAUSE/COURTE PAUSE)**

25 **MS. JONES:** I'm just waiting for it to come

1 up on the screen. This witness finds it easier to read his
2 handwriting on the screen. Thank you very much.

3 So when we left it, as I say, it was at that
4 point that the mother of C-53 told you she had spoken to a
5 lawyer. The lawyer advised her not to speak with you and
6 give a statement, and you respected that, and that was
7 basically the end of the conversation that you had with
8 her?

9 MR. SNYDER: Correct.

10 MS. JONES: Is that correct? Okay.

11 Now, my next question for you, I can
12 actually even include civil lawsuits, I guess, at this
13 point, but when you're involved in a criminal matter, would
14 you agree with me that when someone is charged with a
15 criminal offence and they now become a suspect or an
16 accused or a defendant, once that person has a lawyer,
17 would you agree with me that if you need to have contact
18 with that person for whatever reason, say you want to re-
19 arrest them on another charge or something, once you're
20 familiar with the fact that someone has a lawyer, is it not
21 the traditional route to contact the lawyer instead of
22 contacting the defendant themselves?

23 MR. SNYDER: For what purpose?

24 MS. JONES: Well, to ask them further
25 questions, to ---

1 **MR. SNYDER:** If I was to ---

2 **MS. JONES:** --- see if you want to interview
3 them again?

4 **MR. SNYDER:** If I wanted to re-interview
5 them again, I would probably contact their lawyer and let
6 them know, yes.

7 **MS. JONES:** So when somebody -- when you're
8 told someone has a lawyer, you understand the role the
9 lawyer takes, that's sort of a shield, if you want?

10 **MR. SNYDER:** Yes.

11 **MS. JONES:** That's why lawyers are retained?

12 **MR. SNYDER:** Yes.

13 **MS. JONES:** Now, on the next page, 9274, I
14 just want to confirm because I worked it into the last
15 message, but that's actually where you got a message from
16 the mother of C-53 and she left a message saying, "On the
17 advice of my lawyer, I'm not going to talk to you"? I just
18 want, for the sake of completeness, to see where it goes --
19 -

20 **MR. SNYDER:** Yes. Yeah.

21 **MS. JONES:** Now I'd like to go to Bates page
22 9288, please. And the first entry there is dated Monday,
23 November 20th, 2000.

24 **MR. SNYDER:** Yes.

25 **MS. JONES:** And at I believe it's 7:44 in

1 the morning ---

2 MR. SNYDER: It's 7:48, I believe.

3 MS. JONES: Is it 7:48?

4 MR. SNYDER: Yes.

5 MS. JONES: At 7:48 in the morning -- it's
6 quite early -- you called C-53?

7 MR. SNYDER: Correct.

8 MS. JONES: And you were telling C-53, who
9 is the litigant who's brought this Statement of Claim, one
10 of the litigants, I should say, and you said that --
11 perhaps you can read it better than I can.

12 MR. SNYDER: "I called [C-53]..."

13 I just want to make sure that ---

14 "...called [C-53] at the phone number and
15 provided info of appeal by Earl Landry
16 Jr."

17 MS. JONES: So at that particular point,
18 you're aware that the family have a lawyer; correct?

19 MR. SNYDER: Yes.

20 MS. JONES: And, in fact, you were aware at
21 that point, having talked to one of the other plaintiffs,
22 i.e. the mother of C-53, that they have a lawyer?

23 MR. SNYDER: Yes.

24 MS. JONES: And you've also been instructed
25 that the lawyer said that it's best not to talk to you

1 about things because of this lawsuit. Would you agree with
2 me on that?

3 MR. SNYDER: That's with the mother, yes.

4 MS. JONES: Okay. Did you ---

5 MR. CALLAGHAN: I want to -- it should be
6 clear this is the appeal that Earl Landry Jr. does of his
7 sentence. This is in the context of the Earl Landry
8 criminal case. He's advising them Earl Landry has appealed
9 his criminal sentence.

10 THE COMMISSIONER: Yes.

11 MR. CALLAGHAN: It doesn't deal with the
12 civil case.

13 THE COMMISSIONER: No.

14 MR. CALLAGHAN: I just ---

15 THE COMMISSIONER: No, but I think the line
16 is things are crossing over now.

17 MR. CALLAGHAN: Right.

18 THE COMMISSIONER: Sure, he's phoning about
19 that, but he's been told not to talk to the mother through
20 the lawyer ---

21 MR. CALLAGHAN: On the civil case.

22 THE COMMISSIONER: Right.

23 MR. CALLAGHAN: Right.

24 THE COMMISSIONER: So I guess the issue is
25 how intertwined are they going to get?

1 **MR. CALLAGHAN:** Right. And I guess then
2 they'll have to decide what the police can do.

3 **THE COMMISSIONER:** M'hm.

4 **MS. JONES:** So I'm well aware that you're
5 phoning about the appeal of Earl Landry Jr.

6 **MR. SNYDER:** Yes.

7 **MS. JONES:** However, you did receive a
8 message from this person's mother than their family lawyer
9 had advised not to speak to you about ---

10 **MR. SNYDER:** The message was ---

11 **MS. JONES:** --- matters?

12 **MR. SNYDER:** --- and we can go back to what
13 she said, on the advice of a lawyer, she is not to provide
14 me with a statement. And I was calling this individual to
15 let him know about the appeal, nothing more than that
16 except me advising my victims that this is happening.

17 **MS. JONES:** Well, again, I asked you a
18 question yesterday about the fact that -- the first
19 conflict of interest question I asked you; the fact that
20 you were investigating Earl Landry Jr.'s matter, did you
21 not see that as a bit of a conflict of interest now doing
22 this investigation of Earl Landry Sr.? You'll still stand
23 by the fact there's ---

24 **MR. SNYDER:** I'll still say no.

25 **MS. JONES:** --- no conflict of interest

1 there?

2 **MR. SNYDER:** No.

3 **MS. JONES:** Because the parties are the same
4 in this particular situation, isn't it?

5 **MR. SNYDER:** I understand that.

6 **MS. JONES:** Okay. Did you not ever put your
7 mind to the fact that because the family lawyer -- you
8 know, the mother and the complainant C-53 have the same
9 lawyer that -- when you get the message from one that the
10 lawyer has said "Do not speak to the parties" that that
11 would not also apply to C-53?

12 **MR. SNYDER:** "Do not speak to the parties"
13 in reference to my investigation. This had nothing to do
14 with my investigation. It was an information to let them
15 know that, "Listen, be aware there's an appeal going on."
16 It was strictly a victim's assistance call and I was able
17 to, in my mind, differentiate. I wasn't going to ask him
18 questions about anything other than advising him of this.

19 **MS. JONES:** Did it occur to you, because of
20 the fact that they were litigants and opposing litigants --
21 did it occur to you, because the mother had said "We can't
22 talk to you because our lawyer gave advice" that perhaps
23 either someone else called that particular person, C-53,
24 advising them of the appeal or even says, "Send a letter"?

25 **MR. SNYDER:** No, it did not occur to me.

1 **MS. JONES:** And I see that there's a list of
2 other victims that you called about the appeal as well. So
3 this was something that you were tasked to do?

4 **MR. SNYDER:** That's correct.

5 **MS. JONES:** And is that normal practice by
6 CPS if a convicted person launches an appeal, be it a
7 sentence or a conviction appeal, that you inform the
8 victims of that?

9 **MR. SNYDER:** Well, actually, it's the first
10 one that I have actually dealt with and I was dealing with
11 the victims, and when I got -- received information to pass
12 on to them, I did. I think now we have a victims'
13 assistance person who will do most of those things, but at
14 the time, I was tasked with it and when I received
15 information, I passed it on to my victims.

16 **MS. JONES:** So you were tasked with that
17 job. Who gave you that task?

18 **MR. SNYDER:** I received a letter, I believe,
19 from one of the Crown attorneys out of Toronto that was
20 litigating the appeal or involved with the appeal.

21 **MS. JONES:** And did that Crown attorney
22 specifically direct you, "Please inform the victims"?

23 **MR. SNYDER:** There is a letter on file and I
24 think there's -- it was sent to the Crown's office and my
25 office, and I was cc'd on it, sort of thing. It was a copy

1 and ---

2 **THE COMMISSIONER:** Did the letter say,
3 "Please inform the victims"?

4 **MR. SNYDER:** I can't remember. I think it
5 did. The letter's here somewhere and I believe that's why
6 I did it, because it was requested, "Please advise the
7 investigator to let the victims know."

8 **MS. JONES:** Okay. I'll see if I can find
9 that letter ---

10 **MR. SNYDER:** Yeah.

11 **MS. JONES:** --- in the interim.

12 **MR. SNYDER:** Sure.

13 **MS. JONES:** Had you ever done that before
14 when any other offender had brought an appeal?

15 **MR. SNYDER:** I've never had an appeal
16 before. This was my first appeal, to my recollection --
17 appeal of a sentence.

18 **MS. JONES:** This was your first appeal ---

19 **MR. SNYDER:** Of a sentence.

20 **MS. JONES:** --- you've ever had as a police
21 officer?

22 **MR. SNYDER:** In my recollection, at least
23 the first appeal people have asked me to do this with. I
24 can't recall ever getting an appeal of a sentence that the
25 -- I was involved in and asked to speak to the victims.

1 **MS. JONES:** Okay. Do you agree that, again
2 to avoid any perception of conflict of interest, that you
3 could have had another officer even just phone C-53 and you
4 phone the rest?

5 **MR. SNYDER:** Could I have?

6 **MS. JONES:** Yes.

7 **MR. SNYDER:** In hindsight, yes, I suppose I
8 could have, yes.

9 **MS. JONES:** Now, on Bates page 9291 at
10 10:20, we have you here speaking to the mother of C-51
11 again.

12 **MR. SNYDER:** Yes.

13 **MS. JONES:** Now, just so everybody's clear,
14 C-51 is the victim of 1985 ---

15 **MR. SNYDER:** Yes.

16 **MS. JONES:** --- that is the -- sort of the
17 victim of the Statement of Claim?

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** So you've already spoken to the
20 mother of C-51 before. This is -- she's the one who's a
21 bit fed up about everything. You're speaking to her again
22 here and it appears that at that particular point she's
23 saying she read over her statement as well as a report from
24 CHEO and she's going on to talk about what she determined.
25 Now, which statement is she referring to there? Is that an

1 old statement or is that a statement she ---

2 MR. SNYDER: I believe ---

3 MS. JONES: --- provided you?

4 MR. SNYDER: --- it's the statement from the
5 1997 -- 1996 when Earl Landry was charged. She provided a
6 statement back then.

7 MS. JONES: Are you certain about that or
8 are you assuming that?

9 MR. SNYDER: Well, let's read it through
10 again.

11 (SHORT PAUSE/COURTE PAUSE)

12 MS. JONES: I'm not saying that you're
13 wrong.

14 MR. SNYDER: Yeah.

15 MS. JONES: I think you may be right,
16 actually, but ---

17 MR. SNYDER: Yeah, I think I am too, but --
18 -

19 MS. JONES: Okay.

20 MR. SNYDER: --- at this point in time I
21 want to really go through my stuff.

22 MS. JONES: Okay. There's actually nothing
23 ---

24 MR. SNYDER: Yeah.

25 MS. JONES: --- that turns on it.

1 **MR. SNYDER:** Yeah.

2 **MS. JONES:** I just -- on the next page, you
3 refer to a statement. I just want to be sure it's a
4 different statement ---

5 **MR. SNYDER:** Yes, okay.

6 **MS. JONES:** --- that you're referring to.
7 So on the next page, at Bates page 9292, I
8 was wondering again because this is your own handwriting if
9 you could possibly read it for me starting with the "She
10 said..."?

11 **MR. SNYDER:** "She said she will be glad
12 when all this is done. I told her that
13 the reason I needed to know about the
14 year or how many times she complained
15 was so I could better concentrate on
16 the investigation, that if there was a
17 cover-up I would find it. I asked if
18 anyone told her to say it was 1983."

19 **MS. JONES:** Can I just stop you there for a
20 moment?

21 **MR. SNYDER:** Yes.

22 **MS. JONES:** Just by way of explanation,
23 you're trying to determine when offences happened; was it
24 1983 or 1985 ---

25 **MR. SNYDER:** Yes.

1 MS. JONES: --- just to give a context.

2 Okay.

3 MR. SNYDER: Yes.

4 MS. JONES: Please continue.

5 MR. SNYDER: "She said no, that Lust, the
6 lawyer, called me to ask me about the
7 dates and that he would like it to be
8 1983, but could she go through her
9 files and find out for sure. I never
10 told him 1983 for sure. I said it
11 could have been '83 or '84."

12 MS. JONES: Now, yes, please stop there.
13 When you're using the word "I", it starts off with "I asked
14 if anyone told her", at that particular point, you're
15 referring to yourself?

16 MR. SNYDER: That's correct.

17 MS. JONES: And a little bit later on, she
18 says:

19 "She said no, that Lust, the lawyer,
20 called me to..."

21 MR. SNYDER: About.

22 MS. JONES: "...ask me..."

23 MR. SNYDER: Yeah.

24 MS. JONES: "...about..."

25 The "me" she's talking to isn't you, it's --

1 -

2 MR. SNYDER: It's herself.

3 MS. JONES: --- her? Okay.

4 MR. SNYDER: That's correct.

5 MS. JONES: So I just want to get the ---

6 MR. SNYDER: That's right.

7 MS. JONES: --- pronouns correct here.

8 So she's -- you're now taking almost a
9 verbatim statement of what she's saying. As she's saying
10 it, you're writing it down?

11 MR. SNYDER: Correct.

12 MS. JONES: So using the word "me" isn't
13 actually referring to you?

14 MR. SNYDER: That's right.

15 MS. JONES: It's referring ---

16 MR. SNYDER: To her.

17 MS. JONES: --- to her.

18 So essentially what she's doing is telling
19 you a confidential conversation, presumably, between her
20 civil lawyer and herself -- sorry, not her civil lawyer,
21 but the civil lawyer representing the plaintiffs and
22 herself?

23 MR. CALLAGHAN: I don't believe that to be a
24 confidential communication ---

25 THE COMMISSIONER: Pardon me?

1 **MR. CALLAGHAN:** If a third party speaks with
2 a lawyer, it's not a confidential communication unless it's
3 their lawyer.

4 **THE COMMISSIONER:** Right. Okay. So it's
5 not her lawyer?

6 **MR. CALLAGHAN:** Right.

7 **THE COMMISSIONER:** Okay.

8 **MR. CALLAGHAN:** So it's not a confidential
9 communication.

10 **THE COMMISSIONER:** No.

11 **MR. CALLAGHAN:** It's a communication.

12 **THE COMMISSIONER:** Right.

13 **MS. JONES:** I apologize for that.

14 It's a conversation between a lawyer and the
15 mother of C-51 that she's recounting there to you.

16 **MR. SNYDER:** Correct.

17 **MS. JONES:** And I'm not even -- I'm not
18 going to whether or not what she said was correct or the
19 truth or not, but essentially she's talking about a
20 conversation though that she had with the lawyer
21 representing the plaintiffs?

22 **MR. SNYDER:** She's -- yes.

23 **MS. JONES:** Her version of what the
24 conversation was?

25 **MR. SNYDER:** Yes.

1 **MS. JONES:** Okay. I just wanted to be clear
2 about that.

3 So essentially, you are talking about the
4 lawsuit with the mother of C-51?

5 **MR. SNYDER:** I'm talking about a criminal
6 investigation to find out when she complained to the
7 police, and that was my role there is to find out when
8 exactly because if it was '83, then Earl Landry, Sr. was in
9 fact the Chief and it makes a -- it makes it into a
10 stronger point that there very well could have been a -- an
11 area where he could have influenced the investigation
12 further. So I had to determine what year she actually came
13 in and that's what I was trying to do here.

14 **MS. JONES:** So you were actually trying to
15 get information that also pertained to the civil lawsuit
16 but also pertained to your criminal investigation?

17 **MR. SNYDER:** Nothing to do with the civil
18 lawsuit. The civil lawsuit's not on my mind. I don't care
19 about the civil lawsuit. I'm doing a criminal
20 investigation. I have -- really have no dealings with
21 civil lawsuit at all. It wasn't on my plate. It wasn't on
22 my radar. It was all criminal.

23 **MS. JONES:** I understand that that was your
24 mandate, but what I'm saying is, in this particular
25 context, the substance of what she's saying -- I'm not even

1 saying it's true or not, but that substance of what she's
2 saying applies equally to the civil lawsuit as it does to
3 your criminal investigation?

4 MR. SNYDER: Yeah, you -- that could be fair
5 to say. Okay.

6 MS. JONES: And if you could just -- I think
7 I can actually read this. At 10:45, which is the next
8 entry:

9 "I left her alone to complete her
10 statement..."

11 MR. SNYDER: "...and went and got..."

12 MS. JONES: "...and I went to get her..."

13 MR. SNYDER: "...and went..."

14 MS. JONES: "...a coffee..."

15 MR. SNYDER: "...and got her a coffee,
16 double-double small."

17 (LAUGHTER/RIRES)

18 THE COMMISSIONER: Those are important
19 notes.

20 (LAUGHTER/RIRES)

21
22 MS. JONES: That's right. I had to throw
23 that in there.

24 MR. SNYDER: I know, hey. Sometimes you
25 take notes on things and sometimes you don't. Obviously,

1 it felt important at the time.

2 **MS. JONES:** So the important aspect of that
3 sentence though is that "I left her alone to complete her
4 statement"." Now, that statement is the statement you've
5 asked her to make for your criminal investigation?

6 **MR. SNYDER:** Correct.

7 **MS. JONES:** And did you just leave her
8 witness paper or -- how did you do that?

9 **MR. SNYDER:** I left her with the information
10 she required to refresh her memory which was the previous
11 statement and I think there was other documents, if I am
12 correct, but I can't remember. And let her sit by herself
13 to form her statement.

14 **MS. JONES:** Now, is that typical practice
15 for you to leave a witness on their own to complete a
16 statement or is it the practice that I've seen with those
17 statements of yours where you're writing out a witness
18 statement, handwritten, because we've seen several of your
19 statements?

20 **MR. SNYDER:** I do both. I've left it with
21 witnesses to do and I've sat down with them and I complete
22 myself as well. So whatever the reasons are, I think this
23 time she felt more comfortable doing it by herself, so I
24 let her do it by herself. Other people may have said "You
25 know, I want you to write it", so I'll write it. There is

1 no real hard fast rule as to when I do it, when I don't.

2 MS. JONES: Now, if you could turn please to
3 Bates page 9299? On the previous page is the date entry
4 "Wednesday, November 29th, year 2000". So this, I presume,
5 is happening on that date and the time is 14:45 and it
6 states:

7 "I spoke with Leslie Pane re Earl
8 Landry appeal. It is postponed until
9 next year. I was requested to advise
10 victims."

11 MR. SNYDER: Correct.

12 MS. JONES: Do you see that?

13 MR. SNYDER: Yes.

14 MS. JONES: Okay. So on the next page,
15 Bates page 9300, you have an entry there dated December 1st,
16 2000 and you called C-52 to advise him about the delay in
17 the appeal?

18 MR. SNYDER: Correct.

19 MS. JONES: And if we go to the next page,
20 at 9301, the very bottom entry, 12:40, again December 1st,
21 year 2000. You yet again called C-53 who was the -- who is
22 one of the plaintiffs in the civil lawsuit ---

23 MR. SNYDER: Correct.

24 MS. JONES: --- whose mother said that her
25 lawyer advised her not to talk to you. So you've called

1 him again?

2 MR. SNYDER: I'm sorry, her lawyer advised?

3 MS. JONES: Her not to talk to you.

4 MR. SNYDER: Her lawyer advised her not to
5 talk to me, yes, about the case.

6 MS. JONES: But you've called him again?

7 MR. SNYDER: To let him know that the appeal
8 was being postponed.

9 MS. JONES: Okay. Now, again, could another
10 officer have done that?

11 MR. SNYDER: Yes.

12 MS. JONES: Considering that he's a party to
13 litigation?

14 MR. SNYDER: Again, in hindsight, yes,
15 you're correct about that. I didn't feel that I was doing
16 anything incorrect. I wasn't asking questions about
17 litigation. I was just informing my victims promptly about
18 the appeal.

19 MS. JONES: Okay. So that's December 1st,
20 2000. The first entry for Monday, December 4th, 2000 -- I
21 believe actually on December 1st, you left a message ---

22 MR. SNYDER: Yes.

23 MS. JONES: --- for C-53 because at 7:20 in
24 the morning on December 4th, 2000, you spoke to C-53. Is
25 that correct?

1 **MR. SNYDER:** That's correct. I'm sorry,
2 yes.

3 **MS. JONES:** Okay. Another early morning
4 phone call. Did you call him? It looks as if you called
5 him; it doesn't say he returned the call.

6 **MR. SNYDER:** I don't remember. I know he
7 works early in the morning. I know exactly where he works.
8 So I wouldn't be getting him out of bed.

9 **MS. JONES:** Okay.

10 **MR. SNYDER:** I think that's probably why it
11 was early in the morning because I knew what he was doing.

12 **MS. JONES:** So that's when you advised him
13 about the appeal?

14 **MR. SNYDER:** Yes.

15 **MS. JONES:** Okay. Now, on page 9304, just
16 at the bottom there, very briefly, Friday, December 5th,
17 2000 at 10:30, you are now calling C-54?

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** Now, C-54 is the last
20 complainant ---

21 **MR. SNYDER:** Yes.

22 **MS. JONES:** --- charged with -- against Earl
23 Landry, Jr.

24 **MR. SNYDER:** Yes.

25 **MS. JONES:** So people know who he is. Now,

1 9305 up at the top, could you please read out the first few
2 lines? I'll tell you when to stop. The next page, Bates
3 page 9305.

4 **MR. SNYDER:** "I asked him if he was also
5 getting involved with the lawsuit. He
6 said no, that Lust wanted \$1,500
7 retainer. He said they are suing the
8 City, CAS, the Cornwall Police and Earl
9 and he deserves it. The conversation
10 is passionate by ---

11 **THE COMMISSIONER:** The victim.

12 **MS. JONES:** C-54.

13 **MR. SNYDER:** --- stating they knew while
14 he was Chief. I asked him how he knew
15 that. He said, well, I had the inside
16 track because I was sort of related."

17 **MS. JONES:** Okay. We'll stop there.

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** The very first words at the top
20 there, "I asked if he was also getting involved in the
21 lawsuit", now, that's the lawsuit that we've been talking
22 about ---

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** --- here today? You'll agree
25 with me, the way you've written it there, you have actually

1 initiated that conversation?

2 MR. SNYDER: Yes.

3 MS. JONES: So even though you're doing a
4 criminal investigation, would you agree with me that
5 certainly at that particular point, with that particular
6 person, you initiated a conversation to talk about the
7 civil lawsuit?

8 MR. SNYDER: Yes, it looks that way.

9 MS. JONES: Okay. What was the reason for
10 doing that, sir?

11 MR. SNYDER: I really don't remember. I
12 know that I was going to ask him questions about obviously
13 if he knew anything and he did say that, but I don't know
14 why I said that.

15 MS. JONES: Is it possible that when you
16 were first asked to do this investigation, that part of the
17 task you were given was to find out information that would
18 be helpful also to the civil lawsuit?

19 MR. SNYDER: No.

20 MS. JONES: Would you at least agree that it
21 probably wasn't appropriate for you to be talking about the
22 civil lawsuit with C-54 in that fashion?

23 MR. SNYDER: Well, he wasn't involved in the
24 lawsuit.

25 THE COMMISSIONER: You're asking him ---

1 **MR. SNYDER:** Yes.

2 **THE COMMISSIONER:** --- essentially whether
3 or not he is going to join a lawsuit ---

4 **MR. SNYDER:** Yes.

5 **THE COMMISSIONER:** --- to sue your force?

6 **MR. SNYDER:** Yes.

7 **THE COMMISSIONER:** Doesn't that sound a
8 little weird?

9 **MR. SNYDER:** And, again, I can't put a
10 context about it. There must have been something in my
11 mind for me to go that way. I don't know why I asked the
12 question.

13 **THE COMMISSIONER:** And I guess by that time
14 you had been sued through this new lawsuit?

15 **MR. SNYDER:** No, sir.

16 **THE COMMISSIONER:** No?

17 **MR. SNYDER:** No, I've never been -- I wasn't
18 involved in this ---

19 **THE COMMISSIONER:** No, no, no. Exhibit 16 -
20 --

21 **MS. JONES:** Yeah, this is year 2000. I
22 think that Sergeant Snyder said that was started in 2001 if
23 I'm not mistaken.

24 **THE COMMISSIONER:** No, no. Well, help me
25 out. When was ---

1 **MR. SNYDER:** I wasn't involved in the
2 lawsuit but the file number is an 01 number, so that's
3 2001. This is 2000.

4 **THE COMMISSIONER:** File number is -- where
5 do you see that?

6 **MR. SNYDER:** Zero-one (01)-CV on the docket
7 number.

8 **THE COMMISSIONER:** On the docket number?

9 **MR. SNYDER:** Zero-one (01)-CV-01817 what it
10 indicates is a 2001, whether -- when it was served; to whom
11 it was served, don't know.

12 **THE COMMISSIONER:** Okay. So this -- yes,
13 this is all happening -- the notes refer to actions in
14 2000. Okay, that's fine.

15 **MR. CALLAGHAN:** Two thousand (2000) dealing
16 with -- remember, the lawsuit's the one that raises the
17 allegation.

18 **THE COMMISSIONER:** No, no. You're right,
19 but I think it's fair to say -- and now I know that he
20 hadn't been sued -- but query whether if he'd been sued by
21 somebody else that he'd be attuned to civil litigation and
22 -- but I think that's not the case.

23 **MR. CALLAGHAN:** You're right. And I also
24 think that there is a presumption about how attuned people
25 are who are part of an institution or sued by virtue of

1 insurance.

2 THE COMMISSIONER: And we know from -- no,
3 no, no, that's not quite there. We also know how other
4 people in the force have reacted on how insurance companies
5 deal with that and they're very attuned to ---

6 MR. CALLAGHAN: Sure.

7 THE COMMISSIONER: --- what the insurance
8 companies are doing.

9 MR. CALLAGHAN: Right. And that was an
10 issue that you heard from Staff Sergeant Derochie ---

11 THE COMMISSIONER: Yeah.

12 MR. CALLAGHAN: --- the one you're referring
13 to.

14 THE COMMISSIONER: Yeah. Okay.

15 MS. JONES: On Bates page 9308, I'm looking
16 at the entry at 9:45. It's towards the bottom of the page
17 and I'll be looking to the next page pretty quickly.

18 MR. SNYDER: Yes.

19 MS. JONES: Sergeant Snyder, I was wondering
20 if you could -- because it's your handwriting otherwise I
21 would read it, if you could please read your entry for
22 9:45?

23 MR. SNYDER: "At CAS, Ottawa meeting with
24 Jean Dupuis. Very honest and
25 straightforward with..."

1 I can't remember what that says here:

2 "...with..."

3 **THE COMMISSIONER:** Answers.

4 **MR. SNYDER:** "...answers."

5 Thank you, sir.

6 "I asked why there was no investigation
7 into Earl Landry Jr. He stated that's
8 a good question. He did not know."

9 **THE COMMISSIONER:** "He did not have an
10 explanation."

11 **MR. SNYDER:** "He did not have an
12 explanation. He did say that he was
13 not directed by police not to do the
14 investigation. He did not have a
15 recollection as to whether he gave the
16 Cornwall Police the letter from Dr.
17 Parks. He believed the protocol
18 between Cornwall Police and CAS may
19 have..."

20 **MS. JONES:** "...started..."

21 **MR. SNYDER:** "...started during this
22 investigation. He remembered Sergeant
23 Lefebvre being surprised to hear that
24 CAS would assist and do joint
25 investigations."

1 **MS. JONES:** Okay. Just stop there please.

2 **MR. SNYDER:** Sure.

3 **MS. JONES:** So once again, you are meeting
4 at the CAS ---

5 **THE COMMISSIONER:** In Ottawa.

6 **MR. SNYDER:** In Ottawa.

7 **MS. JONES:** --- in Ottawa, and you're trying
8 to find out information though about your criminal
9 investigation; is that right?

10 **MR. SNYDER:** Correct.

11 **MS. JONES:** Now, have you -- it says here at
12 the very beginning, "Very honest and straightforward" about
13 a conversation and giving straightforward answers about
14 things.

15 Were you discussing the Earl Landry Sr.
16 investigation as part of your criminal investigation? Is
17 that what you were talking about at that time?

18 **MR. SNYDER:** That's correct.

19 **MS. JONES:** It doesn't really say that, but
20 that's ---

21 **MR. SNYDER:** That's what I'm doing there,
22 yes.

23 **MS. JONES:** Did you advise them as to the
24 fact that CAS was involved in this lawsuit -- CAS Cornwall,
25 I mean?

1 **MR. SNYDER:** I don't believe so.

2 **MS. JONES:** Now, on the next bit of what you
3 talked about, Sergeant Lefebvre being surprised that CAS
4 would assist in a joint investigation, what was your
5 impression of what that meant?

6 **MR. SNYDER:** That back in 1985, he wasn't
7 aware or didn't realize that CAS and them would work
8 together.

9 **MS. JONES:** Could you continue reading,
10 please, from where you left off?

11 **MR. SNYDER:** "He remembered [C-51] having
12 difficulty disclosing any incident and
13 had to be led to give details. He
14 would not have been very good witness.
15 The rules of CAS were not as defined
16 then as now. So perhaps that's how..."

17 **THE COMMISSIONER:** "...how come..."

18 **MR. SNYDER:** "...come Landry is not
19 investigated."

20 **MS. JONES:** All right.

21 The next one please.

22 **MR. SNYDER:** "He also said that he heard
23 rumours [about] Earl Landry..."

24 **MS. JONES:** "...about Earl Landry"

25 **MR. SNYDER:** Sorry?

1 MS. JONES: "...about..."

2 MR. SNYDER: "...about Earl Landry but nothing
3 concrete ever materialised."

4 MS. JONES: Now, is he talking about Earl
5 Landry Jr. or Sr.?

6 MR. SNYDER: Junior.

7 MS. JONES: You are certain of that then?

8 MR. SNYDER: Yes.

9 MS. JONES: Okay.

10 MR. SNYDER: "He agreed to provide a
11 statement."

12 MS. JONES: Okay. Concerning the '85
13 statement?

14 MR. SNYDER: Correct. Concerning what
15 occurred back in '85 between CAS and Cornwall Police.

16 MS. JONES: Now, when you heard the fact
17 that there were rumours like that, did you do any further
18 inquiry into what sort of rumours he was referring to at
19 that time?

20 MR. SNYDER: It was just part of my
21 investigation. I don't know if I asked him anything
22 further, what kind of rumours you're talking about because
23 basically it was about Earl Landry obviously being involved
24 with young kids. We had already did the investigation, so
25 I guess I wasn't concerned about that. I was concerned

1 about whether or not the Cornwall Police and CAS did
2 anything to prevent or the Cornwall Police contact CAS and
3 tell them I don't want you to do anything with Earl Landry
4 Jr. That's what my idea was there.

5 MS. JONES: But again, putting your Earl
6 Landry Jr. hat on for a moment ---

7 MR. SNYDER: Yes.

8 MS. JONES: --- it's just been disclosed to
9 you that CAS Ottawa ---

10 MR. SNYDER: No, sorry, he's from Cornwall.
11 He's a Cornwall worker.

12 MS. JONES: He's a Cornwall ---

13 MR. SNYDER: He's a Cornwall worker who
14 worked on the file in '85 in Cornwall.

15 MS. JONES: Oh, okay.

16 MR. SNYDER: That's why I went to Ottawa.
17 Now he was transferred to Ottawa, and that's why I had to
18 go to Ottawa to see him.

19 MS. JONES: Okay.

20 MR. SNYDER: He had the file in Cornwall.

21 MS. JONES: But this CAS worker, in any
22 event, heard rumours around the time of Earl Landry Jr. in
23 1985, which again is the substance of the civil lawsuit,
24 this incident that happened in 1985?

25 MR. SNYDER: Again, I don't know.

1 MS. JONES: Well ---

2 MR. SNYDER: I'm missing the question.

3 Sorry.

4 MS. JONES: The substance of the civil
5 lawsuit that we are all concerned with here deals with
6 allegations surrounding Earl Landry Sr. and the 1985
7 investigation of Earl Landry Jr.; correct, and what his
8 role, if any, was involved?

9 MR. SNYDER: You're getting them confused
10 though. Again, I think you're pulling the civil suit into
11 my criminal investigation. And the rumours about him and
12 what CAS knew really had nothing to do with whether or not
13 the Cornwall Police did anything to prevent CAS from going
14 forward or not going forward in their investigation.

15 MS. JONES: Well, it is relevant in the
16 sense that if CAS are saying there were rumours about Earl
17 Landry Jr., surely that would be a significant fact that
18 CPS, at the time of the incident in 1985, would wish to
19 further investigate?

20 MR. SNYDER: I guess I'm missing the point,
21 sorry.

22 MS. JONES: I'll leave it then for later.

23 The CAS worker that you were talking to then
24 was a CAS worker in Cornwall during the 1985 time period?

25 MR. SNYDER: Correct.

1 **MS. JONES:** And according to what that
2 worker is saying -- I can't remember his name, Jean?

3 **MR. SNYDER:** Dupuis.

4 **MS. JONES:** Dupuis. According to what he is
5 saying, that, first of all, there was a joint
6 investigation, it would appear, in 1985?

7 **MR. SNYDER:** No, the joint investigation
8 never -- there was never a joint investigation in reference
9 to Earl Landry because the definition wasn't defined
10 properly as to caregiver -- and you'll see in the statement
11 -- what a caregiver was and whether or not Earl Landry fit
12 that criteria or not. So the CAS never went on to do an
13 investigation about Earl Landry, but it wasn't because
14 Cornwall Police told them not to.

15 **MS. JONES:** Okay. So then when we get back
16 to the rumours though, we have a CAS worker that is hearing
17 rumours about an alleged pedophile who actually is a
18 pedophile, as he is convicted of it.

19 **MR. SNYDER:** Yes.

20 **MS. JONES:** He hears rumours of this person
21 in 1985. Did you not think that that was important when
22 you were talking to that person in Ottawa on December 19th,
23 2000 just to explore that further because that's a very
24 important aspect?

25 **MR. SNYDER:** I think I did further because I

1 see my note here "nothing concrete ever materialized".

2 So obviously those questions were asked of
3 him, and he's saying, "I don't have anything more than
4 that." Nothing concrete ever materialized about those
5 rumours.

6 **MS. JONES:** Well, there's two ways of
7 looking at that note:

8 "He also said that he heard rumours
9 about Earl Landry, but nothing concrete
10 ever materialized."

11 It sounds like he's saying nothing concrete
12 materialized from the rumours, not that you thought the
13 rumours didn't have anything that was going to materialize.
14 It sounds like he said that.

15 All my question is, is that when you hear
16 that this person is saying this ---

17 **MR. SNYDER:** M'hm.

18 **MS. JONES:** --- that back in '85, there were
19 rumours about this person, is that not something that you,
20 even with your Earl Landry Jr. hat on, would be mildly
21 curious as to further exploring? That's what I'm trying to
22 get at.

23 **MR. SNYDER:** Well, all I can say, suggest or
24 tell you is that I believe I did and I put "but nothing
25 concrete ever materialized".

1 I don't know how to explain it more than
2 that. It wasn't anything other than that. Again, it
3 didn't reflect the investigation that I was doing, which
4 was did Earl Landry Sr. do anything with the Cornwall
5 Police to prevent anybody from going forward in an
6 investigation properly done.

7 **MS. JONES:** So you didn't think the fact
8 that you are hearing, I think for the first time, that
9 there were rumours about Earl Landry Jr. from the CAS
10 worker -- you didn't think during this criminal
11 investigation that you're doing that that is an important
12 aspect to explore with that witness? Is that what your
13 evidence is?

14 **MR. SNYDER:** Well, again, I think I did
15 explore with him to a certain degree, but there was nothing
16 -- nothing concrete from those rumours.

17 **MS. JONES:** You don't -- but you don't write
18 down what the rumours were, who they were heard from?

19 **MR. SNYDER:** No, because again he heard
20 rumours and we are doing this statement back in what year,
21 2000? And he is going back to '85 as well. So his memory
22 isn't all that clear, like most of us. So I don't think he
23 was able to provide anything more than there's rumours out
24 there, but nothing concrete ever materialized from those
25 rumours.

1 **MS. JONES:** In any event, he agreed to
2 provide a statement at that point?

3 **MR. SNYDER:** Yes.

4 **MS. JONES:** And did you stay for that
5 statement or did you give him ---

6 **MR. SNYDER:** I believe I left him and he
7 sent it to me.

8 **MS. JONES:** Okay. I've got here, actually,
9 if you go to the next page, I was just looking:

10 "13:15 - At CAS Ottawa picked up Jean
11 Dupuis' statement."

12 So I guess that was ---

13 **MR. SNYDER:** So I left him to write a
14 statement and I came back.

15 **MS. JONES:** Okay.

16 **MR. SNYDER:** I didn't buy him coffee.

17 **MS. JONES:** Now, at some point throughout
18 your investigation I understand you were also speaking to
19 officers? That's ongoing. Or did you set up your
20 investigation to first speak to CAS and victims and then
21 move on to police officers? How did you structure your
22 investigation?

23 **MR. SNYDER:** I'd have to go through my notes
24 as we're going through, but there was a definite trying to
25 get information. I spoke to a lot of the older officers

1 who were in the area. I spoke to two persons of interest
2 initially, which were Ron Lefebvre and Stan Willis, because
3 if Earl Landry Sr. would have -- if I could get information
4 on Earl Landry Sr. obstructing justice, those were the two
5 people that he would have had to have contacted or be
6 involved with. So I wanted to get a statement from them.
7 And I went on from -- or at least an initial from them as
8 to what was going on.

9 Then I went to, as I said, several officers,
10 CAS and then the main people near the end again.

11 **MS. JONES:** Okay. If I could go, please, to
12 Bates page 9318, on the previous page it has "Saturday,
13 February 24th, 2001", so I think that's the same date. It
14 doesn't change. And another early-morning phone call,
15 07:24:

16 "I called [C-53] as he left a message..."

17 **MR. SNYDER:** "...that he heard from the..."
18 What is this?

19 **THE COMMISSIONER:** Web.

20 **MR. SNYDER:** The web?

21 "...from the web that Earl Landry was at
22 a halfway house. He wanted to know why
23 he was not advised."

24 **MS. JONES:** Keep going.

25 **MR. SNYDER:** "I called and explained that

1 I was not even aware of this, that we,
2 police, are not always made aware if
3 persons released..."

4 And then it's kind of blacked out.

5 **THE COMMISSIONER:** Scroll down.

6 **MR. SNYDER:** "...released..."

7 I'm sorry, but that's blacked out a little bit here.

8 **MS. JONES:** It says "at halfway house" in
9 the second half.

10 **MR. SNYDER:** Yeah.

11 **MS. JONES:** It's blacked out.

12 **MR. SNYDER:** "I'll talk to him that I told
13 him at Christmas not to be surprised to
14 hear that we will be out on halfway or
15 New Year and may be released by June."

16 **MS. JONES:** Okay. If you can just stop
17 there?

18 So yet again you've called C-53. I know
19 he's called you first, but again you're talking and
20 engaging with C-53. Again, that's the person whose mother
21 said she didn't want to talk because of her lawyer advising
22 her not to and he's also a plaintiff in the lawsuit?

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** And as I say, there's yet
25 another phone call. Again, it is a phone call that perhaps

1 someone else could have made on your behalf, just to return
2 to find out why he was calling.

3 **MR. SNYDER:** He called me. Again, we had a
4 very good rapport even through, as you say, the lawsuit.
5 There was no animosity with me at all with them.
6 Obviously, we conversed in conversations like that. It
7 makes a note here of Christmas and I know exactly where
8 that was, where that conversation was. Again, I wasn't
9 speaking to him about the case. It was all about the
10 Landry -- his victimization by Earl Landry.

11 **MS. JONES:** The other concern here is --
12 that comes out of this, of course, is that you diligently
13 told about the appeal. You phone all the victims,
14 including C-53, and then you're told the appeal is delayed
15 a year and you call all the victims and diligently do that,
16 including C-53, but you don't learn that the serial
17 pedophile has been released from custody and now living in
18 a halfway house. I mean, this is a pretty serious thing.

19 **MR. SNYDER:** I was not made aware. I can't
20 call my victims if I don't know.

21 **MS. JONES:** Well, is there not some sort of
22 a method in which the police are informed, either by
23 Probation or Correctional Services or something like that,
24 some sort of communication?

25 **MR. SNYDER:** There ought to have been

1 communication. I wasn't communicated to. And again, I
2 can't answer other than that. I was never made aware.
3 Should I have been made aware? Somebody should have been
4 made aware and I think that those victims should have been
5 made aware. Unfortunately, it didn't happen.

6 **MS. JONES:** Is there a process in place now
7 so that if somebody convicted of these offences and is
8 placed back in the communication, at least the police are
9 alerted to that fact?

10 **MR. SNYDER:** Just back to -- and I don't
11 know if I can confirm he saw it on the web, so I don't know
12 if that was even true or not. That's the other thing with
13 this. And maybe I should have called to confirm and got
14 back to him. I didn't do that. In my mind, I obviously
15 didn't think of it just until now, we're talking about
16 this.

17 Is there -- now we have a Victim's
18 Assistance Program or Victim Services. Again, it's -- it
19 all stems from somebody advising our Victim Services so we
20 can call our victims. We do have a good rapport with the
21 Crowns and everybody. So I would hope that this wouldn't
22 happen again.

23 Is there something in place I know of
24 personally? I don't know.

25 **MS. JONES:** My next question was I don't see

1 any follow-up by you to confirm if, in fact, that happened
2 or where Earl Landry Jr. was living.

3 MR. SNYDER: Yes, and again, in my mind, I'm
4 saying you're right; I didn't do that.

5 MS. JONES: And I don't see any other
6 contact with any other victims, with you phoning them and
7 alerting them to this fact, that this has happened.

8 MR. SNYDER: Correct. You're right.

9 MS. JONES: Would you agree that that's a
10 very important thing, that probably of the three topics you
11 spoke to C-53 about, that the fact that Earl Landry Jr. has
12 been released back in the community, at least to a halfway
13 house, is probably the most important of all the other ---

14 MR. SNYDER: I think they're all important.

15 MS. JONES: --- three topics?

16 MR. SNYDER: I think that victims should be
17 made aware of everything. I don't think one is more
18 important than the other. In this one, again, if I had
19 been made aware, they would have been told. And I didn't
20 follow up on whether or not this web incident, in fact, did
21 occur; you're right.

22 MS. JONES: You don't think that it's more
23 important to let them know that Earl Landry Jr. is released
24 to a halfway house?

25 MR. SNYDER: I think it's all important. I

1 think everything is. I think it's important that they know
2 there's an appeal. I think it's important that they know
3 it was cancelled. I think it's important that he's been
4 release.

5 **MS. JONES:** If I could just finish my
6 question? I know that you say they're all important, but
7 surely it is more important to tell your victims about Earl
8 Landry Jr. being released into a halfway house and out of
9 custody than it is to advise them his appeal has been
10 delayed a year?

11 **MR. SNYDER:** Well, again, if you go back to
12 if I would not have called them to let them know about the
13 appeals, I'd be chastised for not doing that. So in my
14 mind, they're all important and all equally important, and
15 I think they should be made aware that -- what's happening
16 with the accused person.

17 **MS. JONES:** See, that's the problem I have.
18 I don't think -- maybe I'm not making my question clear.
19 You're saying they're all equally important, yet you didn't
20 phone, it would appear, the other victims about the release
21 of Earl Landry, Jr.

22 **MR. CALLAGHAN:** I recognize Commission
23 counsel has a view. The witness has answered the question
24 and no doubt you'll make the decision what's important and
25 what's not.

1 **THE COMMISSIONER:** Let's move on.

2 **MS. JONES:** Now, I just want to talk about
3 Officer Lefebvre for a bit. And you said Officer Lefebvre
4 was one of the officers that you spoke to for this criminal
5 investigation?

6 **MR. SNYDER:** Correct.

7 **MS. JONES:** And just to put things in
8 context, he provided a will say in Document 740025.

9 **THE COMMISSIONER:** Thank you.

10 Exhibit Number 1626 is a Witness Statement
11 of, I guess, Constable, at that time, Ron Lefebvre.
12 Statement date, the 25/08/1997.

13 **--- EXHIBIT NO./PIÈCE NO. P-1626:**

14 (740025) Witness Statement by Ron Lefebvre
15 dated August 25, 1997

16 **MS. JONES:** I'm not going into details of
17 what this statement has. And this should be stamped, by
18 the way, please.

19 **THE COMMISSIONER:** Okay.

20 **MS. JONES:** But this is essentially his
21 statement from 1997 about the investigation at that time in
22 1997, something to do with what you're investigating?

23 **MR. SNYDER:** Correct.

24 **MS. JONES:** But you would have had access to
25 that?

1 **MR. SNYDER:** That's correct.

2 **MS. JONES:** And Officer Lefebvre would have
3 had access to that statement?

4 **MR. SNYDER:** Yes.

5 **MS. JONES:** Okay. If I could ask you then,
6 when it's -- when you're speaking with Officer Lefebvre and
7 the other officers for that matter too, what was it you
8 would tell the officers about why it is you're speaking
9 with them and what sort of information you want to get from
10 them?

11 **MR. SNYDER:** Well, in this case, it was in
12 reference to Earl Landry assaulting C-51 and I wanted his
13 recollection as to what happened back in '85 because it was
14 going to trial, or at least we were proceeding with charges
15 against Earl Landry, so I needed his Will Say as to what --
16 what happened back in '85.

17 **MS. JONES:** And you wanted to ask him a
18 series of questions with respect to this criminal
19 investigation that you were embarking on? I'm not looking
20 at that Will Say. I know that that's what happened prior
21 to that.

22 **MR. SNYDER:** Yeah.

23 **MS. JONES:** That's fine.

24 So now you're in the year 2000. You're
25 doing your criminal investigation.

1 **MR. SNYDER:** Yes, okay.

2 **MS. JONES:** Did you -- I understand you
3 prepared a list of questions ---

4 **MR. SNYDER:** Correct.

5 **MS. JONES:** --- that had to do with this
6 criminal investigation?

7 **MR. SNYDER:** Correct.

8 **MS. JONES:** And I'll put you to those
9 questions. There's actually two document numbers I believe
10 that would exist side by side.

11 The first Document Number is 740293.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **THE COMMISSIONER:** Thank you.

14 Exhibit 1627, it's a one-page document
15 entitled "Ron Roland Lefebvre", no date. Okay.

16 **--- EXHIBIT NO./PIÈCE NO. P-1627:**

17 (740293) - Questions Put to Ron Lefebvre by
18 Garry Derochie, undated

19 **MS. JONES:** And it goes, I think, side-by-
20 side with the next Document, 740294.

21 **(SHORT PAUSE/COURTE PAUSE)**

22 **THE COMMISSIONER:** Thank you.

23 Exhibit 1628 is a document entitled
24 "Questions with Lefebvre" on the side.

25 **--- EXHIBIT NO./PIÈCE NO. P-1628:**

1 (740294) - Additional Questions to
2 Ron Lefebvre

3 **MS. JONES:** Now, were these series of
4 questions -- it's on two pages but they seem to be linked
5 to your criminal investigation -- were these the questions
6 that you provided Officer Lefebvre?

7 **MR. SNYDER:** They weren't provided. I -- we
8 interviewed him, Staff Sergeant Derochie and myself,
9 utilizing these questions.

10 **MS. JONES:** So you didn't provide them ahead
11 of time to Officer Lefebvre?

12 **MR. SNYDER:** No.

13 **MS. JONES:** And would you agree with me that
14 the -- certainly in the first few questions, the first five
15 questions, would you agree with me that they would be
16 classified as "closed questions", requiring just a "yes" or
17 "no" answer?

18 The first question is:

19 "Did Earl Landry, Sr. ask you to show
20 preferential consideration to his son,
21 Earl Landry, Jr. during the course of
22 your investigation?"

23 **MR. SNYDER:** Correct.

24 **MR. SNYDER:** And it would just be "yes" or
25 "no"?

1 **MR. SNYDER:** Correct.

2 **MS. JONES:** "Did Claude Shaver ask or
3 instruct you to show preferential
4 consideration to Landry, Jr. during the
5 course of your investigation?"

6 Again a closed question?

7 **MR. SNYDER:** Correct.

8 **MS. JONES:** "Did Shaver or Landry, Sr. or
9 anyone else interfere in any way with
10 your investigation?"

11 **THE COMMISSIONER:** We'll accept that all
12 five questions are closed questions.

13 **MS. JONES:** So these sorts of questions, I
14 mean they're quite direct questions and they deal with a
15 very, very serious issue?

16 **MR. SNYDER:** Correct.

17 **MS. JONES:** And are really only asking for a
18 "yes" or "no" answer. Is it fair to say that you probably
19 would have expected to get the answer "no" to those
20 questions?

21 **MR. SNYDER:** Well, it's not so much the
22 answer that I was looking for. This was actually a
23 tactical interview that ---

24 **THE COMMISSIONER:** It was a what?

25 **MR. SNYDER:** A tactical interview ---

1 **THE COMMISSIONER:** Okay.

2 **MR. SNYDER:** --- that -- decided on.

3 Ron Lefebvre, as well as Stan Willis, didn't
4 have much recollection back then, but in my mind was that
5 if people tried to interfere in the investigation, speak to
6 them, that would be something that would be ingrained in
7 their mind.

8 So what I'm looking at here is having Staff
9 Sergeant Derochie ask the questions. The first part
10 actually is important as well because it's actually getting
11 the witness ready for these questions, in that I'm want his
12 -- a person who's deceptive is going to start looking at
13 this thing and say, "Oh, I'm going here and I -- I ...",
14 you know, the blood pressure goes up and there's a lot of
15 things going on.

16 So what I wanted to do was have Staff
17 Sergeant Derochie ask the questions. I would then be
18 watching the body language and the response, pitch, tone,
19 to see what the answers were and how he'd respond to those
20 things.

21 It was, again, a tactical interview in my
22 mind, using my experience as an interview and polygraph
23 examiner.

24 **MS. JONES:** I can see these actually as
25 polygraph questions because that's what you do in

1 polygraph, isn't it?

2 MR. SNYDER: Yes.

3 MS. JONES: "Yes" or "no" answers.

4 But with regards to face-to-face interviews,
5 isn't it proper police interview technique -- say you have
6 a suspect charged with robbery or some other crime and
7 you're interviewing them, isn't it proper police interview
8 techniques to avoid closed questions for certain things
9 such as trying to get the story out?

10 MR. SNYDER: But, again, I'm looking for
11 body language.

12 The spoken word -- and there's stats on how
13 important they are -- are very, very small. The body
14 language in the way people express themselves are quite
15 high up in the 38 to 40 percent range, determine deception
16 and that's what I was looking for. If I could see
17 something in their answers that would determine deception,
18 then we could key in on those areas. And it's the first
19 one if I would have seen, you know, the fidgeting, the
20 moving around, there's a lot of things that -- the eye
21 movement, those are all things I'm looking at and that's
22 why if you -- if you -- see, I'm supposed to be the
23 investigator or the interviewer, but I didn't take that
24 role. I wanted Staff Sergeant Derochie to take that role
25 so that I could watch what the person was doing and saying.

1 It was a tactical move in this interview.

2 MS. JONES: And were these same questions
3 asked of each police officer that you interviewed?

4 MR. SNYDER: There was two police officers
5 that I interviewed using these questions and correctly.

6 MS. JONES: And Officer Willis was the other
7 one?

8 MR. SNYDER: That's correct.

9 MS. JONES: Now, I'm wondering if we could
10 go back to Sergeant Lefebvre's Will Say. It's
11 Exhibit 1626, and I wonder if you would just briefly read
12 it over just to refresh your memory. I'm just going to ask
13 a pointed question about one aspect of the Will Say.

14 (SHORT PAUSE/COURTE PAUSE)

15 MS. JONES: Perhaps I can direct you to the
16 area ---

17 MR. SNYDER: Yeah, why don't we just ---

18 MS. JONES: --- probably save a bit of time.
19 I'm actually looking at the photographic
20 identification which is on the second page of the Will Say,
21 9424.

22 MR. SNYDER: Okay, what ---

23 MS. JONES: Apparently a photograph was
24 taken of Earl Landry, Jr. on site.

25 MR. SNYDER: Correct.

1 **MS. JONES:** And then a photographic line-up
2 was prepared and then it was put to C-51. That's the
3 context of what's leading up to that.

4 And at the top of 9424, it states:

5 "Constable Lalonde, who was taking the
6 photograph, was able to focus attention
7 of the camera on the face of Mr.
8 Landry. A photo line-up was
9 subsequently made and I returned to C-
10 51 ..." --

11 perhaps:

12 "... the home of C-51, where he was
13 positively identified."

14 Do you see that?

15 **MR. SNYDER:** Yes.

16 **MS. JONES:** Now, if I could please go to
17 Exhibit 1371, please.

18 **THE COMMISSIONER:** It's not the exhibit;
19 it's a document number. Oh, it is an exhibit, I'm sorry.

20 **MS. JONES:** Yes, 1371.

21 **THE COMMISSIONER:** I thought you were
22 talking about a document number.

23 **(SHORT PAUSE/COURTE PAUSE)**

24 **THE COMMISSIONER:** Go ahead.

25 **MS. JONES:** Do you have that in front of

1 you, sir?

2 **MR. SNYDER:** Yes.

3 **MS. JONES:** Could I please refer you --
4 first of all, I'll identify it for the record here. This
5 is -- it would appear to be the statement given by Officer
6 Lefebvre to you ---

7 **MR. SNYDER:** Yes.

8 **MS. JONES:** --- and Staff Sergeant Derochie.

9 **MR. SNYDER:** Yes.

10 **MS. JONES:** And using the questions that
11 I've just gone through with you ---

12 **MR. SNYDER:** Yes.

13 **MS. JONES:** --- where you were doing a
14 tactical review of his body language, I want to refer you
15 directly to Bates page 7180115, and I want to go to Staff
16 Sergeant Derochie's question about halfway down:

17 "Did you ever show [C-51] a photo line-
18 up which included Earl Landry's
19 picture?"

20 And Special Constable now Lefebvre said:

21 "My recollection of it, yeah, and I
22 know there was a problem with the photo
23 line-up, but I don't remember
24 specifically what it was and I think
25 that's one of the -- one of the

1 setbacks with the -- again, with the
2 investigation. I think there was a
3 question of identification as well.
4 Without my notes I can't really confirm
5 that."

6 **MR. SNYDER:** Okay.

7 **MS. JONES:** Now, it would appear in Exhibit
8 1626, which is Officer Lefebvre's statement in 1997, and
9 it's actually quite the contrary. There was a photo line-
10 up done, and in his words, he was positively identified,
11 and certainly there doesn't seem to be any problem in 1997?

12 **MR. SNYDER:** Correct.

13 **MS. JONES:** And yet somehow in 2000, when he
14 is talking to you and Staff Sergeant Derochie about it,
15 that seems to be a weakness that he focuses on ---

16 **MR. SNYDER:** Yes.

17 **MS. JONES:** --- as the case.

18 Now, there were no further questions of,
19 say, putting that statement to him and refreshing his
20 memory on that particular point.

21 **MR. SNYDER:** Correct.

22 **MS. JONES:** It seems that there was no
23 further inquiries made by either you or Staff Sergeant
24 Derochie?

25 **MR. SNYDER:** Correct.

1 **MS. JONES:** Do you agree that that's
2 something that seems to be quite inconsistent?

3 **MR. SNYDER:** It was inconsistent, yes.

4 **MS. JONES:** And also too, knowing that C-51
5 was actually one of the charges that Earl Landry Jr. was
6 convicted of?

7 **MR. SNYDER:** I'm sorry?

8 **MS. JONES:** That C-51 was one of the victims
9 ---

10 **MR. SNYDER:** Yes.

11 **MS. JONES:** --- of an assault that Earl
12 Landry Jr. was convicted of or that he was held responsible
13 for?

14 **MR. SNYDER:** Okay. I'm sorry, what's the
15 question? I'm sorry.

16 **MS. JONES:** You do know that C-51 was one of
17 the victims that was ---

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** --- part of a successful
20 prosecution ---

21 **MR. SNYDER:** That's correct.

22 **MS. JONES:** --- against Earl Landry Jr.?

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** Okay. So one would assume
25 identification was not an issue at that point either?

1 **MR. SNYDER:** When was identification not an
2 issue?

3 **MS. JONES:** When Earl Landry Jr. was
4 convicted of the matters involving ---

5 **MR. SNYDER:** That's correct. It was not an
6 issue.

7 **MS. JONES:** --- C-51.

8 **MR. SNYDER:** It never went to trial, so it
9 never became an issue, but there was no issue with it.

10 **MS. JONES:** There was no issue with it then?

11 **MR. SNYDER:** Correct.

12 **MS. JONES:** The only time, I believe anyway,
13 that it seems to be an issue is in Exhibit 1371 on that
14 page.

15 **MR. SNYDER:** It seems to me there was an
16 issue, problems somewhere else, and I'm trying to think
17 back where it was. I'm going to my recollection of it.

18 **MS. JONES:** In any event, you did not
19 explore that ---

20 **MR. SNYDER:** Didn't explore it; you're
21 correct.

22 **MS. JONES:** --- inconsistency at that time?

23 **MR. SNYDER:** But there was an issue and I
24 remember seeing it in one of the documents I read, but I
25 can't remember exactly where. But no, you're correct; I

1 did not speak to him about that.

2 MS. JONES: Okay.

3 MR. SNYDER: Now, I'd like to -- just a
4 moment, please.

5 I'd now like to talk about you questioning
6 former Chief Shaver. If you could please go to Exhibit
7 1622, Bates page 9310?

8 THE COMMISSIONER: I'm sorry, what Bates
9 page?

10 MS. JONES: Seven-one-seven-nine-three-one-
11 zero (7179310).

12 THE COMMISSIONER: Yes.

13 MS. JONES: Just a moment, please.

14 (SHORT PAUSE/COURTE PAUSE)

15 MS. JONES: At 9 -- I'm sorry; did you want
16 to wait until it was up on the screen?

17 MR. SNYDER: I'm sorry; go ahead and I'll --
18 -

19 MS. JONES: Can you read that? Okay.

20 MR. SNYDER: --- move back and forth.

21 MS. JONES: At 9:30 on December 20th, 2000 is
22 an entry that you spoke with Claude Shaver and will meet
23 him today re: Landry.

24 MR. SNYDER: Correct.

25 MS. JONES: What does it say after that,

1 "re: Landry"?

2 MR. SNYDER: "re: Landry investigation."

3 MS. JONES: Investigation. Okay. And at
4 13:30 you actually met with him there?

5 MR. SNYDER: In Brockville, I believe.

6 MS. JONES: In Brockville.

7 And I'm wondering if you could just read,
8 because again, it's your handwriting, starting from "He
9 stated", please?

10 MR. SNYDER: "He stated that he directed
11 Lefebvre and Willis to do a thorough
12 investigation. He also unfortunately
13 stated..."

14 THE COMMISSIONER: What?

15 MR. SNYDER: It's ---

16 MS. JONES: It's okay. We can leave that.
17 That's fine.

18 MR. SNYDER: Okay.

19 MS. JONES: But that particular point there,
20 he's saying that he wanted -- he directed Lefebvre and
21 Willis to do a thorough investigation. That was his ---

22 MR. SNYDER: Correct.

23 MS. JONES: --- starting point, shall we
24 say?

25 MR. SNYDER: Yes.

1 **MS. JONES:** Okay. Just a moment, please.

2 **(SHORT PAUSE/COURTE PAUSE)**

3 **MS. JONES:** Could I also direct you, please,
4 to Exhibit 1370? Now, I understand that when you met with
5 Chief Shaver or former Chief Shaver, that you left him with
6 a series of questions?

7 **MR. SNYDER:** Correct.

8 **MS. JONES:** And these questions had to do
9 with your criminal investigation?

10 **MR. SNYDER:** Correct.

11 **MS. JONES:** And you left them with the
12 instructions to the former Chief that he was to fill them
13 out or answer them as best as he could?

14 **MR. SNYDER:** Yes, but before I left him, I
15 actually interviewed him from 1:30 in the afternoon until
16 approximately four o'clock. So we had quite an interview
17 dealing with these questions. So these questions were
18 already put to him and I received his reply and then had
19 him write out a statement.

20 **MS. JONES:** Okay. And there's one point
21 that I wanted to point out to you. Now, Exhibit 1370, if
22 you could just keep that up in front of you -- it's always
23 difficult to juggle two things -- but this seems to be
24 former Chief Shaver's statement that he provided after you
25 had left the questions with him?

1 MR. SNYDER: That's correct.

2 MS. JONES: He filled it out.

3 MR. SNYDER: Yes.

4 MS. JONES: Sent it to you and this is his
5 statement ---

6 MR. SNYDER: Correct.

7 MS. JONES: --- that we have in front?

8 MR. SNYDER: Correct.

9 MS. JONES: Okay. Now, if you could keep
10 that, please, there, and I'd like you to go back to what we
11 just looked at at Exhibit 1622, Bates page 9310 where
12 you're having your interview with former Chief Shaver.

13 MR. SNYDER: Okay. Yes.

14 MS. JONES: Could you please go to the
15 second half of your notebook, and I believe the line
16 starts, "He then stated". I think that's what it says. It
17 starts with "He" in any event.

18 MR. SNYDER: "He also stated that..."

19 MS. JONES: "He also stated"? Okay. We'll
20 just wait for it to get up on the screen.

21 MR. SNYDER: Yeah. It may be a little
22 better for me too.

23 (SHORT PAUSE/COURTE PAUSE)

24 MS. JONES: If it could be lowered, please?

25 MR. SNYDER: "He also stated that he

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does..."

Sorry, I keep moving here.

"...does not remember if he was formally
told..."

THE COMMISSIONER: I'm sorry, where are we
now?

MS. JONES: We're at ---

MR. SNYDER: I'm thinking -- right there.

MS. JONES: We're at Exhibit 1622 ---

THE COMMISSIONER: No, no, I know that.

MS. JONES: I'm sorry.

THE COMMISSIONER: I'm on the page, "He also
stated". All right.

MS. JONES: "He also stated."

MR. SNYDER: "...if he was formally told
about the conclusion of the
investigation but was aware that
charges were not laid with no..."

Oh my God.

THE COMMISSIONER: Looks like "number".

MS. JONES: "The victim would not have
been capable of testifying."

MR. SNYDER: That's right.

"The victim would not have been capable
of testifying. Chief Shaver will

1 provide a statement."

2 MS. JONES: Okay. The significant one is
3 the very first. "He also stated he does not remember he
4 was formally told about the conclusion of the case." It's
5 essentially -- I'm looking at here -- what I'm looking at
6 here.

7 If you could now go to Exhibit 1370 which is
8 the written statement provided to you. If you go to the
9 second page, please?

10 By the way, these notes are taken on
11 December 20th, 2000 and this statement seems to be provided
12 on the 2nd of February 2001, so approximately one and a half
13 months later or six weeks later, shall we say.

14 So I'd like to go to the second page, which
15 is Bates page 9464 and at question 5:

16 "When was I made aware of the results,
17 and if so, by who and how?"

18 His answer is:

19 "I was made aware of the results by
20 Assistant Crown Attorney Alan Ain when
21 we were attending a social function,
22 but I cannot remember the date or time.
23 I remember he told me the matter had
24 been thoroughly reviewed by the Crown
25 and there was insufficient evidence to

1 proceed. I also remember he told me
2 the investigation was handled
3 professionally by the Cornwall Police
4 Department. This is a vivid
5 recollection as I remember feeling the
6 relief for the chief and his family as
7 well as being proud of the way the
8 department handled the investigation."

9 Would you agree with me that that paragraph
10 as to how he was informed seems to be quite at odds with
11 what he told you back in December 2000?

12 **MR. SNYDER:** Again, if you look at the word,
13 that's formally, I'm not sure this is a formal -- he is at
14 a function and that's what I took it as, it wasn't a formal
15 "told". You know, he didn't get a letter, didn't receive
16 those things. He was told at a party.

17 **THE COMMISSIONER:** Did he tell you that
18 while you were talking with him?

19 **MR. SNYDER:** All these things, he did tell
20 me.

21 **THE COMMISSIONER:** Okay.

22 **MR. SNYDER:** None of these questions, none
23 of these answers surprised me when I received them.

24 **THE COMMISSIONER:** M'hm.

25 **MR. SNYDER:** So this was all told to me,

1 yes.

2 **MS. JONES:** But certainly former Chief
3 Shaver did not mention Alan Ain's name while he had spoken
4 to you in December 2000?

5 **MR. SNYDER:** He would have mentioned his
6 name in my interview. I didn't put it in these notes
7 because I was going to get a statement from him, but all
8 these things were relayed to me in my two and a half hour
9 interview or how long it was with Chief Shaver.

10 **MS. JONES:** I'm sorry; how long did you say
11 you were at Chief Shaver's house?

12 **MR. SNYDER:** Well, from 1:30 until
13 approximately four o'clock, I would say, 16:00. It takes
14 me an hour to drive back from Cornwall or from -- back from
15 Cornwall.

16 **MS. JONES:** I see. Okay.

17 But you're saying he did actually mention
18 that name in the interview?

19 **MR. SNYDER:** Yes.

20 **MS. JONES:** You just didn't write it down?

21 **MR. SNYDER:** That's right.

22 **MS. JONES:** You have independent
23 recollection of that?

24 **MR. SNYDER:** I have independent recollection
25 of this whole thing, yes, speaking to him, asking the

1 questions, getting responses and then receiving this
2 document and not being surprised by the answers.

3 **MS. JONES:** Now, at the conclusion of this
4 investigation, you wrote a report which is Document 740055.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **THE COMMISSIONER:** Thank you. Exhibit
7 Number 1629 is a document untitled. Is there a date on it
8 anywhere? In any event, Exhibit 1629 is Document Number
9 740055 which is Sergeant Snyder's report on the Earl
10 Landry, Sr. (sic) investigation.

11 **---EXHIBIT NO./PIÈCE NO P-1629:**

12 (740055) - Report on Earl Landry Jr. by
13 Brian Snyder

14 **MS. JONES:** Thank you.

15 Now, I assume you're the author of this; is
16 that correct?

17 **MR. SNYDER:** I believe so.

18 **MS. JONES:** Even though it's written in a
19 sort of a third party way?

20 **MR. SNYDER:** Yes. That's a will say type of

21 ---

22 **MS. JONES:** A will say format; that's right.

23 And so it starts off on September 15th, 2000:

24 "Sergeant Snyder began working on an
25 investigation."

1 **MR. SNYDER:** Yeah.

2 **MS. JONES:** So it sounds a bit funny, but
3 you wrote the ---

4 **MR. SNYDER:** I wrote it in the third party.

5 **MS. JONES:** --- the document. Okay.

6 Now, there is just -- at the end -- I
7 suppose to give away the end of the story, you find that
8 there was no conspiracy, that you said that the
9 investigation was done properly and there was no problems
10 that you saw in this?

11 **MR. SNYDER:** Correct.

12 **MS. JONES:** Now, the first paragraph is what
13 interests me here because at the very first of today when I
14 was asking you questions about who were your suspects, you
15 called them persons of interest ---

16 **MR. SNYDER:** M'hm.

17 **MS. JONES:** --- and what sort of approach
18 were you taking with this.

19 **MR. SNYDER:** M'hm.

20 **MS. JONES:** I just want to draw your
21 attention to your first paragraph here when you're
22 mentioning specific names. And in the second sentence, it
23 states:

24 "This conspiracy is alleged to have
25 occurred sometime in the early 1980s.

1 It was discovered that in June of 1985,
2 Staff Sergeant Stan Willis and Sergeant
3 Ronald Lefebvre investigated an
4 allegation of sexual assault made by C-
5 51 against Earl Landry, Jr."

6 So those are two names that you've mentioned
7 there in the context of a conspiracy, shall we say? In the
8 last sentence:

9 "Other persons possibly involved in
10 this alleged conspiracy are: retired
11 Chief Claude Shaver, retired Chief Earl
12 Landry, retired Inspector Richard Trew,
13 members of the Cornwall Crown's Office
14 and members of the Children's Aid
15 Society (CAS)."

16 Do you see that?

17 **MR. SNYDER:** Yes.

18 **MS. JONES:** So the way that that paragraph
19 is structured is that it would appear that you actually
20 were quite focussed, even when you started off your
21 investigation, as to who exactly could be involved in this
22 alleged conspiracy?

23 **MR. SNYDER:** Yes.

24 **MS. JONES:** And that confirms that.

25 And the concern that I have here is that you

1 were able to actually list specific names.

2 **MR. SNYDER:** Yes.

3 **MS. JONES:** You were doing a criminal
4 investigation ---

5 **MR. SNYDER:** Yes.

6 **MS. JONES:** --- and these people really, I
7 would suggest, fall under the heading of possible suspects?

8 **MR. SNYDER:** I disagree. I had no evidence
9 to show that these people were involved in any conspiracy.
10 I had a complaint that Earl Landry, Sr. may have obstructed
11 justice. Running from there, the conspiracy could have
12 occurred. The report is "if" while doing my investigation
13 a conspiracy would have been uncovered, these were likely
14 the people that I would have uncovered as being part of
15 that conspiracy.

16 **MS. JONES:** Correct. That's is what
17 actually I was hoping to -- for you to say.

18 **MR. SNYDER:** Yes.

19 **MS. JONES:** I agree with you on that.

20 **MR. SNYDER:** Yes.

21 **MS. JONES:** You had specific names that were
22 the focus when you started off your investigation?

23 **MR. SNYDER:** Well, I had specific names in
24 my mind because if there was a conspiracy, these are the
25 people surrounding the investigation.

1 **MS. JONES:** Exactly. I agree completely.

2 The point I'm trying to make here though is
3 that if you have a specific mandate, it's a criminal
4 investigation and you have specific people in mind that
5 could be linked to this alleged conspiracy then surely they
6 would have benefited or even deserved having some sort of a
7 criminal protection that you would afford anyone who may be
8 involved in an alleged criminal activity?

9 **MR. SNYDER:** Unless I had information to
10 show me that they were involved in a conspiracy, they were
11 a person of interest or a witness, and that's what they
12 were to me totally, witnesses or persons of interest not
13 suspects. Never in my mind, if something would have --
14 somebody would have said something that said, oh, officer
15 such and such, I know he was speaking to this person and he
16 said this because I overheard it, then that changes my mind
17 from a person of interest to perhaps a suspect, and then I
18 would give them a right to counsel and caution.

19 Through my investigation, none of these
20 people ever became a suspect, except for Chief Earl Landry,
21 who was a suspect right from the start.

22 **MS. JONES:** So in your mind then, you never
23 considered giving any of these people a criminal caution or
24 rights to counsel or any of that nature throughout your
25 investigation?

1 **MR. SNYDER:** Correct.

2 **MS. JONES:** Including the CAS people, not
3 just police officers?

4 **MR. SNYDER:** Correct.

5 **MS. JONES:** What if someone had refused to
6 speak with you, would you have done other avenues?

7 **MR. SNYDER:** Hypothetically, I would have --
8 obviously, they don't have to speak to me. I would have
9 tried to find information somewhere else. Obviously, if
10 they don't want to speak to me, you know, it would have
11 peaked my -- but it didn't happen.

12 **MS. JONES:** Did you give the people the
13 opportunity? In other words, did you say to them, "You
14 don't have to speak to me. You don't have to provide a
15 statement" before you actually asked for the statement?

16 **MR. SNYDER:** No.

17 **MS. JONES:** Is that not something that
18 commonly is said to witnesses?

19 **MR. SNYDER:** No.

20 **MS. JONES:** "Come down to the station. You
21 don't have to do it and you can leave here of your own
22 volition"?

23 **MR. SNYDER:** No.

24 **MS. JONES:** That's not something you warn
25 witnesses about?

1 **MR. SNYDER:** No.

2 **MS. JONES:** And I suppose the ---

3 **MR. SNYDER:** What I -- I'll take that back.

4 In polygraph, when I'm doing polygraph examinations, I am
5 letting people know, "You don't have to take a test. You
6 don't have to be here. You don't have to speak to me.
7 Anytime throughout the examination, if you want to leave,
8 you may get up and walk away."

9 So yes, I have done that, but under the
10 polygraph, you ---

11 **MS. JONES:** Okay. And I suppose there is
12 one large question at the end of all this and that is why
13 didn't you interview Earl Landry Sr.?

14 **MR. SNYDER:** I had no evidence to show that
15 he did anything wrong.

16 **MS. JONES:** But right from the beginning,
17 you stated and you even confirmed just a moment ago that
18 the allegation is made against Earl Landry Sr. and he was -
19 --

20 **MR. SNYDER:** I agree.

21 **MS. JONES:** --- your suspect, shall we say?

22 **MR. SNYDER:** I agree.

23 **MS. JONES:** But no attempt was made to
24 interview Earl Landry Sr.?

25 **MR. SNYDER:** Correct.

1 **MS. JONES:** Would you agree with me that in
2 typical police practice, that you at least interview
3 potential suspects if you think that will help forward the
4 investigation?

5 **MR. SNYDER:** I had nothing to interview him
6 about. I had no evidence to bring to him to say that "Earl
7 Landry, this is what I've got, that you spoke to this
8 person, this person tried to..." I had nothing. I wouldn't
9 have had any idea what to speak to him about. There was
10 nothing to speak to him about, except you know, you want to
11 ask me a question, did you influence, and that would have
12 been the question that I would have asked him. I didn't
13 see any point in it.

14 **MS. JONES:** Well, the questions that you
15 provided Officer Lefebvre ---

16 **MR. SNYDER:** Yes?

17 **MS. JONES:** --- many of those questions
18 could hypothetically have been put to the former chief
19 perhaps? Did you have any influence? Did you try to get
20 involved with your son's prosecution? Did you have contact
21 with the investigators? Just questions like that.

22 **MR. SNYDER:** And if I would have had
23 evidence to suggest that he did those things, I would have
24 went and spoke to him. I didn't have any evidence,
25 anything that brought me to go speak to him about the

1 allegation.

2 And you can -- you know, your hypothetical
3 question "could I have?" Yes, I could have. I didn't feel
4 it necessary.

5 **THE COMMISSIONER:** Let's stop at this point.
6 We will have lunch and we'll come back at 2:05.

7 **THE REGISTRAR:** Order; all rise. À l'ordre;
8 veuillez vous lever.

9 This hearing will resume at 2:05 p.m.

10 --- Upon recessing at 12:37 p.m./

11 L'audience est suspendue à 12h37

12 --- Upon resuming at 2:04 p.m./

13 L'audience est reprise à 14h04

14 **THE REGISTRAR:** The hearing is now resumed.
15 Please be seated.

16 Veuillez vous asseoir.

17 **S/SGT. BRIAN SNYDER, Resumed/Sous le même serment:**

18 **THE COMMISSIONER:** Thank you. Good
19 afternoon, sir.

20 Mrs. Jones.

21 **MS. JONES:** Thank you very much.

22 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**
23 **JONES (cont'd/suite):**

24 **MS. JONES:** Just finishing off on the topic
25 we were talking about before the lunch break to do with the

1 investigation of the -- the criminal investigation that you
2 were doing, I had posed the question about why wasn't Earl
3 Landry Sr. talked to by yourself as part of the
4 investigation. I believe your response was because there
5 was nothing for you to go on. You hadn't received anything
6 to ---

7 **MR. SNYDER:** I had no evidence. I had
8 nothing to confront him with.

9 **MS. JONES:** But you were aware that he did
10 speak to former Chief Shaver and Willis at some point?

11 **MR. SNYDER:** Yes. Yes.

12 **MS. JONES:** And there was some discussion
13 about whether Earl Landry Jr. would have taken a polygraph
14 test, but then there was contact with Earl Landry Sr. and
15 then the polygraph never happened?

16 **MR. SNYDER:** I am aware of that.

17 **MS. JONES:** Would you agree that at least
18 there's something to discuss perhaps with Earl Landry Sr.?

19 **MR. SNYDER:** No, because I knew that he had
20 contacted Willis and told him that his son wasn't taking a
21 polygraph test.

22 **THE COMMISSIONER:** What about the other way
23 around? Do you think that it was proper for Chief Shaver
24 to phone him in the midst of all of this to give him a
25 heads-up?

1 **MR. SNYDER:** I don't know if he called him
2 and gave him a heads-up, sir. Like, I don't know.

3 **THE COMMISSIONER:** Well, all right. In his
4 statement ---

5 **MR. SNYDER:** Yes?

6 **THE COMMISSIONER:** --- Chief Shaver says --
7 and I don't know where it is -- but it says that he phoned
8 him and talked to him, and my understanding was that that's
9 where former Chief Landry phoned his son and they had a
10 discussion about -- or phoned or communicated with his son,
11 and then the decision was taken not to have a polygraph.

12 If that's the circumstances ---

13 **MR. SNYDER:** Yeah, I don't believe -- in my
14 -- what I get from it is that they had a conversation. The
15 polygraph was offered to Earl Jr. He went home to his dad,
16 discussed it with his dad and then the dad called and said,
17 "No, my son is not taking a polygraph test."

18 In my -- I don't see an obstruct justice in
19 that. I've had people call me and say their sons are not
20 taking polygraph tests. It's ---

21 **THE COMMISSIONER:** No, that's not my point.

22 **MR. SNYDER:** Yes.

23 **THE COMMISSIONER:** My point is did you ever
24 consider whether or not Chief Shaver's call to Earl Landry
25 Sr. was proper in the circumstances?

1 **MR. SNYDER:** It may have been improper.

2 However, I didn't see anything criminal.

3 **THE COMMISSIONER:** Did you consider it?

4 **MR. SNYDER:** I -- that's why I spoke to
5 Shaver because I considered -- I wanted to know what was
6 going on in that conversation. That was part of my
7 investigation.

8 **THE COMMISSIONER:** Okay.

9 **MS. JONES:** All right.

10 I just want to move to the last topic that
11 we are going to talk about here, and I was wondering if you
12 could please have Document 200242 entered as an exhibit?

13 **THE COMMISSIONER:** By the way, my
14 understanding from reading this material, and I'm standing
15 corrected ---

16 **MR. SNYDER:** Sure.

17 **THE COMMISSIONER:** --- is that Earl Landry
18 Jr. had agreed to have the polygraph test done.

19 **MR. SNYDER:** Yes, correct.

20 **THE COMMISSIONER:** And that was being set up
21 for the next day.

22 **MR. SNYDER:** Correct.

23 **THE COMMISSIONER:** Okay. So it wasn't that
24 he was going to go home and talk to his dad about it?

25 **MR. SNYDER:** No, you're correct.

1 **THE COMMISSIONER:** Okay.

2 **MR. SNYDER:** I guess I realized that there
3 was obviously a conversation between the father and the son
4 and that's when the phone call came in.

5 **THE COMMISSIONER:** Obviously?

6 **MR. SNYDER:** I'm sorry?

7 **THE COMMISSIONER:** Do you know that for a
8 fact?

9 **MR. SNYDER:** Well, if the father called Stan
10 Willis and said, "He's not going to."

11 **THE COMMISSIONER:** M'hm. Thank you.

12 **MS. JONES:** Perhaps I can assist, Mr.
13 Commissioner. These are handwritten notes of Sergeant
14 Snyder on Wednesday, March 19th, 2008.

15 **THE COMMISSIONER:** Exhibit 1630, 2008, okay.

16 **--- EXHIBIT NO./PIÈCE NO. P-1630:**

17 (200242) - Notes of Brian Snyder dated
18 19 Mar 08

19 **MS. JONES:** Now, I am wondering if you can
20 please describe in your own words, Sergeant Snyder, what
21 happened on or about Wednesday, March 19th of this year,
22 2008 that brought you to a meeting with C-52?

23 **MR. SNYDER:** As it says in my notes, I was
24 preparing to testify at the Inquiry. I am trying to
25 refresh my memory as to circumstances, the events and how

1 things progressed, and I went to see C -- I'm sorry, again
2 -- C-52 and asked him how he remembered, what he remembered
3 about the incident; him coming to the police station and
4 complaining about things not being done quickly.

5 MS. JONES: All right. So can you describe
6 what happened?

7 MR. SNYDER: I went to his home. His memory
8 was that after I spoke with him, the investigation was
9 concluded within a week or two. When I told him that it
10 was actually four months before charges were laid, he was
11 surprised about that. He could not remember when he came
12 into headquarters, but he felt it was some time after
13 Christmas, 1996.

14 Again, I can't explain why I believe he
15 attended sooner. Sometime in September/October of '96, I
16 stayed and listened to him about health problems and we --
17 and the frustrations with the system, that the penalties
18 were not severe enough.

19 He was surprised that the Inquiry had not
20 contacted him and that if he did testify, they would have
21 to make a special -- because they are part -- they are past
22 that stage. He thanked me for -- I'm sorry, thanked him
23 for allowing me to speak with him and then left. And I
24 made notation that I would've called him, however, his
25 number was disconnected and I received his new phone

1 number.

2 MS. JONES: I'm sorry, what does it say in
3 the last sentence?

4 MR. SNYDER: "I would have called but his
5 number had been disconnected. I
6 received his number and address
7 yesterday. I made a few calls but the
8 line was busy."

9 So the number that I had received about --
10 to locate him, that line was busy, and he explained why is
11 because the number had been disconnected and that's why I
12 couldn't call him ahead of time to see if I could come over
13 and speak to him.

14 MS. JONES: So I'm wondering if you could,
15 please, describe the circumstances about what -- how it is
16 you came about to make this decision to visit C-52. You
17 mentioned that you were making some explorations about his
18 location "yesterday", which would've been March 18th, 2008.
19 What caused that to pop into your head on March 18th, 2008?

20 MR. SNYDER: Well, no, it was the whole
21 ordeal. I've been trying to prepare myself for the
22 Inquiry. I had a mental block as to dates and times and
23 when things occurred, and I felt -- again, I think it's
24 important to know that I had a very good relationship with
25 all of my victims, so I didn't feel anything other than I

1 knew he didn't testify; he wasn't testifying; he wasn't on
2 a list. So I decided, you know what, let's go ask him and
3 see if he can help me with my memory.

4 **MS. JONES:** So you actually chose him
5 because he hadn't testified at the Inquiry?

6 **MR. SNYDER:** I chose him because he was the
7 one that came in and I spoke to him about -- I remember he
8 came in sometime in February -- now we know the date -- but
9 he came in and said that he wanted to know about the
10 investigation, what was going on with it; he hadn't been
11 told. And then I went on from there and laid charges. So
12 ---

13 **MS. JONES:** That was about February, 1997?

14 **MR. SNYDER:** Correct. So I'm trying in my
15 mind to piece together when he came in. He, in my mind,
16 would know better than I what had happened to him. So
17 that's why I went to him, to speak to him, to see if he
18 could help me refresh my memory.

19 **MS. JONES:** Now, did anybody ask you or tell
20 you to contact him ---

21 **MR. SNYDER:** No.

22 **MS. JONES:** --- to refresh your memory?

23 **MR. SNYDER:** No, this is on my own.

24 **MS. JONES:** And is this something that you
25 would typically do before preparing to testify at a trial,

1 for example?

2 MR. SNYDER: Trials aren't -- 15 years or 10
3 years away, I -- no, I haven't done this in the past. I
4 haven't spoken to witnesses prior to trials. But this is
5 totally unique and I wanted to give good testimony from my
6 memory, and this was a way I thought of refreshing my
7 memory.

8 MS. JONES: Now, you said that you had a
9 good relationship. When was the last time you'd actually
10 spoken to C-52? We have in your notes this morning, looked
11 at approximately December, 2000 I believe it was, that you
12 contacted him about the appeal ---

13 MR. SNYDER: M'hm.

14 MS. JONES: --- process. Was there any
15 other contact between 2000 and March 19th, 2008?

16 MR. SNYDER: Not that I've made mention of,
17 but we may have seen each other again. Up to that time, if
18 you will, there was no difficulties at all. We always
19 remained cordial. In fact, I think in a newspaper he said
20 that he was quite impressed with my police work, and that
21 was one of the quotes that you pointed out to me.

22 MS. JONES: I read that in for you.

23 MR. SNYDER: That's right. So with that, I
24 didn't think I was doing anything than other trying to
25 refresh my memory.

1 **MS. JONES:** And I understand -- or perhaps I
2 should ask you -- that his phone number was disconnected,
3 and just to be clear, you got a number from somewhere?

4 **MR. SNYDER:** That's right.

5 **MS. JONES:** Where did you get that phone
6 number from?

7 **MR. SNYDER:** I believe I called Social
8 Services. I used one of my connections, you know, just --
9 and explained to them that I wanted to speak to him and I
10 got the number.

11 **MS. JONES:** Okay. And where did you get his
12 address from?

13 **MR. SNYDER:** Probably the same place I would
14 think.

15 **MS. JONES:** So there was no problem having
16 that information shared with you then?

17 **MR. SNYDER:** No.

18 **MS. JONES:** And when you say Social
19 Services, you just phoned up, you identified yourself
20 presumably as a police officer?

21 **MR. SNYDER:** Yes.

22 **MS. JONES:** And that you were looking for
23 someone?

24 **MR. SNYDER:** Yes.

25 **MS. JONES:** And they said there was no issue

1 as to confidentiality of where a person lived?

2 MR. SNYDER: There wasn't when I spoke to
3 them, no.

4 MS. JONES: Were you surprised by that?

5 MR. SNYDER: No.

6 MS. JONES: And the particular building that
7 he lives in, the address is actually in your notes, and I
8 would ask that this be stamped, please, because it does
9 refer to a complainant.

10 But with this particular address, can you
11 describe -- is it a house? Is it an apartment building?

12 MR. SNYDER: It's apartment complex.

13 MS. JONES: Is it a traditional apartment
14 complex where you buzz in from downstairs to be let in or -
15 --

16 MR. SNYDER: I didn't have to buzz in. The
17 door was just -- walk in. I don't -- there was no buzzing
18 in that I can recall. Whether there was a buzzer and it
19 wasn't working, I didn't have to use a buzzer.

20 MS. JONES: In regards to how you had gained
21 entry though ---

22 MR. SNYDER: Yeah.

23 MS. JONES: --- you didn't buzz up and
24 announced yourself down below?

25 MR. SNYDER: I don't recall. No, I don't

1 believe so.

2 **MS. JONES:** So even if the door was open and
3 allowed you access into this building, is it fair to say
4 it's the type of building that normally would be locked, it
5 should be locked, in any event?

6 **MR. SNYDER:** I don't recall. No, it's just
7 -- it's four or five different apartment buildings sort of
8 thing. So I don't recall if this one had a security door
9 associated to it.

10 **MS. JONES:** And what about a panel of
11 buttons where you push the button to call up ahead of time?

12 **MR. SNYDER:** Again, I didn't use that. My
13 recollection, I think I just opened the door, I went
14 through, and went to his apartment building.

15 **MS. JONES:** So even if there had been
16 buttons you -- because the door was open, you just went in?

17 **MR. SNYDER:** Well, I supposed I would've
18 pressed, I don't know. I don't remember seeing buttons so
19 if they were there, I didn't use them.

20 **MS. JONES:** Okay. I'm just asking because
21 you, yourself, had put your mind to it. You didn't call
22 ahead of time, you just showed up, basically, literally at
23 his door?

24 **MR. SNYDER:** Correct.

25 **MS. JONES:** And unannounced?

1 **MR. SNYDER:** Correct.

2 **MS. JONES:** And was he surprised to see you?

3 **MR. SNYDER:** No, actually it was -- we had a
4 good conversation. He's got health problems, we talked
5 about that. His little dog was all over me. Opened the
6 window a lot because he was smoking. It was just a very
7 amicable conversation. It was nothing other than that.

8 **MS. JONES:** Okay. And were you in full
9 uniform at the time?

10 **MR. SNYDER:** Yes, I was.

11 **MS. JONES:** And with respect to refreshing
12 your memory, I guess I'm unclear as to what use going
13 directly to C-52 would do if you have notes that refer to
14 the very thing that you're trying to refresh your memory
15 on. Did you not have access to your notes?

16 **MR. SNYDER:** I didn't have notes to when he
17 came into the building.

18 **MS. JONES:** But notes of when you met with
19 him, which would be February, '97. You had notes about
20 that?

21 **MR. SNYDER:** No, the initial -- that's what
22 my -- I didn't make notes of when he came into the station.
23 I don't have a note of that, and that's why I wanted to
24 speak to him and find out when I did that.

25 **MS. JONES:** But if we go back to your notes,

1 you -- he had called, apparently had come into the station
2 saying, "What's taking so long?" and then you responded to
3 that?

4 **MR. SNYDER:** Correct.

5 **MS. JONES:** The timeframe was quite short
6 between there. It would be perhaps a matter of days, not a
7 matter of weeks or months?

8 **MR. SNYDER:** Correct.

9 **MS. JONES:** Correct?

10 **MR. SNYDER:** Correct.

11 **MS. JONES:** So in your statement here ---

12 **THE COMMISSIONER:** Well, it's not a
13 statement.

14 **MS. JONES:** I'm sorry. On your police notes
15 here you said that he couldn't remember when he came into
16 HQ but felt it was after Christmas of 1996?

17 **MR. SNYDER:** Correct.

18 **MS. JONES:** That's consistent with your
19 notes, is it not?

20 **MR. SNYDER:** Consistent ---

21 **MS. JONES:** In the sense that you met with
22 him February, '97 ---

23 **MR. SNYDER:** Yes, it turns out because -- I
24 agree. It turns out to be consistent with my -- what I
25 turned out finally going through other people's notes and

1 my notes, determined when he came in.

2 MS. JONES: Okay. But your notes say,
3 "February", I can't remember the exact date, I'm sorry.

4 MR. SNYDER: No.

5 MR. SNYDER: But February, 1997 and you
6 started that ---

7 MR. SNYDER: February 18th ---

8 MS. JONES: --- phone call because ---

9 MR. SNYDER: February 18th, 1997, I had my
10 notes starting.

11 February 12th, 1997, there's a notation in
12 Carole Leblanc's notes that I contacted her about -- I'm
13 sorry ---

14 THE COMMISSIONER: C-52.

15 MS. JONES: C-52?

16 MR. SNYDER: --- C-52. And so with those
17 notes and what he told me, I was able to, in my mind, feel
18 comfortable that he came into the station on or about
19 February 12th.

20 MS. JONES: Okay. Correct. Those are what
21 the notes say and Carole Leblanc's statement as well.

22 MR. SNYDER: Absolutely, yes.

23 MS. JONES: But I just want to go back to
24 your notes. So in the first, he says:

25 "He could not remember when he came in

1 to HQ but felt it was after Christmas
2 of 1996."

3 So that is consistent with ---

4 **MR. SNYDER:** Yes.

5 **MS. JONES:** --- Carole Leblanc's notes and
6 your notes and what you testified here ---

7 **MR. SNYDER:** Yes.

8 **MS. JONES:** --- yesterday.

9 **MR. SNYDER:** Yes.

10 **MS. JONES:** The next line:

11 "I can't explain why I believe he
12 attended station in September or
13 October 1996."

14 **MR. SNYDER:** Yeah.

15 **MS. JONES:** That's your ---

16 **MR. SNYDER:** Exactly.

17 **MS. JONES:** --- belief?

18 **MR. SNYDER:** That was what I was toying with
19 because in my mind, I thought he was coming in September or
20 October. So I'm confused because I know I'm starting on
21 this thing in February. I'm saying why do I have a
22 recollection of September or October. So what I want to do
23 is let's clear this thing out.

24 I feel very comfortable speaking to him. He
25 knows what's going on. Like, he was there, so he'd have a

1 better recollection because it happened to him, as to the
2 time of year, and that's why I went to him. And then it
3 did, in fact, help me with my recollection of how things
4 went and the chronology of it.

5 MS. JONES: Well, in the chronology of it,
6 you may recall you were assigned the investigation ---

7 MR. SNYDER: Yes.

8 MS. JONES: --- on or about September 30th,
9 1996.

10 MR. SNYDER: That's correct.

11 MS. JONES: And that's when Staff Sergeant
12 Brunet assigned it to you.

13 MR. SNYDER: Correct.

14 MS. JONES: That's a date we know of ---

15 MR. SNYDER: That's right.

16 MS. JONES: --- because that's documented.

17 The issue here clearly is what happened
18 between September 30th, 1996 and February 12th when you make
19 that first phone call to CAS ---

20 MR. SNYDER: That's correct.

21 MS. JONES: --- about the issue? There's a
22 gap there of several months.

23 MR. SNYDER: We discussed that earlier on.

24 MS. JONES: Correct.

25 MR. SNYDER: Okay.

1 **MS. JONES:** So that, in part, perhaps
2 explains why you may think that C-52 attended the station
3 in September or October 1996, because it would obviously
4 look good or better for you if you had spoken to him closer
5 to September 30th, 1996 than February 12th, 1997?

6 **MR. SNYDER:** No, I disagree. I think that
7 if -- he said "September or October looks worse for me"
8 because then it's like, "What took you so long between
9 September or October instead of -- you know, to get going
10 actually in February?" So I think the closer to September
11 or October is not good for me, in my mind.

12 **MS. JONES:** Did you in any way try to
13 influence or make suggestions to C-52 about when the two of
14 you met ---

15 **MR. SNYDER:** Absolutely not.

16 **MS. JONES:** --- during this conversation in
17 March ---

18 **MR. SNYDER:** Absolutely not.

19 **MS. JONES:** --- at any point?

20 **MR. SNYDER:** No.

21 **MS. JONES:** And did C-52 appear to you in
22 any way to be upset or not happy, particularly happy, about
23 you being there on that date in March?

24 **MR. SNYDER:** Not at all. As I say, it was a
25 very good conversation. We spoke about history which I

1 know; his frustrations with some of the -- I made those
2 notes down. No, it was very -- when I left, everything was
3 fine.

4 **MS. JONES:** Can I just ask you a couple of
5 questions then about your actual notes? Now, I have to
6 notice that this Exhibit 1630 is back to the loose-leaf
7 type of notebook ---

8 **MR. SNYDER:** No, it's not.

9 **MS. JONES:** --- format, is it not?

10 **MR. SNYDER:** No, it's not.

11 **MS. JONES:** Which ---

12 **MR. SNYDER:** It's in my ---

13 **MS. JONES:** I see three rings here, so I
14 guess I'm ---

15 **MR. SNYDER:** Yes, because my book is a
16 larger book and it has three holes, which I have it in then
17 a covered binder, so to speak. But it's all -- it's a
18 bigger type notebook.

19 **MS. JONES:** Okay.

20 **MR. SNYDER:** However, it is bound and
21 numbered and catalogued like all the smaller ones.

22 **MS. JONES:** And there's no page numbers on
23 this though. I don't see any.

24 **MR. SNYDER:** They're all page numbered. I
25 don't think it came through, but they're all numbered.

1 MS. JONES: They are?

2 MR. SNYDER: Yes.

3 MS. JONES: Are they page numbered at the
4 bottom or the top? We have a bottom and a top, but I don't
5 see any page numbers.

6 MR. SNYDER: Well, I think it's just a bad
7 photocopy.

8 MS. JONES: Copy, okay.

9 MR. SNYDER: But these are the ones -- these
10 are the books that are issued by our Service. We have to
11 sign for them. There's a specific number with a card that
12 have to match up, and it's a full bound binder, only a
13 larger one.

14 MS. JONES: And are you aware with
15 disclosure requirements for this Inquiry; in other words,
16 items that you have, notebooks or any sort of exhibits that
17 you think may be relevant to the Inquiry? Are you aware of
18 disclosure onus on you to reveal that to either someone in
19 CPS or your counsel? I'm not sure what the process is.

20 MR. SNYDER: Yes.

21 MS. JONES: And what is that onus on you?

22 MR. SNYDER: Well, the onus is let them --
23 if I've got notes that pertain to the counsel or to the
24 Inquiry, I should make people aware of it.

25 MS. JONES: Okay. And would you agree with

1 me that these notes are relevant to the Inquiry as they do
2 involve C-52?

3 MR. SNYDER: Yes.

4 MS. JONES: And did you disclose these notes
5 in a timely fashion on or about March 19th, 2008?

6 MR. SNYDER: No, I guess, no.

7 MS. JONES: When was it that you disclosed
8 them?

9 MR. SNYDER: I don't have the date. Last
10 week, I think, wasn't it, or two weeks ago.

11 MS. JONES: Okay. And what is the process
12 for disclosing notes? Do you have someone at CPS you
13 contact? Is there a liaison person that's overseeing this?

14 MR. SNYDER: Well, there was a liaison back
15 then. In this case, all I did was I got a photocopy. I
16 gave it to my counsel who faxed it to you, I believe.
17 That's the way it went.

18 MS. JONES: And is there a reason why,
19 seeing that they are relevant, actually, to the Inquiry,
20 that there was this time lag between disclosing them?

21 MR. SNYDER: No, there's no reason.

22 MS. JONES: Those are all my questions.

23 THE COMMISSIONER: So tell me this ---

24 MS. JONES: Oh, I'm sorry.

25 THE COMMISSIONER: No, no, not you.

1 Tell me this; did anyone from the Cornwall
2 Police Service tell you or ask you to go and see this
3 person?

4 MR. SNYDER: No.

5 THE COMMISSIONER: Did anybody of the
6 counsel for the Inquiry ask you to do it, any counsel?

7 MR. SNYDER: No.

8 THE COMMISSIONER: So are you telling me you
9 did this on your own initiative?

10 MR. SNYDER: Yes, I did, sir.

11 THE COMMISSIONER: Did you consult with
12 anybody?

13 MR. SNYDER: No, sir.

14 THE COMMISSIONER: And you don't see
15 anything that would cause difficulty in that?

16 MR. SNYDER: I see it now, sir, but at the
17 time I was just trying to refresh my memory and I wanted to
18 give good evidence. I had a person that I felt very
19 comfortable with. I made notation of it. I wasn't trying
20 to hide anything.

21 THE COMMISSIONER: All right. Thank you.

22 MS. JONES: I just want to tell you,
23 Sergeant Snyder, those are all my questions that I have for
24 you.

25 MR. SNYDER: Thank you.

1 **MS. JONES:** At this particular stage, every
2 witness is asked a couple of questions, general questions,
3 and the first question is do you have any recommendations
4 for Mr. Commissioner to consider with regards to the
5 Commission, the Inquiry, and what we're all trying to
6 achieve here, in your experience in this particular
7 process?

8 **MR. SNYDER:** Well, actually, I've written
9 something up, Mr. Commissioner, if that's ---

10 **THE COMMISSIONER:** Sure.

11 **MR. SNYDER:** I want to thank you first for
12 allowing me to do this.

13 **THE COMMISSIONER:** M'hm.

14 **MR. SNYDER:** I was born and raised in
15 Cornwall and I have a deep attachment to my community. My
16 wife is a teacher at the Cornwall High School and both my
17 children attend local schools. I'm very involved in the
18 community, participate in numerous charitable activities.

19 I am proud to say that I have been a police
20 officer with the Cornwall Community Police Service for 29
21 years. I have always accepted the responsibilities
22 associated with my profession, including testifying at this
23 Inquiry. I perform my duties with professionalism and with
24 pride.

25 During my related investigations, I strived

1 to be thorough, fair and compassionate. For anyone to
2 suggest that I did not care about the victims is not only
3 unfair but totally untrue. I wish to publicly state that I
4 cared then and I care now.

5 It's unfortunate that the media chose to
6 focus on only one person as the protector of children. All
7 police officers are highly professional and all are
8 committed to the citizens of this community.

9 I strongly believe that the institutions
10 involved in this Inquiry have the staff that are equally
11 professional and equally committed to the welfare of our
12 youth.

13 Mr. Commissioner, there have already been
14 numerous excellent recommendations made by others that have
15 testified before me. I do, however, wish to suggest that
16 the final report should seek to promote healing and
17 relationship building between citizens and institutions.

18 In order to achieve this, the report must
19 reflect not only the weaknesses but also the strengths of
20 our institutions.

21 The report that you submit will affect our
22 community long after you and the Inquiry have left our
23 community. I therefore think that it is imperative that
24 this report reassure our citizens that their institutions
25 and the people who work for them are here to help and to

1 serve and that they can be trusted to continue to carry out
2 their duties with commitment and professionalism.

3 Thank you.

4 **THE COMMISSIONER:** Thank you.

5 **MS. JONES:** Thank you, Sergeant Snyder.

6 There's just one more question. You may
7 have answered it in part with what you just said, but the
8 other question is what sort of impact, if any, has coming
9 to this Inquiry and preparing for it and being part of the
10 process had on you personally?

11 **MR. SNYDER:** It's obvious.

12 **MS. JONES:** Thank you.

13 **THE COMMISSIONER:** Ms. Daley?

14 **MR. SNYDER:** Sir, I need two minutes.

15 **THE COMMISSIONER:** Yes, let's take a break.

16 **THE REGISTRAR:** Order; all rise. À l'ordre;
17 veuillez vous lever.

18 This hearing will resume at 2:40.

19 --- Upon recessing at 2:30 p.m./

20 L'audience est suspendue à 14h30

21 --- Upon resuming at 2:44 p.m./

22 L'audience est reprise à 14h44

23 **THE REGISTRAR:** Order; all rise. À l'ordre;
24 veuillez vous lever.

25 This hearing is now resumed. Please be

1 seated. Veuillez vous asseoir.

2 **THE COMMISSIONER:** Yes, thank you.

3 **S/SGT. BRIAN SNYDER: Resumed/Sous le même serment:**

4 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

5 **DALEY:**

6 **MS. DALEY:** Hello, Staff Sergeant. My name
7 is Helen Daley. I'm counsel to the Citizens for Community
8 Renewal and that is a local citizens group with an interest
9 in the reform of institutions.

10 I have a number of questions for you today.
11 I just have one tiny question that follows up from Exhibit
12 1630, if you can help us. I don't think we heard from you.
13 Those are your notes of your visit in March to Mr. C-52.

14 When were those notes made, sir?

15 **MR. SNYDER:** On March 19th.

16 **MS. DALEY:** So they were made
17 contemporaneously with the visit?

18 **MR. SNYDER:** That's correct.

19 **MS. DALEY:** All right. Thank you.

20 The first area that I want to talk to you
21 about has to do with the practices and techniques that you
22 use when you investigate historic sexual assault matters,
23 and one area I want to discuss with you is statement
24 taking.

25 And I appreciate that you said to my friend

1 this morning that you didn't have a hard and fast rule, but
2 when I looked at the statements that you took in the two
3 historic investigations, the Lalonde matter and the Landry
4 matter, it seemed to me -- and I can show you an example --
5 that for the most part, you wrote out witness statements in
6 your own hand. That seemed to be the practice that you
7 were using at that time?

8 **MR. SNYDER:** If they wanted me to. I always
9 ask if they wish to write their own. That's a ---

10 **MS. DALEY:** Oh, I see.

11 **MR. SNYDER:** --- and then if they don't,
12 then I'll write it.

13 **MS. DALEY:** All right.

14 So -- and again, I don't know that we need
15 to spend time looking at the documents, but with Mr. C-66,
16 for example -- that was our Exhibit 1586A -- it looks as
17 though you're writing his story in your own hand and then
18 he initials and he signs it?

19 **MR. SNYDER:** I believe C-66 ---

20 **MS. DALEY:** It's Exhibit 1586A if you want
21 to have a quick look.

22 **MR. SNYDER:** Yes, that's fine.

23 **MS. DALEY:** And I want to just slow down for
24 a moment and talk to you about why I think that might be a
25 good practice and you tell me if you agree.

1 One of the aspects of this is that it's the
2 victim, of course, who is telling you the story and you're
3 writing it verbatim as he tells you, I assume; correct?

4 **MR. SNYDER:** Yes.

5 **MS. DALEY:** And that is a slow process and
6 that's a process that allows time for the victim to reflect
7 and to think and to speak his thoughts to you carefully.

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** Is that fair?

10 **MR. SNYDER:** That's fair.

11 **MS. DALEY:** And that practice, I take it,
12 also allows you an opportunity to keep the victim or the
13 witness focussed and on track in terms of what he's
14 disclosing to you?

15 **MR. SNYDER:** I don't think I'd be -- look at
16 the statement, I wouldn't be interrupting my victim as
17 they're going on. I'm looking for again a pure version
18 statement so you make some good points with that. But the
19 other good points are they do it on their own, they can
20 also sit down and relax in a relaxed atmosphere and get
21 their thoughts together and do their statement as well.

22 **MS. DALEY:** Well, would you consider if what
23 we'd like to identify as a best practice and that ---

24 **MR. SNYDER:** Yes.

25 **MS. DALEY:** --- and we understand that not

1 everybody is the same ---

2 MR. SNYDER: Yes.

3 MS. DALEY: --- but for the purpose of
4 outlining a good practice, would you think it's generally a
5 good practice to do what you did with these victims and to
6 sit with them and take their statements as they express
7 them to you?

8 MR. SNYDER: I think it's a method. I don't
9 know if you want a hard and fast rule on that because some
10 victims want to be on their own. They feel much more
11 comfortable on their own, so I wouldn't want to put a rule
12 to say "this is the way it is" because you may get a victim
13 coming in and saying, "You know what, I don't want to
14 dictate to you. I want to be able to sit down by myself,
15 get my thoughts together", and I think that option has to
16 be there for them.

17 MS. DALEY: All right.

18 So I take it -- what I would take from what
19 you just said is that the best practice is to be responsive
20 to the victim's need in that situation?

21 MR. SNYDER: Correct.

22 MS. DALEY: I want to talk about another
23 aspect of dealing with victims as an investigating officer
24 and that's what I'll call, for want of a better term,
25 "bonding", and what I mean by that is that the officer and

1 the victim develop a relationship of mutual trust?

2 MR. SNYDER: Correct.

3 MS. DALEY: And you've made the point here
4 several times that you felt that the victims that you
5 assisted had trust in you?

6 MR. SNYDER: Yes.

7 MS. DALEY: Right? And I'm -- like most
8 things in life, trust doesn't happen overnight does it?
9 There's a process involved in developing trust?

10 MR. SNYDER: Yes.

11 MS. DALEY: Can you help us at all? Are
12 there any particular things that you do as an investigating
13 officer to help you obtain the victim's trust and to allow
14 you to have trust in what the victim says to you?

15 MR. SNYDER: I think you've just got to be -
16 - when you're speaking to them, speak to them with respect,
17 understand, feel comfortable with them, don't shut them
18 off, listen to them, answer the questions that they've put
19 to you in a straightforward answer. Your voice should be
20 very friendly as opposed to accusatory or loud.

21 There's several ways, I guess, of being --
22 making friendly conversation and that's what we should be
23 doing when we're speaking to these victims, I guess, is
24 just have a straightforward, friendly conversation, not
25 accusatory, and just make them feel comfortable that way.

1 **MS. DALEY:** Do you make it your practice as
2 well in that bonding process to give them information about
3 what your role is going to be and how things might unfold
4 if they embark on a criminal process?

5 **MR. SNYDER:** That's in there, yes.

6 **MS. DALEY:** All right.

7 And I'm sure you have, in your experience,
8 seen circumstances where a male victim of sexual abuse may
9 be uncomfortable disclosing it to a woman?

10 **MR. SNYDER:** Yes.

11 **MS. DALEY:** And I take it you would say that
12 if our principal rule is to have regard to the victim's
13 needs, in that kind of circumstance efforts should be made
14 to have a male officer take a statement?

15 **MR. SNYDER:** Efforts should be made, yes.

16 **MS. DALEY:** All right.

17 And I'm going to ask you a few questions
18 momentarily about your involvement in the David Silmsen
19 matter in 1993.

20 **MR. SNYDER:** Yes.

21 **MS. DALEY:** But you recall, you did give
22 some assistance to Constable Sebalj in March of that year?

23 **MR. SNYDER:** Correct.

24 **MS. DALEY:** And did I understand you
25 correctly, you did that more or less on your free time?

1 **MR. SNYDER:** Correct.

2 **MS. DALEY:** In the first six months of 1993,
3 would you have been able or available to assist in that
4 investigation if you'd been asked?

5 **MR. SNYDER:** I was in uniform then so I ---

6 **MS. DALEY:** I appreciate that.

7 **MR. SNYDER:** --- yeah, I don't know.

8 **MS. DALEY:** Would there be a prohibition for
9 a uniform officer assisting in a CIB matter?

10 **MR. SNYDER:** I don't -- no, they -- they're
11 doing it now. We have homicide going on and they'll bring
12 extra people in to assist.

13 **MS. DALEY:** And I appreciate it's a long
14 time ago and you may not remember but, you know, in that
15 window of time -- the first six months of '93 -- would you
16 have had the time to assist if you'd been asked to do that?

17 **MR. SNYDER:** I think I was on light duties
18 doing dispatch, but I don't recall.

19 **MS. DALEY:** If that were the case, would
20 that suggest you would have time available had you been
21 asked? I appreciate you weren't, but ---

22 **MR. SNYDER:** I guess anything's possible.
23 If they would have asked me and they wanted to put me into
24 that situation, anything's possible.

25 **MS. DALEY:** All right.

1 Now, I took it from your evidence in-chief
2 that your knowledge of the Silmsler investigation was very
3 limited, but did you ever learn any details of how the
4 first Police Service interview with Mr. Silmsler had been
5 conducted?

6 **MR. SNYDER:** No.

7 **MS. DALEY:** So you didn't know that there
8 were, in fact, three people present on the occasion.

9 **MR. SNYDER:** I know now through listening to
10 and watching and ---

11 **MS. DALEY:** All right. At the time, you
12 didn't know that though?

13 **MR. SNYDER:** That's correct.

14 **MS. DALEY:** So there are three people taking
15 non-verbatim notes of what he has to say on that occasion.
16 You're aware of that now?

17 **MR. SNYDER:** I'm not aware if they were non-
18 verbatim or not. I know that three people were taking
19 notes.

20 **MS. DALEY:** All right.

21 Do you see a prospect for discrepancies in
22 the notes when multiple people are involved in an
23 interview?

24 **MR. SNYDER:** No, actually barring -- like if
25 you had an audiotape, it would probably be the best way,

1 but if you've got three different people taking notes,
2 you're more likely to get most of the information. In my
3 mind, you've got the one scribe -- if I remember correctly
4 it was supposed to be -- I think Mr. Malloy was supposed to
5 be the scribe and then Lefebvre was an investigator and
6 then Sebalj was in the background. Even though Malloy was
7 the scribe, points may have been made by -- I can't ---

8 **THE COMMISSIONER:** Mr. Silmser.

9 **MR. SNYDER:** --- Mr. Silmser, sorry, I
10 wasn't sure if I could say that -- Mr. Silmser that Ron
11 Lefebvre felt important so he would jot those things down.

12 Heidi Sebalj, who was the investigator, may
13 have felt there was points that she wanted so she put those
14 things down, bearing in mind that they don't know what
15 Malloy's putting down.

16 It's one statement they should all be pretty
17 close together because it's one statement, it's not three
18 different statements at three different times. It's one
19 statement, three different people, probably more accurate
20 than one person taking the statement.

21 **MS. DALEY:** So what you're suggesting, if I
22 understood your reasoning, is that to get a complete
23 picture you'd have to compile them all because some may
24 have noted things that others didn't?

25 **MR. SNYDER:** I would suggest -- yeah, I

1 would say that if somebody wanted a complete picture, they
2 would have to read all three.

3 But the other thing is that there -- they
4 would know what's in all three because they were there. In
5 their mind, there maybe points that Ron Lefebvre wanted, at
6 least talking to him that's why he put those down.

7 Again, I don't see the notes so it's -- I'm
8 behind the eight ball in that and the same with Sebalj, she
9 might have a point that she wants to bring up to Silmser
10 and that's why she took different notes.

11 But all together, they should be reasonably
12 the same statement.

13 **MS. DALEY:** All right. In terms of how the
14 victim's statement then is actually created, whether it's
15 given to the victim to write it down or you write it down
16 as he speaks it to you ---

17 **MR. SNYDER:** Yes.

18 **MS. DALEY:** --- I take it your practice
19 would be to allow the victim to choose that?

20 **MR. SNYDER:** Correct.

21 **MS. DALEY:** And you give them an option and
22 if he said, "I want to do it myself", that's how it would
23 happen?

24 **MR. SNYDER:** Correct.

25 **MS. DALEY:** All right. You wouldn't just

1 thrust a form into a victim's hand and say, "You write your
2 statement". I take it you'd only do that if he wanted to
3 do it that way?

4 **MR. SNYDER:** If he wanted to do it that way,
5 correct.

6 **MS. DALEY:** All right.

7 **MR. SNYDER:** What's more comfortable for
8 you.

9 **MS. DALEY:** I want to, while we're talking
10 about dealing with with victims -- and I'll come back
11 momentarily to your role with Silmser -- but I wanted to
12 talk to you about the topic you spoke about yesterday and
13 that is when a victim is ready or not ---

14 **MR. SNYDER:** Yes.

15 **MS. DALEY:** --- to make disclosure, and you
16 remember that conversation came up in the context of, I
17 think it's Mr. C-66 and his allegations against Bernard
18 Sauv ?

19 **MR. SNYDER:** Yes.

20 **MS. DALEY:** All right. So I just -- be
21 patient with me as I step through this.

22 I take it there's two possible scenarios at
23 least that could occur and one scenario is a victim of an
24 historic abuse who's out in the community, getting on with
25 life, not disclosing it to anyone in his life at that point

1 and that's the kind of person who he hasn't disclosed to
2 family, he hasn't disclosed to police.

3 So that's scenario one, but a second
4 scenario -- and that fits Mr. C-66 -- is that you have a
5 victim who has disclosed abuse and he's ready to proceed
6 against one perpetrator but not another?

7 **MR. SNYDER:** Correct.

8 **MS. DALEY:** And I take it, in your
9 experience, that circumstance -- sorry, what's not unusual
10 is that some people are victims of multiple unrelated
11 sexual abuse.

12 **MR. SNYDER:** Correct.

13 **MS. DALEY:** Correct? And some examples that
14 we've heard about here would be, for example, Mr. C-54?

15 **MR. SNYDER:** Correct.

16 **MS. DALEY:** And Mr. C-51, I think, is
17 another example of that.

18 **MR. SNYDER:** Yes.

19 **MS. DALEY:** Correct? And so is C-10. You
20 spoke about C-10 in your evidence very briefly yesterday.

21 **MR. SNYDER:** I'm not aware of that, but yes.

22 **MS. DALEY:** All right. You didn't deal with
23 the other alleged abuser of Mr. C-10, that being Malcolm
24 MacDonald?

25 **THE COMMISSIONER:** Mr. -- the alleged abuser

1 of C-10?

2 MS. DALEY: Yes.

3 MR. SNYDER: Yes. No.

4 MS. DALEY: Okay, but I guess you know now
5 that he was another example of ---

6 MR. SNYDER: Yes.

7 MS. DALEY: --- unrelated abuse?

8 MR. SNYDER: Yes, correct.

9 MS. DALEY: And I would take it, in part,
10 that's because this is an offence that preys on vulnerable
11 people and a person may be rendered vulnerable by the first
12 abuse and then be in a vulnerable condition and ripe to be
13 abused by someone else?

14 MR. SNYDER: Are you asking me that?

15 MS. DALEY: Is that your experience, is that
16 how you would explain this or ---

17 MR. SNYDER: I really can't explain it.
18 Obviously it's -- it's ---

19 MS. DALEY: All right.

20 MR. SNYDER: --- it happens. I don't know
21 why it happens.

22 MS. DALEY: So returning to the person like
23 Mr. C-66 who's not ready to deal with an aspect of his
24 abuse history, you made the point to us that you thought he
25 was very fragile going through the Lalonde preliminary

1 inquiry. Firstly, do you know of any resources -- and I'm
2 not suggesting they be police resources -- but any
3 resources that exist to support adult victims who are
4 giving testimony of the sort he was?

5 MR. SNYDER: Now?

6 MS. DALEY: Yes.

7 MR. SNYDER: We have our Victim Services
8 that are there to assist.

9 MS. DALEY: So the police does provide a
10 counselling service ---

11 MR. SNYDER: Yes, we do.

12 MS. DALEY: --- for the victim?

13 MR. SNYDER: Yes.

14 MS. DALEY: When did that go into place?

15 MR. SNYDER: I'm going to say two, three
16 years ago ---

17 MS. DALEY: All right.

18 MR. SNYDER: --- I would suspect. We have a
19 Victim Services Unit and they'll provide counselling or get
20 counselling for individuals.

21 MS. DALEY: Now, let's turn -- still
22 thinking about the C-66 situation -- to the notion of
23 following up and keeping in touch and you remember Mr.
24 Commissioner ---

25 MR. SNYDER: Yes.

1 MS. DALEY: --- spoke to you ---

2 MR. SNYDER: Yes, yes.

3 MS. DALEY: --- about that yesterday, and if
4 I've understood you correctly, you referred to a constraint
5 and the constraint is you don't want to cause this person
6 more stress and anxiety by your actions ---

7 MR. SNYDER: Correct.

8 MS. DALEY: --- right? In terms of how
9 actively or otherwise a police officer would follow-up in
10 these type of circumstance, I take it you also wouldn't
11 want to do something that might undermine a successful
12 prosecution down the road if one were ever to occur, in
13 terms of your contact with the victim before he's made
14 disclosure or before he's prepared to go forward?

15 MR. SNYDER: I'm sorry, I'm ---

16 MS. DALEY: All right. So here's what I'm
17 thinking -- those were two big words -- what I was thinking
18 of, if a police officer is pestering somebody to make a
19 complaint ---

20 MR. SNYDER: Yes.

21 MS. DALEY: --- and then he eventually does
22 and a defence counsel learns about those earlier contacts,
23 it might look as though the police were, you know, trying
24 to generate a charge in an inappropriate way?

25 MR. SNYDER: Yes, okay.

1 **MS. DALEY:** So you would want to be careful
2 about not doing that ---

3 **MR. SNYDER:** I agree.

4 **MS. DALEY:** --- correct?

5 **MR. SNYDER:** I agree.

6 **MS. DALEY:** Having regard to those
7 constraints, what -- sorry, let me come at this another
8 way.

9 We've seen reference in this Inquiry from
10 some of your fellow officers about putting a file in
11 abeyance sometimes?

12 **MR. SNYDER:** Yes.

13 **MS. DALEY:** Could you put a file in abeyance
14 and have it brought back to you in a month or two months
15 for review? Does the system allow that?

16 **MR. SNYDER:** The system allows it now, I
17 believe, and I think we're actually in the midst of doing
18 protocols in reference to that exactly, the exact thing, or
19 actually setting that up so that the victims, it will come
20 back in a month and then later on, so the officer can do a
21 follow-up.

22 **MS. DALEY:** So you're presently developing a
23 protocol that in a C-66 situation, if I could use ---

24 **MR. SNYDER:** Yes.

25 **MS. DALEY:** --- a shorthand for it ---

1 MR. SNYDER: Yes.

2 MS. DALEY: --- would bring the matter back
3 to your attention ---

4 MR. SNYDER: Yes.

5 MS. DALEY: --- so you could consider
6 whether it was appropriate to contact ---

7 MR. SNYDER: Yes.

8 MS. DALEY: --- the person again?

9 MR. SNYDER: Yes.

10 MS. DALEY: All right. And that might be a
11 way to avoid C-66 allegations against Sauv e, for example,
12 from "slipping through the cracks", for want of a better
13 word, at CPS?

14 MR. SNYDER: Yes, I've used the words
15 "slipping through the cracks". Again I -- I ---

16 MS. DALEY: I appreciate your evidence is
17 that he wasn't ready.

18 MR. SNYDER: He wasn't ready and ---

19 MS. DALEY: What -- what I'm directing the
20 question to is, you know, if you accept the notion that the
21 police officer can come back to him again ---

22 MR. SNYDER: Yes.

23 MS. DALEY: --- and try to help him be ready
24 ---

25 MR. SNYDER: Yes.

1 **MS. DALEY:** --- or determine if he is ---

2 **MR. SNYDER:** Yeah.

3 **MS. DALEY:** --- this abeyancing system would
4 be helpful?

5 **MR. SNYDER:** Yes, I think we have to be
6 careful, as well, if we're going to approach him. I think
7 we have to know when that is possible because, again, I
8 don't want us go to a victim saying, "Do you now -- are you
9 not ready?"

10 So there's got to be -- that's the
11 protocol's that's being set up. I think it's like, what is
12 an appropriate time? Is it a month, is it five months, is
13 it three months?

14 So I think that we, as an organization,
15 define that and maybe through counsel here we can define
16 that, what is an appropriate time? Is it appropriate for
17 every victim or -- victims are different. So I think we
18 have to be careful with that as well.

19 **MS. DALEY:** Have you had regard to whether a
20 person in C-66's circumstances -- I don't know if he was
21 receiving counselling or not, it's not before us -- but in
22 a situation like that, might you suggest that the person
23 seek out some counselling with a view to helping them come
24 forward with their allegation?

25 **MR. SNYDER:** Okay, I would suggest to him to

1 get -- seek counselling?

2 **MS. DALEY:** Yes, is that not -- do you see
3 that as part of your role or not?

4 **MR. SNYDER:** Now, I would. Back then, it's
5 wasn't part of my role. I didn't feel it was part of my
6 role.

7 **MS. DALEY:** All right.

8 **MR. SNYDER:** I tried to help the victim as
9 best I can, with myself, to make them feel comfortable,
10 those type of things. Unfortunately, counselling, it was
11 just new, so it was just starting out but ---

12 **MS. DALEY:** All right.

13 **MR. SNYDER:** --- I think it's important that
14 we as police officers are alive to that and if we see that,
15 that we are able to now with our Victims Assistance people,
16 direct them in that direction.

17 **MS. DALEY:** So nowadays you wouldn't have a
18 reluctance to suggest counselling to someone in C-66 ---

19 **MR. SNYDER:** No, I would suggest is how --
20 how we do it is I would say, "We have counsellors here, we
21 have people in Victims Assistance here. If you require any
22 assistance, here is her card do you mind if I have her call
23 you?" You know, I do it that way and then -- then it's a
24 little bit of both onus and if you do, then we will have
25 somebody call you and then help you out.

1 MS. DALEY: All right.

2 (SHORT PAUSE/COURTE PAUSE)

3 MS. DALEY: I have a very discrete little
4 topic I want to talk to you about, and that pertains to the
5 role played by Constable Dunlop.

6 Were you aware that he was off on sick leave
7 between the years 1994 and roughly the spring of 1997?

8 MR. SNYDER: I don't have dates, but I know
9 he was off.

10 MS. DALEY: All right.

11 Did it ever come to your attention that he
12 was doing his own, if you will, personal investigation into
13 some of the historic sexual abuse cases in the community?

14 MR. SNYDER: No.

15 MS. DALEY: All right. You were aware that
16 he had had contact with Mr. C-8 though? You might need to
17 look at the ---

18 MR. SNYDER: Well, when I did the
19 investigation in '97?

20 MS. DALEY: Yes.

21 MR. SNYDER: I was aware.

22 MS. DALEY: You were aware that in a prior
23 year Mr. Dunlop had had contact with C-8 and had taken
24 statements?

25 MR. SNYDER: No, I knew that when I spoke to

1 C-8.

2 MS. DALEY: Right, okay.

3 MR. SNYDER: Yeah.

4 MS. DALEY: So you learned in '97 that that
5 had been the case.

6 MR. SNYDER: That's right.

7 MS. DALEY: That Dunlop had been in touch
8 with him?

9 MR. SNYDER: Yeah.

10 MS. DALEY: And had taken statements?

11 MR. SNYDER: Yes.

12 MS. DALEY: Did you know of any other
13 victims with whom Dunlop had been in touch and taken
14 statements while he was off on leave?

15 MR. SNYDER: No.

16 MS. DALEY: There's an example in your
17 notes, if I could just show it to you?

18 MR. SNYDER: Okay, sure. Oh, I think I know
19 where you're going to, where he -- okay, go ahead.

20 MS. DALEY: Just give me one minute. In
21 Exhibit 1603, if you look at Bates page 351?

22 THE COMMISSIONER: Bates page, please?

23 MS. DALEY: It ends in the digits 351.

24 THE COMMISSIONER: Thank you.

25 MS. DALEY: It says, "Note of June 23rd,

1 1997."

2 Sorry, actually you need to start by looking
3 at the one at the top.

4 **MR. SNYDER:** Oh, okay, sorry.

5 **MS. DALEY:** June 21, '97.

6 **MR. SNYDER:** Okay. So what's the Bates page
7 number again, sorry?

8 **MS. DALEY:** It is Bates page that ends in
9 351.

10 **MR. SNYDER:** It's the easiest way.

11 **MS. DALEY:** And there's no need to refer to
12 the name of the individual. That name hasn't been
13 mentioned here.

14 **MR. SNYDER:** Yes.

15 **MS. DALEY:** He doesn't have a moniker, but
16 as I read these notes, what's happening is that Dunlop has
17 advised you that he has received a call from an individual
18 who says he is a victim of Earl Landry?

19 **MR. SNYDER:** Yes.

20 **MS. DALEY:** And then on the ensuing days,
21 you speak with that individual. You arrange a meeting. He
22 fails to attend. Do you see that?

23 **MR. SNYDER:** Yes.

24 **MS. DALEY:** And then you continue to try to
25 follow-up with him?

1 **MR. SNYDER:** Yes.

2 **MS. DALEY:** And then if you look over to
3 page 353, so this is a note that you're making on Saturday,
4 June 28th, at 12:30 p.m., that date.

5 **MR. SNYDER:** Five-eight (58), sorry.

6 **MS. DALEY:** Yes, 353? Sorry, Madam Clerk,
7 maybe I misspoke. We need to look at Bates page that ends
8 353.

9 **THE COMMISSIONER:** Yes.

10 **MR. SNYDER:** Okay.

11 **MS. DALEY:** Perfect. And the time entry of
12 12:30. Thank you.

13 And on this occasion, you are speaking to
14 that gentleman's wife, and she says he doesn't want to talk
15 to you about it.

16 **MR. SNYDER:** Correct.

17 **MS. DALEY:** But he had evidently talked to
18 Constable Dunlop about it?

19 **MR. SNYDER:** Correct.

20 **MS. DALEY:** Firstly, is that the only
21 circumstance that arose in which a victim had spoken to
22 Officer Dunlop but was not prepared to speak to you?

23 **MR. SNYDER:** No.

24 **MS. DALEY:** Do you remember others?

25 **MR. SNYDER:** I've had other victims -- not

1 by Dunlop, Dunlop's the first one, but by other -- I think
2 the OPP sent a couple, and they weren't prepared to go
3 forward.

4 **MS. DALEY:** In relation to this individual
5 here and his -- if your note is accurate and no reason to
6 think it's not -- he has reached out to Dunlop. He has
7 initiated a phone call to Dunlop?

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** Now, do you remember whether at
10 this point-in-time there was media reportage about Dunlop
11 being involved in abuse allegations?

12 **MR. SNYDER:** No, and again, I don't even
13 know what Dunlop -- was he working at the front desk at
14 that time? Like, there's a lot of things here I don't
15 know. Like he could have been just the person who grabbed
16 the call. So it was by luck he got Dunlop as opposed to
17 him seeking out Dunlop. So ---

18 **MS. DALEY:** That's a possibility.

19 **MR. SNYDER:** That's a possibility.

20 **MS. DALEY:** I hadn't thought of that.

21 **MR. SNYDER:** Okay, so ---

22 **MS. DALEY:** That could be right.

23 **MR. SNYDER:** --- unfortunately, I don't know
24 that for sure, but it very possibly could have been he was
25 working at the front, received the phone call and picked it

1 up and this is what he got.

2 MS. DALEY: All right.

3 I take it, sir, from your testimony there
4 was no occasion when Officer Dunlop directed someone to
5 come and talk to you about alleged abuse?

6 MR. SNYDER: Correct.

7 MS. DALEY: That didn't happen?

8 MR. SNYDER: Never happened.

9 MS. DALEY: And conversely though there was
10 no circumstance where you knew someone had talked to Dunlop
11 about alleged abuse but refused to talk to you or did that
12 happen?

13 MR. SNYDER: Somebody spoke to Dunlop and
14 refused to talk to me?

15 MS. DALEY: Yes. Yes.

16 MR. SNYDER: Well, this individual I guess,
17 but again we decided that, you know, I don't know how that
18 came about.

19 MS. DALEY: Yes.

20 MR. SNYDER: But he wasn't aware and, again,
21 I know this person personally as well, and I don't know why
22 he did not want to speak to me.

23 MS. DALEY: All right.

24 Let's move on to another topic, and I had
25 some questions for you about polygraphing. I take it were

1 you the only polygraph operator in the Cornwall Police
2 Service?

3 **MR. SNYDER:** Yes.

4 **MS. DALEY:** And these are some questions
5 that arise as a result of things we have been pondering
6 here for a long time. Had you ever had occasion to
7 polygraph a victim? Is that something that ---

8 **MR. SNYDER:** It's -- you -- it's in our
9 policies we don't -- you don't polygraph victims, and I
10 think the Ministry sent out guidelines advising for that.

11 **MS. DALEY:** All right.

12 So even if a victim, in fact, said to a
13 police officer -- I'm just paraphrasing the situation --
14 "Look, you don't believe what I'm telling you? I want to
15 take a polygraph."

16 That's not something that you would do?

17 **MR. SNYDER:** I would not do, no. If you've
18 got a victim or a suspect, you're going to do the suspect.
19 I would not put a victim through the polygraph.

20 **MS. DALEY:** All right.

21 Now, moving then to a polygraph of a
22 suspect, do you in your experience as an operator have any
23 input into when a polygraph might be given a suspect? What
24 I mean by that is, when, in the course of an investigation?

25 **MR. SNYDER:** Yes.

1 **MS. DALEY:** And what's your input to that?

2 **MR. SNYDER:** It will be generally near the
3 end of the investigation after most, if not all, evidence
4 has been brought forth. As an examiner, I have to know
5 exactly what the issues are, how to formulate the
6 questions, and I can give you an example of why that's
7 important if you wish.

8 **MS. DALEY:** Sure.

9 **MR. SNYDER:** In reference to a sexual
10 assault, if I ask the person, "Did you sexually assault
11 A?", the person may very well pass that question because in
12 their mind it was consensual. So I have to know other
13 things so I would formulate the question, "Did you have
14 intercourse with that person?" So get the assault part out
15 of it.

16 So it's very important I know, as an
17 examiner, all the facts before or as much facts as I can
18 before an examination is conducted.

19 **MS. DALEY:** All right.

20 Now, have you ever come across this
21 scenario? The investigator is at the end of the
22 investigation. The investigation is somewhat inconclusive.
23 The investigator is not sure if he has RPG or not, but the
24 suspect is offered a polygraph. In that circumstance,
25 would you think it was a reasonable thing to do, to conduct

1 a polygraph?

2 MR. SNYDER: At end of the investigation?

3 MS. DALEY: Yes.

4 MR. SNYDER: At the end of the
5 investigation, yes.

6 MS. DALEY: Okay.

7 I want to ask you some questions now about
8 your role in the verification of the statement made by Mr.
9 Silmsler. You remember we spoke about that, and I wonder if
10 you can help me with something.

11 I take it from what you said that this
12 exercise involves looking only at the four corners of the
13 statement, not looking at anything external to the
14 statement. Is that correct?

15 MR. SNYDER: That's correct. That's
16 correct.

17 MS. DALEY: And I'm not quite sure what
18 process or discipline you bring to it, but maybe you can
19 describe that. Are there, for example, badges of
20 truthfulness or badges of deceptiveness that you look for?

21 MR. SNYDER: Well, again, when I did it, I
22 said I didn't want it to provide testimony out because it
23 wasn't something I was comfortable with, but I will do my
24 best.

25 What you are looking at is certain

1 statements. For instance, truthful statements have an air
2 of truthfulness; deceptive have an air of deceptiveness.
3 There is a breakdown. Everybody has a -- there's a start
4 of a story, build story, end of story. And there is a
5 calculation of percentages of untruthful statements, and I
6 think the numbers are 20 percent starting, 50 percent in
7 the middle of the nuts and bolts and then 30 at the end to
8 finish it off.

9 A deceptive statement will have ---

10 **MS. DALEY:** Just to stop you, what you mean
11 is that the content of the statement falls into those
12 categories?

13 **MR. SNYDER:** Yes, exactly.

14 **MS. DALEY:** A short beginning, a short end,
15 a lot in the centre?

16 **MR. SNYDER:** Yeah. Well, short, 20 ---

17 **MS. DALEY:** Twenty (20) per cent.

18 **MR. SNYDER:** --- 50, 30 I think is the
19 numbers.

20 **MS. DALEY:** All right.

21 **MR. SNYDER:** So if you're looking at it and
22 saying, "Oh geez, you know what? The person says I was
23 sexually assaulted. End of story." You've got to be alive
24 to that. There may be a possibility there's a problem with
25 that. You're looking at when he -- when the person is

1 taking ownership for things. Is it "I"? Is it "we",
2 pronouns, nouns, those types of things.

3 And there's colour coding to it and it's
4 pretty complex. You're looking at words, and there's
5 different words like, for instance, "The next thing I
6 knew". Well, that brings, like, "Well, what happened?"
7 I'd be asking the question. In that little "The next thing
8 I knew" I'd be having the investigator go into that and
9 say, "Okay. They've edited. They've edited their mind.
10 They didn't tell you something in there. Go back and talk
11 to them about that part."

12 And that's what it's all about, statement
13 analysis, not only deceptiveness or truthfulness, but also
14 it's a way of looking at a statement and maybe getting
15 areas in which you can expand interviews with the ---

16 **MS. DALEY:** All right.

17 Now, I appreciate that you don't intend to
18 recreate your process for us, but we're very anxious to
19 know, to the full extent we can, what information or advice
20 or guidance you did give to Officer Sebalj on Mr. Silmsers
21 statement. And you did say you felt that there was
22 truthfulness surrounding some of the sexual abuse
23 allegations. You also felt there were areas where he knew
24 more than what he was saying?

25 **MR. SNYDER:** There was editing going on,

1 yes.

2 MS. DALEY: Right. And I -- just one
3 second, sir.

4 (SHORT PAUSE/COURTE PAUSE)

5 MS. DALEY: I take it you pointed out both
6 those areas to Constable Sebalj?

7 MR. SNYDER: I think there were several
8 areas, not just both, but I was just using it as a general
9 term.

10 MS. DALEY: All right.

11 MR. SNYDER: There was areas I had to point
12 out, and I did do that.

13 MS. DALEY: To help us be specific, if you
14 could briefly look at Exhibit 262?

15 (SHORT PAUSE/COURTE PAUSE)

16 THE COMMISSIONER: All right. So we're not
17 going through this for the truth of its ---

18 MS. DALEY: No, no, no, not remotely.
19 There's a specific area I want to take him to ---

20 THE COMMISSIONER: Okay.

21 MS. DALEY: --- to see if it came up in his
22 advice to Officer Sebalj.

23 It's an eight-page statement, obviously, but
24 if you look at the eighth page, about 10 or more lines up:

25 "He begins to recount being placed on

1 statement, which is talking about Father Charlie.

2 MS. DALEY: So was your interpretation then
3 that this -- these occurrences with Seguin were not
4 important to him?

5 MR. SNYDER: No, no, they're important
6 because they're there, but I'm saying in reference to the
7 statement analysis, in reference to what I'm looking at is
8 whether or not Father Charlie did these things.

9 MS. DALEY: All right.

10 MR. SNYDER: That's what I'm looking at.

11 MS. DALEY: All right.

12 Having taken a moment to look at this now,
13 can you tell us whether or not the lack of detail about
14 Seguin is something that you would have advised Heidi to
15 explore with this individual?

16 MR. SNYDER: No. Again, to the best of my
17 recollection, we weren't dealing with that individual, with
18 Ken Seguin, and I don't recall speaking to her about him.

19 MS. DALEY: About Seguin?

20 MR. SNYDER: No.

21 MS. DALEY: All right.

22 MR. SNYDER: Okay?

23 MS. DALEY: Thank you. That's helpful.

24 Did you know Probation Officer Ken Seguin?

25 MR. SNYDER: No.

1 **MS. DALEY:** Did you know a probation officer
2 named Nelson Barque?

3 **MR. SNYDER:** No.

4 **MS. DALEY:** Would you agree that if Mr.
5 Silmsler had indeed been on probation to Ken Seguin at age
6 15, that fact was pretty readily ascertainable?

7 **MR. SNYDER:** Could we have found that out?

8 **MS. DALEY:** Yes.

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** All right.

11 One final ---

12 **THE COMMISSIONER:** How would you find -- how
13 would you have found that out?

14 **MR. SNYDER:** I guess you'd call the
15 probation officer and ask them.

16 **MS. DALEY:** And they would have made those
17 records available to a police officer on request?

18 **MR. SNYDER:** I don't know what records they
19 give, but I'm sure they would tell us. If I'm saying, "I'm
20 looking into an individual; is he on probation?" They
21 would give us that information.

22 **MS. DALEY:** You'd expect to get a correct
23 answer?

24 **MR. SNYDER:** Yes. Yes.

25 **THE COMMISSIONER:** Was he on probation way

1 back when, when he was 14 or 15?

2 MR. SNYDER: That's a different thing
3 altogether, I guess. You'd have to -- yeah, that's a
4 different thing altogether. I'm sorry; I'm going present
5 time, present day, if I'm doing an investigation, could I
6 call Probation and find out if he's on probation? Yes, I'd
7 get it. I don't know about historical stuff.

8 MS. DALEY: Have you ever had occasion to
9 ask whether an individual was on probation a number of
10 years in the past?

11 MR. SNYDER: Not to my recollection, no.

12 MS. DALEY: But there would be no reason not
13 to ask?

14 MR. SNYDER: If I need to know ---

15 MS. DALEY: You'll ask the question?

16 MR. SNYDER: --- I'll at least try and ask
17 the question.

18 MS. DALEY: That's fine.

19 I wanted to speak a little bit about
20 supervision and, in particular, if I've understood you, you
21 did in effect supervise Rene Desrosiers in the
22 investigations we've mentioned here, the Landry, Jr.
23 investigation and the Lalonde investigation?

24 MR. SNYDER: Rene was not involved in
25 Landry, Jr.

1 **MS. DALEY:** Sorry. He was involved in
2 Lalonde?

3 **MR. SNYDER:** Yes, he was.

4 **MS. DALEY:** And I know you also worked as an
5 investigator on that matter, but did you provide
6 supervision to him during the course of the Lalonde
7 investigation?

8 **MR. SNYDER:** Yes, we worked actually in
9 tandem in that investigation.

10 **MS. DALEY:** Was there another officer --
11 forgive my memory -- assisting you on Landry, Jr.?

12 **MR. SNYDER:** No.

13 **MS. DALEY:** It was just you?

14 **MR. SNYDER:** Just me.

15 **MS. DALEY:** All right.

16 So I wonder if you can give me a little help
17 about how you approached your supervision of -- was it
18 Constable Desrosiers ---

19 **MR. SNYDER:** Yes, he was.

20 **MS. DALEY:** --- in the Lalonde matter. Did
21 you have formal supervision meetings with him? How did you
22 perform your job as his supervisor?

23 **MR. SNYDER:** In that case?

24 **MS. DALEY:** Yes.

25 **MR. SNYDER:** He was -- he had received

1 information on one side about Lalonde. I had received it
2 through Project Truth. So we got together, I think, the
3 next day and I said, "Okay Rene, you take care of those
4 victims. You run those victims. I'll run with these
5 victims. We will keep speaking to each other, try and help
6 each other out, and then we'll keep chatting as to how
7 things are progressing."

8 **MS. DALEY:** All right.

9 So I take it you shared information on a
10 daily basis or as necessary?

11 **MR. SNYDER:** Well, not daily, but when
12 necessary, yes.

13 **MS. DALEY:** All right.

14 And did you review Constable Desrosiers'
15 notes about the investigation as it was progressing through
16 him?

17 **MR. SNYDER:** I wouldn't have read his
18 reports. I wouldn't have, per se, looked at his notebook,
19 but we would have spoken. So I would know where he was
20 going.

21 **MS. DALEY:** You'd make it a point to look on
22 OMPPAC for any additional reports filed by him on the
23 witnesses he was dealing with?

24 **MR. SNYDER:** Yes, when I'm doing my OMPPAC
25 report approval, if there was a report there I would

1 naturally read it.

2 MS. DALEY: All right.

3 And did you offer him ideas, guidance, you
4 know, the benefit of your experience from time-to-time
5 during that investigation?

6 MR. SNYDER: I may have. I know that one we
7 talk about -- I have a notation in my notes about "I must
8 take pictures of the home. Pass it on to Rene." And he
9 also did it with his. So we, you know, were in tandem
10 there. I'm sure that I would have given him some advice if
11 it was needed.

12 MS. DALEY: All right. Now, I want to now
13 move to the Lalonde matter. I need to ask you, this did
14 not come up in your examination in-chief, but did you have
15 an opportunity to hear or read Kevin Malloy's evidence
16 here?

17 MR. SNYDER: Bits and pieces of Kevin
18 Malloy's. I didn't read anything on Ken Malloy's, and I
19 was busy at work. So I wasn't able to ---

20 MS. DALEY: All right. You don't need to
21 have your moniker list handy, but did you know, sir -- do
22 you know at any time that in January of 1989, C-57 made
23 disclosure to ---

24 MR. SNYDER: I don't have ---

25 MS. DALEY: Sorry, sorry, I made a mistake,

1 just bear with me. I think it was. Oh, I am sorry. He
2 needs to know who Mr. C-57 is.

3 **THE COMMISSIONER:** Madam Clerk?

4 **MS. DALEY:** Sir, Officer Malloy gave
5 evidence here that on January 10th, 1989, he received
6 disclosure of abuse by a Marcel Lalonde from C-57. Did you
7 know that?

8 **MR. SNYDER:** No.

9 **MS. DALEY:** Are you hearing it from me for
10 the first time?

11 **MR. SNYDER:** Yes.

12 **MS. DALEY:** All right. And I take it,
13 similarly, you wouldn't know that he took a statement from
14 that individual about abuse by Lalonde?

15 **MR. SNYDER:** Correct.

16 **MS. DALEY:** And ---

17 **MR. SNYDER:** Can I just say, when did he
18 take the statement ---

19 **MS. DALEY:** January -- well, sorry, the
20 first contact with that victim was January 10th, '89. The
21 statement would have followed within that timeframe.

22 **MR. SNYDER:** So it's way ahead, okay. No.

23 **MS. DALEY:** This is eight years before 1997

24 ---

25 **MR. SNYDER:** Okay. Yes.

1 **MS. DALEY:** --- and you become involved with
2 Lalonde, okay?

3 **MR. SNYDER:** Yes. Okay.

4 **MS. DALEY:** To paraphrase the statement
5 given by C-57, amongst other things, said he was plied with
6 alcohol by Lalonde, and he also spoke about a photo album,
7 and I take it, you didn't know that either?

8 **MR. SNYDER:** No.

9 **MS. DALEY:** Now, in the course of Officer
10 Malloy's investigation of Lalonde, other names were
11 mentioned to him and -- I hope you have a complete list of
12 the monikers there -- but I just want to identify them for
13 you.

14 **THE COMMISSIONER:** No, he doesn't.

15 **MS. DALEY:** No, he doesn't.

16 **THE COMMISSIONER:** The reason for that is he
17 shouldn't know.

18 **MS. DALEY:** Because he shouldn't. Okay.
19 So can I write them down and I'll pass them
20 up?

21 **(SHORT PAUSE/COURTE PAUSE)**

22 **MR. SNYDER:** Thank you.
23 Your handwriting's like mine.

24 **MS. DALEY:** Pardon?

25 **MR. SNYDER:** Your handwriting's like mine.

1 **MS. DALEY:** All right. I take it -- were
2 those names ever known to you as potential victims of Mr.
3 Lalonde?

4 **MR. SNYDER:** No.

5 **MS. DALEY:** And Mr. C-58, whom you do know;
6 right?

7 **MR. SNYDER:** Yes.

8 **MS. DALEY:** You know him?

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** Were you aware that he had also
11 spoken with Officer Malloy in 1989 about abuse by Lalonde?

12 **MR. SNYDER:** No.

13 **MS. DALEY:** And I take it you weren't aware
14 that he -- although Malloy indicated he didn't want to
15 testify, he did give a written statement to Malloy on April
16 21st, '89 about abuse by Lalonde. I take it you weren't
17 aware of that either?

18 **MR. SNYDER:** Wasn't aware of that, no.

19 **MS. DALEY:** That statement also talks about
20 being plied with alcohol which is, of course, somewhere to
21 the methodology that you came to learn that Lalonde used
22 with his victims?

23 **MR. SNYDER:** Yes.

24 **MS. DALEY:** All right. And are you aware
25 that Officer Malloy did not, in fact, contact the

1 Children's Aid Society in 1989?

2 MR. SNYDER: No.

3 MS. DALEY: I take it, you're meaning you
4 had no knowledge that ---

5 MR. SNYDER: I had no knowledge.

6 MS. DALEY: --- any contact had happened ---

7 MR. SNYDER: That's right.

8 MS. DALEY: --- or otherwise. And you're
9 aware, sir, that -- I'm assuming you're aware from your
10 investigation that Lalonde had been a teacher from the mid-
11 1970s and was still teaching in the separate school system
12 throughout the '80s and the '90s, in fact?

13 MR. SNYDER: Yes.

14 MS. DALEY: And you knew he taught Grade 7
15 and 8 for part of that timeframe?

16 MR. SNYDER: Yes.

17 MS. DALEY: All right. Now, when you first
18 took over the Lalonde investigation in the early months of
19 1997, if I've understood it correctly, Officer Malloy was
20 no longer on active duty at the Force? I think he was in
21 Support Services by then or do you know?

22 MR. SNYDER: I don't know.

23 MS. DALEY: Did you ever work with him?

24 MR. SNYDER: As a police officer, yes. Yes.

25 MS. DALEY: Yes. All right.

1 **MR. SNYDER:** We did, were Constables
2 together on the street, I think, that's -- a little bit,
3 and we might have done a little bit of investigations, but
4 I can't recall.

5 **MS. DALEY:** Are you surprised to learn that
6 he received disclosures about abuse by Lalonde in 1989?

7 **MR. SNYDER:** I wasn't aware of it.

8 **MS. DALEY:** It would have been useful to
9 know in 1997 when you took over this investigation?

10 **MR. SNYDER:** Yes.

11 **MS. DALEY:** If I could take you just for a
12 moment or direct your mind back to C-58 ---

13 **MR. SNYDER:** Yes?

14 **MS. DALEY:** --- who -- he was a witness in
15 your investigation; correct?

16 **MR. SNYDER:** Yes.

17 **MS. DALEY:** Did he -- he didn't tell you
18 that he'd spoken with Officer Malloy eight years prior?

19 **MR. SNYDER:** No.

20 **MS. DALEY:** Now, there is -- we've also had
21 evidence here that in 1994, Mr. Silmser had made
22 allegations to the CAS concerning abuse by Lalonde.

23 **MR. SNYDER:** Yes.

24 **MS. DALEY:** And there has been evidence here
25 -- I don't know if you're aware of it -- that in August of

1 1994, Staff Sergeant Brunet was asked to look into that.
2 Did you know about that circumstance?

3 MR. SNYDER: I believe I did. It's just a -
4 - I didn't know much about it, sort of thing, but I think -
5 - I don't know if I knew it then; I know it now.

6 MS. DALEY: All right.

7 MR. SNYDER: But I know it now that he did.

8 MS. DALEY: Okay. Thank you. I figured you
9 must because you contacted Pam Silmser in 1997.

10 MR. SNYDER: Yes.

11 MS. DALEY: And I take it you did that
12 because you had been made aware of some contact in '94
13 pertaining to allegations about Lalonde.

14 MR. SNYDER: I don't recall how I got his
15 name. I'd have to look at my notes again ---

16 MS. DALEY: All right.

17 MR. SNYDER: --- to see how it came about,
18 but obviously I felt that I wanted to contact him.

19 MS. DALEY: In terms of the various people
20 who came forward to Constable Malloy in 1989, ---

21 MR. SNYDER: Yes?

22 MS. DALEY: --- five years prior, ---

23 MR. SNYDER: Yes?

24 MS. DALEY: --- when you took on your
25 investigation in '97, were there any internal records, be

1 they paper or computer, that you could have looked at to
2 determine if the Force had dealt with Lalonde previously?

3 **MR. SNYDER:** I don't know. I don't know if
4 the system was in '89. Was it paper?

5 **MS. DALEY:** I can tell you that the Malloy
6 investigation would have predated OMPAC.

7 **MR. SNYDER:** Okay. So there would have been
8 a paper trail, I guess.

9 **MS. DALEY:** All right.

10 **MR. SNYDER:** There might have been a -- and
11 again I don't remember -- there might have been a card
12 system. I could have went to see if we had a name of a
13 victim or complainant in this card system.

14 **MS. DALEY:** Did your card systems also
15 record names of potential suspects when no charges had been
16 laid?

17 **MR. SNYDER:** I don't recall.

18 **MS. DALEY:** All right. Is there anything
19 you do when you take on a new investigation to determine if
20 the Force has dealt with the suspect previously?

21 **MR. SNYDER:** Well ---

22 **MS. DALEY:** How would you inform yourself if
23 there had been previous complaints?

24 **MR. SNYDER:** Now it's easier. Now, I just
25 go through the computer, and I run our niche computer now,

1 I run CPIC checks, which is our database across the
2 province; may even contact ViCLAS to see if they -- persons
3 out of town, sort of thing, depending what the
4 investigation is, to see if they have any -- this name. I
5 think the databases are much larger now to do
6 investigations, and the first couple of things I would do
7 is just check our own system to see if we've got this
8 person associated.

9 MS. DALEY: That only takes you back to 1989
10 though.

11 MR. SNYDER: That's right.

12 MS. DALEY: Is there anything you can
13 presently do to capture information that precedes 1989?

14 MR. SNYDER: The cards -- the card
15 catalogue, again, I would go to that and determine whether
16 or not we have those persons' names.

17 MS. DALEY: Do you -- can you remember if
18 you did that in 1987, when the Lalonde investigation was
19 assigned to you?

20 MR. SNYDER: I don't recall.

21 MS. DALEY: I don't know if this changes
22 anything, but Malloy testified here that in June of '89 he
23 put his investigation into abeyance.

24 MR. SNYDER: Yes.

25 MS. DALEY: And would that imply that the

1 file would've been destroyed at some point or is it ---

2 MS. DALEY: Well, there's a retention period
3 for files and they've all got years.

4 MS. DALEY: Yes.

5 MR. SNYDER: A sexual assault probably would
6 last longer than a police information. I can't how long
7 it's going to be left around, but they would probably go
8 down into our archive area until the retention period is
9 over and then destroyed.

10 MS. DALEY: I take it you wouldn't know the
11 retention period for a file that had been put in abeyance?

12 MR. SNYDER: No. If I needed to know, I'd
13 just go look it up in our policies.

14 MS. DALEY: All right. Okay.

15 I can show you in your notes, but there came
16 a time in the Lalonde (sic) investigation when you offered
17 to Mr. -- one second -- C-52 to place his complaint against
18 Landry in abeyance and of course ---

19 MR. SNYDER: Yes.

20 MS. DALEY: --- that didn't happen but ---

21 MR. SNYDER: That's ---

22 MS. DALEY: --- do you remember that?

23 MR. SNYDER: That's in the Landry
24 investigation, not Lalonde.

25 MS. DALEY: Yes.

1 **MR. SNYDER:** Okay.

2 **MS. DALEY:** Yes, that's in the Landry
3 investigation.

4 **MR. SNYDER:** That's right.

5 **MS. DALEY:** I'm skipping around. I'm
6 thinking about placing things in abeyance.

7 **MR. SNYDER:** Yes.

8 **MS. DALEY:** You recall there was time when
9 you offered to C-52 to put his complaint against Landry in
10 abeyance?

11 **MR. SNYDER:** The context of that was that we
12 felt that C-51, I was trying -- speaking to C-51 about
13 coming forward as well.

14 **MS. DALEY:** Yes.

15 **MR. SNYDER:** So I wanted C-51 and C-52 to be
16 together when I charged Landry.

17 As it turns out, C-51 didn't feel
18 comfortable going forward, so I then spoke to C-52 to let
19 him know, "Listen, just to let you know, I'm willing to go.
20 I've got reasonable and probable grounds. I have no issue
21 with that at all." And I went through the steps as to what
22 would occur. I said, "It's up to you now to decide whether
23 or not you want me to go forward with this or not".

24 And I said I would speak to the Crown in the
25 interim because my investigation was over. I spoke to

1 Landry; he confessed. So I didn't have any worries about
2 him as in C-52 being on his own sort of thing, that I would
3 be there providing that statement -- inculpatory statement.

4 **MS. DALEY:** All right. But if I've
5 understood that correctly, you were prepared to lay a
6 charge solely on C-52's information?

7 **MR. SNYDER:** That's correct.

8 **MS. DALEY:** All right. But you offered the
9 abeyance option to see if C-51 would also come forward to
10 support a charge?

11 **MR. SNYDER:** No, C-51 -- I was trying to get
12 C-51 to come forward as well and I had a couple of meetings
13 with him. He was onboard ---

14 **MS. DALEY:** Yes.

15 **MR. SNYDER:** --- but he was offboard. So
16 there's a couple of issues there. So ultimately, it came
17 to a time where I said to C-52, "I believe you; I know this
18 happened. These are the steps that have to go forward. If
19 you're comfortable in doing that, I'm willing to go forward
20 with you. I also have to go the Crown attorney, speak to
21 him or her to see if they feel there's enough evidence, you
22 know, to go through with this as well." So he said, "No
23 problem. Go to the Crown and I'll think about it
24 overnight."

25 In the interim, because my investigation was

1 over, I spoke to Landry, got an inculpatory statement,
2 which kind of made me feel very good, because then I was
3 able to assist C-52 with going forward with the charge.

4 **MS. DALEY:** All right. All right.

5 I want to address another topic with you
6 which is finding supporting witnesses, finding other
7 victims in cases such as the ones you're investigating, the
8 historic cases.

9 And in one of the exhibits we looked at
10 yesterday, and I'll take you there, it's Exhibit 1597.

11 **MR. SNYDER:** That's here?

12 **MS. DALEY:** And I'm going to ask you look at
13 the third page in, which is Bates page 203. Just to
14 refresh you mind about this, this is the Will Say of OPP
15 Officer Genier?

16 **MR. SNYDER:** Correct.

17 **MS. DALEY:** And at the page I've taken you
18 to, if you look about halfway down the page, these are his
19 notes of January 27th, '97 ---

20 **MR. SNYDER:** Correct.

21 **MR. SNYDER:** --- and at 1500 hours he's made
22 contact with your Service and this is how he first makes
23 Staff Sergeant Brunet aware of the Lalonde situation, et
24 cetera.

25 **MR. SNYDER:** Correct.

1 **MS. DALEY:** And he says a number of things.

2 He says:

3 "Will advise Brunet of the following."

4 There's some further victims that he
5 mentions. At point two, some of those victims have talked
6 about photo albums. But point three he says:

7 "Press release might help to have
8 victims come forward now due to the
9 high number of potential victims."

10 And that's what I wanted just to flag for you there.

11 **MR. SNYDER:** Yes.

12 **MS. DALEY:** Do you know whether there was
13 any press release issued when CPS embarked on its
14 investigation of Lalonde?

15 **MR. SNYDER:** Do I know? Not off the top of
16 my head, no.

17 **MR. SNYDER:** All right.

18 **MR. SNYDER:** I'm sorry, when he started the
19 investigation, I wouldn't be doing a press release starting
20 investigation. I would do a press release after somebody
21 is charged. That's not something we would do, is do a
22 press release saying, "We're looking at Marcel Lalonde.
23 All the victims come forward." Without a charge, I could
24 not do a press release.

25 **MS. DALEY:** All right. You don't know --

1 sorry ---

2 **MR. CALLAGHAN:** In fairness, the OPP have
3 already charged Marcel Lalonde with respect to ---

4 **THE COMMISSIONER:** M'hm.

5 **MR. CALLAGHAN:** --- I've forgotten the
6 number but --

7 **THE COMMISSIONER:** Yes, go ahead.

8 **MS. DALEY:** The OPP, on January 7th of this
9 year, had charged Lalonde in respect to Mr. C-68, if you
10 recall that.

11 **MR. SNYDER:** Okay.

12 **MS. DALEY:** Do you remember that? So
13 putting that information together, I take it you weren't
14 aware of any press release that Cornwall issued to try and
15 procure ---

16 **MR. SNYDER:** We would not ---

17 **MS. DALEY:** --- involvement of Cornwall
18 victims?

19 **MR. SNYDER:** --- release -- I wouldn't --
20 personally, I don't believe we would do that. That's not
21 our charge. It'd be something the OPP would do with their
22 charge. They would say that Marcel Lalonde was charged
23 with sexually assaulting whatever, and that would be the
24 press release. To do another press release, I would look
25 for legal on that, but I don't think that would be

1 something we'd be doing.

2 **MS. DALEY:** I take it you're aware, sir, by
3 this time, which is late January, there's already been
4 press coverage of the OPP charges against Lalonde at the
5 instance of C-68; that's been in the press?

6 **MR. SNYDER:** I understand that.

7 **MS. DALEY:** All right.

8 **MR. SNYDER:** Okay.

9 **MS. DALEY:** Let me ask you this question
10 about the initial contact between C-68 and your Service
11 because you remember he came in initially to Rene
12 Desrosiers and then he's referred to the OPP because of
13 where his abuse occurred.

14 **MR. SNYDER:** Correct.

15 **MS. DALEY:** Do you recall that?

16 **MR. SNYDER:** Correct.

17 **MS. DALEY:** And just to add some detail to
18 that, I take it that what he was saying is he's on a school
19 trip and they're taken to a place called Charlottenburg
20 Park?

21 **MR. SNYDER:** Yes.

22 **MS. DALEY:** Do you remember that? And, of
23 course, Charlottenburg Park is outside of your
24 jurisdiction, but what Mr. C-68 has indicated it is that
25 it's a school event and he's at school in Cornwall;

1 correct?

2 MR. SNYDER: Yes.

3 MS. DALEY: Now, knowing that, did your
4 force, sir, give any thought to having the Cornwall Police
5 Service try to locate victims of Lalonde within your
6 jurisdiction?

7 MR. SNYDER: Not at that time, no.

8 MS. DALEY: Okay. I suppose one thing that
9 could have been done would be to ask Mr. C-68 if he had any
10 information or any names of other youngsters who could have
11 been the victims of Lalonde?

12 MR. SNYDER: Well, that would be something I
13 would suspect the OPP would ask because that's a question
14 you'd ask most victims; is there anybody else? And with
15 that information, they would provide -- if there's things
16 in Cornwall, they would give us those names and we would
17 investigate. I think maybe some of those names came from
18 that.

19 MS. DALEY: I would have thought the same.

20 MR. SNYDER: Yes.

21 MS. DALEY: I'm just wondering, when he was
22 sitting in your office, talking to ---

23 MR. SNYDER: Yes.

24 MS. DALEY: --- Desrosiers, Desrosiers
25 could've asked him that question too, could he not?

1 **MR. SNYDER:** I suppose, but the allegation
2 was that something had happened in Charlottenburg. So he
3 might not be mindful to the area, didn't think -- I don't
4 know why he wouldn't have asked. It's something he
5 could've asked. Ultimately, we would have found out
6 because he was going to OPP.

7 **MS. DALEY:** Yes, but it appears that they're
8 the ones that asked the questions and developed the
9 information and then brought it back to you to start your
10 investigation?

11 **MR. SNYDER:** Correct.

12 **MS. DALEY:** Correct? All right.

13 Now, staying with this point, and we're in
14 the Lalonde investigation, I think you acknowledge that the
15 matter was in the Ottawa media and ---

16 **MR. SNYDER:** I'm acknowledging because
17 you're telling me. I didn't see any ---

18 **MS. DALEY:** Are you aware of that?

19 **MR. SNYDER:** --- press release, no. I'm not
20 aware of any of those.

21 **MS. DALEY:** If you'd have a quick look at
22 Exhibit 1584?

23 **MR. SNYDER:** Over here, thank you.

24 **MS. DALEY:** These are, just to help you,
25 sir, to -- if you recollect, these are ---

1 MR. SNYDER: Yes.

2 MS. DALEY: --- the notes made by Staff
3 Sergeant Brunet, which, ---

4 MR. SNYDER: Yes.

5 MS. DALEY: --- I believe you saw ---

6 MR. SNYDER: Yes.

7 MS. DALEY: --- about his -- the information
8 he's getting from Officer Genier?

9 MR. SNYDER: yes.

10 MS. DALEY: And about halfway or just prior
11 to halfway down the page, it indicates that there was an
12 arrest on January 7th, '97?

13 MR. SNYDER: Yes.

14 MS. DALEY: And then if you look at the next
15 paragraph there, it says:

16 "An article in the Ottawa Citizen on
17 Sunday, January 26th ..."

18 MR. SNYDER: Yes.

19 MS. DALEY: "... had a short article."

20 MR. SNYDER: Yes.

21 As I say, I didn't see the article. That's
22 what I was saying.

23 MS. DALEY: Oh, okay. But ---

24 MR. SNYDER: That's ---

25 MS. DALEY: I've got you.

1 MR. SNYDER: Okay.

2 MS. DALEY: But you knew that it was in the
3 media?

4 MR. SNYDER: Yes, yes.

5 MS. DALEY: And that other victims of
6 Lalonde were reacting to it, ---

7 MR. SNYDER: Yes.

8 MS. DALEY: --- having seen it there, right?

9 MR. SNYDER: That's correct.

10 MS. DALEY: Now, ---

11 MR. SNYDER: And again, I'm going through
12 recollection, I don't know -- even know if Lalonde's name
13 was mentioned in this article.

14 MS. DALEY: I think I can help you with
15 that, because I think some of your victims talked to you
16 about that.

17 MR. SNYDER: Talked to me about that?

18 MS. DALEY: Yes.

19 One second. One second.

20 No, I'm sorry, the one I was thinking of, it
21 was talking about a different media article, not ---

22 MR. SNYDER: M'hm.

23 MS. DALEY: --- that one.

24 In any event, sir, if I have it right, what
25 the OPP is doing is passing on to your Force a number of

1 leads ---

2 MR. SNYDER: Correct.

3 MS. DALEY: --- as many as a half a dozen,
4 and I take it that would become the platform for the CPS
5 investigation; that is, investigating those leads?

6 MR. SNYDER: Yes.

7 MS. DALEY: And some of those leads, if I'm
8 not mistaken, contacted your Force directly, and I think
9 Mr. C-45 is an example of that? I believe he made direct
10 contact with your -- Officer Desrosiers?

11 MR. SNYDER: I don't have that -- I don't
12 have that name here ---

13 MS. DALEY: Sorry.

14 MR. SNYDER: --- but I'm anticipating; I
15 think I know who it was. I think I know who you're talking
16 about.

17 MS. DALEY: Do you recall that one of the
18 individuals mentioned in ---

19 MR. SNYDER: That's -- yeah, that's where I
20 mentioned that Constable Desrosiers received information --
21 -

22 MS. DALEY: Yes.

23 MR. SNYDER: --- prior to me and then I
24 received the information, so we decided, "You keep your
25 victims and I'll do these victims ---

1 **MS. DALEY:** Right.

2 **MR. SNYDER:** --- and assist and take
3 statements," and that's how it was kind of a joint effort
4 to get Lalonde.

5 **MS. DALEY:** Fair enough.

6 Do you -- is it your recollection, sir, that
7 some of the individuals that were passed on to you from the
8 OPP, at least some of those made direct contact with
9 Officer Desrosiers? In other words, he didn't have to
10 look; they called him?

11 **MR. SNYDER:** I can't say that for sure.

12 I believe my -- the persons with the names
13 that I received, I contacted.

14 **MS. DALEY:** Okay.

15 **MR. SNYDER:** I don't know of any other
16 persons that I received who went ahead and contacted
17 Desrosiers ahead of me contacting them.

18 **MS. DALEY:** All right.

19 **MR. SNYDER:** Unless you can bring me
20 someplace, but I don't recall that.

21 **MS. DALEY:** All right.

22 Maybe I can pursue it with Desrosiers. But
23 in any event, you were given people who were prospective
24 victims, obviously, who could have, perhaps, provided
25 information about Lalonde and you followed up and made

1 contact with them, obviously?

2 MR. SNYDER: Correct.

3 MS. DALEY: And you did what we spoke about
4 earlier, you established the rapport; you got their
5 statements in place and you went forward?

6 MR. SNYDER: Correct.

7 MS. DALEY: And I take it, sir, that in
8 your experience, it's easier for victims to come forward if
9 someone has already taken the step that C-68 did; in other
10 words, if someone has come forward first, then it's
11 relatively easier for other victims of that same
12 perpetrator ---

13 MR. SNYDER: I believe ---

14 MS. DALEY: --- to consider disclosing?

15 MR. SNYDER: I believe that.

16 MS. DALEY: And I think to an extent -- and
17 again, I'm going to flip to the other investigation for a
18 moment, just to use it as an example -- but in the Landry
19 investigation, is it not the case that after you laid the
20 first charge and there was some publication about that ---

21 MR. SNYDER: Yes.

22 MS. DALEY: --- other individuals came to
23 you, having seen or having become aware of that first
24 charge?

25 MR. SNYDER: Yes.

1 **MS. DALEY:** And an example of that is
2 Mr. C-56. Is that correct, sir?
3 **MR. SNYDER:** Fifty-six (56)?
4 **MS. DALEY:** Sorry, that's not what I ---
5 **MR. SNYDER:** No.
6 **MS. DALEY:** No, no, I'm mistaken, Mr. C-53.
7 **MR. SNYDER:** Yes.
8 **MS. DALEY:** Is that right?
9 **MR. SNYDER:** Yes.
10 **MS. DALEY:** And he came forward. You
11 interviewed him, his mother, his wife, and they all made it
12 clear that what had triggered his disclosure was reading
13 the news article about your first set of charges against
14 Earl Landry Jr., correct?
15 **MR. SNYDER:** Correct.
16 **MS. DALEY:** And I don't know if you'll
17 recollect this. If not, I'll show you the document, but in
18 the statement that Mr. C-53 gave you, he even made mention
19 of his respect for the first victim and the courage that
20 that person had had to come forward; do you recall that?
21 **MR. SNYDER:** I recall that, yes.
22 **MS. DALEY:** And he actually said words to
23 the effect that that person was more courageous than he
24 because he was up against some strong odds, right?
25 **MR. SNYDER:** Yes.

1 **MS. DALEY:** And what he was referring to was
2 the fact that the accused was the son of a former Chief of
3 Police of Cornwall, like those were long odds, correct?

4 **MR. SNYDER:** I'm sorry, they were what?

5 **MS. DALEY:** Long odds?

6 **MR. SNYDER:** Well, in his mind, perhaps, but
7 I don't believe so.

8 **MS. DALEY:** You don't believe so?
9 But in any event, in his mind, from his
10 perception ---

11 **MR. SNYDER:** That's right.

12 **MS. DALEY:** --- even in 1997, he thought it
13 would be difficult to make those allegations against a
14 former Chief's son?

15 **MR. SNYDER:** His perception, correct.

16 **MS. DALEY:** And that perception doesn't
17 surprise you much, does it?

18 **MR. SNYDER:** Nothing surprises me, really.
19 It's what people think and perception's reality. So if
20 that's what he thought, then it was reality to him.

21 **MS. DALEY:** Did any of the other victims you
22 dealt with of Earl Landry Jr. have that perception as well?

23 **MR. SNYDER:** I don't recall.

24 I would have put it in my notes and I don't
25 know if it's in there.

1 If it's not in their Will Say and it's not
2 in my notes, it was never brought to my attention.

3 **MS. DALEY:** All right.

4 But in any event, the phenomena, I think you
5 would agree, is that once it's in the public domain, for
6 example, the charges against Landry Jr., it was much easier
7 for other people to come forward ---

8 **MR. SNYDER:** I agree.

9 **MS. DALEY:** --- because someone had smoothed
10 the path; is that correct?

11 **MR. SNYDER:** I agree.

12 **MS. DALEY:** And it seems to me each time you
13 mounted new charges against Landry Jr., new victims came to
14 you?

15 **MR. SNYDER:** Yeah, I would say -- I mean,
16 yes, I had five victims over a period of time, so ---

17 **MS. DALEY:** Right.

18 **MR. SNYDER:** --- there was obviously press
19 releases every time.

20 **MS. DALEY:** That's right.

21 **MR. SNYDER:** Yeah.

22 **MS. DALEY:** And the successive charges, --

23 -

24 **MR. SNYDER:** Yes.

25 **MS. DALEY:** --- I think, generated other

1 people contacting you ---

2 MR. SNYDER: Possibly.

3 MS. DALEY: --- who were victims?

4 MR. SNYDER: Possibly, yes.

5 MS. DALEY: So I'm wondering whether we can
6 stand back from that and draw some lessons. I don't know
7 if you would agree with these lessons, but one thing that
8 occurs to me is that good, fast police work that results in
9 a charge that's made public will flush out more victims, if
10 they exist?

11 MR. SNYDER: I agree with some things but
12 it's got to be -- the "fast" scares me a little bit because
13 you've got to make sure it's thorough.

14 MS. DALEY: Yes.

15 MR. SNYDER: And if you go too fast, you may
16 miss things and then not get proper information. You will
17 not have a successful prosecution and, ultimately, that's
18 what you want to do.

19 So I'm not going with "fast" at all. I
20 think "thorough" should be the word.

21 MS. DALEY: All right.

22 That's a subjective word. If we actually
23 measure the time between you first obtaining the Landry Jr.
24 matter and your first charge, it's a matter of roughly
25 three months?

1 MR. SNYDER: Yes.

2 MS. DALEY: February to May? I consider
3 that relatively quick.

4 MR. SNYDER: I think it's -- I thought it
5 was pretty good.

6 MS. DALEY: You were able to do a thorough
7 job in three months; is that not fair?

8 MR. SNYDER: I think so.

9 MS. DALEY: And those were the same three
10 months during which you were also involved in the Lalonde
11 investigation; correct?

12 MR. SNYDER: That's correct.

13 MS. DALEY: And you laid charges against Mr.
14 Lalonde, I believe, in April of 1997?

15 MR. SNYDER: If you're saying so. I don't
16 remember the date.

17 MS. DALEY: I think the first charges ---

18 MR. SNYDER: Yes.

19 MS. DALEY: --- came then?

20 MR. SNYDER: So April.

21 MS. DALEY: We talked about the arrest --
22 and do you recall we talked ---

23 MR. SNYDER: Yes.

24 MS. DALEY: --- about the arrest and the
25 search warrant and that was the very end of April 1997.

1 **MR. SNYDER:** Okay. And Landry was in May of
2 '97.

3 **MS. DALEY:** I believe so, yes.

4 **MR. SNYDER:** Okay.

5 **MS. DALEY:** So between February of '97 and
6 May, in the case of Landry, April, in the case of Lalonde
7 ---

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** --- you were able to do a
10 thorough investigation and to bring forth charges?

11 **MR. SNYDER:** Yes. Obviously Rene Desrosiers
12 assisted with Lalonde ---

13 **MS. DALEY:** Right.

14 **MR. SNYDER:** --- and we had two people
15 working on that one.

16 **MS. DALEY:** All right.

17 But you were the sole investigator on -- on
18 Landry?

19 **MR. SNYDER:** Yes.

20 **MS. DALEY:** And I take it ---

21 **MR. SNYDER:** Landry wasn't -- as much as it
22 seemed, it wasn't a complex investigation in that the
23 witnesses came. I was able to get the witnesses. I was
24 able to get records very quickly. Again, it wasn't a
25 complex investigation. It was pretty simple, actually.

1 **THE COMMISSIONER:** And it all fell into
2 place.

3 **MR. SNYDER:** And it all fell into place.

4 **MS. DALEY:** All right.

5 And it -- perhaps, in part, it's because
6 that matter was -- I'm sorry, it wasn't in the public
7 domain until you laid a charge; was it?

8 **MR. SNYDER:** That's correct.

9 **MS. DALEY:** All right.

10 **MR. SNYDER:** And again, the first charge was
11 in May, then the last charge was September ---

12 **MS. DALEY:** Right.

13 **MR. SNYDER:** --- as opposed to Lalonde, I
14 believe we'd laid several charges with several victims at
15 one time; is that correct?

16 **MS. DALEY:** That's my recollection.

17 **MR. SNYDER:** Okay.

18 **MS. DALEY:** In any event, sir, the point I
19 want to draw from it is simply this. Notwithstanding
20 resourcing issues at the Force, notwithstanding other
21 difficulties -- and I'm meaning this in a complimentary way
22 -- you were able to bring two historical sexual assault
23 investigations to charges which were successful ---

24 **MR. SNYDER:** Yes.

25 **MS. DALEY:** --- within no more than four

1 months at the same time.

2 **MR. SNYDER:** Okay. You're -- yes.

3 **MS. DALEY:** That's what happened; correct?

4 **MR. SNYDER:** Yes.

5 **MS. DALEY:** In terms of helping victims or
6 creating a circumstance where victims will come forward, is
7 there any way that it can be made known in the community
8 that the Force is interested in a particular perpetrator?

9 And let me give you an example. Could you
10 get the word out to institutions who'd be in a position to
11 help you; for example, a school board or probation and
12 parole in the case of an alleged probation officer
13 perpetrator? Is that something that you ever think of
14 doing to assist in investigations of this sort?

15 **MR. CALLAGHAN:** I think because of the
16 legislation that we should be careful. Are we talking pre-
17 charge or post-charge? There are different issues there.

18 **THE COMMISSIONER:** Yes.

19 **MR. CALLAGHAN:** It's just -- I think, in
20 fairness to the witness saying pre-charge or post-charge
21 and as Ms. Daley's already pointed out, post-charge, there
22 were more people coming forward. I just think it would be
23 fair to get the answer on both sides.

24 **MS. DALEY:** So prior to -- let's say you've
25 investigated, you've developed -- as you did in -- we were

1 just talking about, if you recall, C-51 and C-52; you
2 wanted to bring both charges but, you know, ultimately, you
3 didn't need to, but in that kind of circumstance where
4 you're about to go to the Crown and you believe the victim,
5 but the case could be a bit stronger, so pre-charge, do you
6 ever give thought to going to other institutions who might
7 be in a position to help you by putting you in touch with
8 other, either witnesses or potential victims?

9 **MR. SNYDER:** If I was to do that I'd seek
10 legal counsel first. I would not do it on my own. There's
11 no way that I would just go to an employer without seeing
12 whether or not I have solid grounds to speak to that
13 employer about my individual. Post-charge is easy. You
14 know, once they're charged, then the gloves are off, so to
15 speak, and we can go right in.

16 **MS. DALEY:** Could you, for example, go to
17 the CAS which would not be an employer and ask if they knew
18 anything about this individual? I'm giving a hypothetical
19 example, but there's a non-employer?

20 **MR. SNYDER:** Yeah.

21 **MS. DALEY:** You could go to the CAS and find
22 out if there are other complaints about ---

23 **MR. SNYDER:** And ---

24 **MS. DALEY:** --- a named individual?

25 **MR. SNYDER:** --- it's fair to say, yes, if

1 they had a complaint of sexual assault, they would come to
2 us and let us know.

3 **MS. DALEY:** You would expect that?

4 **MR. SNYDER:** I would expect that. So it's
5 not something I would think of because if they have
6 complaints of sexual assaults, they let us know.

7 **MS. DALEY:** All right.

8 Have you ever had occasion to think about
9 doing what I've just suggested? You said you'd seek legal
10 advice, but ---

11 **MR. SNYDER:** Yeah.

12 **MS. DALEY:** --- have you ever had occasion
13 to do that?

14 **MR. SNYDER:** No.

15 **MS. DALEY:** All right.

16 I don't know if you feel like another break?

17 **MR. SNYDER:** Yes.

18 **THE COMMISSIONER:** Yes.

19 **MS. DALEY:** Double-double?

20 **THE COMMISSIONER:** Yes.

21 **MR. SNYDER:** Thank you.

22 **THE REGISTRAR:** Order; all rise. À l'ordre;
23 veuillez vous lever.

24 This hearing will resume at 4:15.

25 --- Upon recessing at 3:57 p.m./

1 L'audience est suspendue à 15h57

2 --- Upon resuming at 4:15/

3 --- L'audience est reprise à 16h15

4 **THE REGISTRAR:** This hearing is now resumed.
5 Please be seated. Veuillez vous asseoir.

6 **THE COMMISSIONER:** All right.

7 **S/SGT. BRIAN SNYDER, Resumed/Sous le même serment:**

8 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

9 **DALEY (cont'd/suite):**

10 **MS. DALEY:** Sir, I want to move now to the
11 topic of what I'm going to call the first Earl Landry, Jr.
12 investigation. That was the one conducted by Officers
13 Lefebvre and Willis in the summer of 1985.

14 **MR. SNYDER:** Yes.

15 **MS. DALEY:** And you weren't asked this
16 question in-chief, but I'd like to know; can you clarify,
17 when did you first know that a complaint had been made
18 about Earl Landry Jr. and investigated during 1985? When
19 did you first know about that fact?

20 **MR. SNYDER:** Well, again, I have to go
21 through my notes because I did the checking up on it, but I
22 believe it was June or July of '85. Is that what you're
23 asking me?

24 **MS. DALEY:** No, sorry.

25 **MR. SNYDER:** --- and if it's not, it's ---

1 **MS. DALEY:** Sorry, let me step back. I'm
2 not being clear to you. Obviously, you investigated Earl
3 Landry Jr. in 1997.

4 **MR. SNYDER:** That's correct.

5 **MS. DALEY:** You lay your charges.

6 **MR. SNYDER:** Correct.

7 **MS. DALEY:** Desrosiers takes over. We know
8 what happens there.

9 **MR. SNYDER:** Sorry, Desrosiers?

10 **MS. DALEY:** Desrosiers ---

11 **MR. SNYDER:** No.

12 **MS. DALEY:** Sorry.

13 **MR. SNYDER:** Not Landry.

14 **MS. DALEY:** Not on Landry.

15 Was there another officer who took
16 responsibility after the charges were laid?

17 **MR. SNYDER:** No.

18 **MS. DALEY:** It was you throughout?

19 **MR. SNYDER:** Yes.

20 **MS. DALEY:** Okay. So that's what I'm going
21 to call the 1997 investigation ---

22 **MR. SNYDER:** Correct.

23 **MS. DALEY:** --- that you did.

24 During the course of that investigation, did
25 you ever learn that a complaint had been made about Earl

1 Landry, Jr. to your Force in the summer of 1985?

2 MR. SNYDER: Well, that's how I got the name
3 of C-51.

4 MS. DALEY: All right.

5 And how did you come to learn of that 1985
6 investigation?

7 MR. SNYDER: I had a recollection of it.

8 MS. DALEY: Oh, I see.

9 MR. SNYDER: A personal recollection of it.

10 MS. DALEY: So you were on the Force in 1985

11 ---

12 MR. SNYDER: Seventy-nine ('79) I came on
13 the ---

14 MS. DALEY: All right.

15 MR. SNYDER: Yeah.

16 MS. DALEY: And in 1985, you were aware of
17 an investigation?

18 MR. SNYDER: I was in Criminal
19 Investigations at the time.

20 MS. DALEY: Yes.

21 MR. SNYDER: I was -- I had previously used
22 polygraph. I was a polygraph examiner, but I had
23 previously used polygraph in other -- in other cases, and
24 so they had contacted me for the contact name and number of
25 the examiner in Ottawa.

1 MS. DALEY: I see.

2 MR. SNYDER: The ---

3 MS. DALEY: Was it Officer Lefebvre who did
4 that or Willis; do you remember?

5 MR. SNYDER: One of the two.

6 MS. DALEY: Right.

7 MR. SNYDER: I don't remember. The reason
8 why I -- C-51's mom and I went to school together, so it
9 was one of those things I just -- it clicked in; I just
10 remembered it ---

11 MS. DALEY: I see.

12 MR. SNYDER: --- you know, with the
13 polygraph and who the person was, the parent. So back in
14 '97, I was able to remember ---

15 MS. DALEY: You remembered.

16 MR. SNYDER: --- that and also there was
17 some notes from Staff Sergeant Brunet indicating also there
18 was an '85 investigation. So it's lots of things that
19 brought me to '85.

20 MS. DALEY: Back in 1985 itself, when you're
21 asked for a referral to an Ottawa polygrapher, was that the
22 only involvement that you'd had in the matter at that time?

23 MR. SNYDER: That was it. It was just, I
24 gave him the number. I had no -- nothing else to do with
25 the investigation.

1 **MS. DALEY:** So you didn't know how that
2 investigation terminated? You knew nothing further about
3 that?

4 **MR. SNYDER:** Well, I would think that I
5 would've known that no charges were laid, but I wasn't part
6 of the investigation.

7 **MS. DALEY:** All right. Okay. Thank you.

8 Let me ask this question. We know that
9 Officer Hanton and Officer Bough were involved for a period
10 of time in 1996 in relation to the allegation of Mr. C-52
11 about Earl Landry, Jr.

12 **MR. SNYDER:** I believe Hanton was. Bough
13 was just a paper trail. I think he was ---

14 **MS. DALEY:** All right.

15 **MR. SNYDER:** It was given to him and then
16 back out because he was moving areas, sort of thing, but --
17 -

18 **MS. DALEY:** So with respect to Constable
19 Hanton ---

20 **MR. SNYDER:** Yes.

21 **MS. DALEY:** --- do you know if he knew about
22 the 1985 investigation into Earl Landry, Jr.? Did he have
23 any knowledge of that?

24 **MR. SNYDER:** I don't know.

25 **MS. DALEY:** All right.

1 And I want to spend some time with you now
2 on how Lefebvre recounted the 1985 investigation in 1997.
3 I know this is going to sound confusing, but bear with me.

4 If you would have -- turn up Exhibit 1626.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **MS. DALEY:** You remember you've looked at
7 this already today, right?

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** And this is a Will-Say Statement
10 that Lefebvre offered in the charges that you brought;
11 correct?

12 **MR. SNYDER:** Correct.

13 **MS. DALEY:** And just to understand the
14 intent of this document, this is the anticipated evidence
15 that he's going to give in the criminal trial of Earl
16 Landry, Jr., right?

17 **MR. SNYDER:** Correct.

18 **MS. DALEY:** And this was disclosed to the
19 accused in that case. It would ---

20 **MR. SNYDER:** Yes.

21 **MS. DALEY:** --- have been; correct?

22 **MR. SNYDER:** Yes, yes.

23 **MS. DALEY:** And presumably the -- had that
24 case gone to trial -- I know it didn't -- but had that case
25 gone to trial, this was the evidence that Lefebvre would

1 have put forward for the Court to rely upon, right?

2 MR. SNYDER: Correct.

3 MS. DALEY: Now, I think that my friend took
4 you to this point at some point today. If she didn't,
5 forgive me for going back to it. But you've had a chance
6 to look at this document, and the one thing this document
7 does not state is that the victim, C-51, couldn't identify
8 Landry Jr.?

9 MR. SNYDER: Correct.

10 MS. DALEY: It does not state that. In
11 fact, it states very much to the contrary ---

12 MR. SNYDER: Correct.

13 MS. DALEY: --- at the top of page 2;
14 correct?

15 MR. SNYDER: Correct.

16 MS. DALEY: Now, if I could also keep you on
17 the second page of the document, this is a point that I
18 don't think was drawn to your attention this morning, but I
19 want to go there now. Look about halfway down; there's a
20 statement that says:

21 "Mr. Landry came in and was escorted to
22 our senior officer's lounge. S/Sgt.
23 Willis attending. Mr. Landry was
24 arrested, advised of his rights to
25 counsel and declined calling for one.

1 He subsequently denied any allegations
2 ..."

3 Et cetera.

4 **MR. SNYDER:** Yes.

5 **MS. DALEY:** So according to the evidence
6 that Lefebvre would have put forward, there was an arrest
7 and a reading of rights to Mr. Landry in 1985. You
8 appreciate that?

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** Which means there was a charge
11 laid; correct?

12 **MR. SNYDER:** No.

13 **MS. DALEY:** How is it possible that he ---

14 **MR. SNYDER:** Just because you -- I'm sorry;
15 go ahead, as you wish.

16 **MS. DALEY:** No, no, maybe you can help me
17 with this. I thought the implication of this was that an
18 information was laid?

19 **MR. SNYDER:** No. Once you arrest -- just
20 because you arrest somebody doesn't mean a charge is laid.
21 It means that, "You have to come with me and I'm going to
22 advise of the right to counsel and caution, and I'd like to
23 take a statement from you." If he would have, at that
24 time, said, "You know what? I want to exercise my right to
25 a lawyer" and not say anything to you, then the officers

1 have to make a decision, "Am I going to release him or do I
2 have enough information to lay a charge?" But just because
3 you arrest doesn't mean you have enough information to lay
4 a criminal information.

5 **MS. DALEY:** All right.

6 So there's no implication there that a
7 charge was laid?

8 **MR. SNYDER:** That's right.

9 **MS. DALEY:** All right.

10 A few other points that are contained in
11 this statement that -- and my intent here is just to ask
12 you whether you ever were told about these things in this
13 fashion in the year 2000 when you're not trying to find out
14 whether Lefebvre and others are involved in some sort of
15 attempt to cover up. All right?

16 **MR. SNYDER:** Yes. Yes.

17 **MS. DALEY:** Going back again to the very
18 first page, the centre of the page, he's making it clear
19 that from the very outset, the description of the suspect
20 made it quite clear we're talking about Earl Landry, Jr.;
21 right?

22 **MR. SNYDER:** Yes.

23 **MS. DALEY:** So what one would draw from this
24 was that there could never have been any reasonable thought
25 that C-51 could not identify his abuser; right?

1 **MR. SNYDER:** Correct. Yeah.

2 **MS. DALEY:** And there's a suggestion that --
3 let me find it for you.

4 Sorry, I can't find what I'm looking for at
5 the moment. Just bear with me.

6 Yes, very close to the beginning he's
7 referring to a sexual assault on two boys being brothers.

8 **MR. SNYDER:** Correct.

9 **MS. DALEY:** C-51 and his brother.

10 **MR. SNYDER:** Correct.

11 **MS. DALEY:** Was that in fact factual as far
12 as you knew?

13 **MR. SNYDER:** No. I think the statement's
14 got to be taken in context. This statement was taken with
15 no use of notes. It was all from his memory. This officer
16 just got back from a stress leave. And what happened here,
17 in my mind, is that he mixed up another investigation in
18 which both boys were in fact assaulted by another
19 individual. The same boys, a different ---

20 **MS. DALEY:** I understand that, but this part
21 of his statement is not ---

22 **MR. SNYDER:** Yes.

23 **MS. DALEY:** --- in fact correct then when it
24 suggests that these two brothers were victims of Earl
25 Landry, Jr.?

1 **MR. SNYDER:** Absolutely.

2 **MS. DALEY:** That's a mistake. All right.

3 Now, this document does not refer in any
4 fashion to, I take it, the medical review that occurred
5 around C-51 in 1985?

6 **MR. SNYDER:** No, again, this statement was
7 given by Officer Lefebvre from memory to the best of his
8 recollection ---.

9 **MS. DALEY:** M'hm.

10 **MR. SNYDER:** --- from no notes.

11 **MS. DALEY:** All right.

12 But were you aware -- did you become aware
13 that there was in fact medical evidence that suggested that
14 indeed C-51 was assaulted?

15 **THE COMMISSIONER:** Well, I don't know if
16 you'd call it medical evidence.

17 **MR. CALLAGHAN:** That was what Dr. Parks'
18 statement was. He was being told it's sometime after.

19 **THE COMMISSIONER:** Sorry?

20 **MR. CALLAGHAN:** Dr. Parks is being told
21 about the incident sometime after.

22 **THE COMMISSIONER:** Right.

23 **MR. CALLAGHAN:** So there's not like forensic
24 medical ---

25 **THE COMMISSIONER:** Right. There is no

1 physical evidence. There is a report from Dr. Parks.

2 MS. DALEY: You're exactly right.

3 Did you know who Dr. Parks was by dealing
4 with the Children's Aid Society?

5 MR. SNYDER: I knew Dr. Parks from the
6 letter and I knew who he was.

7 MS. DALEY: All right.

8 MR. SNYDER: And he spoke to the boys, and
9 I've read the letter.

10 MS. DALEY: So you're aware of the letter
11 that he wrote after he had examined C-51 as a 10-year old
12 boy?

13 MR. SNYDER: Correct. Yes.

14 MS. DALEY: And would you agree that that --
15 the content of that letter provided some corroboration of
16 C-51's claims?

17 MR. SNYDER: I don't agree it's
18 corroboration. I believe that he states that C-51 was
19 sexually assaulted and he believed him ---

20 MS. DALEY: Yes.

21 MR. SNYDER: --- because of certain things,
22 but that, in my mind, is not corroboration.

23 MS. DALEY: All right.

24 Now, there is no ---

25 THE COMMISSIONER: I'm sorry, what year are

1 we doing this?

2 MR. SNYDER: Eighty-five ('85).

3 THE COMMISSIONER: No, no, no ---

4 MR. SNYDER: I'm sorry.

5 THE COMMISSIONER: When you're looking at
6 the evidence ---

7 MR. SNYDER: Yes. When I'm looking at it,
8 sir, ---

9 THE COMMISSIONER: Yeah.

10 MR. SNYDER: --- in '97, ---

11 THE COMMISSIONER: Right.

12 MR. SNYDER: --- corroboration is not
13 required.

14 THE COMMISSIONER: Right.

15 MR. SNYDER: And I'm mindful of that.

16 That's why I'm able to go ahead with C-51, because I think
17 it was '88 or '89, things changed.

18 THE COMMISSIONER: M'hm.

19 MR. SNYDER: So I'm mindful of that. So I
20 don't need corroboration.

21 THE COMMISSIONER: Right.

22 MR. SNYDER: But back then they did, and I
23 guess I'm saying what the letter states wouldn't, in my
24 mind, in '85, be corroboration.

25 THE COMMISSIONER: All right.

1 When was Khan decided? Mr. Manson's not
2 here.

3 **MS. DALEY:** I'm not a criminal lawyer, so I
4 can't help. My friend might know.

5 **THE COMMISSIONER:** All right. Well, in any
6 event, that would be another aspect.

7 **MS. DALEY:** Right.

8 Now, in addition though ---

9 **MR. SNYDER:** It was much later, if I
10 remember correctly.

11 **MS. DALEY:** I'll take you back to Exhibit
12 1626, this 1997 will-say statement of Lefebvre, he does, on
13 the last page, suggest that he and Willis decided that
14 without an admission by Landry Jr., they were going to
15 place the investigation into abeyance.

16 **MR. SNYDER:** Correct.

17 **MS. DALEY:** That was the decision that they
18 arrived at at that point?

19 **MR. SNYDER:** Correct.

20 **MS. DALEY:** And you've helped me understand
21 that if there was no arrest or there was no charges, so
22 abeyance at that point in time would have meant what, just
23 putting the file away?

24 **MR. SNYDER:** Putting the file away until
25 further evidence or something comes up that we can charge

1 or open the investigation up against Mr. Landry.

2 MS. DALEY: Now, you've spoken -- and sorry,
3 sir, just to help you out -- I hate to keep changing
4 contexts.

5 MR. SNYDER: That's fine.

6 MS. DALEY: But in the year 2000, you're now
7 looking back at what happened in 1985 and trying to
8 determine if someone interfered with this investigation;
9 correct, sir?

10 MR. SNYDER: Correct.

11 MS. DALEY: So I want you to put your mind
12 in that context. And you knew that there had been a
13 communication between ex-Chief Landry Sr. and Staff
14 Sergeant Willis; correct?

15 MR. SNYDER: Correct.

16 MS. DALEY: I wonder if you had ever seen
17 this document, and I'm going to ask you to look at Exhibit
18 1387?

19 THE COMMISSIONER: Ah, there's ---

20 MS. DALEY: Nineteen-ninety (1990) 2 S.C.R
21 531.

22 MR. KOZLOFF: November 3rd, 1990.

23 MS. DALEY: Nineteen-ninety (1990).

24 THE COMMISSIONER: So it was a while ago?

25 MR. SNYDER: Yes.

1 **MS. DALEY:** Do you have 1387 handy? This is
2 -- we reviewed this document with Officer Derochie. This
3 is Willis' notebook for the relevant time period.

4 **MR. SNYDER:** Yes.

5 **MS. DALEY:** And I'm asking you to look at
6 page 118 ---

7 **MR. SNYDER:** Yes.

8 **MS. DALEY:** --- where he records a call at
9 6:55 a.m., June 27th, 1985 that he receives from Landry Sr.

10 **MR. SNYDER:** Correct.

11 **MS. DALEY:** And it says:

12 "Called HQ to advise me that things
13 were happening too fast. Earl Jr. is
14 very nervous."

15 And then he goes on to relate that he is not
16 going to go to Ottawa; right?

17 **MR. SNYDER:** Correct.

18 **MS. DALEY:** Have you ever seen this note of
19 that conversation?

20 **MR. SNYDER:** Yes.

21 **MS. DALEY:** You had?

22 And did you appreciate that what was being
23 communicated here was the view that in the former chief's
24 mind, things were happening too fast? Those things, I take
25 it, would be the investigation; correct?

1 **MR. SNYDER:** I don't know what's going on in
2 his mind. I really can't ---

3 **MS. DALEY:** Well, did you ask Willis what
4 the purport of this conversation was?

5 **MR. SNYDER:** I -- actually, he says it in
6 one of the statements. He just remembers him saying that,
7 but didn't have a context to it. And that's in -- I know
8 I've seen it. I don't know if it's one of the interviews I
9 had with him ---

10 **MS. DALEY:** Right.

11 **MR. SNYDER:** --- with Willis. There is a
12 point where he says things were happening too fast and he
13 remembers writing that down, but there is no context to it.

14 **MS. DALEY:** Well, let me suggest this to
15 you, sir, and you were meaning to look at this with a
16 critical mind in the year 2000 because you've said it was a
17 criminal investigation; correct?

18 **MR. SNYDER:** Absolutely, yes.

19 **MS. DALEY:** And I take it, at this point, a
20 person of interest is Willis; right?

21 **MR. SNYDER:** A person of interest is Willis.

22 **MS. DALEY:** Okay. So surely it must be the
23 case, sir, that the only context in which that statement
24 would have been made by Landry Sr. was the investigation?

25 **MR. SNYDER:** Yes.

1 **MS. DALEY:** You accepted that?

2 **MR. SNYDER:** I'm sorry; I didn't understand
3 the question. I accept that what he was talking about was
4 the investigation.

5 **MS. DALEY:** Right.

6 **MR. SNYDER:** Okay. Sorry.

7 **MS. DALEY:** What he is communicating to the
8 investigating officer ---

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** --- is things are going too fast
11 here.

12 **MR. SNYDER:** The investigation is going too
13 fast. Things are going too fast.

14 **MS. DALEY:** Right.

15 **MR. SNYDER:** I can accept that.

16 **MS. DALEY:** Now, would you not have a
17 problem with that statement being made by the ex-chief to
18 the investigator of a serious case against his son?

19 **MR. SNYDER:** It's a father calling a police
20 officer and saying "Things are going too fast. My son's
21 not taking a polygraph test."

22 **MS. DALEY:** You didn't put it in the context
23 of the recently departed chief?

24 **MR. SNYDER:** No, because there is nothing
25 wrong with any individual advising his son, daughter,

1 anybody, to not take a polygraph test.

2 MS. DALEY: I'm not focussing on the
3 polygraph part.

4 MR. SNYDER: Yes.

5 MS. DALEY: I'm focussing on the comment
6 that "things", meaning the investigation ---

7 MR. SNYDER: Yes.

8 MS. DALEY: --- "are going too fast."

9 MR. SNYDER: Yes.

10 MS. DALEY: And that's a former chief
11 telling an investigating officer that he thinks the
12 investigation into his son's charges is going too fast.

13 MR. SNYDER: That's the -- in my mind,
14 investigation is too fast; I'm sucking back and my son's
15 not going for a polygraph test. That's the way I read
16 that.

17 MS. DALEY: Did you know that Willis was
18 very close friends with Landry Jr.'s brother?

19 MR. SNYDER: Yes.

20 MS. DALEY: All right.

21 And did you know that there were -- as I
22 heard it from Officer Derochie here, there were no further
23 steps taken in this investigation from the date that phone
24 call was made. Did you know that?

25 MR. SNYDER: I do now through the evidence,

1 yes.

2 **MS. DALEY:** Did you know that in 2000 when
3 you were ---

4 **MR. SNYDER:** Yes.

5 **MS. DALEY:** --- having a look at the
6 situation?

7 **MR. SNYDER:** Yes.

8 **MS. DALEY:** Right. So could you not have
9 drawn the inference that perhaps as a result of this
10 conversation, Willis and Lefebvre decided to close their
11 file?

12 **MR. SNYDER:** No. Again, I didn't see it
13 that way. Lefebvre and Willis did, I thought, an
14 investigation. My focus was did Earl Landry Sr. do
15 anything to stop them from doing that. I didn't see that.

16 They took pictures. They went out
17 surreptitiously, in fact, which I thought was a good
18 technique. The fact that Willis was brought in to
19 interview I thought was a good technique because you want
20 to befriend. You want to be able to have somebody close,
21 if there is, to interview the individual so you don't have
22 to break barriers. It's already down. The trust is
23 already there, in my mind. So that was a good technique as
24 well.

25 In my mind, I did not see anything that Earl

1 Landry Sr. did or said that would -- that stopped the
2 investigation.

3 MS. DALEY: Let me put it this way. The
4 items you mentioned in the investigation ---

5 MR. SNYDER: Yes.

6 MS. DALEY: --- I absolutely agree with you.

7 MR. SNYDER: Yes.

8 MS. DALEY: They were very diligent. As
9 soon as the complaint came in, they went out; they
10 interviewed the victim; they got photos; they brought in
11 Landry Jr. I'm in complete agreement; that's good
12 investigation. And it should happen quickly ---

13 MR. SNYDER: Yes.

14 MS. DALEY: --- because this person is
15 potentially a risk to youngsters in the community; correct?

16 MR. SNYDER: Yes.

17 MS. DALEY: All those things were good.
18 After Willis hears from Landry Sr. that things are going
19 too fast, nothing further occurs. And you knew that in the
20 year 2000; correct?

21 MR. SNYDER: Yes.

22 MS. DALEY: Now, were you not, in your mind,
23 worried, if nothing more, that perhaps this conversation
24 had had an impact on the investigation and they just
25 stopped it?

1 **MR. SNYDER:** No. Because, in my mind --
2 what I was doing, I was saying, okay, what -- after those
3 things were done, the polygraph, and they did the -- they
4 went and got the book, the -- it was a ---

5 **MS. DALEY:** Pornography book.

6 **MR. SNYDER:** --- pornography book ---

7 **MS. DALEY:** Right.

8 **MR. SNYDER:** --- and they spoke to people.
9 I said in my mind I'm going to be an investigator in '85.
10 What else can I do? What else can I do to perhaps get Earl
11 Landry Jr.? And I could not think of anything else,
12 bearing in mind what the facts were about corroboration
13 back in '85. So I think they went as far as they could.

14 It just happened to be timing with what
15 you're taking -- your opinion as to what that means and
16 they're stopping. That's not the opinion I took. I take
17 that as things are going too fast; he's not taking a
18 polygraph test. That's how I read that.

19 **MS. DALEY:** And you couldn't think of any
20 further step that you would have taken in that circumstance
21 to develop information about Landry Jr.?

22 **MR. SNYDER:** No.

23 **THE COMMISSIONER:** Well, regardless of if
24 there were ---

25 **MR. SNYDER:** Yes.

1 **THE COMMISSIONER:** --- any other steps ---

2 **MR. SNYDER:** I'm sorry?

3 **THE COMMISSIONER:** --- I would think that
4 the other steps would be irrelevant to the issue -- well,
5 it would be somewhat irrelevant ---

6 **MR. SNYDER:** Yes.

7 **THE COMMISSIONER:** --- to the main issue of
8 whether or not the chief attempted -- the ex-chief
9 attempted ---

10 **MR. SNYDER:** Yes.

11 **THE COMMISSIONER:** --- to obstruct justice.

12 **MR. SNYDER:** Yes.

13 **THE COMMISSIONER:** So it could be parallel.
14 He could have attempted to obstruct justice and the fellows
15 didn't have anywhere to go either. So just because there
16 is nowhere else to go either does not mean that the chief
17 hasn't obstructed -- the ex-chief has not obstructed
18 justice.

19 **MR. SNYDER:** Yes.

20 **THE COMMISSIONER:** Did ---

21 **MR. SNYDER:** I agree. I'm mindful of that
22 and once I'm speaking to them, I am trying to find out in
23 2000 when I'm speaking to them, did those things occur?
24 And I didn't -- I could not find any evidence to suggest
25 that the chief attempted or did anything to obstruct

1 justice.

2 **THE COMMISSIONER:** Well, I've got to tell
3 you that I've read this materiel. When I read this, I said
4 "Okay, well, that's a reasonable interpretation."

5 **MR. SNYDER:** Yes.

6 **THE COMMISSIONER:** But then I hear Mrs.
7 Daley saying "Well, wait a minute here. Could it not be
8 seen another way?" Another way is that everything stopped
9 after this telephone conversation. And what did this mean
10 to the investigating officer? Did you ask the
11 investigating officer what that meant to him at that time?

12 **MR. SNYDER:** And I did ask him that
13 question. I think it's in the transcript. And he couldn't
14 put any context to it.

15 **THE COMMISSIONER:** Right.

16 **MR. SNYDER:** So he couldn't remember what
17 that was. So then I've got to now decide, did that stop
18 the investigation or was something -- there was nothing
19 else to do.

20 **THE COMMISSIONER:** M'hm.

21 **MR. SNYDER:** And in my mind, again looking
22 back and if somebody can tell me there was, then I'll
23 accept that, but I could not think of anything else further
24 they could have done within that investigation at that
25 time.

1 **THE COMMISSIONER:** What if -- what if those
2 words would have been somewhat intimidating to the
3 investigating officer? And what if, after all this time,
4 he would rather forget that?

5 **MR. SNYDER:** I guess that goes back to me
6 interviewing them and feeling comfortable ---

7 **THE COMMISSIONER:** Okay.

8 **MR. SNYDER:** --- by me speaking to them that
9 I didn't -- they didn't show me any signs that they were
10 hindered in any way.

11 That's -- I felt very comfortable speaking
12 to them. They were not lying to me about Earl Landry, Sr.
13 coming to them, that this statement can be taken both ways
14 but in their mind and what I've seen from their answers and
15 their body language and everything else, they were not
16 lying to me. This guy did not -- Earl Landry, Sr. did not
17 attempt to hinder the investigation.

18 **MS. DALEY:** My friend Ms. Jones asked you
19 some questions about if this was a criminal investigation,
20 why didn't you go to your prime suspect, so to speak, which
21 is Mr. Landry Sr. ---

22 **MR. SNYDER:** Yes.

23 **MS. DALEY:** --- and you've explained
24 yourself.

25 **MR. SNYDER:** Yes.

1 **MS. DALEY:** But in light of what he said on
2 the day the investigation stopped to Officer Willis, do you
3 think it might have been a reasonable thing to ask him
4 about his part of that conversation, his recollection of it
5 and his intent?

6 **MR. SNYDER:** Again I -- it's reasonable and
7 yes, I could have, but I didn't feel I had anything to
8 interview him on per se because I had no evidence to
9 suggest that he hindered the investigation. So it would
10 have been a very tough interview. I'd just have to say,
11 "Did you do it?" and he would have said "No" to me.
12 Because in my mind, he didn't do anything.

13 **MS. DALEY:** Do you think ---

14 **MR. SNYDER:** The evidence that I got from
15 the whole picture, and that's interviewing I don't know how
16 many police officers to -- including Willis and Lefebvre
17 about things around that time period.

18 **MS. DALEY:** Let me take you briefly to
19 Exhibit 1370, and that's the question-and-answer document
20 you received from Shaver on this issue.

21 **MR. SNYDER:** Yes.

22 **MS. DALEY:** And I don't think you were asked
23 questions about this in-chief, but in item four on the
24 first page, he's responding to the question:

25 "What did you speak to Landry, Sr.

1 about? What conversation did you have
2 concerning this?"

3 And he gives an answer and towards the very
4 end of his answer he says:

5 "I may have spent several hours with
6 the Chief."

7 Then he says:

8 "This was to console him ..."

9 Et cetera, et cetera.

10 And I wondered if you ever had a chance to
11 probe further with former Chief -- sorry -- yes, at this
12 time former Chief Shaver, as to what that several hour
13 conversation was about?

14 **MR. SNYDER:** Actually, I didn't probe
15 because I knew that prior to the statement going on. We
16 spoke about it in his home at length and that was part of
17 what we spoke about, that he did tell me that they had a
18 conversation and a lot of it to do with retirement and I
19 think the Chief's -- Landry's wife was sick. There was a
20 lot of issues that he mentioned the conversation was about;
21 Chief Shaver's family, all those things.

22 So when he put that down there, it was not a
23 surprise to me because we had discussed the fact that he
24 did speak to the Chief for several minutes or hours after -
25 --

1 **MS. DALEY:** He says hours, "several hours"?

2 **MR. SNYDER:** That's right, yeah.

3 **MS. DALEY:** And this is at the very time the
4 investigation has launched; correct?

5 **MR. SNYDER:** Correct.

6 **MS. DALEY:** And he's having a lengthy
7 conversation and he tells you here that Landry, Sr. is very
8 distraught over the complaint?

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** And I just wondered if you have
11 any other information from Shaver as to what was said in
12 that aspect of their lengthy conversation?

13 **MR. SNYDER:** Well, I just mentioned that.
14 The gist of it was about family and retirement and ---

15 **MS. DALEY:** No, no, "Distraught over the
16 complaint". Those are the last words he uses in that
17 paragraph.

18 **MR. SNYDER:** I think "Distraught over the
19 complaint" is self-explanatory. It was part of the
20 conversation we had at the house, so again I didn't go back
21 and interview him to explain that further. Is was -- I
22 knew what he was talking about from our interview at the
23 house.

24 **MS. DALEY:** Well, did you get the impression
25 when you spoke to Shaver about this dialogue with Earl Sr.

1 ---

2 MR. SNYDER: Yes.

3 MS. DALEY: --- that Earl Sr. just didn't
4 believe his son could ever have done such a thing?

5 MR. SNYDER: No.

6 MS. DALEY: Did you get the impression that
7 he let Shaver know he thought maybe he did do such a thing
8 and that's why he's distraught?

9 MR. SNYDER: No, I never got those
10 impressions.

11 MS. DALEY: All right.

12 But, again, I take it that this might be
13 conversation with the Chief which Shaver had with Landry,
14 Sr. ---

15 MR. SNYDER: Yes, yes.

16 MS. DALEY: --- didn't trigger in your mind,
17 "I need to speak to Landry, Sr. about this conversation"?

18 MR. SNYDER: No.

19 MS. DALEY: Okay.

20 THE COMMISSIONER: How do you know that Earl
21 Landry, Jr. was going to talk to his dad? You said -- you
22 see, the problem I have with all of this is this.

23 Normally, if you've got an accused or
24 somebody you've just arrested, you want to do things
25 quickly and before they start thinking and doing things.

1 It's possible, don't you think, that Earl
2 Landry, Jr. would not have spoken to his father, would have
3 been shy or whatever and would have kept his own counsel,
4 and would have gone to the polygraph but for the fact that
5 Chief Shaver phoned and alerted the father of this
6 proposal?

7 **MR. SNYDER:** Possibly.

8 **THE COMMISSIONER:** Right. So if that's the
9 case, in your mind, do you normally phone up on an adult
10 who's married and had -- I don't know if he's got children,
11 Landry, Jr. -- is it normal practice to phone up the parent
12 and say, "Hey, by the way, we've arrested your son and it's
13 really too bad and ..." ---

14 **MR. SNYDER:** No. I -- and the Chief
15 explained why he did it. I can't ---

16 **THE COMMISSIONER:** Okay, no but ---

17 **MR. SNYDER:** Yes, yes.

18 **THE COMMISSIONER:** No, no, no, but you're an
19 investigator now.

20 **MR. SNYDER:** Yes.

21 **THE COMMISSIONER:** And you're looking at
22 this as an investigator in a critical way.

23 **MR. SNYDER:** Yes.

24 **THE COMMISSIONER:** Right? Would you not
25 stop and say, "What's going on here?"

1 **MR. SNYDER:** Okay, I missed the -- would I
2 call the person?

3 **THE COMMISSIONER:** Would anyone, a police
4 officer, who's just arrested ---

5 **MS. DALEY:** A 30-year old man.

6 **MR. SNYDER:** I would not be calling that
7 parent, if you were to ask me that. If I'm doing the
8 investigation, no, I would not call that parent.

9 **THE COMMISSIONER:** Right. And (a), you
10 wouldn't have any business to do that.

11 **MR. SNYDER:** Correct.

12 **THE COMMISSIONER:** Number two, you might
13 alert another person, especially if it's ---

14 **MR. SNYDER:** Depending on what the crime is,
15 yes.

16 **THE COMMISSIONER:** Right. And so that
17 person could come in and say, "No, you're not going to have
18 a polygraph". So wouldn't that be hindering your
19 investigation if it happened that way? If a guy was
20 willing to take a polygraph ---

21 **MR. SNYDER:** Yes.

22 **THE COMMISSIONER:** --- and but for the
23 intervention of his father, who he may -- who the father
24 may never have known about the polygraph ---

25 **MR. SNYDER:** Yes.

1 **THE COMMISSIONER:** --- you just cut yourself
2 at the knees, haven't you?

3 **MR. SNYDER:** You're correct, Mr.
4 Commissioner. If Earl Landry, Jr. would have went home and
5 said nothing, perhaps he'd have come back. The fact that
6 the Chief spoke to Landry, Sr. ---

7 **THE COMMISSIONER:** M'hm.

8 **MR. SNYDER:** --- and now said, "You know,
9 you're not taking a polygraph test", and I agree with that,
10 but the fact that that happened, I don't -- again, looking
11 at it, I don't see the obstruct. I don't -- because the
12 father is just telling his son, "Don't take a test" or
13 "He's not taking taking a test".

14 **THE COMMISSIONER:** No. No, you're
15 absolutely right. I mean he's not -- he's sitting at
16 home?

17 **MR. SNYDER:** Yes.

18 **THE COMMISSIONER:** Right?

19 **MR. SNYDER:** Correct.

20 **THE COMMISSIONER:** And you're right, once he
21 gets the information ---

22 **MR. SNYDER:** Yes.

23 **THE COMMISSIONER:** --- you know, unless I
24 hear something else, you're right he's just helping his
25 son.

1 **MR. SNYDER:** Yeah.

2 **THE COMMISSIONER:** But don't you think that
3 there was something with Shaver, when -- by him phoning him
4 up? Wouldn't that be ---

5 **MR. SNYDER:** I suppose, but it wasn't --
6 again, the investigation is did Landry, Sr. obstruct the
7 police in their investigation? I didn't get that.

8 Was it appropriate for the Chief to call?
9 He's going to have to make the decision. I think it would
10 be argued both ways, sir. I don't know if I want to -- if
11 I can say that's an obstruction. I don't believe so, but -
12 --

13 **THE COMMISSIONER:** Okay. No, but in the
14 whole scheme of things, did it strike you as being unusual
15 that he would have phoned, made that phone call?

16 **MR. SNYDER:** I've never heard of it before.

17 **THE COMMISSIONER:** Never heard what?

18 **MR. SNYDER:** Of a police officer calling a -
19 - like a Chief of Police calling another Chief of Police, I
20 haven't seen that.

21 **THE COMMISSIONER:** Well, regardless, let's
22 assume for a minute that you see somebody walking into the
23 police station under arrest; all right?

24 **MR. SNYDER:** Yes.

25 **THE COMMISSIONER:** Would you not be

1 questioned if you hid away and phoned one of his friends
2 and said, "Hey, guess what, he's under arrest, you'd better
3 do something".

4 **MR. SNYDER:** Yeah.

5 **THE COMMISSIONER:** Like wouldn't that be a
6 breach of some code or anything like that from the police -
7 --

8 **MR. SNYDER:** A Police Act -- it could be a
9 Police Act charge there.

10 **THE COMMISSIONER:** Okay. Anyways, I tried.

11 **MS. DALEY:** What I'm -- just to wrap that up
12 or try to, I take it it didn't strike you as inappropriate
13 that Shaver phoned the suspect's father?

14 **MR. SNYDER:** Well, I don't say it was
15 inappropriate or not. I didn't make -- that's up to him to
16 determine whether it's inappropriate or not.

17 From what my investigation was, nothing
18 there in my mind had a criminal backing of obstruct.

19 **MS. DALEY:** But that's fine, but I just need
20 to take it in two pieces.

21 You made it very clear that your prime
22 suspect is Landry, Sr. ---

23 **MR. SNYDER:** Yes.

24 **MS. DALEY:** --- but you need to look at
25 anybody that he's communicated with about the incident.

1 Fair enough?

2 MR. SNYDER: Fair enough.

3 MS. DALEY: And we've now discovered that
4 Shaver initiated communication with him about the incident?

5 MR. SNYDER: Correct.

6 MS. DALEY: And advised him that the son was
7 under investigation for a serious charge?

8 MR. SNYDER: Yes, that's right.

9 MS. DALEY: Did that not lead you to wonder
10 about Shaver's involvement or question it?

11 MR. SNYDER: Well -- and that's why I spoke
12 to him and got ---

13 MS. DALEY: Right.

14 MR. SNYDER: --- a statement of an hour-and-
15 a-half or two hours at his home, feeling comfortable that
16 he did not -- or nothing had occurred that would have been
17 criminal and then speaking to both Lefebvre and Willis
18 about the same thing.

19 Again, I did not, in my mind, see anything
20 in there that would constitute a criminal act.

21 MS. DALEY: Did you consider that it was
22 inappropriate for Landry, Sr. to pick up the phone and
23 speak to Willis about anything to do with ---

24 MR. SNYDER: No.

25 MS. DALEY: --- his son?

1 **MR. SNYDER:** No. No, again, I'm looking at
2 a father calling the police and saying he's not doing it.
3 Again, there's nothing illegal about that.

4 Appropriate/inappropriate, you can have --
5 we can have discussion about that and arguments about that,
6 but whether it was criminal, it wasn't criminal and that's
7 what I was doing.

8 **MS. DALEY:** Now, you've made a point many
9 times that this was a criminal investigation and yet I take
10 it you didn't open an OMPPAC incident, did you?

11 **MR. SNYDER:** There was -- I don't think I
12 opened it up but I can't recall ---

13 **MS. DALEY:** Is there a project file on
14 OMPPAC for this investigation in the year 2000?

15 **MR. SNYDER:** Well, there's definitely a
16 number associated to it, I believe.

17 **MS. DALEY:** Is there?

18 **MR. SNYDER:** Yeah. Yeah, there's ---

19 **MS. DALEY:** Thank you, I'd forgotten that
20 point.

21 And did you file reports? Did you file
22 project reports there?

23 **MR. SNYDER:** Everything was done and I found
24 reports in there. I think we went through it.

25 **MS. DALEY:** All right. Okay.

1 Just a few further questions on the Landry
2 investigation. I'm sorry, I'm flipping ---

3 **MR. SNYDER:** That's fine.

4 **MS. DALEY:** --- back to that one.

5 **MR. SNYDER:** That's fine.

6 **MS. DALEY:** We talked about how the Earl
7 Landry, Jr. investigation was initiated. I take it the
8 Landry investigation is initiated when CAS speaks with
9 Brunet about the allegations of C-52. That's what kicks it
10 off, is that not correct, sir? I'm speaking about the 1997
11 one ---

12 **MR. SNYDER:** Yes.

13 **MS. DALEY:** --- that you eventually have
14 become involved in. So that's triggered by another agency,
15 that is to say the CAS ---

16 **MR. SNYDER:** Yes.

17 **MS. DALEY:** --- coming to Brunet?

18 **MR. SNYDER:** Yes.

19 **MS. DALEY:** Correct? And just to make a
20 parallel comparison, the Lalonde investigation is triggered
21 by the OPP initiating charges; correct?

22 **MR. SNYDER:** Correct.

23 **MS. DALEY:** All right.

24 **MR. CALLAGHAN:** I think on the -- I might be
25 getting my investigations, obviously on the one, Desrosiers

1 was notified by Probation, sent it to the OPP. And on the
2 other, my recollection -- well, let the witness go, but I
3 thought we had this sorted out. I wasn't sure you were
4 getting it quite right.

5 I think it's already in the record. I just
6 want to make sure it's clear as to which one came in
7 through which -- sorry, which agency?

8 **MS. DALEY:** Let's be -- let me try to step
9 back and clarify.

10 The investigation that you become involved
11 in concerning Lalonde ---

12 **MR. SNYDER:** Yes.

13 **MS. DALEY:** --- in 1997, the CPS
14 investigation ---

15 **MR. SNYDER:** Yes.

16 **MS. DALEY:** --- right, is triggered by the
17 OPP who have laid charges at the instance of C-68 and they
18 come to you and they tell you that they are local victims;
19 right?

20 **MR. SNYDER:** C-68 comes to us ---

21 **MS. DALEY:** Right.

22 **MR. SNYDER:** --- first. We ---

23 **MS. DALEY:** Goes to the OPP.

24 **MR. SNYDER:** Goes to the OPP.

25 **MS. DALEY:** They come back with local

1 victims?

2 MR. SNYDER: Absolutely, yes.

3 MS. DALEY: And that's how you opened your
4 file in '97; right?

5 MR. SNYDER: Yes, but I opened my file, but
6 Constable Desrosiers is also opening it up because he has -
7 - I don't have the number here of the individual -- comes
8 forward to him ---

9 MS. DALEY: Right.

10 MR. SNYDER: --- and makes a complaint.

11 MS. DALEY: But that individual who came
12 forward to Desrosiers -- and if you don't know, that's
13 fine. I've understood ---

14 MR. SNYDER: Well, I know who it is. I just
15 don't have the number; I don't have the moniker.

16 MS. DALEY: Yeah, that's what I think too.
17 If I write it down for you maybe you can verify?

18 MR. SNYDER: Yes.

19 MS. DALEY: So I've showed you the name that
20 corresponds to moniker C-45 and that's the individual who
21 made contact with Desrosiers; correct?

22 MR. SNYDER: Correct.

23 MS. DALEY: But C-45 also comes to
24 Desrosiers through the OPP; correct?

25 MR. SNYDER: I don't believe so.

1 MS. DALEY: No? Okay.

2 MR. SNYDER: No.

3 MS. DALEY: So that ---

4 MR. SNYDER: C-45, that's -- knows Constable
5 Desrosiers and went to him.

6 MS. DALEY: All right. But he is also
7 mentioned in the OPP report that Mr. -- that Brunet
8 receives?

9 MR. SNYDER: I ---

10 MS. DALEY: I can show you that.

11 MR. SNYDER: Sure.

12 MS. DALEY: Hold on.

13 MR. SNYDER: Go ahead.

14 MS. DALEY: Hold on, hold on. I can show
15 you that if I can remember where it is. Give me one
16 second.

17 (SHORT PAUSE/COURTE PAUSE)

18 MS. DALEY: Just to help you out, if you
19 look very briefly at 1584. That was Brunet's notes of the
20 names that Genier provides on January 28th.

21 And if you have that, sir, look at the
22 second page, about seven lines down, that's C-48's (sic)
23 name; correct? Sorry, C-45's name.

24 MR. SNYDER: Yes.

25 MS. DALEY: All right.

1 So C-45 had also come up in the OPP
2 investigation and Genier is giving that name, amongst
3 others, to Staff Sergeant Brunet?

4 **MR. SNYDER:** Yes, and prior to Staff
5 Sergeant Brunet receiving it, that individual came into the
6 station and complained to Constable Desrosiers.

7 **MS. DALEY:** He initiated contact with
8 Desrosiers?

9 **MR. SNYDER:** Correct.

10 **MS. DALEY:** Got it. Okay. So that -- sorry
11 to be painful about it, but that helps us understand
12 Lalonde.

13 And then turning to Landry, if I have it
14 right, that investigation, at least the 1997 one that you
15 eventually become involved in, that is commenced when the
16 CAS tells Brunet of a report that they've received
17 concerning C-52 and his allegations; right?

18 **MR. SNYDER:** Correct.

19 **MS. DALEY:** Okay.

20 And one thing I wanted to discuss with you
21 and that is how Constable Hanton handled that
22 investigation, and I wonder if you can help with this.

23 I take it that when you came onto the scene,
24 what you took from Hanton's work was that C-52 could not
25 identify the perpetrator. That's what Hanton believed?

1 **MR. SNYDER:** Correct.

2 **MS. DALEY:** If you look very briefly at
3 Exhibit 1613, which I think you've seen earlier today or
4 yesterday, those are Hanton's notes?

5 **MR. SNYDER:** Yes.

6 **MS. DALEY:** And I don't have it on the
7 screen. I'm not sure I need it. Is it not fairly clear to
8 you from the very first page of the notes that C-52 had
9 identified Earl Landry, Jr.?

10 **MR. SNYDER:** No, he's there as a suspect.
11 There's nothing there says he identified him.

12 **MS. DALEY:** I'm sorry?

13 **MR. SNYDER:** He's there as a suspect ---

14 **MS. DALEY:** Yes.

15 **MR. SNYDER:** --- but there is nothing there
16 that says he was identified. They're two different things.

17 Just because somebody is suspect, there has
18 to be proper identification, and my understanding or my
19 belief was when he did his investigation that -- sorry, C-
20 52 could not positively identify that individual or Landry.

21 **MS. DALEY:** Well, the reason I'm not
22 comprehending that ---

23 **MR. SNYDER:** Yeah.

24 **MS. DALEY:** --- is you have a name and a
25 date of birth, so that's pretty specific to a specific

1 individual?

2 MR. SNYDER: Yes.

3 MS. DALEY: And presumably C-52 gave that
4 individual's name to Constable Hanton? How else ---

5 MR. SNYDER: Yes, and again ---

6 MS. DALEY: --- how else does it appear in
7 the notes?

8 MR. SNYDER: And I think it was actually
9 through the CAS as well that name was given, but just
10 because it was given and the person -- I don't know how to
11 explain -- has to positively identify that person as a
12 perpetrator, and in Constable Hanton's mind he wasn't able
13 to do that positive identification.

14 THE COMMISSIONER: And where do you get that
15 conclusion that he wasn't --

16 MR. SNYDER: Because he gave a statement

17 THE COMMISSIONER: No, no. Wait.

18 MR. SNYDER: Okay

19 THE COMMISSIONER: So you're not just taking
20 it from the fact the word suspect is there?

21 MR. SNYDER: No, no. Exactly

22 THE COMMISSIONER: All right.

23 MR. CALLAGHAN: Mr. Commissioner, for a
24 reference, Exhibit 1466.

25 THE COMMISSIONER: Fourteen-sixty-six

1 (1466).

2 MS. DALEY: But the thing I'm just not
3 understanding and maybe I don't understand policing ---

4 MR. SNYDER: M'hm.

5 MS. DALEY: --- but if this victim, Mr. C-
6 52, is saying, "I was sexually abused by Earl Landry, Jr.",
7 has he not identified the suspect?

8 MR. SNYDER: If he said that that way,
9 perhaps, yes. Then he's got to be able to identify who is
10 Earl Landry, Jr.

11 MS. DALEY: Meaning by a photograph or
12 something?

13 MR. SNYDER: A photograph or knowing him
14 from whatever reasons. It's not just that's the name; I
15 got to associate the name now to a face.

16 MS. DALEY: Do you know if Hanton showed him
17 photos?

18 MR. SNYDER: He did not.

19 MS. DALEY: So had he shown him a photo of
20 Earl Landry, Jr., how can we say that C-52 -- or at least a
21 photo of how he appeared back when the assault occurred --
22 how do we know that C-52 couldn't have said, "Yeah, that's
23 Earl Landry, Jr."? Big Earl, he worked at the park.

24 MR. SNYDER: Yes.

25 MS. DALEY: I just -- you know, I won't

1 belabour the point, but it seems to me that what Hanton
2 said to you was wrong and that C-52 could, in fact,
3 identify this suspect?

4 **MR. SNYDER:** Well, I just -- what I went on
5 as I got information from CAS and I went on and charged
6 Landry. So ---

7 **MS. DALEY:** Clearly ---

8 **MR. SNYDER:** --- it's a matter of, again ---

9 **MS. DALEY:** --- as soon as you spoke to C-52
10 -- sorry, I don't want to cut you off ---

11 **MR. SNYDER:** No.

12 **MS. DALEY:** --- but you spoke to C-52.

13 **MR. SNYDER:** Yes.

14 **MS. DALEY:** He had no difficulty identifying
15 the suspect.

16 **MR. SNYDER:** Yes, but -- and I guess in
17 Scott Hanton's mind he didn't have reasonable and probable
18 grounds to believe that that's who it was. That's
19 something that's subjective; that's something that he's has
20 of -- is an issue he's got to deal with.

21 In my mind, from the statements I received,
22 I was comfortable in going forward.

23 **MS. DALEY:** All right.

24 I guess the concluding aspect of -- again,
25 I'm with the Landry Jr. investigation.

1 **MR. SNYDER:** That's fine.

2 **MS. DALEY:** Obviously, we know that what
3 happened in 1985 didn't result in any charges. You also
4 know from your investigation in 1997 that you had one
5 victim who was abused repeatedly in years following 1985;
6 correct? Let me help you.

7 **MR. SNYDER:** Please.

8 **MS. DALEY:** That was Mr. C-54; correct?

9 **MR. SNYDER:** Yes. Yes.

10 **MS. DALEY:** So ---

11 **MR. SNYDER:** Again, years, you are going to
12 have to help me out with the years. I'm -- I know the case
13 but ---

14 **MS. DALEY:** I'll show you what I think is
15 the information and just so that you can verify this.

16 **MR. SNYDER:** Sure.

17 **MS. DALEY:** It is Document 740320. Do you
18 have that?

19 **MR. SNYDER:** Am I supposed to?

20 **MS. DALEY:** I'm sorry. I'm sorry.

21 **THE COMMISSIONER:** Thank you. Exhibit
22 Number 1631 is the information or the indictment, I guess -
23 --

24 **MS. DALEY:** The indictment.

25 **THE COMMISSIONER:** --- of the Ontario Court

1 General Division, *Her Majesty the Queen vs. Earl Landry*,
2 and this information was signed on -- the indictment, on
3 the 16th of April, 1998.

4 --- EXHIBIT NO./PIÈCE NO. P-1631:

5 (740320) - Indictment - Her Majesty the
6 Queen vs. Earl Landry dated 16 Apr 98

7 MS. DALEY: Sir, the charges that pertained
8 to C-54 are Counts 11 through 14?

9 MR. SNYDER: Eleven (11) to 14, yes.

10 MS. DALEY: And each of those counts or each
11 of those occurrences were on dates after December of 1985 -
12 --

13 MR. SNYDER: Correct.

14 MS. DALEY: --- when Landry Jr. first came
15 to the attention of your Force; correct?

16 MR. SNYDER: Correct.

17 MS. DALEY: So are you prepared to agree
18 with me that if matters had occurred differently in 1985,
19 if he had been charged, there was a high probability that
20 C-54 would not have been abused by him?

21 MR. SNYDER: Again, without -- if there was
22 corroboration and they could have charged him, yes, I
23 agree.

24 MS. DALEY: All right. Just a few small
25 points to wrap up with.

1 You remember in relation to -- forgive me, I
2 need to go back to Lalonde for a moment. You remember in
3 relation to Lalonde, my friend spoke to you at length
4 yesterday about the search warrant and the timing of the
5 search warrant that you procured.

6 **MR. SNYDER:** Yes.

7 **MS. DALEY:** Do you remember that?

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** But I understood that when you
10 did conduct the search, you found photographic evidence,
11 including photographic evidence that related to C-68. Is
12 that correct, sir?

13 **MR. SNYDER:** I never saw the pictures, so --
14 -

15 **MS. DALEY:** Did you not understand though
16 that the pictures encompassed C-68?

17 **MR. SNYDER:** I don't know if I knew that or
18 not.

19 **MS. DALEY:** I guess I was wondering whether
20 or not the OPP, in relation to the investigation they did
21 at the behest of C-68, had searched Lalonde's premises. Do
22 you know about that?

23 **MR. SNYDER:** They -- I don't know if they
24 searched his premises or not, no.

25 **MS. DALEY:** All right. Okay. Bear with me

1 one second.

2 (SHORT PAUSE/COURTE PAUSE)

3 MS. DALEY: In relation to Landry Jr. again,
4 my friend was talking to you about the time when you saw
5 him at the McDonald's ---

6 MR. SNYDER: Yes?

7 MS. DALEY: --- and you were off duty, et
8 cetera, but you still took an action, right?

9 MR. SNYDER: Yes.

10 MS. DALEY: Although it appears that you
11 didn't call the CAS immediately, right?

12 MR. SNYDER: Yes.

13 MS. DALEY: On other occasions in the Landry
14 matter, I take it there were times when you were off duty
15 but you nonetheless came out of your off-duty status to
16 participate in important events, such as the arrest;
17 correct?

18 MR. SNYDER: I'm sorry; I don't understand
19 the question. I was off duty and did the arrest?

20 MS. DALEY: The indication is from the bail
21 hearing that, in fact, you were off duty at the time, but
22 you did come in to participate in the arrest of ---

23 MR. SNYDER: I worked overtime, like, I came
24 in on not a scheduled time period ---

25 MS. DALEY: Yes.

1 **MR. SNYDER:** --- to come in and do the
2 surveillance and effect the arrest ---

3 **MS. DALEY:** All right.

4 **MR. SNYDER:** --- or the breaches, yes.

5 **MS. DALEY:** All right.

6 So you put in additional time to make that
7 possible?

8 **MR. SNYDER:** Yes.

9 **MS. DALEY:** All right.

10 **THE COMMISSIONER:** Okay. Well, wait a
11 minute now. Are you saying you're off duty at the
12 McDonald's or you're doing overtime?

13 **MR. SNYDER:** No.

14 **THE COMMISSIONER:** Or does the overtime
15 click in because you've seen this and you did that?

16 **MR. SNYDER:** No, I never put in overtime for
17 McDonald's. I was just off duty, and I ---

18 **THE COMMISSIONER:** Yes.

19 **MR. SNYDER:** The other one was I was doing
20 an -- I had information that he was breaching his
21 undertaking recognizance.

22 **THE COMMISSIONER:** Right.

23 **MR. SNYDER:** So I came in not on my regular
24 hours to do surveillance to see if he was in fact doing
25 that.

1 **THE COMMISSIONER:** Okay.

2 **MS. DALEY:** All right.

3 So perhaps that demonstrates your dedication
4 to that prosecution?

5 **MR. SNYDER:** Absolutely.

6 **MS. DALEY:** And the importance of what you
7 saw happening at that time; that is to say, his breach of
8 recognizance?

9 **MR. SNYDER:** Yes.

10 **MS. DALEY:** One final point, and that
11 concerns Project Truth and the interaction between your
12 service and Project Truth.

13 And this came up in the context of C-66 and
14 the fact -- if you remember who that is?

15 **MR. SNYDER:** Yes.

16 **MS. DALEY:** And the fact that in 1998, you
17 knew the OPP wanted to investigate him but you weren't
18 quite sure why, and you at least believed he wasn't inside
19 their mandate. I'm just refreshing your mind about that
20 evidence.

21 **MR. SNYDER:** I'm not sure. He called --
22 again, I think we got -- he called Constable Desrosiers,
23 left a message. He then called me asking me why are the
24 OPP interested in looking at -- to speak to me. I didn't
25 know. I called the OPP. They said they'll get back to me;

1 they don't know why.

2 I called him back saying leave it with me.

3 It was just back and forth until ---

4 **MS. DALEY:** Understood.

5 **MR. SNYDER:** --- finally the OPP calls and
6 said it'll be about a week. Within the next week I should
7 know what's going on. Whether he's a victim or a witness,
8 I'm not quite sure.

9 In the interim, he -- which is C-66 --
10 contacted the OPP and said, "Okay, what's going on here?"

11 **MS. DALEY:** My interest in it is not to
12 examine those details ---

13 **MR. SNYDER:** Yeah, that's fine.

14 **MS. DALEY:** --- but just to try and
15 understand your understanding and the Force's understanding
16 about what Project Truth was about and what it wasn't. All
17 right?

18 **MR. SNYDER:** Yes, okay.

19 **MS. DALEY:** And I took it from your evidence
20 that there were occasions where Project Truth took
21 jurisdiction over something that surprised you because you
22 didn't understand that that's what they were there for?

23 **MR. SNYDER:** This one surprised me.

24 **MS. DALEY:** Yes. Okay.

25 **MR. SNYDER:** Yes, and I don't think I -- I

1 may be surprised by other ones, but this one surprised me.

2 **MS. DALEY:** All right.

3 Were there any other examples of cases where
4 the OPP would send them to your service, and you thought
5 "well, we think that's Project Truth"?

6 **MR. SNYDER:** No, we never argued with them.
7 We had a very good rapport. If they thought that we should
8 do it, we went ahead and did it.

9 **MS. DALEY:** All right.

10 **MR. SNYDER:** There was no, "No, it's not
11 our; it's yours." It was ---

12 **MS. DALEY:** Did you feel, sir, that your
13 Force had a clear understanding of where the line was drawn
14 between what was in their policing jurisdiction and what
15 the OPP was meant to do with Project Truth?

16 **MR. SNYDER:** I think between the both
17 services, they would have figured out -- you know, if we
18 thought that we weren't sure, we would call them, and if
19 they thought they weren't sure, they'd call us. It was
20 that type of atmosphere.

21 **MS. DALEY:** Okay. Fair enough.

22 And so you sorted it out more or less on an
23 ad hoc basis?

24 **MR. SNYDER:** Personally, I never had an
25 opportunity to do that except in reference to this ---

1 MS. DALEY: Yes?

2 MR. SNYDER: --- this individual. We got
3 called back and forth between myself and Genier, passing
4 the information on, but the only recollection of one that I
5 remember sending over to them would have been C-68
6 personally.

7 MS. DALEY: Yes, yes.

8 MR. SNYDER: Through Constable Desrosiers.
9 C-68 ---

10 MS. DALEY: Is Project Truth in place in
11 late 1996?

12 MR. SNYDER: Well, I don't know if it was
13 but ---

14 MS. DALEY: I don't think so.

15 MR. SNYDER: I don't think it was, but I'm
16 saying that's, in my mind, saying to the OPP. Project
17 Truth was much later on.

18 MS. DALEY: Yes. All right.

19 MR. SNYDER: So you're right, my years are a
20 little off.

21 MS. DALEY: No, I don't doubt your evidence
22 that ---

23 MR. SNYDER: Yeah.

24 MS. DALEY: --- there was a collegial
25 working relationship. I'm just trying to understand if

1 people had a clear understanding of who needed to do what
2 and did you more or less sort it out as issues arose?

3 **MR. SNYDER:** No, again, I think they had a
4 clear issue. I think they had a clear vision of what it
5 was, and I think that if we would have made any mistakes,
6 they would have brought them to everybody's attention.

7 **MS. DALEY:** All right. Those are my
8 questions. Thank you.

9 **MR. SNYDER:** Thank you.

10 **THE COMMISSIONER:** Thank you.

11 Why don't we call it a day and we'll come
12 back tomorrow morning at 9:30.

13 **THE REGISTRAR:** Order; all rise. À l'ordre;
14 veuillez vous lever.

15 This hearing is adjourned until tomorrow
16 morning at 9:30 a.m.

17 --- Upon adjourning at 5:12 p.m./

18 --- L'audience est ajournée à 17h12

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C E R T I F I C A T I O N

I, Marc Demers a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Marc Demers, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Marc Demers, CVR-CM